

AN ANALYSIS OF THE EUROPEAN UNION'S CONFLICT RESOLUTION
INTERVENTION IN POST-CONFLICT CROATIA AND THE FORMER
YUGOSLAV REPUBLIC OF MACEDONIA

By
ATHINA GIANNAKI

Submitted Faculty of Arts and Social Sciences
in partial fulfillment of
the requirements for the degree of
Master of Arts

Sabanci University
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To my family and
Andreas

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ABSTRACT

AN ANALYSIS OF THE EUROPEAN UNION'S CONFLICT RESOLUTION INTERVENTION IN POST-CONFLICT CROATIA AND THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Athina Giannaki

M.A. in Conflict Analysis and Resolution

Supervisor: Dr. Nimet Beriker

Croatia and the Former Yugoslav Republic of Macedonia (FYROM) are two countries which have been established after the disintegration of Yugoslavia, in 1991. Shortly after its independence and till 1995 Croatia faced a bloody civil war, between the government and the Serbian minority of the country. FYROM avoided a full scaled war, but it faced a destructive crisis in 2001 between the government and the Albanian minority. The crisis, however, was managed quickly, especially with the help of the international community.

This thesis examines the type of European Union's (EU) intervention, as a third party, in the post-conflict environment of the two countries. A short comparison of the two cases indicates the commonalities and differences between them. The data used in this thesis were mainly gathered from various European Union's official documents.

The results of the thesis suggest that for both cases the EU's intervention was primarily a structural intervention.

Key words: EU, Croatia, FYROM, third party, structural intervention

ÖZET

UYUŞMAZLIK SONRASI HIRVATİSTAN VE ESKİ YUGOSLAV MAKEDONYA CUMHURİYETİ’DEKİ AVRUPA BİRLİĞİ UYUŞMAZLIK ÇÖZÜMÜ MÜDAHALELERİNİN ANALİZİ

Athina Giannaki

Uyuşmazlık Analizi ve Çözümü Yüksek Lisans, Sanatta Yeterlilik Tezi

Tez Danışmanı: Doç. Dr. Nimet Beriker

Avrupa Birliği, bölgesel bir örgüt olarak, son birkaç on yılda uyuşmazlık önleme ve barış inşası konularında tüm dünyada üçüncü taraf olarak etkin bir katılım sergilemektedir. Ancak AB, Avrupa kıtasında daha da aktiftir ve bu tezin incelediği iki vaka sözkonusu kıtayı kapsamaktadır.

Hırvatistan ve Eski Yugoslav Makedonya Cumhuriyeti (EYMC), 1991’de Yugoslavya’nın dağılması sonrasında oluşmuş iki ülkedir. Hırvatistan, bağımsızlığını kazanmasının hemen akabinde başlayıp 1995 yılına kadar süren ve hükümetle ülkedeki Sırp azınlık arasında gerçekleşen, kanlı bir iç savaş yaşamıştır. EYMC ise, 2001’de tam anlamıyla bir savaşa mani olunmuşsa da, hükümet ve Arnavut azınlık arasında yıkıcı bir krizle yüzleşmiştir. Ancak bu kriz, özellikle de uluslararası toplumun yardımıyla hızlı bir şekilde yönetilmiştir.

Bu tez Avrupa Birliği (AB)’nin, üçüncü taraf olarak, her iki ülkedeki uyuşmazlık sonrası ortama müdahalesinin türünü incelemektedir. İki vakanın kısa bir karşılaştırması

aralarındaki benzerlik ve farklara dikkat çekmektedir. Tezde kullanılan bilgiler temel olarak çeşitli resmi Avrupa Birliği dökümanlarından toplanmıştır.

Tezin sonuçları, her iki vaka için de AB'nin müdahalesinin özde bir yapısal müdahale şeklinde olduğu göstermiştir.

Anahtar Kelimeler: AB, Hırvatistan, EYMC, üçüncü taraf, yapısal müdahale

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TABLE OF CONTENTS

ABBREVIATIONS

Chapter One. Introduction	1
Chapter Two. Literature Review	4
<i>Literature Review</i>	4
<i>Methodology</i>	20
Chapter Three. The European Union	24
Chapter Four. Historical Background	46
Croatia	54
The conflict between Croats and Serbs	54
Conflict Resolution attempts by the international community	57
Croatia's current situation	59
The Former Yugoslav Republic of Macedonia	62
The conflict between Slav Macedonians and Macedonian Albanians	62
Conflict Resolution attempts by the international community	65
The former Yugoslav Republic of Macedonia's current situation	68
Cases' comparison	69
Chapter Five. European Union's third party intervention in the post-conflict Croatia and the former Yugoslav Republic of Macedonia	72
Croatia	72
The former Yugoslav Republic of Macedonia	82
Chapter Six. Analyses	94
Croatia	94
The former Yugoslav Republic of Macedonia	99
Chapter Seven. Conclusion	106
References	118

List of tables

Table 1	18
Table 2	59
Table 3	68
Table 4	71
Table 5	104
Table 6	104

ABBREVIATIONS

CFSP	
CIVCOM	Common Foreign and Security Policy Committee for Civilian Aspects of Crisis Management
CR	
CSPs	Conflict Resolution
EAR	Country Strategy Papers
EC	European Agency for Reconstruction
ECHO	European Community
ENP	European Humanitarian Aid Office
ESS	European Neighbourhood Policy
EU	European Security Strategy
EUMC	European Union
EUMM	European Union Military Committee
EUMS	European Union Monitoring Mission
EUSRs	European Union Military Staff European Union's Special Representatives
FYROM	Former Yugoslav Republic of Macedonia
ICG	
NGO	International Crisis Group
PPU	Non-Governmental Organizations
PSC	Policy Planning and early warning Unit
RRM	Political and Security Committee
SAP	Rapid Reaction Mechanism
SG/HR	Stabilisation and Association Process Secretary General/High Representative of the CFSP

CHAPTER 1

INTRODUCTION

Since the end of the Cold War, many international and regional organizations have been actively involved with conflict prevention, conflict management and post-conflict peacebuilding. Among them, the European Union (EU), as one of the most powerful regional organizations in the world, has shown an increased interest in conflict resolution, especially towards countries of the European continent. Two of these cases, where the EU became involved as a third party, are examined in this thesis.

One of the events which characterize the end of the 20th century is the dissolution of Yugoslavia. Prolonged wars, thousands of victims, millions of refugees followed the dissolution, which the EU failed to prevent. In the aftermath of the wars, when the new states were struggling to find their own position in Europe, the EU had a second chance to intervene and undertake a leading role in the reconstruction of the countries. Their development became a major goal of the EU, in its attempt to bring stability and peace in its region.

In that phase, the post-conflict period, part of the third party's role is to prevent a renewed conflict. The settlement of a conflict does not imply the impossibility of re-escalation, if root causes are not addressed. Any new conflict in the area would have been a major threat to EU's solidity, due to the geographical position of those countries.

Furthermore, at that time, the EU's aspirations to be a global actor who can act effectively in the conflict resolution field had grown significantly.

These aspirations are clearly evident in the various changes in the EU's policies and instruments of conflict resolution. The EU was actually moving towards the creation of a more concrete framework, regarding its foreign policy and its role as an international actor and conflict prevention and transformation, became one of the Union's principal objectives. This growing commitment to conflict resolution, both regionally and internationally, in addition to the EU's wish to diminish any possibility for renewed conflicts in the Balkans, explains EU's intervention as a third party to the area.

This thesis examines two cases of the Balkans; Croatia and the Former Yugoslav Republic of Macedonia (FYROM). Through this comparative research, my aim is to explore a little examined area, that of the EU conflict resolution mechanisms in the post-conflict environment of its periphery. I will present and analyze all EU activities and the instruments used in those two countries to prevent future conflict escalation and transform the root causes of the conflicts, leading to conflict resolution.

One of the most powerful tools of conflict resolution for the EU, which is used widely the last years, is the power of membership. Its power lies in the leverage it gives to the EU to ask for certain consensus from the potential members, in return for the economic and political help the EU provides. However, it is not the only tool of conflict resolution used by the EU in the case of post-conflict Croatia and the FYROM. A number of other instruments are also used, unrelated to the prospect of membership.

The thesis consists of seven chapters. The first chapter is the introduction, where I present the scope and objective of the thesis and I explain the value of this study.

The second chapter consists of two parts. The first part is devoted to the literature review. As the study is concerned with the intervention of the EU, as a third party, in the two cases under examination, it is important that the thesis will start by examining the

various third party instruments of intervention, as presented in the conflict resolution literature. The second part deals with the methodological issues. Hence, I will elaborate on the scope and objective of the thesis and the methodology used for addressing the issue.

Before continue with the presentation and analysis of the data, it is important to clarify the structure of the EU. Therefore, in the third chapter I present the various institutions through which the EU implements its conflict resolution policies.

A brief historical background of the conflicts, the conflict resolution procedure which was followed, current situation of the two countries and their relationship with the EU is given in the fourth chapter.

The presentation of the instruments used by the EU for intervening in the post conflict environment of Croatia and FYROM is given in the fifth chapter. The first part of this chapter will be devoted in Croatia and the second in FYROM.

In the next chapter, these instruments are analyzed and categorized according to a framework, adopted from the conflict resolution literature.

The final chapter, the conclusions, provides an overview of the thesis and further theoretical and empirical implications are discussed.

CHAPTER 2

2.1. LITERATURE REVIEW

Third parties according to Young (as cited in Mitchell 1988:48) are actors which become significantly involved in a conflict without total identification with either of the parties. Sandole (in Cheldelin, et al. 2003:49) argues that a third party intervention is an “attempt to facilitate processes leading to quite different, albeit potentially interrelated outcomes”. More concrete, the third party can prevent the conflict from erupting, control it from spreading, settle it or even deal with the underlying causes of it. Having achieved this the third party may also decide to work on the long-term relationships among the parties. Since the third party intervention is crucial in the conflict resolution (CR) field, the literature on this subject is inevitably huge. This body of work concerns issues, such as who can be a third party, when shall the third party intervene, what kind of action it shall take, when is it successful, etc.

Third party can be an individual, a non-governmental organization (NGO), a regional or an international organization or even a state. The conflict resolution field distinguishes between Track I and Track II actors. While Track I refers to governmental/international government organizations, Track II refers to local, national and international conflict resolution NGOs and other non-governmental actors (Sandole in Cheldelin et. all, 2003:51).

As Crocker points out (in Crocker et al. 1996:189) individual governments, regional peacekeeping or peace enforcement efforts and the United Nations (UN) are usually engaged in military interventions. A similarly broad range of governmental, intergovernmental and other, such as NGOs, media, specialized civil society and conflict resolution groups, humanitarian relief and development organization, etc, players may intervene in nonmilitary ways (overt, covert, economic, diplomatic, public or private) to manage and resolve conflict.

The conflict resolution literature presents a plethora of third party activities, organized under different categories and sub-categories. For instance, based on the conflict stage: preventive intervention during unstable peace, crisis management during a crisis, conflict management in case of a war, peace enforcement, peacekeeping and peacebuilding after an agreement is reached and conflict de-escalates (Lund, 1996:386). However, even under each of these categories third parties can undertake a variety of actions. This thesis presents four major categories of third party intervention, conflict prevention, mediation, track II diplomacy, and peacekeeping/peacebuilding, each of which encompasses many activities, as presented in the following part.

2.1.1. CONFLICT PREVENTION

The prevention of violent conflicts has become especially important in the last decades, especially after the genocide in Rwanda, the dissolution and the wars which followed in the former Yugoslavia, and other cases. Furthermore, the number of actors involved in conflict prevention is constantly growing. States, international and regional organizations, international, regional and local non governmental organizations have developed various mechanisms in order to be effective in conflict prevention.

Many scholars have addressed the issue of conflict prevention and they have come up with their definitions. Most definitions share some similarities; the differences

however are notable and crucial. Conflict prevention is general defined by the specialists as any action which prevent the arise of conflicts, the conflict escalation into violence and the re-emergence of violence (Wallensteen:1998, Lund:2002, Boutros-Ghali:1992, Stewart, Carnegie Commission on the Prevention of Deadly Conflict:1999, Ryan:1998, Bedjaoui:2000). A common characteristic of these definitions is that they include actions taken in all stages of a conflict.

Another group of scholars portrays the different stages of the conflict and the appropriate actions that can be undertaken. For instance, Ackermann (2000:19) proposes that conflict prevention measures should not just aim to prevent violence, but also to be initiated in the post conflict phase. For that, she defines conflict prevention in a pre-violent stage as preventive diplomacy, and at a post-conflict stage as post-conflict peace-building. Another definition of conflict prevention, based on the time used, is given by Reyhler (2001). He distinguishes proactive violence prevention, as any effort which prevents conflicts from crossing the threshold of violence, from reactive violence prevention, the aim of which is to prevent a further escalation of the conflict by controlling the intensity of the violence, by reducing the duration of the conflict, and by containing or preventing geographical spillover (p.4).

Even though most of the scholars agree that a mixture of different measures is necessary in order for conflict prevention to be more effective, there is no unanimity as for the exact measures. Moller et al. (2005) divide the conflict prevention measures into peaceful and coercive measures. The first category includes actions, such as verbal attention, relief efforts, facilitation, third party coordination, proposals and decisions. On the other hand carrots, sticks, threats to use coercive measures, as defined in chapter VII of the United Nation's (UN) Chapter, and decisions to carry out such threats are the coercive measures of the typology (p.6). Jentleson (2003) also finds the combination of coercive and non-coercive measures as the basis of successful conflict prevention. A more detailed tool box of conflict prevention is offered by Lund (2002:101). It includes diplomacy, interactive conflict resolution, economic development, education, health, agriculture, and so on, as well as commercial activities.

Ackermann, who distinguishes, as seen above, conflict prevention measures depending on the conflict stage, offers concrete conflict prevention actions. Preventive diplomacy includes a variety of measures, such as monitoring systems, preventive peacekeeping forces, creation of communication channels among the parties, economic assistance, problem-solving workshops, etc. The post-conflict peacebuilding can be achieved through rapprochement, reconciliation and institution building. For her, conflict prevention should be more focused not on how to prevent, but to the in depth analysis of the causes and the dynamics of the conflicts.

Cockell (in Hampson and Malone, 2002:192) differentiates three components of preventing diplomacy: early warning, key decisions on early actions and strategies of actions. Boutros-Ghali (1992) identifies four strategies for conflict prevention: preventive diplomacy, peacemaking, peace-keeping, and peace-building. For Bercovitch (1996) conflict prevention policies fall under three categories: early warning systems, confidence-building measures, and mediation and related diplomatic missions. In a recent study Bercovitch et. al proposes that preventive deployment, facilitation, third party mediation, and fact finding missions are the instruments of conflict prevention. (2005) Ryan argues that the time of conflict prevention distinguishes two types of peacekeeping; preventive and “traditional”. The former tries to stop destructive conflicts from occurring, while the latter responds after destructive violence is underway.

The literature refers to two categories of conflict prevention. The direct, operational or light prevention and the structural, root causes or deep prevention (Wallenstein & Möller: 1998, Peck: 1998, Aggestam in Carey, Richmon: 2003, Jentleson, 2000: 10, Miall, Ramsbotham, Woodhouse: 1999). The first refers to measures to address immediate crises (e.g. sending high-level diplomatic missions to mediate between parties, using economic tools such as sanctions, inducements, or collecting weapons and demobilizing fighting units), and employing forceful measures such as deploying peacekeepers to a region. The former address root causes such as poverty, political repression and uneven distribution of resources, which can, if left unattended,

escalate into violence. This is a long-term approach which aims to promote development, good governance, reduce poverty, promote human rights, etc.

Another trait that the literature focuses on is the conflict prevention actors. Wallensteen (in Hamson and Malone, 2002: 214) pays special attention to the fact that these actions are taken by third parties, not by the primary parties themselves. Carment & Schnabel (2003:11) talk about a variety of actors. Ackermann (2000) in her conflict prevention framework, identifies four levels of prevention, top leadership, leaders of ethnic groups and political movements, international/regional organizations, NGOs and other grassroots organizations, together with approaches/actions they can undertake.

The report of the Aspen Institute conference (1996) highlights that even though public opinion identifies conflict prevention with military intervention, preventive action must occur on several levels. The primary responsibility for conflict prevention lies with the government and civil society of the country. Nevertheless, external assistance is often needed. For that the second level of responsibility is the international community: regional/international organizations, and other states. Finally, the role of NGOs is increasingly recognized as of highly importance in conflict prevention.

2.1.2. MEDIATION

In case a conflict was not prevented from erupting, the third party can use a variety of methods in order to contribute to the resolution of it. Mediation is one of the most commonly used techniques. The field, however, lacks of a general accepted definition of mediation. Many definitions have been proposed, each of which focuses on a different aspect. Some are outcome-oriented, arguing that mediation helps the parties achieve a settlement of their dispute (Young, 1967:34, Mitchell, 1981:287, Blake and Mouton, 1985:15). Other focuses on the neutrality and impartiality of the mediator

(Bingham, 1985:5, Moore, 1986:14, Spencer and Yang, 1993: 1495). Bercovitch (1996:13), after having examined various issues related to the mediation process, such as mediators' interests, mediators' characteristics, dispute environment, etc, offers the following definition of mediation: "a reactive process of conflict management whereby parties seek the assistance of, or accept an offer of help from, an individual, group, or organization to change their behavior, settle their conflict, or resolve their problem without resorting to physical force or invoking the authority of the law".

Two paradigms of mediation are described by Crocker et al. (1999:20-24): the structuralist and the social-psychological paradigm. The first "is based on the belief that through the use of persuasion, incentives and disincentives, parties can be led to and through a negotiated settlement". Crucial in this paradigm is the notion of "ripeness" and the idea that often mediators have to use their leverage or power. The former "focuses on the processes of communication and exchange as a way to change perceptions and attitudes". Dialogue and problem-solving workshops are central in this paradigm. The authors propose a synthesis of these paradigms, in which the mediators' activities depend on the stage of the conflict (p.33).

Mediator's behavior can be also seen as a spectrum (Bercovitch&Houston, 1996:29). "At the low end of the spectrum are communication-facilitation strategies where a mediator takes a fairly passive role....In the second set a mediator exercises more formal control over situational aspects or the process of mediation...In the most active range of mediator behavior, the mediator affects the content and substance as well as the process of mediation".

In the same logic, Fisher and Keashly (as cited in Fisher, 1997) have developed the contingency model. According to that, third party interventions consist of the following: conciliation, consultation, pure mediation, power mediation, arbitration and peacekeeping. Furthermore, a conflict can pass from four stages of increasing intensity: discussion, polarization, segregation, and destruction. For each of these phases a different type of third party intervention is needed (pp.164-167).

Similarly, Paffenholz (2001) has developed an even more detailed paradigm of different types of mediation. A mediator can offer: good offices (low-intervention mediation efforts); facilitation (occurs prior or parallel to the negotiations, when facilitators try to bring conflicting parties together); consultation (mediator acts like advisor to the conflicting parties); negotiation (a type of mediation, when a third party is involved and both sides are present. A negotiator tries to bring the different views of the conflicting parties together and helps them to formulate an agreement); *mediation*:¹ (mainly on the level of states; is more interfering than other types of mediation, because mediators give their own opinions of the process and usually try to develop their own plan for resolving a conflict); power mediation (states that are able to bring resources (financial “carrots” or military “sticks”) into the negotiations can practice this approach. This outcome oriented approach aims to identify the leaders of the conflicting parties and bring them together to negotiate or mediate a cease-fire and a peace accord); and non-official mediation (practiced by many different types of actors, from academics to international or local NGOs and non-organized individuals. This approach is long-term and relationship-oriented, because it aims at re-building destroyed relationships between the conflicting parties) (pp.76-78).

The literature refers very often to the importance of the right timing, which is implied in the above mentioned models. Zartman has introduced the concept of the ripeness, according to which a conflict is ripe for resolution when a mutual hurting stalemate exists, when parties’ efforts for solution are blocked and when power relations among the parties has changed (Kleiboer, 1996: 363). The ripe time for Crocker et al. (2003:152) encompasses three distinct dimensions. Operational and political readiness; strategic and diplomatic readiness; and being the right mediator with the appropriate relationships.

The effectiveness of mediation is a very disputable issue of the literature. For Susskind and Babbitt (1992) mediation is effective when “it results in one or more of the

¹ Mediation is used as a general term throughout from Paffenholz. When it appears in italics, it refers to a special form of mediation used within the mediation range.

following: the cessation of violence; agreements that allow each party to save face; good precedents in the eyes of the world community; arrangements that will insure implementation of the agreement; and better relationships among the disputing parties” (p.31).

Mediation’s effectiveness depends on some conditions. For some scholars it depends of parties’ need and motivation for solution and from mediator’s sources, leverage and skills (Touval, 1992:233, Rubin, 1992:251) Susskind and Babbit develop further the preconditions of an effective mediation: 1) Disputants must realize that they are unlikely to get what they want through unilateral action. 2) The alternative to agreement must involve unacceptable economic or political cost. 3) The representatives of the parties must have sufficient authority to speak for their members and to commit to a course of action. 4) Other international or regional interests with a stake in the dispute must exert pressure for resolution. 5) A mediator must be available who is acceptable to all sides (Susskind, Babbit, 1992: 31-35).

2.1.3. TRACK II DIPLOMACY

For many scholars (Fisher: 1999, Azar: 1990, Burton: 1990) destructive and protracted conflicts, which are based in deep-rooted inter-group cleavages, should be addressed with Track II diplomacy, which means interactive conflict resolution or problem-solving workshops. John Burton is the pioneer of the interactive conflict resolution. In the '60s he and his colleagues used this approach to the conflict between Indonesia, Malaysia and Singapore, as well as to the Cyprus conflict. Leonard Doob was also among those who developed this new approach. Herbert Kelman and Edward Azar in building upon the work of Burton and Doob and offered a good deal in the field. Finally, this part would not be completed without a reference to the contributions of Christopher Mitchell and Ronald Fisher.

The term *track two diplomacy* is attributed to Joseph Montville. He defines it as “unofficial, informal interaction between adversary groups or nations which aims to develop strategies, influence public opinion, and organize human and material resources in ways that might help resolve their conflict” (1987:7). Furthermore, he talks about three processes encompassed in track two diplomacy: problem-solving workshops, the influence of public opinion and cooperative economic development.

Kelman defines interactive problem solving as “an academic-base, unofficial third party approach, bringing together representatives of parties in conflict for direct communication. The third party facilitates the process, without proposing solutions. The aim of the workshops is to promote a special type of communication, with a very specific purpose: to generate input into the political process and transform the relationship between the conflicting parties” (1992: 64-65). Workshops are combined with various other activities, including contacting and interviewing decision makers and policy advisors, training third-party panel members and developing detailed policy analyses of the conflict (1997:247).

Ronald Fisher developed his own framework, which he named interactive conflict resolution (1993). Even though he agrees with Kelman on the third-party and the workshop method, he draws our attention to the participants, which should be unofficial and influential representatives of their groups. What is more, he proposes an initial model of the transfer process that allows for differential effects on the various constituencies (leadership, public-political, governmental-bureaucratic) in the home communities (1997). Finally, Broome (1997) focuses on the importance of the “interactive management” workshop, in which “relational empathy” is required in order for the parties to construct common views of the conflict and move towards its resolution.

The fact that the third party devotes its attention to the interest of all the parties, in contrast to any traditional third party intervention, in a given dispute, is of major importance for Mitchell & Banks (1996: 5). The activities of Track II diplomacy are varied, according to Diamond & McDonald (1996: 39). They include problem solving

workshops, involvement as mediators or consultants to ongoing peace making processes, private one-on-one diplomacy, conferences, seminars training and education events, dialogue group, networking, confidence building, institution building, and acting as messengers or go-betweeners.

The importance of Track II diplomacy has been highlighted by many scholars from a variety of points of views. The fact that these initiatives offer to the participants an environment suitable for fruitful discussion where exploratory talks about the underlying needs and interests of the two sides can take place, has be pointed out by Azar (2002). For other scholars the importance of Track II lies in the help it can offer during the pre-negotiation phase (Zartman: 1989, Fisher: 1989, Wallensteen: 2002). Finally, Track II gives participants the ability to discuss very sensitive or taboo issues, which are difficult to be discussed during the official negotiations, free from fears that any party might be embarrassed in the process (Runald, 2002: 84-96). Fisher argues that subjective aspects of conflict, such as miscommunication, misperceptions and hostile attitudes, must be addressed in order to move toward true resolution or transformation of the conflict and this change can be achieved only with face-to-face interaction between representatives (in Davies&Kaufman, 2002:61). International and national conflicts can be de-escalated and resolved if Track Two diplomacy is further developed and implemented, according to McDonald (1991:202).

2.1.4. PEACEBUILDING, PEACEKEEPING

Peacebuilding is usually defined as an attempt to build a new social environment of sustainable peace (Reychler, 2001: 12, Jeong, 2000: 38, Reilly, 2003:175). For Tschirgi (2003:1) peacebuilding is more than just post-conflict reconstruction. “It encompasses peace and development agendas in support for conflict prevention, conflict management and post-conflict reconstruction”. Ball (in Crocker et al. 2001:722)

identifies two stages of peacebuilding. The first stage, the transition, aims to establish a government with sufficient degree of legitimacy to operate effectively and to implement key reforms mandated by the peace accords, while societal reconciliation is promoted. During the second phase, the consolidation, all these economic and social reforms, as well as the reconciliation process are further promoted.

Peacekeeping on the other hand is defined as the use of military operations in to order to implement a peace agreement (McLean, 1996:321, Evans in Hampson, 1993:542). Jeong (2000:129-131) offers a broader definition of the scope of peacekeeping. For him the main function of contemporary peacekeeping is to assist in rebuilding political, administrative, economic and other infrastructure. Hampson (1996:542) offers a variety of peacekeeping activities, such as confidence-building measures, food distribution, providing transportation, restoring basic government services, monitoring cease-fire agreements, demobilization and disarmament.

Peacebuilding and peacekeeping, however, are not totally unrelated. The United Nations Security Council identifies a connection between them and recognizes the value of including peacebuilding elements in the mandates of peacekeeping operations, while at the same time accepts that peacekeeping can be the beginning of the peacebuilding process (Kapungu: 2001). In addition, Jeong (in Cheldelin et al, 2003:291) indicates that the short-term goal of peacebuilding, to manage and prevent renewed violence, can be achieved with the help of peacekeeping forces.

One of the most prominent names in the peacebuilding field is Lederach. He has come up with a comprehensive framework of peace-building. Firstly, he identifies three levels of actors in peace-building, which can be shown as a pyramid. The top-level leadership represents the smallest people. This is followed by middle-range leadership, while the base of this pyramid represents the grassroots, the largest leadership. Secondly he presents the different approaches to peace-building of each level. Level one approaches focus on high level negotiations, led by highly visible, single mediator. Second level approaches include problem-solving workshops and training in conflict

resolution, led by insider, partial teams. Finally, the third level approaches aim to establish local peace commissions to end the fighting and then offer grassroots' training, prejudice reduction and psychological work in post-war trauma (1995: 145-155).

In the literature the interrelation of post-conflict peace building and conflict prevention is strongly highlighted. Schnabel (2002) argues that peace building is sustainable only when it includes conflict prevention principles and he calls the preventive involvement in a post-conflict environment as second generation prevention, in contrast to pre-conflict prevention. Moreover, for Heong “preventing a return to violent confrontations through transforming relationships is an integral part of building a new communal structure acceptable to former adversaries” (p.22). Reconciliation and reconstruction of community relations are vital parts of the peace building process.

For de Graaf Bierbruer and van Tongeren (in van Tongeren, et. all, 2002) effective peace-building and prevention of violent conflicts requires a framework. The structure they propose is consisted of three pillars; 1) building the community, 2) creating the capacity for conflict prevention and peace-building and 3) operational activities. The 1st pillar refers to these activities which increase the awareness and the support of the public. The 2nd is about these activities which build up the capacity for conflict prevention and peace-building. Finally, the 3rd pillar's goal is to stimulate and support the people who want to prevent the escalation of violence and to transform conflict as well as potential conflict into durable peace (pp.94-96).

For Hawk (2002:127) peacebuilding mission should focus on (re) building a state along three dimensions: “(1) it must be capable of exercising authority over its territory and providing security to its citizens, (2) it must be effective at resolving conflicts through its institutions and promoting the general welfare of its citizens, and (3) it must provide a political identity based on accepted legitimacy”.

The last decades a new trait in the peacebuilding area has been developed. Humanitarian or relief and development aid is being widely used and for that the

literature has started addressing this issue. The fact that this aid is usually distributed through NGOs, made Stein (in Stern, Druckman, 2000:388) talk about “privatization of humanitarian aid”. Anderson (2001, 258-264) urges those involved in the aid distribution to “do no harm”. She points out that humanitarian and development aid can even exacerbate, reinforce or prolong a conflict by feeding into worsening inter-group dividers or by ignoring and undermining inter-group connectors. Reychler takes that even further and puts the relief aid under a package of foreign policy measures. She argues that in order to be able to promote peace, aid should be accompanied with long-term conflict prevention and peace supporting processes (2001: 240).

Since this thesis focuses on the post-conflict stage it is important to identify some characteristics of this stage as they come from the literature. It can be argued that third parties are expected to help not only for the cessation of violence, but also to promote positive peace (Galtung, 1990), thus removal of structural and cultural violence and promotion of long term reconciliation. In order to achieve that third parties should target both security issues, political stability, and economic development, but also reconciliation, as a process of “harmonizing of divergent stories; acquiescence in a given situation; and the restoration of friendly relations” (Pankhurst in Miall et. al, 1999:209). Or, as Moshe argues (2001), post-conflict peacebuilding on the one hand should promote relationships and institutions that strengthen human development and growth, and on the other hand the necessary structure to govern and protect.

Dan Smith (2002) argues that post-conflict reconstruction has four traits: security, political stability, economic development, and reconciliation. “Security is needed against the resurgence of fighting; the political framework has to provide for democracy, human rights and the rule of law; economic reconstruction has to start with short-term needs while laying the foundations for long-term prosperity; reconciliation and trust building help former enemies regard each other merely as political opponents where disagreement is deep disputes are sharp, but each other trust the other to play by the rules” (p.446).

Junne & Verkoren offer a more detail strategy for post-conflict reconstruction, which at the same time operates as a conflict prevention framework. Address of security issues, such as disarmament, demobilization, and reintegration of former combatants; rebuilding of state institutions and democratization; development of local institutions; restoration or creation of rule of law; rebuilding infrastructure; media's role; educational reforms; reorganization of the health system; environmental concerns; and economic reforms are, according to the authors, the issues which should be tackled in a post-conflict society, in order to prevent a re-emerged conflict and move towards development.

So far, the focus has been on the actions that a third party can undertake mainly with regard to the conflict stage or the conflict characteristics. Another type of categorization of all third party instruments for intervention, based not on the time of intervention, but aim of intervention, is suggested by Beriker (2007). Thus, actions aiming to “transform dysfunctional relationship among the conflicting parties with the aim of creating common intellectual and value space among the parties” are part of the transformative intervention category. Facilitative mediation, interactive conflict resolution, conflict-resolution training and post-conflict reconstruction are these kinds of activities. As seen from the above literature review, these activities are part of the mediation or track II diplomacy.

The second type of intervention, the structural intervention, aims to “change the incentive structure of the disputing parties with an expectation that they would lead the parties to change their conflict behavior”. Positive incentives, peace-building, peace-keeping, initiating bilateral cooperative programs, negative incentives, power mediation and military intervention are included in this category (Beriker, 2007:25-26). This category includes a variety of instruments, which usually in the literature can be found under the conflict prevention, mediation and peacebuilding/peacekeeping categories. The following table presents in detail this framework, which I adopt for this thesis.

THIRD PARTY ROLES
A. Transformative intervention: <i>“Actor intervenes in order to transform dysfunctional relationship among the conflicting parties, with the aim of creating common intellectual and value space among the parties”.</i>
A1- <u>Facilitative mediation</u> : Actor mediates with the aim of helping parties find their own solutions. It can be in the forms of facilitating exchange of information and problem-solving processes, and achieved by introducing new resources to the conflict system, and enhancing trust among the parties.
A2- <u>Interactive conflict resolution</u> : State indirectly sponsors or helps to organize unofficial third-party assisted, small group problem-solving initiatives in order to solve their differences in informal confidential settings.
A3- <u>Conflict-resolution training</u> : It is a skill-building exercise conducted by the third-parties with the aim of preparing participants to be more effective in dealing their differences.
A4- <u>Post-conflict reconstruction</u> : Actor initiates or supports social rehabilitation efforts in the conflict-torn nation.
B. Structural intervention: <i>“Actor intervenes as a third-party, and carries out activities which are designed to change the incentive structure of the disputing parties with an expectation that they would lead the to change their conflict behavior”.</i>
B1- <u>Positive Incentives</u> : Actor as a third party offers financial and/or political rewards to the disputing party with the aim of changing its conflict behavior.
B2- <u>Peacebuilding, peacekeeping</u> : Helping the parties to build and develop democratic institutions such as, electoral systems, financial reforms, and constitution writing with the belief that democratic processes will eliminate the structural causes of the conflict. Sending peace forces to contain the dispute.
B3- <u>Initiating bilateral cooperative programs</u> : Actor helps the parties to foster their bilateral cooperative programs mostly in law-politics areas, such as culture, business, education and sports.
B4- <u>Negative Incentives</u> : Actor withdraws economic and/or political rewards from the conflicting parties, or from one of the parties, with the expectation to change the parties’ behavior, and the course of the conflict.
B5- <u>Power mediation</u> : Third parties impose a solution on a conflict in order to enhance their national or institutional interests. Pressing the conflicting parties to reach an agreement through the use of force or competitive tactics.
B6- <u>Military intervention</u> : Actor military intervenes to stop or change the course of an already existing conflict.

Table 1, Beriker 2007:25-26

It should be noted that the framework is part of a bigger one, which incorporates the conflict resolution field with peace, security, and diplomatic studies in an attempt to present a tool-box for foreign policy actions for international actors. However, for the purpose of this research only the part of the framework which refers to third party's intervention is used.

The importance of this framework is that “it articulates foreign policy behavior of states with the analytical tools that the conflict resolution field and the peace studies tradition offer” (21). The international relations field offers a tremendous amount of theories regarding international conflicts and suggests tools to the parties, namely states and institutions, to execute their foreign policy and prevent or settle a conflict. Regardless the vast amount of research, most of the times there is no distinction between the acts of a state which has a partisan role and a state which acts as a third party. On the other hand, CR and peace studies field address the issue of the third party intervention in a conflicting situation, without, however, integrating it into practical instruments of foreign policy.

Due to the fact that the EU is an international actor, which has operations all over the world, any decision for intervening in a conflicting situation is a foreign policy decision for it. It is, however, important to examine this policy from a CR perspective, thus by using the third-party intervention literature. Few studies from the CR field address the EU's roles, as a third party, as foreign policy tools (Eralp&Beriker:2005, Celik&Rumeli:2006). This study aims to be a valuable input in the literature.

2.2 METHODOLOGY

2.2.1. RESEARCH QUESTION

The question addressed in this thesis is: “What conflict resolution instruments did the EU used in the post-conflict Croatia and FYROM and what type of intervention is that”? The objective of this study is to give an analytical and in detailed description of all the activities that EU engaged in and all the mechanisms it used in the post-conflict environment of those two countries. More specifically, 1995-2006 in Croatia’s case and 2001-2006 for FYROM. Furthermore, I will analyze them, according to Beriker’s framework, a partial framework as explained in the previous part, that I use and compare the intervention between the two cases.

The fact that the last decades the EU is more active in conflict prevention and peacebuilding, it has created many institutions to deal with these issues and has adopted new policies which show its commitment to conflict resolution triggered my interest. I believe that since the EU wants to improve its conflict resolution capabilities, it needs research which analyze that. Furthermore, the conflict resolution filed also needs to address this issue and provide the EU with the relevant theoretical background in order for the organization to become more effective.

2.2.2. RESEARCH DESIGN

The primary focus of the thesis is to examine a little understood issue or phenomenon, to develop preliminary ideas and move toward refined research questions by focusing on the “what” question (Newman, 2006:33). Yin (2003:5) agrees that “what” questions can be either exploratory or about prevalence (when surveys or archival analysis is favored). Since the goal here is to develop pertinent hypotheses and propositions for further inquiry, this is an exploratory research. Concerning its time dimension, it is a case study, and more specifically, a multiple-case study, in which a set of features will be in depth examine during a period of time (Newman, 2006:40). According to Yin (2003) the scope of a case study research is to investigate a contemporary phenomenon, when the researcher has limited control over behavioral events

Furthermore, since my question focuses on an in depth examination of two cases over duration of time, my work is a comparative case study. I consider this method as the most appropriate because it will make my research more compelling and will give a more general picture of the phenomenon under examination (Herriott, Firestone as cited in Yin, 2003:46). Cases should be selected in such a manner so that they either predict similar results or produce contrary results, but for predictable reasons (Yin, 2003:47). Furthermore, the universe from which the cases are to be selected should be well defined such that the cases to be compared come from the same class or universe of cases (Druckman, 2005:211).

The cases I chose to analyze are Croatia and FYROM; thus my research falls under the first category. Both countries emerged after the 1991 dissolution of the Republic of Yugoslavia, which held together different ethnic groups; both faced wars between the government-majority of the population and minority populations. Croatia experienced a long war, 1992-1995, between Croats and Serbs. Today Serbs are the 10% of Croatia’s population. In FYROM’s case, no full scale and long-lasting war occurred, but, nevertheless a bloody and destructive conflict emerged, between the

government and the Albanians, who today consist the 35% of the population. Both countries are candidates for EU membership: Croatia since 2004 and FYROM since 2005, however, the EU has opened the accession negotiations with Croatia, but not yet with FYROM.

This thesis examines the EU's intervention in the post-conflict environment of the two cases, which is 1995-2006 for Croatia and 2001-2006 for FYROM, as mentioned previously. There are, however, some clarifications that need to be done regarding these periods. In 2001 both countries were included in the Stabilization and Association Process (SAP), a program designed for the Western Balkans in order to prepare them for future integration into the EU. That means that from that point both countries are potential members and the EU helps them in order to meet the relevant criteria and join the EU. For FYROM, its post-conflict period coincides with a pre-accession period, as defined by the SAP, while for Croatia its post-conflict period could be separated into 1995-2001 period, and 2001-2006 which is both a post-conflict and a pre-accession period.

Even though for the EU the help that both countries receive through that program is part of their pre-accession assistance, in this thesis we treat that help as a mechanism for third party intervention. Regardless, however, the nature of the SAP the EU at the same time uses a variety of other tools to intervene in the countries. As will be seen from the presentation and analysis of the data, there is a plethora of EU's intervention actions, which are not related to the SAP.

2.2.3. DATA COLLECTION AND ANALYSIS

A case study's strength is its ability to deal with a full variety of evidence, such as documents, artifacts, interviews, and observations (Yin, 2003:9, Hamel, Dufour,

1993:41). For this thesis the primary data I collected came from different sources: official documents and reports from various EU institutions; news reports; from NGOs and from EU official web-pages. The data are presented in the 5th chapter, based on their source and chronologically.

In the 6th chapter each instrument used by the EU for intervening in the post-conflict environment of Croatia and FYROM, presented in the 5th chapter, will be evaluated according to the framework adopted for this thesis. As a result, at the conclusion of the chapter it will be clear which instruments did the EU use and in which degree.

The following chapter presents the structure of the EU, which is important in order to have a good sense of the various institutions, organs, committees, and offices, which comprise the EU's make up. Furthermore, it would be impossible to present the various EU activities, which come from different institutions, and understand their relationship, without introducing firstly the EU.

CHAPTER 3

THE EUROPEAN UNION

The EU is neither a state nor an international organization. It is, however, a global economic actor, with state features and responsibilities (Farell, 454). With the Treaty of the EU, Maastricht Treaty (1991), the EU has a three pillar structure. The 1st pillar represents the old European Community (EC) and it's mainly concerned with the common market, common agricultural, social, industrial policy, as well as with the management of relations with third countries. The 2nd pillar is devoted to the Common Foreign and Security Policy (CFSP), which will be analyzed later in this chapter. Finally, the 3rd pillar is related to justice and home affairs.

The three major EU institutions are the European Council, the European Commission and the European Parliament. Each of them consists of many other units while there are some more EU institutions and bodies, such as the European Central Bank, the Court of Justice, etc. It is beyond the scope of this paper to present in detail the whole EU structure. What is important for this thesis is to present those institutions which are related to conflict resolution and/or to the Western Balkans. The presentation will be based on the three main EU institutions: the European Commission, the Council and the Parliament.

3.1. EUROPEAN COMMISSION

The European Commission is the executive institution of the EU, which proposes and implements the EU legislation. Furthermore, it monitors the implementation of the EU Treaties. It consists of 27 Commissioners, one of each member state. It implements its external relations through five Directorates-General: external relations, trade, enlargement, development and humanitarian aid. The European Commission has a broad set of tools for long and short term prevention, which are presented below.

1. DG External Relations (DG RELEX):

The DG RELEX “contributes to the formulation of an effective and coherent external relations policy for the European Union, so as to enable the EU to assert its identity on the international scene”.² It works closely with other Directorates-General, mainly EuropeAid, DGs Development and Trade and ECHO. Furthermore, it is responsible for the European Neighbourhood Policy (an EU policy towards its neighbours aiming to build an environment of common values) and manages EU’s relations with other countries all over the world. Under this DG a number of specialized units and policies, related to conflict resolution, have been created. These are the following:

1.1. Conflict Prevention and Civilian Crisis Management

Conflict prevention is one of the main areas of work of the DG RELEX. The means of the prevention of conflicts for the EU are various: development co-operation and external assistance, trade policy instruments, social and environmental policies,

² Web pages citations hereafter will be referenced in numerical order at the foot of the page. European Union, European Commission. Available at: http://ec.europa.eu/dgs/external_relations/general/mission_en.htm (13/02/2007)

diplomatic instruments and political dialogue, co-operation with international partners and NGOs, as well as the new instruments in the field of crisis management.³

The main framework under which the DG works for the prevention of conflicts was adopted in 2001 and it is called EU Programme for the Prevention of Violent Conflicts (Göteborg Programme). The Programme highlights the importance of early warning and increased cooperation in international level in order to address violent conflicts in the most effective way. Based on this framework the EU has developed a number of policies and instruments for the prevention of conflicts, described below.

The EU draws even more attention to conflict prevention by referring to the conflict cycle. It defines the various measures it can undertake for conflict prevention both in situations where the country seems stable but there are sources of potential conflict and in tense situations as well as in open conflict situations or in post-conflict situations, where it offers civilian and military crisis management and post-conflict stabilisation, as well as long term reconstruction and development.⁴

1.2. Country Strategy Papers (CSPs)

With these papers the EU systematically checks the risk factors, based on the conflict indicators that the EU has developed. Briefly, these indicators are: legitimacy of the state, rule of law, respect for fundamental rights, civil society and media, relations between communities and dispute-solving mechanisms, sound economic management, social and regional inequalities and geopolitical situation.⁵ After the analysis of a situation the EU uses the Conflict Prevention Guidelines, in order to decide how to intervene to a conflict, what instruments to use and where to target.

³ European Union, European Commission. Available at:
http://ec.europa.eu/comm/external_relations/cfsp/cpcm/cm.htm (13/04/2007)

⁴ European Union, European Commission. Available at:
http://ec.europa.eu/world/peace/geographical_themes/conflict/conflict_cycle/index_en.htm (13/04/2007)

⁵ European Union, European Commission. Available at:
http://ec.europa.eu/comm/external_relations/cfsp/cpcm/cp/list.htm (13/04/2007)

1.3. Common Foreign and Security Policy (CFSP)

Established by the Maastricht Treaty in 1993, the CFSP's objectives are defined as following:

- safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principle of the United Nations Charter ;
- strengthen the security of the Union in all ways;
- preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter, as well as the principle of the Helsinki Final Act and the objectives of the Paris Charter , including those on external borders
- promote international co-operation;
- develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.⁶

The Commission has a broad contribution to the CFSP, however, its work is implemented by other EU institutions, such as the European Council and the European parliament.

1.4. Conflict Prevention Partnership

Just a year ago, the EU in cooperation with four NGOs, established the Conflict Prevention Partnership, which aims to improve the European Union's conflict prevention, crisis management and peacebuilding capacities.⁷

⁶ European Union, European Commission. Available at: http://ec.europa.eu/comm/external_relations/cfsp/intro/index.htm (13/04/2007)

⁷ Conflict prevention partnership. Available at: <http://www.conflictprevention.net/> (13/042007)

1.5. Rapid Reaction Mechanism (RRM)

The RRM allows the EU to act quickly for the needs of countries under the risk of a conflict or suffering from a natural disaster. The RRM can be deployed in cases of a “crisis or emerging crisis, situations posing a threat to law and order, the security and safety of individuals, situations threatening to escalate into armed conflict or to destabilise the country”. It does not include humanitarian help and it is not geographically restricted. It can be deployed during different stages of a conflict; for the prevention of it, for crisis management and in a post-conflict environment.⁸

The RRM does not act just on order to provide humanitarian aid, as ECHO. It aims to maintain and rebuild social structures necessary for political, social and economic stability. Thus, the EU through the RRM pursued specific political goals. The first two years of its function, 2001-2003, there have been 22 cases of deployment around the world (Rummel, 2004:17).

1.6. European Neighbourhood Policy (ENP)

Through the ENP, created in 2004, the EU offers its neighbours “a privileged relationship, building upon a mutual commitment to common values (democracy and human rights, rule of law, good governance, market economy principles and sustainable development)”.⁹ It applies in the following countries: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia, and Ukraine. In order for those countries to meet the objectives of the policy, the EU provides them with financial and technical assistance. The ENP is closely related to the European Security Strategy and works closely with the High Representative for the CFSP and the Special Representatives,

⁸ European Union. European Commission. Available at: http://ec.europa.eu/comm/external_relations/cfsp/cpcm/rrm/index.htm (13/042007)

⁹ European Union, European Commission. Available at: http://ec.europa.eu/world/enp/policy_en.htm (13/04/2007)

described in following parts of this chapter. By tackling issues of governance, lack of development, etc. the ENP is an indirect EU tool of conflict prevention. It should be highlighted that the ENP does not offer EU membership. If any of the countries covered by the ENP applies for membership in the future this procedure would be totally different, unrelated to the ENP. For the EU agreements with third countries is very common, even countries with no clear immediate membership potential, which cover political relations, development and co-operation assistance, trade, research, and cultural co-operation. These agreements are part of the conflict prevention and crisis management strategy of the EU.

1.7. Cross-cutting issues

The Commission participates in many international activities, such as the Kimberley Process, which aims to eliminate the diamond conflicts and the Ottawa Treaty, against landmines.

1.8. Non-proliferation and disarmament¹⁰

The EU has a firm position against the weapons of mass destruction and participates in many multilateral treaties and conventions to ban or to minimize the recourse to and development of them.

1.9. Sanctions and restrictive measures

Sanctions are “an instrument of a diplomatic or economic nature which seeks to bring about a change in activities or policies such as violations of international law or

¹⁰ European Union, European Commission. Available at:
http://ec.europa.eu/comm/external_relations/cfsp/npd/index.htm (25/04/2007)

human rights, or policies that do not respect the rule of law or democratic principles. Restrictive measures imposed by the EU may target governments of third countries, or non-state entities and individuals (such as terrorist groups and terrorists). They may comprise arms embargoes, other specific or general trade restrictions (import and export bans), financial restrictions, restrictions on admission (visa or travel bans), or other measures, as appropriate”.¹¹ Sanctions are part of the EU conflict prevention and crisis management policy and EU’s main experience in that field is the case of the Federal Republic of Yugoslavia, 1998-2000.

1.10. Human Rights and Democratisation Policy

The EU has not just been built upon the principles of democracy, liberty, respect for the rule of law, human rights and fundamental freedoms, but has also made these principles necessary precondition for every potential new member. The “Copenhagen criteria”, the criteria that every country has to fulfil in order to become an EU member, is probably the best proof of the importance of the human rights for the EU. The instruments that the EU uses in order to promote human rights and democratisation are many.

EU election assistance and observation; the EU human rights forum, through which EU cooperates with NGOs for the strengthening of the civil society; the European Master Degree in Human Rights and Democratisation; the active role in the UN Commission on human rights; support to the International Criminal Court and other criminal tribunals. Furthermore, it advocates for the abolition of the death penalty and fight against human trafficking. It promotes the prevention of torture and emphasizes the importance of the rehabilitation of victims; it promotes the rights of the child; it protects

¹¹European Union, European Commission. Available at: http://ec.europa.eu/comm/external_relations/cfsp/sanctions/index.htm (25/04/2007)

and promotes the rights of the minorities; as well as the rights of indigenous people and people with disabilities.¹²

2. DG Enlargement

For the EU, enlargement is regarded as a very powerful tool to transform countries into well-functioning democracies. Since the establishment of the European Economic Community, in 1957, 5 enlargements have taken place, the largest of which was the 2004 enlargement, when 10 countries joined the EU (the accession of Romania and Bulgaria in 2007 is regarded as part of the 2004 5th enlargement).¹³ On October 3rd, 2005 the EU opened the accession negotiations with Croatia and Turkey. FYROM has also the status of the candidate country, without, however, having started the accession negotiations. FYROM's and Croatia's accession history will be presented in detail in the historical chapter of this thesis. All the rest countries of the Western Balkans (Albania, Bosnia and Herzegovina, Montenegro, and Serbia including Kosovo) are potential candidate countries.

Every country which respects the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law can apply for EU membership. Accession, however, can only follow if the country fulfils the Copenhagen criteria, which were set up in 1993. Especially for the Western Balkans the EU has established the Stabilisation and Association Process (SAP), as the framework which will lead them to the EU. "The SAP is based on a progressive partnership, in which the EU offers a mixture of trade concessions (Autonomous Trade Measures), economic and financial assistance (CARDS Programme) and contractual relationships (Stabilisation and

¹² European Union, European Commission. Available at:
http://ec.europa.eu/comm/external_relations/human_rights/intro/index.htm (25/04/2007)

¹³ European Union, European Commission. Available at:
http://ec.europa.eu/enlargement/enlargement_process/index_en.htm (25/04/2007)

Association Agreements) in order to help the countries transit to a market economy, promote regional cooperation and the prospect of EU accession”¹⁴.

2.1. European Agency for Reconstruction

The European Agency for Reconstruction is the organization which manages the EU’s assistance to the Republic of Serbia (including Kosovo), the Republic of Montenegro and FYROM. Established in 2000, the agency is governed by the Council and the European Parliament and overseen by a Governing Board composed of representatives from the 25 EU Member States and the European Commission.¹⁵ The European Commission funded projects, which the agency implements, are designed to help the countries come closer to the EU, by facilitating the development of the market economy, strengthening the rule of law, and promoting institution building.

3. DG Development

The DG Development defines its mission as following: “help to reduce and ultimately to eradicate poverty in the developing countries through the promotion of sustainable development, democracy, peace and security”.¹⁶ Among other intervention areas, special concern is given to human rights, democracy and conflict prevention in close cooperation with the DG RELEX. It manages EU’s relations with the 71 ACP (African, Caribbean and Pacific) countries and the 20 Overseas Countries and Territories. A typical conflict prevention or management response mechanism of the GD is the

¹⁴ European Union, European Commission. Available at: http://ec.europa.eu/enlargement/enlargement_process/accession_process/how_does_a_country_join_the_eu/sap/index_en.htm (25/04/2007)

¹⁵ European Agency for Reconstruction. Available at: <http://www.ea.r.eu.int/agency/agency.htm> (25/04/2007)

¹⁶ European Union, European Commission. Available at: http://ec.europa.eu/development/About/Mission_en.cfm (25/04/2007)

suspension of aid to counties ruled by autocratic regimes and not fulfilling the political dimension of the development and cooperation agreements.¹⁷

4. DG European Aid-Cooperation Office

The European Aid (or EuropeAid) is an implementing organization for both the DG RELEX and DG Development. More concretely, the European Commission's external aid, managed by the two DG mentioned above, is given through EuropeAid. This EU external assistance is delivered in seven main areas: water, food, health, education, prosperity, freedom and security in order to fulfill essential needs of human life.¹⁸

5. DG European Humanitarian Aid Office (ECHO)

ECHO is the world's biggest contributor in humanitarian aid. The European Union's mandate to ECHO is "to provide emergency assistance and relief to the victims of natural disasters or armed conflict outside the European Union. The aid is intended to go directly to those in distress, irrespective of race, religion or political convictions".¹⁹

6. DG Trade

The Directorate General for Trade promotes prosperity, solidarity and security in Europe and around the world based on EU's trade policy.²⁰ The connection of this DG to

¹⁷ "EU crisis response capability revisited", Crisis Group Europe Report N.160, 2005, available in http://www.crisisgroup.org/library/documents/europe/160_eu_crisis_response_capability_revisited_edit.pdf
Accessed at April 20th, 2007

¹⁸ European Union, European Commission. Available at:
http://ec.europa.eu/europeaid/promotion/sectors/sectorslist_en.htm (20/04/2007)

¹⁹ European Union, European Commission. Available at:
http://ec.europa.eu/echo/presentation/mandate_en.htm (20/04/2007)

²⁰ European Union, European Commission. Available at:
http://ec.europa.eu/trade/whatwedo/work/index_en.htm (20/04/2007)

conflict resolution emerges from the promotion of European values, such as democracy, rule of law, through trade agreements.

7. European Commission Delegations

118 Delegations exist in third countries and 5 at centers of international organizations which:

- Present, explain and implement EU policy;
- Analyze and report on the policies and developments of the countries to which they are accredited ;
- Conduct negotiations in accordance with a given mandate.

The importance of the Delegations is big, because they have a key role in the EU's external assistance, especially in close cooperation with the EuropeAid. They also have an increasing role in the conduct of the Common Foreign and Security Policy and they provide assistance to the High Representatives, the Secretary-General of the EU council and the Parliament, described below.²¹

3.2. THE EUROPEAN COUNCIL

The Council is made up by the ministers of the member states and can take nine different configurations depending on the subject under examination. They are the following: 1) general affairs and external relations, 2) economic and financial affairs, 3) cooperation in the field of justice and home affairs, 4) employment, social policy, health and consumer affairs, 5) competitiveness, 6) transport, telecommunications and energy,

²¹ European Union, European Commission. Available at: http://ec.europa.eu/comm/external_relations/delegations/intro/role.htm (25/04/2007)

7) agriculture and fisheries, 8) environment and 9) education, youth and culture.²² The Council has been especially active in the field of conflict resolution, by advancing civilian capabilities and by focusing on diplomacy and political dialogue, through the High Representative and the Special Representatives. The various conflict resolution policies are below presented.

1. General Affairs and External Relations Council

This Council deals with the whole of the Union's external action, including CFSP, European Security and Defense Policy (ESDP), Foreign Trade and Development Cooperation.²³ Part of the ESDP is various military, police and civilian operations, which have taken place, or are still active, in the Balkans, Africa, Asia, South Caucasus and the Middle East. The political and military structures which implement the ESDP policies are the Political and Security Committee, the EU Military Committee, the Committee for Civilian Aspects of Crisis Management and the EU Military Staff, all described below.

2. Secretary General of the Council / High Representative of the CFSP (SG/HR)

Appointed by the Council and receiving his orders from the foreign ministers, he is supported by the newly established Policy Planning and Early Warning Unit. Javier Solana is in that position since 1999 and has been a key figure in EU's crisis management and conflict prevention policy, due to the fact that he became involved in many cases.

²² The council of the European Union. Available at:
<http://www.consilium.europa.eu/showPage.asp?id=427&lang=en&mode=g> (25/04/2007)

²³ The council of the European Union. Available at:
<http://www.consilium.europa.eu/showPage.asp?id=388&lang=en> (25/04/2007)

3. Policy Planning and Early Warning Unit (PPU)

In general, the unit has the following tasks: "monitoring and analysing developments in areas relevant to the CFSP; providing assessments of the Union's foreign and security policy interests and identifying areas where the CFSP could focus in future; providing timely assessments and early warning of events or situations...including potential political crises; producing...argued policy options papers...as a contribution to policy formulation in the Council..."²⁴

4. European Union Military Committee (EUMC)

The EUMC is responsible for all EU military activities. It is composed of the Ministers of Defense of the Member States, who are regularly represented by their permanent military representatives. It develops the overall concept for military crisis management, provides risk assessments of potential crises, analyses the military dimension of a crisis situation and maintains military relations with non-EU NATO members, other states and organizations, including NATO.

5. EU Military Staff (EUMS)

The EUMS "performs early warning strategic planning and situation assessment". It is a General Directorate within the Council General Secretariat. It is the only permanent integrated military structure of the European Union. Established on 11 June 2001, the EU Military Staff receives tasks from the EU Military Committee (which represents the Chiefs of Defence of all the Member States).

²⁴ Schneckener, U. (2002): "Developing and applying EU crisis management. Test case Macedonia". P.20. Available in http://www.ecmi.de/download/working_paper_14.pdf. Accessed at 23 April 2007

The EUMS provides in-house military expertise for the Secretary-General/High Representative (SG/HR). The main operational functions of EUMS are:

- early warning,
- situation assessment, and
- strategic planning.

A new body within the EUMS, with effect from January 1st, 2007, is the EU Operations Centre, which will strength EU's capacity for conflict management.²⁵

4. Committee for Civilian Aspects of Crisis Management (CIVCOM)

Established on 2000, the Civilian Aspects of Crisis Management's priority areas are the following: police, strengthening of the rule of law, strengthening civilian administration and civil protection. The Committee identifies possible missions, defines the capabilities needed and calls for contributions.²⁶

5. Political and Security Committee (PSC)

The PSC's main functions are "keeping track of the international situation, and helping to define policies within the Common Foreign and Security Policy (CFSP) including the ESDP. It prepares a coherent EU response to a crisis and exercises its political control and strategic direction".²⁷

More concretely, its aim is to:

²⁵ The council of the EU. Available at:
http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1039&lang=en&mode=g (25/4/2007)

²⁶ The council of the EU. Available at:
http://www.consilium.europa.eu/cms3_fo/showPage.asp?lang=en&id=278&mode=g&name (25/4/2007)

²⁷ The council of the EU. Available at:
http://www.consilium.eu.int/cms3_fo/showPage.asp?id=279&lang=EN&mode=g (25/4/2007)

- monitor the international situation in the areas covered by the common foreign and security policy (CFSP);
- contribute to the definition of policies;
- monitor implementation of the Council's decisions.²⁸

6. EU Special Representatives (EUSRs)

The European Union currently has nine Special Representatives (EUSRs) in different regions of the world (the Middle East, the Great Lakes, the Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Afghanistan, the South Caucasus, Moldova, Central Asia and Sudan). The EUSRs promote EU policies and interests in troubled regions and countries and play an active role in efforts to consolidate peace, stability and the rule of law. They play an important role in the development of a stronger and more effective EU common foreign and security policy (CFSP) and in the EU's efforts to become a more active, more coherent and more capable actor. They provide the EU with an active political presence in key countries and regions, where they are to a large extent a "voice" and a "face" of the EU and its policies.²⁹

The importance of the Special Representatives is that they “are stationed in the field, have a certain standing and authority to speak for and act on behalf of the Union, and in the right circumstances are able to perform a variety of functions ranging from information gathering and dissemination to mediation” (ICG report, 2005). The Special Representatives, together with the High Representative and the President, are responsible for conducting the political dialogue between the EU and third countries. Political dialogue is a key EU instrument for crisis management.³⁰

²⁸ EUROPA. Available at: http://europa.eu/scadplus/glossary/political_security_committee_en.htm (25/04/2007)

²⁹ The council of the EU. Available at: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=263&lang=EN&mode=g (25/04/2007)

³⁰ European Commission (2003). Civilian instruments for EU crisis management. Available at: http://ec.europa.eu/comm/external_relations/cfsp/doc/cm03.pdf (25/04/2007)

7. European Union Monitoring Mission (EUMM)

The Council is responsible, as mentioned above, for the EU's foreign policy towards third countries. Within its relation with the Western Balkans the EUMM has been established, the primary objective of which is "to contribute by its activities (information gathering and analysis), in line with directions from the Secretary General/High Representative and the Council, to the effective formulation of the European Union policy towards the Western Balkans".³¹

8. European Security Strategy (ESS)

The EU perceives itself as a global actor in security and peace and has developed the ESS, December 2003, in order to identify the five key threats for Europe today: terrorism, proliferation of weapons, regional conflict in neighbouring countries, state failure and organized crime. ESS urges the EU to develop further its conflict prevention potential, based on a mixture of political, diplomatic, military, civilian, trade and development activities. Moreover, it highlights the importance of the civilian resources in crisis and post-crisis situations.³² In 2004 the European Council set the Civilian Crisis Management Headline Goal for 2008 (being able to conduct various types of monitoring missions as well as to provide support to Special Representatives; being able to conduct concurrent civilian missions at different levels of engagement; lastly, being able to provide an effective response across the full range of tasks in conflict prevention and civilian crisis management).³³

³¹ The council of the EU.

http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=622&lang=EN&mode=g (25/04/2007)

³² European Union, European Commission. Available at:

http://ec.europa.eu/world/peace/geographical_themes/the_eu/index_en.htm (25/04/2007)

³³ The council of the EU. Available at: <http://register.consilium.eu.int/pdf/en/04/st15/st15330-re03.en04.pdf> (25/04/2007)

3.3. EUROPEAN PARLIAMENT

The European Parliament is the only EU institution, the members of which are directly elected by the citizens of the EU. It has co-legislation power, with the Council of the EU, budgetary authority, again together with the Council, and exercises supervising control over other European institutions. Furthermore, it has advising, to the Council, role about the Common Foreign and Security Policy and has set the human rights as a top priority.

These three institutions, the Parliament, the Council and the Commission, are the main institutional base of the EU. As it is clear from the above presentation, each of these units consists of many other bodies, which most of the times, cooperate very closely. This inter-institutional cooperation is of great importance for an affective EU conflict resolution and crisis management. While the SC/HR, with the help of the various units under the Council, mainly uses diplomatic tools, engages and mediation and political dialogue, and launch military or civilian operations, the Commission strengthens this work by offering financial assistance and long-term commitments.

3.4. LITERATURE REVIEW ON EU'S CONFLICT RESOLUTION POTENTIAL

Since the beginning of the European community, there has been a close relationship between three types of ambition: the development of Europe into a significant international actor; an independent security and defense profile; and promotion of the European integration process (Bretherton and Vogler, as cited in Olsen, 2002: 87). In becoming a major global actor, the EU has invested a lot on its capabilities of conflict prevention, crisis management and conflict resolution. According to Rummel (2004) EU's focus on conflict resolution comes both from its failure to prevent the

violent conflicts in Yugoslavia and in Africa in mid-'90s and also as a reaction to USA's domination worldwide in crisis management.

The EU has been actively involved in conflict prevention, crisis management, and peacebuilding in the last decades, as part of its attempt to become a global actor. The EU itself reveals its commitment to conflict prevention and resolution and to peacebuilding by “addressing the root-causes of violent conflict, including poverty, degradation, exploitation and unequal distribution and access to land and natural resources, weak governance, human rights abuses and gender inequality. Also promotes dialogue, participation and reconciliation with a view to promoting peace and preventing outbreaks of violence”.³⁴ It also presents the various measures it uses both for structural long-term and direct short-term action: democracy programmes, election monitoring, conflict prevention in human rights programmes, efforts in rule of law, good governance, security sector reform, de-mining, combination of political dialogue and trade, development and external assistance, civilian and military crisis management capabilities, the Special Representatives and other diplomatic instruments, co-operation with international partners and NGOs.³⁵

Peacebuilding is a new area of action for the EU, however of great importance. EU's peacebuilding efforts cover a broad range of areas, such as: “peacekeeping operations, peace processes, peace negotiations and reconciliation efforts; Demobilization, Disarmament, Reintegration and Rehabilitation (DDRR); anti-mine action; Security Sector Reform (SSR); civilian administration and good governance; democratisation; strengthening of the rule of law; justice reform; ensuring respect for human rights; children-related post-conflict assistance; institution building; independent media and truth commissions; facilitation of the transition from crisis situation to normal cooperation; addressing degradation and exploitation of natural resources; tackling proliferation of small and light weapons; trade related measures; targeted economic and

³⁴ The council of the EU. Available at: <http://www.eplo.org/documents/CP-Presidency-Report06.pdf> (25/04/2007)

³⁵ European Union, European Commission. Available at: http://ec.europa.eu/comm/external_relations/cfsp/cpcm/cp.htm (25/04/2007)

other measures such as relief, rehabilitation, reconstruction operations and development assistance”.³⁶

Rummel (2004) is very critical on the EU’s conflict prevention capabilities. The European Union is both a pioneer of and a latecomer in conflict prevention, he argues. It is a pioneer because it has advanced the idea of conflict prevention among the European nation states. However, it is not yet well enough equipped to reliably assume international security tasks. In addition, as one of the world's major donor organizations, the Union has obtained the image of a humanitarian superpower. Thus, the Union’s weak record in managing conflicts, in defending itself and establishing violence-free zones outside of Europe is all the more astonishing. In order for the EU to become more effective in conflict prevention, according to Rummel, conflict prevention should be anchored in the new Constitutional Treaty as a goal and task; efficiency in decision making should be ensured through qualified majority voting; and actions should be supported by a foreign minister (1-3). Eavis & Kefford (2004:4) believe that EU focuses mainly on crisis management policies, while it should attach attention to long-term preventive actions.

The European Peacebuilding Liaison Office (EPLO, a platform of European NGOs, networks of NGOs, and think tanks active in the field of peace-building, who aim to promote sustainable peacebuilding policies among decision-makers in the European Union) through its reports recommends to the EU, in order for its conflict prevention abilities to become more effective, to: a) explicitly make conflict prevention a goal of the EU in its Treaty; b) focus and address the root causes of a conflict; c) improve the coordination among the different actors of the foreign policy (Commission, Council, member states); d) advance the decision-making process, so as the enlarged EU can act decisively in CFSP matters; e) incorporate further conflict prevention to trade and development policies; f) increase early warning capacity and ensure that this will be translated into recommendations and action; g) assure that there are enough budgetary

³⁶ The council of the EU. Available at: <http://www.eplo.org/documents/ECsupportPBjune06.pdf>

provisions for both long-term and short-term preventive action; and h) increase its engagement with civil society and NGOs.³⁷

The literature emphasizes the variety of the conflict prevention measures available to the EU (Hill: 2001). For Barbe & Johansson (2001) the EU's objective for conflict prevention is the "structural stability", which means sustainable economic development, democracy and respect for human rights, viable political structures and healthy environmental and social conditions, with the capacity to manage change without resorting to conflict. Other stresses the importance of the membership offered to third countries as a conflict prevention measure. "EU's most important tool for conflict prevention is the offer of membership" (ICG report, 2005:37), because it motivates significant changes in areas identified by the EU as important to conflict prevention, especially rule of law and democratic institutions.

In Hettne & Soderbaum's view (2005) the EU is mainly a civilian power, which promotes values, such as social pluralism, the rule of law, democracy, market economy, etc, rather than use militaristic and hard foreign policy. Cooper (2004) agrees with them about the civilian capabilities of the EU, which rely on law, negotiation and multilateral organizations, in contrast to the hard to the USA's hard power, but at the same time he highlights the complementation of the two; "hard power begets soft power", in his words (12). Joseph Nye, who introduced the term soft power as the ability to obtain the outcome one wants by attraction and persuasion, and not by coercion, recently introduced the term "smart power" to define the ability to combine hard and soft power (2006).

It had been said above that the EU is the world's biggest humanitarian donor. This detail has been also mentioned in the literature (Olsen: 2002, Youngs: 2004) in order to show that military intervention is not the first option for the EU. Another feature of the EU conflict resolution strategy is democratic institution building. For Youngs the EU shows a growing commitment to the emerging conflict resolution mechanism called institution-building over time; however, he points out the "lack of guidance between

³⁷ The council of the EU. Available at: <http://www.epl.org/documents/ConvPaperfin.pdf> (25/04/2007)

conflict resolution imperatives and particular types of strategy towards institution building and the failure of the EU to move from emergence crisis management to engaging in democratic institution building (p.531). Dwan urges the EU to develop further its civilian capabilities for three reasons. Firstly, because civilian crisis management lays at the core of human security-based approach to global security. Secondly, because in this area the EU can make the difference worldwide and thirdly, because till now the EU has devoted itself to non-military actions, so it should try to improve them (p.2).

One of the most common used terms in the literature is the term “Europeanisation”, as a conflict settlement and resolution tool (Ladrech: 1994, Olsen: 2002, Radaelli: 2003). Radaelli defines Europeanisation as a set of “processes of (a) construction (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, identities, political structures and public policies” (p.30). In short, domestic changes caused by domination of EU’s norms (Delanty, Rumford, 2005:6).

Radaelli also offers the five mechanisms of Europeanisation: 1) models: provision of legislative and institutional templates, 2) money: aid and technical assistance, 3) benchmarking and monitoring, 4) advice and twinning and 5) gate-keeping: access to negotiations and further stages in the accession process. For Knill and Lehmkuhl (2002) the mechanisms are three: institutional compliance, changing domestic opportunity structures, and framing domestic beliefs and expectations.

Noutcheva et.al. (2004) were the first who linked Europeanisation with secessionist conflicts. Furthermore, they make the distinction between EU as a player and EU as a framework in conflict resolution. “EU as an active player” can affect secessionist conflicts by using positive and negative incentives in order to push for a settlement. In its second dimension, “EU as a framework”, it can serve as a framework of governance, it can inspire constitutional and other changes, contributing indirectly to

conflict settlement and conflict resolution. Finally, they refer to the difference that exists between Europeanisation as a conflict resolution method within the EU and in its periphery.

After having seen the conceptual background of this thesis, thus the CR literature, the framework which will be used in the research and the literature regarding EU as a third party, it is necessary to make both a historical retrospection of the former Yugoslavia and a description of the conflicts which arose after its dissolution. Since this is not a historical thesis, I do not intend to present in detail the history of Yugoslavia. On the contrary, my aim is to present briefly, but accurately, in the next chapter this part of the history. My emphasis is on the evolution of the conflicts that the two countries faced, necessary for continuing with EU's instruments of intervention after the settlement of those conflicts.

CHAPTER 4

HISTORICAL BACKGROUND

During the 6th century the South Slavs, on their expansion to the south, crossed the Danube and reached even the Aegean coast. Soon later they settled in the Balkan Peninsula and some parts of these populations established their political organizations. The Serbs had their own medieval state, as well as the Croats. The South Slavs were bordering with the Byzantine Empire and the Hungarian kingdom, however gradually, and especially after the Christianization process, they established relations with the Byzantium. The Christianization of the South Slavs took place in the 9th century.

Castellan (1991) argues that 1365 was a turning point in the history of the Balkans signifying a new era for the peninsula. In that year Murat A', the Ottoman Sultan, transferred the capital of his empire to Andrianopole. Until 1481 the conquest of the Balkans, by the Ottomans, had gradually been completed. The Battle of Kosovo, 1389, in which the Ottomans defeated the Serbs, paved the way for Ottoman predominance in the Balkans. The medieval principalities in what are today Serbia, FYROM, and Bosnia-Herzegovina succumbed to the Ottoman Empire. Most of today's Croatia was an enclave area between two major forces; the Muslim Ottoman and the Christian Europeans. Croatia was part of the Kingdom of Hungary and later the Austrian and Austria-Hungarian empires for almost 800 years. The Ottoman and Habsburg empires fragmented the territory, thus, separating these populations from each other; they remained so until the

end of the World War I and the formation of the first Yugoslavia, within which the South Slavs were united for the first time.

The South Slavs under Ottoman rule, as well as the rest of the Balkans, enjoyed a large degree of autonomy, through the Ottoman millet system. A millet consisted of members of a faith; thus, there were five millets in the territory of the Ottoman Empire: the Muslim, the Orthodox Christian, the Armenian, the Roman Catholic, and the Jewish. Since the majority of the South Slavs living within the Ottoman Empire were Orthodox Christians, they were, for most of the time, under the jurisdiction of the patriarch of Constantinople. Even though the Muslim population of the empire was in a more privileged position, regarding its status and tax burden, divisions also existed among the Christian population: between populations in the countryside and urban settlements, as well as among different ethnicities. Greeks, for instance, were generally in a better position within the Orthodox Millet, since they were dominating the Orthodox Church and usually they had better occupations, such as tax-collectors and traders.

At the beginning of the 19th century, major independence movements in the Balkans attained a large degree of success. In addition to the worsening situation that arose due to the gradual decline of central authority and local Janissaries, already by the end of the 18th century, many people living abroad had been affected by the liberal ideas, and technological advances of Western Europe. The conditions were favorable for rebellions by the Ottoman Christians. Serbia, Greece, Montenegro and Romania were the first independent countries established at that period.

At the same time similar ferments took place in the Habsburg Empire. As in the case of Ottoman Empire, different ethnic groups were under the control of the Habsburgs. Among them, Croats, Slovenes, and Serbs, were influenced by the rising independence movements of the South Slavs in the Ottoman Empire. At the beginning of the 19th century, in opposition to rising Hungarian nationalism, a group of Croatian intellectuals introduced the idea of the unification of the Slavs within the Habsburg Empire, such as

Czechs, Slovaks, Slovenes, Croats, Serbs, and Ukrainians. This movement is known as the Illyrian movement.³⁸

In 1918 the Kingdom of Serbs, Croats and Slovenes was created. Within the kingdom Croatia gradually lost much of its autonomy, which they had enjoyed in the Hungarian and Austrian empires, and felt aggrieved by the Serb dominance (Bideleux, Jeffries, 2007: 189). The kingdom changed its name into Kingdom of Yugoslavia in 1929. It was at that time the only multiethnic state in the Balkans. It was a democratic, but extremely centralized state. Under that name it lasted until 1941, when the Axis powers invaded and conquered the country, dividing it into several entities. The so-called Independent State of Croatia was particularly active in the war on the side of the Axis powers, while within the country atrocities on massive scale occurred against the Serbs.

With the end of the Second World War, the Democratic Federal Yugoslavia was created, by the victorious communist guerilla movement of Josip Broz Tito. It consisted of six socialist republics: Serbia, Croatia, Slovenia, Bosnia-Herzegovina, Montenegro and Macedonia, and two autonomous regions; Kosovo and Vojvodina. Josip Broz Tito was the lifetime head of the country; he was at the same time president, prime minister, president of the Communist league, and supreme commander of the armed forces. In order to handle the ethnic tensions which had risen during the WW II, Tito gave to the state a federal structure. The Federal Republic was directed by a Presidential Council, whose chairmanship was rotated among the heads of the republics and the autonomous regions.

Until the end of '60s even though the republics had a great degree of autonomy, they felt left aside by the Serbs' dominance in the federation. The Serbs too, in spite of their dominant position, felt victimized by the federal structure, which established the equality of all republics, while the Serbs believed that due to their historical past, as they were the first to rebel against the Ottomans and the first to establish an independent state,

³⁸ "The ancient term Illyria was firstly used by Napoleon, to designate Croatian and Slovenian lands that he wished to mold into a single administrative unit" (Lampe, 1996:41).

they should have a stronger position. The tensions between the republics grew over the time and maybe the most characteristic and most important incident was the “Croat Spring”, in 1967. Among others, Croatians demanded the recognition of their language as different and equal to the Serbian and in general they challenged the federal structure of the state. The movement was, however, suppressed by Tito.

With the 1974 constitution, the federal organization of the state changed its structure. The republics were given more responsibilities in the fields of political, economic, social, and cultural life. In the late 1970's, tensions among the republics were further exacerbated by the deteriorating economic situation in the country. Despite these problems, Tito managed to keep all ethnic communities loyal to the Yugoslav state. Yugoslavia enjoyed considerable international esteem. Its citizens enjoyed a relatively high standard of living and considerable personal freedoms, especially compared to other communist regimes (Detrez, 2002: 199).

The founding peoples of Yugoslavia were Serbs, Croats, Slovenes, Macedonians, and Montenegrins, and, after the constitution of 1963, Muslims (in the sense of a political community, not a religion) were recognized as a nation. These six republics of the federations were based on the recognition of the nations as historical –territorial communities. In addition, there were many ethnic minorities' citizens, some of whom had national homeland elsewhere, such as Jews, Hungarians, Italians, Bulgarians, etc. The six federal units had administrative and budgetary autonomy over their economies, education, and culture. Borders were drawn upon historical treaties and political negotiations of the period between 1944 and 1947 period and large parts of the country were ethnically mixed (Woodward, 1995: 31).

Various scholars have different opinions regarding the reasons of Yugoslavia's dissolution. Some have argued that deep, historical ethnic and religious divisions were the reasons of the collapse. These scholars believe that it was only Tito's leadership which kept these ethnic tensions under control, and that upon his death the underlying divisions surfaced (Kruhonja, Ivanovic&Stanic in van Tongeren et al. 2002).

Many other historians, however, have an opposite opinion. According to this view, the country was not held together by Tito's charisma, political dictatorship, or repression of national sentiments. It was held together by a complex balancing act at the international level and an extensive system of rights and overlapping sovereignties (Woodward, 1995:45). A period of harsh austerity, budgetary conflicts, and an economic policy aimed at westernization to reduce trade deficits and foreign debts, during the '80s, led to challenges of the constitutional base of the federation. Each republic was willing to push for political changes, in order to pursue its economic interests. During 1988-1989, the conflicts, over economic resources and political authority, within and between republics as well as federal authorities began to escalate. The end of the federation came in 1990, with the collapse of the federal communist party (League of Communists) and the first multiparty elections in Slovenia and Croatia. However, the collapse did not open a democratizing process, in the sense of establishing procedures of managing conflicts peacefully (Woodward, 1995:79-145).

Bennet (1995) also does not believe that animosities among the Yugoslavians are so deep. He accepts that there is a historical dimension in the conflicts which erupted in the 1990s', however, "popular perceptions of the past are more important than what may or may not actually have taken place. Moreover, "those perceptions are based not on the works of respected historians, but on the Yugoslav media" (p. 6). Finally, he points out that Slobodan Milošević, the media and Tito's regime, which couldn't adapt to the new, primarily economic, world developments are the main reasons of the collapse. For Detrez, it was the media, nationalism (often used by specific leaders who appeared in the political arena with the multiparty system), economic differences, some intellectuals, the churches and various diasporas that hold a key role in Yugoslavia's collapse.

The disintegration of the federation did not happen peacefully for a number of reasons; the Milošević regime in Serbia; the lack of democratic structures and a democratic transition; and no clear, authoritative voice opposing war. The Orthodox and Catholic Churches abstained from trying to contribute to a non-violent transition of society; independent media were virtually non-existent; and last, but not least, the attitude

of the international community in the early stage of the conflict favored the parties opting for war (Kruhonja, et al. 2003:250). The map shows the countries which established after Yugoslavia's dissolution.



Map 1: Map of the countries created after the dissolution of Yugoslavia³⁹

Presenting the historical events is not sufficient in order to understand the creation and dissolution of Yugoslavia, as well as the ethnic wars that followed. At this point, it would be useful to highlight the importance of the formation and development of identity

³⁹ http://www.lib.utexas.edu/maps/europe/central_balkan_pol98.jpg

perceptions among the Serbs and Croats and the Slav Macedonians and Macedonian Albanians and how those perceptions and self-perceptions affected their relationship after the disintegration of Yugoslavia.

The first case is the ethnic war in Croatia between the government and the Serb minority, after Yugoslavia's disintegration. Croats and Serbs coexisted within Croatia for centuries in peace and it would be impossible to understand the reasons of the war without referring to their perceptions of themselves and of the other. As seen from the above analysis, the fact that today's Serbia and Croatia were for a long period of time parts of different empires greatly shaped their identities. Furthermore, these identities were not hostile to each other in the 19th century. At that time being a Serb meant being not a Turk or a Muslim, and the primary focus of conflict for the Serbian state was the opposition of Austria to its ambitions. Similarly, to identify oneself as Croat was to take a stance in relation to the claims of Magyars or Austrians (Allcock, 2000:329-333). It was only in a united Yugoslavia that Serbs and Croats gradually developed antagonistic relationships.

The differences between Croats and Serbs are related to myths and shared memories about their own common origins and ancestries, although, both nations belong to the Slav group of nations. Moreover, minor regional differences, including religion (confessional differences), languages and cultural traditions, played a key role in the development of their antagonistic identities. (Isakovic, 2000:72-73). For instance, the Serbian Orthodox Church claims to be the sole defender of Orthodoxy against Islam's expansion from the East and Catholicism's from the West, whereas Croats perceive themselves as the border between the Ottomans and the Europeans.

Their identities had been not hostile to each other, as long as nationalistic politicians had not been involved, in the 20th century. However, during the developments, that followed Tito's death, and after the break-up of Yugoslavia both the Croatian and Serb Republics were under the rule of politicians which manipulated self-perceptions and perceptions of the other and built upon them (through several mechanisms, such as the

reproduction of narratives about the historical competition between these ethnic groups) in order to achieve their goals. More specifically, such politicians by underlining the supposed incompatibility, exclusiveness and, even, the antagonistic character of these identities, they prompted the citizens to perceive ethnic insecurities and, thus, to give support to extreme nationalists. Competition between extremists shifts the political and social interest from the median policy to an extreme one and consequently political and social life becomes a centrifugal game (Reilly, 2002). The developments that took place after the dissolution of Yugoslavia are examples which illustrate the above assumption.

The second case under examination in this thesis is the crisis in FYROM in 2001, between the government and the Albanian minority. The Macedonians⁴⁰ were recognized as a different ethnic group with the establishment of the second Yugoslavia, after the Second World War. Before that, the area of what is known today as the Former Yugoslav Republic of Macedonia was part of Serbia and later part of the Kingdom of Serbs, Croats and Slovenes. Although after the break-up of Yugoslavia there were no significant armed conflicts in the country, in 2001 a major crisis erupted between the government and the Albanian minority.

Due to the Macedonian question the attitudes of the Albanians, as well as Serbians, Greeks and Bulgarians towards FYROM is very different, as Engstrom points out (2003). Serbia's position is very ambiguous. Although, within the second Yugoslavia the Yugoslav government promoted the national consciousness of the people, in the past, and even now in some scale, Serbs regarded the area as their territory and the people as Serbs by origin. The Bulgarian perception of the Macedonians⁴¹ has historically been that the Macedonian people originate from the Bulgarian nation and that the Macedonian language is simply a dialect of Bulgarian. Greece, in turn, opposes the use of the name 'Macedonia' to any other place than what to them is Macedonia, namely, northern Greece. Finally, neither Albania, nor the Macedonian Albanians oppose the existence of a

⁴⁰ Explanation regarding the disputable use of the terms "Macedonia", "Macedonian", etc. is given in a following part of this chapter.

⁴¹ Explanation regarding the disputable use of the terms "Macedonia", "Macedonians", etc. is given in a following part of this chapter.

Macedonian nation; they are, however, again a constitution which would define the country as the country of the Slav Macedonians only, who are the majority.

With the establishment of FYROM, the new state had to be protected not only from external threats, but also from within the country. While the Slav Macedonians wanted the country to be a national state of the Macedonians, in which other ethnic groups would have equal rights, the Albanians were challenging that, and demanding a bi-national state in which the Albanian minority would be recognized as a constituent nation, alongside the Macedonian nation (Engstrom, 2003). What the Macedonian Albanians were demanding for the preservation of their identity, the Slav Macedonians perceived it as a threat to the security of the state. Since their existence was challenged by many neighboring countries, the right to a state of their own was seen as vital by the Slav Macedonians, however, “the more Slavic Macedonians assert their cultural identity, the more ethnic Albanians feel the need to assert theirs, leading to a vicious circle” (Ackermann, 2000: 66).

This historical and cultural background set the backdrop for the conflicts of the 1990s. Transmitted through myth and nationalist histories it gave the initial impulse for the antagonisms that led to the violent conflicts that arose in the 1990s and which will be discussed through two case studies in the following chapters.

4.1. CROATIA

4.1.1 THE CONFLICT BETWEEN CROATS AND SERBS

Croatia, as well as the other republics of former Yugoslavia, was a multiethnic society. The majority of the population has been the Croats, while the Serbs have been the largest minority. Tensions between the two communities gradually rose and escalated after WW II and after the independence of the republic they led to a long, bloody war. In

this war in Croatia, which will be now described, parties were the Croatian police and military on the one side and the local Serbs of Croatia, supported by the Yugoslav army and paramilitary troops of Serbia on the other. It is necessary to make clear that both Croats and Serbs are citizens of Croatia, but of different ethnic origins.⁴²

The first multiparty elections in Croatia took place on April 22 and May 6, 1990 and the HDZ of Franjo Tudjman won the elections. The rhetoric of the party was quite nationalistic, mainly anti-Milošević and anti-Serb (Kruhonja et al. in van Tongeren et al. 2003:250, Goldstein, 1999:220). For instance, Tudjman's government was responsible for media campaigns against the Serb minority, purging Serbs from key occupations, ordering imposition of Catholic instruction in all of Croatia's state school, etc. This concerned the Serbian minority of Croatia, which not only did not participate in the new government, but also asked, through referendum, for the autonomy of the Serb-inhabited areas of Croatia (northern Dalmatia and the eastern part of Lika), and the areas where Serbs were not the majority (eastern and western Slavonia). From that time gradually the tensions between Croatian government and Serbs became violent, with the Yugoslav army interfering to support the Serbs.

The situation escalated more after Croatia declared its independence on 25 June 1991 with a referendum in which 83.6% of Croatians voted for their independence. At the same time 99% of the Serbs of Krajina voted in favor of remaining part of Yugoslavia. By the end of the year the Serbs gained control of nearly one third of the country. During this time, the Serbs created the Republic of Serbian Krajina in central and northeastern Croatia. With the international recognition of the country in January 1992 a cease-fire was signed. However, at that time 30% of Croatia's territory was under Serbian control with the support of the Yugoslav army. This led to polarization and mutual intolerance between the Croats and Serbs within the part of Croatia still under control of the Croatian government, and frequent human-rights violations against Serbs including, illegal evictions, firings, harassment, and physical assaults (Kruhonja, et al. in van Tongeren et,

⁴² An ethnic community is a "named human population with a myth of common ancestry, shared memories, and cultural elements; a link with a historic territory or homeland; and a measure of solidarity" (Smith in Brown, 1993:28-29).

al. 2003:250-251). As a result, international negotiations placed the area under a United Nations peacekeeping force, the UNPROFOR.

In January 1993, Croatian army crossed the dividing line of the Serb-occupied territory in Krajina, and for the next two years the fighting did not stop, even though it did not escalate into a full war. In the mean time, another war has broken out; in Bosnia, between Serbs, Muslims and Croats. Both Croatia and the Serbs of Croatia involved in the war by supporting one of the groups, which led to new tensions between them in Croatia. In 1995, Croatia, which had upgraded its army, launched several offensives, such as “Operation Flash” and “Operation Storm”, and achieved the recapturing of a big area of Krajina. By the end of the summer, Croatia had taken over all Krajina territory from the Serbs. Some 200,000 Serbs fled to Serb-held areas of Bosnia or to Serbia. According to the International Criminal Tribunal for former Yugoslavia (ICTY), during those offensives, the Croatian army had carried out “ethnic cleansing” and generals Ante Gotovina, Mirco Norac and Ivan Cermak were indicted.

In November 1995 Croatia and Croatian Serbs signed an agreement regarding Eastern Slavonia. The area would return in Croatia’s control after a transition of two years. The Dayton agreement reached in the same month, between Bosnia, Croatia and Serbia, brought a general peace to the region. With the Dayton agreement, Serb-held eastern Slavonia and Montenegrin-held Prevlaka peninsula were returned to Croatia; Croatian refugees could return to their homes in eastern Slavonia; and Serb refugees could return in their homes in the Krajina or elsewhere in Croatia. Eastern Slavonia returned to Croatian control in January 1998, after a two-year transition period, but despite Croatian efforts to guarantee the respect of human rights, till March 1998, almost half of the Serbs had fled the area (Ramet, 1999:291). By the end of the wars of 1991-1995, 220,000 ethnic Croats and more than 300,000 Serbs has been displaced.

Tudjman won a second five-year term as president with the elections of 1997. During the time of his second government, Croatia faced an international isolation. It was excluded from NATO’s Partnership for Peace, it lost the economic and technical

assistance coming from the EU, and was excluded from the fifth enlargement process of the EU. Due to Tudjman health problems new elections took place in 2000, from which a coalition government came to power with Racan as the new president. New elections took place in 2003; since then the prime minister of the country has been Ivo Sanader.

4.2.2 CONFLICT RESOLUTION ATTEMPTS BY THE INTERNATIONAL COMMUNITY

The international community failed to recognize the indicators of the upcoming crisis, such as the proposals of Slovenes and Croats to redefine Yugoslavia's constitution, the fact that Serbs of Croatia and Bosnia started to arm for self-defense, etc. The voices of those who were warning for the future events were not heard and when the wars started the international community was neither ready to react nor unified.

At a period when the European Community's (EC) members were more concentrated in the upcoming Maastricht conference and the CFSP was not even on paper yet, the first responses to the Yugoslavian crisis were unsuccessful diplomatic efforts to maintain Yugoslavia's entity. In March, 1991, the EC declared: "Yugoslavia could have expectations with respect to its association with the Community if its territorial unity and integrity are safeguarded. Any other attitude could jeopardize internal frontiers in Europe" (Nuttall, 2000:195). Two months later EC Foreign Ministers agreed that they could not accept any unilateral declaration of independence, because that could not be a solution.

However, as the situation escalated, the EC tried to prevent further escalation and resolve the conflict through diplomatic means. In July 1991, the Brioni Conference took place in which representatives of the Yugoslav republics negotiated a solution and a

cease-fire, under the assistance of the EU representatives.⁴³ In September 1991, another EC conference began; the Conference on Peace on Yugoslavia. President of the Peace Conference was Lord Carrington. Between September 7 and December 15, the EC mediation centered on its peace conference; the shuttle diplomacy of its chairman Lord Peter Carrington; and the drafting of a constitutional document on Yugoslavia's future that could be presented for negotiations to representatives of the republics and parties in conflict. The problem was that "Carrington's mandate was ambiguous about its political objective and competing political principles, inconsistent in its declarations as a result of internal conflicts, and unwilling to commit military forces to a situation it had prejudged as aggression by one party against another" (Woodward, 1995:179). The conference was replaced one year later by the International Conference on the Former Yugoslavia, led by an EU and an UN envoy.

These diplomatic efforts to find a solution before the conflicts escalated further did not achieve much, due to the lack of any leverage. It is important to notice that the EC at the time was lacking a common policy among its members, it could not deploy troops, and more concerned with the Maastricht negotiations. Furthermore, the EC did not have any experience in managing such a complex crisis. The EC imposed arms embargo on all Yugoslav Republics in July 1991, and the UN Security Council followed on September of the same year. EC's recognition of Croatia came with the skeptic that international recognition would signal international protection to all conflicting parties and would bring a quick end to the war (Woodward, 1995:147). This measure, however, was also unsuccessful.

In addition to EC's efforts, a word should be said of UN's involved in the conflict, mainly by deploying peacekeeping units. In September 1991, the UN imposed arms embargo against Yugoslavia, and a month later appointed Cyrus Vance as a special envoy of the Secretary General to the area. In January 1992, a cease fire was signed. The

⁴³ Joint Declaration of the Six Yugoslav Republics and the EC, 7 July 1991, available at http://web.archive.org/web/19980101-20010101re_/http://www.dalmatia.net/croatia/politics/brioni_declaration.htm

UN peacekeeping forces, UNPROFOR, were deployed in Croatia, in four areas, in February 1992, keeping Croats and Serbs apart.

Undoubtedly, the USA's intervention was especially crucial for the signing of the Dayton Peace Accords. The conference which led to the agreement took place in November 1995, with the participation of the presidents of Serbia, Croatia and Bosnia. The chairman of the conference, the American diplomat Richard Holbrooke used all his power in order to make the parties agree on the agreement.

Third party intervention in Croatia did not come only by official level, but also was multi-track. Many NGOs, international, regional and local worked on the civil society level, with peace projects, peace building and community recovery programs, etc. The Antiwar Campaign Croatia, The Centre for Peace, Non-violence and Human Rights, the Dalmatian Solidarity Committee, are only some examples of these NGOs. Finally, the role of NGOs in the UN peacekeeping operations shouldn't be ignored.

CROATIA: TABLE OF THE MOST IMPORTANT EVENTS	
25 June 1991	Croats vote for their independence, while the Serbian minority voted for remaining part of Yugoslavia
End of 1991	One-third of Croatia's territory is under Serbian control
1992	International recognition of Croatia Cease-fire agreement, brokered by the UN UN sets up 4 protected areas in Croatia
1995	Croatian force retake 3 of the 4 protected areas Dayton Agreement is signed Agreement between Serbs and Croats about the 4 th UN protected area

Table 2: Croatia's most important events

4.3.3 CROATIA'S CURRENT SITUATION

The Republic of Croatia is on the eastern Adriatic coast facing Italy. It is in the north-west of the Balkans, bordered by Slovenia, Hungary, Serbia and Montenegro, and Bosnia and Herzegovina. The country is inhabited mostly by Croats (89.9%). There are

around twenty minorities, Serbs being the largest one (4.5%) and others having less than 0.5% each. The predominant religion is Catholicism (87.8%), with some Orthodox (4.4%) and Sunni Muslim (1.3%) minorities. The official language of the country is Croatian. Lastly, Croatia is a Presidential, multi-party parliamentary democracy.

Diplomatic relations between the EU and Croatia were established in 1992. The year 2000 is a turning point for EU-Croatia relations, since the change of leadership in Croatia, marked a new, progressive and encouraging political climate and supported stronger relations with the EU.⁴⁴ In 2001, the country was included in the Stabilisation and Association Process (SAP). The SAP is specially designed for the countries of the Western Balkans in order to prepare them to join the EU in the future, after having fulfilling their obligations. A more detailed description of the SAP will follow in the next chapter. What is important for now is to point out the new phase of the EU-Croatia relations with signing the SAP.

Croatia presented its application for EU membership on 21 February 2003. The European Council of 16/17 December 2004 decided that accession negotiations would be opened on 17 March 2005, provided that there was full cooperation with the UN International Criminal Tribunal for the former Yugoslavia in The Hague (ICTY). However, in the absence of confirmation of full cooperation, the Council on 16 March 2005 decided to postpone the opening of accession negotiations. The negotiations were finally opened on 3 October 2005, after a positive assessment of the ICTY Chief Prosecutor that cooperation was now full.⁴⁵ The country is expected to become an EU member state in 2009 or 2010.

According to the Commission, the main political issues facing the country relate to the need for further progress on questions such as the reform of the judiciary and the

⁴⁴ European Union, European Commission. Available at: <http://www.seerecon.org/croatia/documents/depliantcroatie.pdf> (25/04/2007)

⁴⁵ European Union, European Commission. Available at: http://ec.europa.eu/enlargement/croatia/eu_croatia_relations_en.htm (25/04/2007)

fight against organised crime and corruption, public administration reform, minority rights, refugee return, the conduct of war crimes trials, sustaining full cooperation with the International Criminal Tribunal for the former Yugoslavia in The Hague and continued engagement in regional cooperation including the need to solve outstanding bilateral issues with its neighbours. In addition to continuing with the necessary political and economic reforms, Croatia will, in order to make progress in the accession negotiations, need to focus efforts on the substantial work that lies ahead in terms of adopting EU legislation and building the administrative structures and capacity necessary for its correct enforcement.⁴⁶

In terms of economic issues, Croatia is already considered to have a functioning market economy as advanced and stable as some existing EU member states. The Commission has recognized the country's efforts to achieve a considerable degree of macroeconomic stability with low inflation.⁴⁷ Furthermore, according to the Commission the country has stable democratic institutions and there are no major problems as regards the rule of law and respect for fundamental rights. Croatia's treatment of minorities (as stipulated in the Copenhagen criteria) is, however, seen as problematic. During the 1992-1995 war, 300.000 ethnic Serbs fled Croatia. The return of these refugees is one of the conditions for Croatia to achieve its EU bid. To date, over a third of them have returned. However, their accommodation is a very serious problem. Many of the former Serbian houses are now occupied by those Croatian refugees, who fled Bosnia during the war. And not always a friendly atmosphere welcomes the returning Serbs. The EU considers Croatia's treatment of minorities, as stipulated in the Copenhagen criteria, as "problematic" (Karpát, 2006).

⁴⁶ European Union, European Commission. Available at:
http://ec.europa.eu/enlargement/croatia/political_profile_en.htm (25/04/2007)

⁴⁷ European Union, European Commission. Available at:
http://ec.europa.eu/enlargement/croatia/economic_profile_en.htm (25/04/2007)

4.3. THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

4.3.1. THE CONFLICT BETWEEN SLAV MACEDONIANS AND MACEDONIAN ALBANIANS

Before continuing to describe the conflict some clarifications are necessary regarding the conflicting use of the terms “Macedonian”, “Slav Macedonians” or “Macedonian Slavs”. Since the independence of the country, there is an on-going dispute with Greece, regarding the use of the term “Macedonia”, “Macedonian”, as well as for the use of the Star of Vergina in the country’s flag. Greece, which seeks exclusivity of the term in viewing its origins from ancient Macedonia and Alexander the Great, opposes the use of these terms by FYROM, interpreting them as claims of FYROM’s over Greek historical heritage. The official name of the country is the Former Yugoslav Republic of Macedonia and under this name it is accepted as a candidate country in the EU. For that, I also use that name when I refer to the country. However, in the literature the country is referred to as Macedonia, and the language and the people as Macedonian language. Since part of my work is to refer to the literature, in this thesis I will use the term “Macedonians” to refer to the people of the country, as it is used in the literature, without taking a position in the conflict with Greece, which is out of the scope of this thesis.

Furthermore, there is a considerable dispute over the use of terms “Slav Macedonians” or “Macedonians Slavs”. According to Bideleux & Jeffries (2007:406), the Macedonian-speaking Slav citizens of FYROM should be called Slav(ic) Macedonians. Otherwise, if they are called just Macedonians, it would be implied that they have a more privileged position in the country, compared to citizens of other ethnicity. I adopt this position and use the term “Slav Macedonians” to refer to the majority of the citizens of the country, while the largest minority are the Albanians, people of Albanian origins, but citizens of FYROM.

After having made these clarifications, I can continue with the description of the conflict. FYROM is a unique case, because it is the only former Yugoslav republic which succeeded avoiding a full scale war after the dissolution. Even though it is located in a

geographical area full of ethnic tensions which led to bloody wars, and has conflicting relations with Greece, Serbia, and Bulgaria, it is true that it is one of the most successful examples of conflict prevention. The problems in FYROM, however, between the two largest ethnic groups, the Slav Macedonians and the Albanians, originate even before the '80s.

The first elected president of the country was Kiro Gligorov, elected in 1991. After the elections, on 9 September 1991, three-quarters of the country's citizens voted in favor of independence. According to a census held in March 1991, 65% of the republic's population was Slavic Macedonians and 20% Albanians. In the next census in 1994, not much has changed. The Albanian political parties were, however, challenging the results. On October 1991 the new Macedonian constitution was adopted but renounced by ethnic Albanians, because it privileged the Slavic Macedonians, the Macedonian language, and the Macedonian Orthodox Church. The Albanians held a referendum in January 1992, in which 99.9 % of those participating voted for the creation of the "Republic of Ilirida" in the western part of the country.

Between February and August 2001, an armed conflict between ethnic Albanian extremists (UÇK) and FYROM's army escalated step by step from small-scale local violence in the region around the borders with Kosovo up to the brink of a full-fledged civil war, affecting large parts of the country. Untill that time the most crucial crisis that the country faced was in March-June 1999, when about 360,000 ethnic Albanians refugees from Kosovo fled in the country. Although they departed shortly after the war, soon after, Albanian radicals on both sides of the border took up arms in pursuit of autonomy or independence for the Albanian-populated areas of the Republic.

Basically, three interrelated factors contributed to the crisis. First, the international concern Macedonia had attracted since the early 1990s decreased significantly. The post-conflict management in Kosovo and, later, the events in Belgrade (change of regime in October 2000) absorbed most of the international and European attention. Second, the most serious external problems for Macedonia had been resolved,

in particular the relations to Greece and to post-Milošević-Yugoslavia had improved; thus, the domestic interethnic conflict had no longer to be contained by the political elites because of potential threats from outside. Third, and most importantly, at the same time the end of the Kosovo war increased the opportunities for ethnic Albanian militants to act. (Schneckener, 2002:30).

For Ackermann (2000:60) the Albanians grievances fall into four categories: group status, language rights, educational rights and discriminatory practices. Furthermore, she (1999) argues that much of the conflict between ethnic Albanians and Macedonians is fuelled by mistrust and misperception between the two ethnic groups, and the fact that they constitute two distinct societies with different traditions, customs, cultures, and religions. What continues to drive ethnic tensions in FYROM are distinct grievances on the part of ethnic Albanians, not all of which have been sufficiently addressed in the various negotiation forums set up between the international organizations in the country and the representatives of the contending groups.

On 22 January 2001 a police station in a village called Tearce was attacked by a self-propelled rocket grenade. The next day, an organization, called National Liberty Army (NLA), claimed responsibility for the attack. A number of various, small-scaled incidents, have been reported, before the eruption of the violence, in March, 2001, in Tetovo. On 10 March 2001 the rebels presented their demands: 1) a new Macedonian constitution which would state that Macedonia is a state of Macedonians and Albanians, as well as of minorities, like the Serbs, the Roma and others; 2) better rights for Albanians, including the recognition of the Albanian language as a second official language of the country; 3) international mediation and 4) a state funded university.⁴⁸ On March 21 the rebels were given a 24-hour deadline to lay down their weapons or face a full-scale offensive. The offensive began on 25 March and after 4 days the government announced it success.

Till July the number of the internal displaced persons had reached up to 150,000. The conflict had escalated so much that not only members of NLA but also ethnic

⁴⁸ BBC News. Available at: <http://news.bbc.co.uk/2/hi/europe/1224776.stm> (25/04/2007)

Albanian civilians were also fighting. Due to the international response, civil war was avoided. A framework, proposed by EU-USA, was accepted by the two Macedonian parties of the government but rejected by the two Albanian parties. While both parties of the conflict were negotiating with the help of the international community, the military operations continued. After many ceasefires and many deadlocks of the negotiations, the conflict ended on 13 August 2001, with the Ohrid Agreement.

The agreement was signed by the four political parties of the country. Ethnic Albanian armed groups would voluntarily surrender their weapons to NATO and disband, while the parliament – dominated by the ethnic Macedonian majority – adopted a series of constitutional amendments and two laws granting ethnic Albanians substantially more rights and local authority, as well as an amnesty for fighters who had disarmed (ICG report, 2001). The main points of the agreement were: cessation of violence, preservation of Macedonia's sovereignty and territorial integrity, use of albanian language, proportional presentation of Albanians, ethnic minorities' increased voting capacity in parliament, development of civil society, respecting the ethnic identity and interests of all Macedonian citizens (Baros, 2003:71). Finally, the Ohrid Agreement called upon the EU to coordinate the efforts of the international community in facilitating, monitoring and assisting implementation of the Agreement. However, key aspects of the implementation of the accord are still lacking, according to Stefanova (2003, 179), such as the use of the Albanian language in the parliamentary committee sessions and the long agreed-upon regional decentralization.

4.3.2. CONFLICT RESOLUTION ATTEMPTS BY THE INTERNATIONAL COMMUNITY

In 1991 the European Community (EC) established the Arbitration Commission of the Peace Conference on the Former Yugoslavia, as mentioned before. The EC assisted the new state with substantial financial as well as humanitarian aid. FYROM was rapidly integrated into Euro-Atlantic structures after the country joined the NATO

"Partnership for Peace" programme and, subsequently, the Euro-Atlantic Partnership Council in November 1995.

The first international intervention in FYROM, before the crisis erupted, was the deployment of the UN preventive diplomacy force, from 1993 to 1998. The operation was called UNPROFOR till 1995, and after that to the end, UNPREDEP. Its aim was to monitor FYROM's borders with Albania and Yugoslavia. The mission's mandate was not extended after 1999, despite its successful mission, due to a veto from China.

Although the UN worked closely with the OSCE Spillover Mission to Skopje, it seemed to lack any initiative for ending it; UN's role was largely confined to reporting on refugee movement and humanitarian issues (Grimond as cited in Baros, 2003:71). OSCE's role, which started as monitoring and reporting, eventually changed to a more active one. For instance, the OSCE sent High Commissioners on National Minorities in the country. The OSCE undertook various initiatives to improve interethnic relations through its long-term mission in Skopje (since 1992) and several visits of the OSCE High Commissioner on National Minorities, who from time to time acted as a facilitator in disputes on education or language (Schneckener, 2002:24).

After the outbreak of violence in 2001, the EU, NATO, and other institutions worked for the stability of the country. Heads of European and Euro-Atlantic institutions paid many visits to the country. The EU appointed Francis Leotard as its special representative, while for the same reason the United States appointed James Pardew. Both's interaction with President Trajkovski resulted, among others, in many changes in FYROM's constitution.

The early stages of the crisis, March, April 2001, are characterized by an intense "shuttle diplomacy", made by the HR, Mr. Solana with the help of his special representative in the country. The EU "urged the government to avoid further escalation through its large-scale counter-offensives and to start a dialogue on political reforms with the elected Albanian parties instead" (Schneckener, 2002:35). The SAA, which was

signed during the crisis period, was the most powerful incentive in the hands of Solana for pressuring the parties agree on a cease-fire. However, the management of the crisis was not long-lasting. By the end of April the fighting resumed and this time not just in the military level. At that point EU together with NATO representatives undertook a mediator's role and convinced the parties to create an all-parties government. In order for a peaceful solution to be achieved, the EU offered further financial aid packages. For the first time in the summer all international actors involved, EU, USA, NATO and OSCE, were able to combine their efforts and propose a Framework Document (7 July). This was the base of the Framework Agreement, signed by the parties on August 13.

Piana (2002) emphasizes that the successful management of FYROM's crisis was due to three reasons: firstly, EU's policy, which, compared to previous conflicts in the Balkans, was more straightforward; secondly, non of the neighboring countries supported the Albanian guerillas; and thirdly, FYROM's government can be considered as relatively moderate, compared to governments that were in power during the previous wars in other ex-Yugoslav countries.

Second track intervention in FYROM, mainly through NGOs, was quite rich, compared to the country's size. Several international NGOs have been conducting projects in FYROM, most often in the field of interethnic relations, reconciliation and tolerance, promoting peaceful coexistence, citizen involvement in creative positive social changes, etc. Some of these NGOs are the following: Nansen Dialogue Center, Macedonian Center for International Cooperation, Search for Common Ground, UNICEF.

The FYROM: TABLE OF THE MOST IMPORTANT EVENTS	
9 September 1991	The majority of the country's citizens voted for their independence
October 1991	New constitution adopted by the government, but renounced by the Albanian minority
1993-1998	Deployment of UN preventive force
January 2001	Armed conflict between the government and Albanian extremists

April 2001	Stabilization and Association Agreement
August 2001	Ohrid agreement
March-August 2001	Shuttle diplomacy by the EU, NATO, OSCE and USA

Table 3: FYROM's most important events

4.3.3. CURRENT SITUATION OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

The country borders Serbia to the north, Albania to the west, Greece to the south, and Bulgaria to the east. The largest ethnic group in the country is the Slavic Macedonians. They represent 64.2% of the total population. Approximately 500,000 inhabitants are declared as Albanians, representing 25.2% of the population. They are concentrated mostly in the western and north-western part of the country. In smaller numbers, many other minorities exist, which account for less than 2.5% of the population of the country. The majority of the population belongs to the, unrecognized, Macedonian Orthodox Church (64.7%). Muslims comprise 33.3% of the population and other Christian denominations comprise 0.37%. The remainder (1.63%) is recorded as "unspecified" in the 2002 national census. These numbers come from the last census, held in 2002. In terms of the political situation FYROM is a parliamentary democracy. The unicameral Parliament is composed by 120 members elected by proportional representation from party lists in six electoral constituencies. Parliamentary elections are held every four years.

FYROM's official relations with the EU started in 1995 with EU recognition. The contractual relations of FYROM with the EU started in 1996 when it signed an agreement to be eligible for assistance from the EC PHARE programme. From that point and until the crisis and during it the EU has helped the country, as mentioned before, mainly by providing humanitarian aid and through diplomacy in order to become democratic and stable country. In 2001 FYROM became the first country which signed the SAA, putting its relation with the EU in a new base. European integration became officially the goal of both FYROM and EU.

FYROM submitted an application for EU membership on 22 March 2004 and the Commission was asked by the European Council to prepare an Opinion on this application. The Commission recommended the Council grant the country candidate status. It was given to the country on 16 December 2005 without, however, the opening of accession negotiations yet. The Commission considered that negotiations could be opened once the country has reached a sufficient degree of compliance with the membership criteria. Some of the main challenges the country still needs to face include:

- Implementing fully the Ohrid Framework Agreement and the Stabilisation and Association Agreement;
- Strengthening the rule of law, implementing the reforms in the judicial system and the police;
- Upgrading the fight against corruption;
- Pursuing vigorously the economic reforms, in particular with the aim to attract investment by curbing administrative red tape and creating a level-playing field for businesses;
- Improving the functioning of the public administration and its capacity to implement the community acquis.⁴⁹

4.4. CASES COMPARISON

The previous parts of this chapter presented in detail the two cases; the dynamics of the conflicts, the attempts by the international community to settle the conflicts and the current situation of the two countries and the status of their relationships with the EU. This final part of the historical background will make a short comparison of the two cases, based on the information given above, in which I can refer to in the conclusions.

⁴⁹ European Union, European Commission. Available at: http://ec.europa.eu/enlargement/the_former_yugoslav_republic_of_macedonia/political_profile_en.htm (25/04/2007)

Both countries established after the disintegration of Yugoslavia in 1991; they are both multi-ethnic countries which faced ethnic conflicts. In 1991 the Serbs were the 12 % of Croatia's population, while the Macedonian Albanians were the 21% of FYROM's population. In both countries the conflicts erupted between the main ethnic minority and the official government. However, in Croatia the conflict was a long, bloody civil war which lasted for 4 years and led to the displacement of 220.000 Croats and 300.000 Serbs, while in FYROM the conflict was an 8-month crisis in 2001, ten years after the independence, which did not have much causality and many civilian victims.

When Croatia's conflict erupted the country did not have any special relationship with the EU; it became member of the Stabilization and Association Agreement, thus a potential member, in 2001 and it was granted the candidacy status in 2003. Furthermore, when the peace agreement was signed and the country moved to the post-conflict period, the EU's conflict prevention and peacebuilding capabilities were quite new. On the other hand, FYROM became member of the Stabilization and Association Agreement in 2001, during the crisis, and that gave the EU significant leverage to act as mediator in the conflict. Finally, by that time the EU had strengthened its conflict resolution capabilities; new policies were adopted and new institutions were established related to conflict prevention and peacebuilding.

There are some important differences with regard to other third parties activities prior and during the conflict that should also be mentioned. Before the beginning of the civil war in Croatia there was no intervention by the international community, in order to prevent the upcoming events. In the FYROM, immediately after its independence, a UN peacekeeping force was deployed, which worked closely with the OSCE spillover mission. During the conflict in both cases many third parties attempted to help the parties settle their conflict, such as the EC/EU, the UN, the NATO and the USA, however, in the FYROM these efforts are regarded as better coordinated.

Finally, it worth mentioning the relationships of both countries with their neighbors and the disputes they are part in. Croatia has disputes with Bosnia-

Herzegovina, Slovenia, Serbia and Italy mainly over border and minorities issues. Those disputes, however, are not as intense and prolonged as the FYROM's disputes with Greece and Bulgaria, over the term "Macedonia", and with Albania about the Albanian minority. For instance, due to the Greek objections, regarding the use of the term "Macedonia(n)", and the embargo Greece placed on the FYROM the country was recognized by the EU only in 1995. The following table summarizes the comparison of the two cases over some key issues.

COMPARISON OF THE TWO CASES		
	Croatia	FYROM
Level of violence	High (220.000 Croats and 300.000 Serbs displaced and refugees)	Not so high (20 Albanian Macedonians and 10 Slav Macedonians victims)
Duration of conflict	4 years	8 months
Type of conflict	Ethnic conflict/civil war	Ethnic conflict
Time of conflict	Immediately after the independence	10 years after the independence
Demand of minorities	Autonomy	More rights and a bi-communal state
External assistance to minorities	Yes, from the ex-Yugoslav Army	Yes, from the Albanian extremists from Kosovo
Agreement with the help of 3 rd parties	Yes	Yes
EU's conflict resolution capabilities at the time of the conflict	Not so advanced	More advanced
Relation of the country with the EU when the peace agreement was signed	No special relation	Member of the Stabilization and Association Process
Third parties' intervention before the conflict	No	UN peacekeeping forces (1992-1999) OSCE mission
Third parties' attempts to resolve the conflict	UN peacekeeping forces EU, NATO, USA	Coordinated efforts by the EU and NATO
Relationship with neighbors	Disputes with many neighbors, but not very intense	Serious disputes with Greece, Bulgaria and Albania

Table 4: comparison of the two conflicts

CHAPTER 5

EU'S THIRD PARTY INTERVENTION IN THE POST-CONFLICT CROATIA AND THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Having a clear image of the history of the two conflicts under examination is now the time to present the EU's methods for conflict prevention and conflict resolution used in post-conflict Croatia and the FYROM. The data come from the various EU institutions, reports, policies, etc. which are presented in detail in the 3rd chapter. The point for the moment is just to present the various conflict resolution actions undertaken by the EU. What type of actions are, according to the framework used, will be seen in the analysis chapter, which follows.

5.1. CROATIA

1) EUROPEAN HUMANITARIAN AID OFFICE (ECHO)

1.1. 1996

In Croatia, assistance was provided to refugees and displaced people (350.000), and special attention was given to needs of the population in Eastern Slavonia, in

cooperation with United Nations Transitional Authority for Eastern Slavonia (UNTAES). Throughout the country, ECHO provided food and hygiene supplies, as well as basic medical assistance to vulnerable population groups, displaced and people otherwise in need of assistance. Shelter and "winterization" programmes as well as psycho-social assistance were continued as appropriate. However, in order to avoid chronic dependency on external aid, projects were managed in such a way as to ensure that only those in the greatest need receive aid.⁵⁰

1.2. 1997

ECHO managed a humanitarian aid package for the vulnerable and war affected refugees and displaced people.⁵¹

1.3. 1998

ECHO managed a package of ECU 1 million for Serbs returning to Croatia and for other Serbs in need there. This programme was intended to help resettle those who were able and willing to return to their homes, and to provide appropriate assistance for all those identified as being in need. The funding covered food aid, toiletries and survival kits for returnees, essential repairs to housing, fuel, lamps, candles and winter clothing.⁵²

⁵⁰ EUROPA, press releases. Available at:
<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/96/1119&format=HTML&aged=1&language=EN&guiLanguage=en> (25/04/2007)

⁵¹ EUROPA, press releases. Available at:
<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/97/410&format=HTML&aged=1&language=EN&guiLanguage=en> (25/04/2007)

⁵² EUROPA, press releases. Available at:
<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/98/22&format=HTML&aged=1&language=EN&guiLanguage=en> (25/04/2007)

1.4. 1999

ECHO supported those returning home, whether they were returning to Croatia or leaving it. They were entitled to a 'return package' which included items for repairing homes, household goods, food aid and aids for income generation.⁵³

2) 1996-2000 ASSISTANCE

Apart from the humanitarian help, provided by ECHO in this period, support was also given for democratization, the independent media and de-mining. A detailed chart of the EU assistance at that period can be found in the appendix of this thesis.⁵⁴

3) SANCTIONS

14/10/2004: freezing of funds and economic resources of certain persons indicted by International Criminal Tribunal for the former Yugoslavia.

31/3/2004: restrictions on admission of persons who help persons indicted by the ICTY (International Criminal Tribunal for the former Yugoslavia) to evade justice.⁵⁵

⁵³ EUROPA, press releases. Available at: <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/99/676&format=HTML&aged=1&language=EN&guiLanguage=en> (25/04/2007)

⁵⁴ European Union assistance. Available at: http://www.southeasteurope.org/documents/assist_croatia.pdf (25/04/2007)

⁵⁵ European Union, European Commission. Available at: http://ec.europa.eu/comm/external_relations/cfsp/sanctions/measures.htm (25/04/2007)

4) EUROPEAN INITIATIVE FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMME

The programme assists NGOs projects for the development of democracy and civil society. It aims to contribute to a healthy NGO sector in Croatia, by funding projects related to: human rights promotion (including law reform); local administration (including citizen participation in local democracy); professional association development; rule of law promotion; development of women's rights (including gender equality); promotion of anti-discrimination (including ethnic minorities); protection of children's rights; development of civic education; application of conflict resolution methods; establishment of information centres (including legal advice); and support to media.⁵⁶

5) EUPOP PROGRAMME (EU RECONSTRUCTION PROGRAMME FOR RETURN)

The main partners of EUPOP are the municipalities, as they are faced in first instance with the complex issue of the return process. They are selected on the criteria of their potential for and acceptance of return. To date there are 18 EUPOP municipalities in Croatia. Under this programme, reconstruction of houses goes hand in hand with rebuilding of health centers and schools and revival of small businesses because people need more than just a house in order to return.⁵⁷

6) ASSISTANCE FOR THE RETURN OF REFUGEES AND DISPLACED PERSONS, 1999

The EU allocated 11,5 million Euros for rehabilitation of housing and associated infrastructures in the areas of Western Slavonia, Eastern Slavonia, Lika and Northern Dalmatia, Banovina and Kordun.

⁵⁶ European Union Newsletter N. 1. Available at:
<http://www.delhrv.ec.europa.eu/uploads/dokumenti/4a087af4dc1fb74141383b5014fc983b.pdf>
(25/04/2007)

7) ASSISTANCE FOR THE RETURN OF REFUGEES AND DISPLACED PERSONS, 2000

The EU allocated 10 million Euros for Rehabilitation of housing and associated infrastructures in the areas of Western Slavonia, Lika and Northern Dalmatia, Banovina and Kordun.⁵⁸

8) STABILITY PACT FOR SOUTH-EASTERN EUROPE

Launched in 1999, the Stability Pact for South Eastern Europe is the first comprehensive conflict-prevention strategy of the international community, aimed at strengthening the efforts of the countries of South East Europe in fostering peace, democracy, respect for human rights and economic prosperity. The Stability Pact provides a framework to stimulate regional co-operation and expedite integration into European and trans-Atlantic structures. The Stability Pact is not limited to the EU, but involves numerous international actors, both States and international organisations. Nevertheless, the EU was its main initiator and plays a leading role in it.

The Stability Pact consists of three working tables: 1) democratisation and human rights, 2) economic reconstruction, co-operation and development and 3) security issues. With the annual meetings the EU has the possibility to check the progress of Croatia on the return of refugees and reconstruction issues and push for more reforms if needed.

Part of the Stability Pact is the Migration, Asylum, Refugees Regional Initiative (MARRI). MARRI promotes durable solutions for refugees and displacement issues in the Western Balkan countries. Supporting those who choose to return remains the primary objective through the promotion of conditions enabling sustainable returns to take place. These efforts are complemented with support for those who do not choose to

⁵⁸ Economic reconstruction and development in South-Eastern Europe. Available at: <http://www.seerecon.org/croatia/ec/refugees/rdp2000.htm> (25/04/2007)

return and seek to integrate elsewhere in the Western Balkans, with a particular focus on non-discriminatory access to basic services and the realisation of social and human rights, supported by data exchange.⁵⁹

9) EU EXPERTS HELP CROATIA

The year 2000 was a year of radical economic and political reforms for Croatia, in order to come closer to the EU. The EU encouraged these reforms by sending top-experts for a period of two years in order to help:

- The Croatian Government with the co-ordination, programming, managing and monitoring of EU financial assistance
- The Ministry of European Integration in the law approximation process
- The Ministry of Crafts and Small- and Medium-sized enterprises in the development of a comprehensive SME support programme for Croatia
- The Ministry of Tourism in strategic advice on privatisation of state-owned assets, incentive schemes for local tourism operators and capacity strengthening measures
- The Judiciary in legal advice, court system and case handling
- The Ministry of Public Works
- The Croatian government in designing a comprehensive public administration reform programme and training of civil servants
- The Central Bureau of Statistics on the preparation of the 2001 population census.⁶⁰

⁵⁹ Stability Pact for South-Eastern Europe. Available at: <http://www.stabilitypact.org/rt/> (25/04/2007)

Relief Web. Available at: <http://www.reliefweb.int/rw/rwb.nsf/db900SID/ACOS-64BLAA?OpenDocument> (25/04/2007)

⁶⁰ The EU in Croatia. Available at: http://www.delalb.cec.eu.int/al/eu_in_see/regional_cro.htm (25/04/2007)

10) SUSTAINABLE DEVELOPMENT IN RETURN AREAS THROUGH CIVIL SOCIETY PROJECT

The project, with a budget of 700.000EUR⁶¹, lasted for a year, May 15th 2004 - November 15th 2005, and aimed at supporting the process of sustainable return in four key municipalities in the counties of Zadar and Sibenik-Knin. The project partners were three NGOs: CARE Austria (lead organization), ZaMirNET, GONG. The activities that they engaged in are the following:

1. NGO Capacity Building Training and TA package (CARE)
2. NGO Study Visit (CARE)
3. Encouraging the establishment of NGO coordination mechanisms (CARE)
4. Provision of Materials (CARE)
5. Small Grants Scheme (CARE)
6. Citizen's Hours (GONG)
7. Open Parliament - Public Access To Elected Representatives (GONG)
8. Vote for the First Time (GONG)
9. Public Advocacy Workshops (GONG)
10. Organising Europe Day Celebration (GONG)
11. Local Economic and Social Development Action Planning Process (ZaMirNET)
12. Provision of IT Materials and building IT infrastructure in local communities (ZaMirNET)
13. Training in computing and use of ICT for local municipal government (ZaMirNET)
14. Capacity Building for Village Boards and Council for National Minorities (ZaMirNET)
15. Provision of IT equipment for Village Boards (ZaMirNET)
16. Basic computing training for Village Boards and Councils for National Minorities (ZaMirNET)
17. Towns/Municipal Study Visits (CARE)
18. Inter-sectoral/Partnership Fairs (CARE)
19. Community Web Portals (ZaMirNET)
20. Public panels on ICT4D (ZaMirNET)

⁶¹ Zamirnet. Available at: <http://www.zamirnet.hr/eng/page/projekti/sdra.html> (25/04/2007)

21. Job Search Training (live and online) (ZaMirNET)

11) NEW CONSTITUTIONAL LAW ON THE RIGHTS OF NATIONAL MINORITIES

The law guarantees minority representation in local government bodies and creates minority councils to advise elected officials on minority rights. The law also promotes the use of minority languages and symbols and provides for the election of up to eight minority representatives to parliament. The obligation to adopt such legislation dates from Croatia's 1996 accession to the Council of Europe.⁶²

12) ADOPTION OF REGIONAL APPROACH, 1997

The European Union (EU) Foreign Ministers agreed to adopt a coherent and transparent policy towards South Eastern Europe. The policy lays out clear conditions that these countries must fulfill in order to qualify for trade, aid and deepening of relations with the EU. It aims to improve political stability as well as economic development and relations in the region. An important element of this conditionality is the readiness of these countries to engage in cross-border co-operation with their neighbors.

Some of the conditions that Croatia had to apply, in order for the negotiations to start are:

- Credible offer to and a visible implementation of real opportunities for displaced persons (including so called "internal migrants") and refugees to return to their places of origin, and absence of harassment initiated or tolerated by public authorities;
- A credible commitment to engage in democratic reforms and to comply with the generally recognized standards of human and minority rights;

⁶² Minority Rights Group International (2003). Report: minorities in Croatia. Available at: <http://www.minorityrights.org/admin/Download/pdf/Croatia2003.pdf> (25/04/2007)

OSCE (2002). Constitutional law on national minorities. Available at: http://www.osce.org/documents/mc/2004/01/1918_en.pdf (25/04/2007)

- Absence of generally discriminatory treatment and harassment of minorities by public authorities;
- Compliance with the obligations under the Basic Agreement on Eastern Slavonia and cooperation with UNTAES and OSCE.⁶³

13) STABILISATION AND ASSOCIATION PROCESS

The Stabilisation and Association Process (SAP) is the EU's policy framework for the Western Balkan countries, all the way to their eventual accession. The SAP pursues three aims, namely stabilisation and a swift transition to a market economy, the promotion of regional cooperation and the prospect of EU accession. The SAP is based on a progressive partnership, in which the EU offers a mixture of trade concessions (Autonomous Trade Measures), economic and financial assistance (CARDS Programme) and contractual relationships (Stabilisation and Association Agreements).⁶⁴

The trade provisions offered by the European Union under the trade measures (TMs) provide the countries of the Western Balkans with duty-free access to the Union's market for practically all goods.⁶⁵

Through the CARDS the EU provides Croatia with economic and financial assistance, in order to help the country transit to a market economy, develop regional cooperation and finally meet the European standards and join the EU. The CARDS focus on these six areas: 1) refugee return, 2) trade, investment climate and social cohesion, 3) policing and organized crime, 4) integrated border management, 5) public administration

⁶³ Council conclusions on the principle of conditionality governing the development of the European Union's relations with certain countries of south-east Europe. Available at:

<http://europa.eu/bulletin/en/9704/p202001.htm> (25/04/2007)

⁶⁴ European Union, European Commission. Available at:

http://ec.europa.eu/enlargement/enlargement_process/accesion_process/how_does_a_country_join_the_eu/sap/index_en.htm (25/04/2007)

⁶⁵ European Commission (2003). The stabilization and association process for S.E. Europe. Available at:

http://ec.europa.eu/enlargement/pdf/enlargement_process/accesion_process/how_does_a_country_join_the_eu/sap/sap_composite_paper_annex1_en.pdf (25/04/2007)

reform and 6) environment and natural resources. Croatia received the CARDS' help from 2000 till 2004. Since 2005, with the opening of the accession negotiation, the country is part of the pre-accession policies of the EU.

CARDS is supporting the return of refugees and internally displaced persons through housing reconstruction, rehabilitation of public, social and economic infrastructure, de-mining, and support to small and medium sized enterprises. Within this framework, special attention is also being given to the restitution of property.

The promotion of democracy and human rights is being pursued through actions carried out by civil society organisations and the media. Trade is being promoted by support to national testing laboratories and by strengthening the Croatian Veterinary Service for disease control.

Improvements in property registration and intellectual property rights are helping to boost business. CARDS is working with the World Bank and the Croatian government in supporting improvements in the land cadastre and registry system to cut delays in the process of registering land and buildings.

CARDS is also helping to improve the situation in the job market through vocational education and employment stimulation projects, such as working with the Croatian Employment Service to provide labour redeployment services for redundant workers.

Training is being provided to prosecutors and the court system is being modernised. New efforts are being supported in combating money laundering and the fight against organised crime.

In the environmental field, water management legislation is being updated, Strategic Environmental Assessments are being conducted, and support is being given to

civil society active in the field of environment.⁶⁶ Detailed statistics per sector of the annual CARDS Programmes can be found at the tables in the appendix part of this thesis.

The SAA are tools which provide the formal mechanisms and agreed benchmarks which allow the EU to work with each country to bring them closer to the standards which apply in the EU. The mechanisms of the SAAs themselves (from specialist sub-committees to political level meetings such as the Stabilisation and Association Council) will allow the EU to help prioritise reforms, shape them according to EU models, solve problems, and monitor their implementation. Effective implementation of the Stabilisation and Association Agreements is a prerequisite for any further assessment by the EU of the country's prospects of accession.⁶⁷

5.2. THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

1) EU MILITARY OPERATION CONCORDIA

The European Union launched a military operation in FYROM on 31 March 2003. The operation made use of NATO assets and capabilities, which was made possible by the completion of work on EU-NATO arrangements. The core aim of CONCORDIA was, at the explicit request of the FYROM government, to contribute further to a stable secure environment and to allow the implementation of the August 2001 Ohrid Framework Agreement . The operation contributed to the efforts to achieve a peaceful, democratic and prosperous country, as part of a region of stable countries, where an international security presence is no longer needed. This operation

⁶⁶ Delegation of the European Commission to the Republic of Croatia. Available at: <http://www.delhrv.ec.europa.eu/en/static/view/id/177> (25/04/2007)

⁶⁷ European Union, European Commission. Available at: http://ec.europa.eu/enlargement/enlargement_process/accession_process/how_does_a_country_join_the_eu/sap/history_en.htm#sap_agreement (25/04/2007)

was completed on 15 December 2003.⁶⁸ CONCORDIA is part of the ESDP civilian, police and military operations, launched by the Council of the EU.

2) EU POLICE MISSION PROXIMA

The European Union established an EU Police Mission in FYROM, in line with the objectives of the Ohrid Framework Agreement of 2001 and in close partnership with the country's authorities. The Mission, code-named EUPOL PROXIMA, was launched on 15 December 2003. EU police experts were monitoring, mentoring and advising the country's police thus helping to fight organized crime as well as promoting European policing standards. PROXIMA was part of the European Union's overall commitment in assisting the efforts of the Government of FYROM to move closer towards EU integration. This operation was completed on 14 December 2005.⁶⁹ PROXIMA is part of the ESDP civilian, police and military operations, launched by the Council of the EU.

3) EU POLICE ADVISORY TEAM

The EU has launched an EU police advisory team (EUPAT) in FYROM, in the framework of the ESDP. The launch of EUPAT follows the termination on 14 December 2005 of the mandate of the EU Police Mission PROXIMA, launched on 15 December 2003. EUPAT includes around 30 police advisors and support the development of an efficient and professional police service based on European standards of policing. Under the guidance of the EU Special Representative and in partnership with the host Government authorities, EU police experts monitor and mentor the country's police on priority issues in the field of border police, public peace and order and

⁶⁸ http://www.consilium.eu.int/cms3_fo/showPage.asp?id=594&lang=EN&mode=g

⁶⁹ The council of the EU. Available at:

http://www.consilium.eu.int/cms3_fo/showPage.asp?id=584&lang=en (25/04/2007)

accountability, the fight against corruption and organised crime. The operational phase of EUPAT began on 15 December 2005 with duration of 6 months.⁷⁰

4) RAPID REACTION MECHANISM: CONFIDENCE BUILDING PROGRAMME (2001-2002)

The decision for the Programme was adopted on 3 October 2001, after the signature of the Ohrid Framework Agreement. The specific objectives of the programme were to:

- restore the electricity supply to the conflict-affected villages of Tetovo, Aracinovo and areas of northern Skopje
- ensure secure access to homes and key public buildings through clearance of mines and unexploded ordnance;
- contribute to the establishment of a domestic capacity for mine clearance;
- begin implementation of the police and judicial sector reforms provided for in the Framework Agreement;
- prepare estimates for the budgetary impact of implementing the provisions of the Framework Agreement;
- prepare a draft law on decentralisation to local government.⁷¹

5) SANCTIONS

11/2/2004: restrictions on admission of violent extremists challenging the Ohrid Framework Agreement's principles and undermining the implementation of that agreement.⁷²

⁷⁰ The council of the EU. Available at:
http://www.consilium.eu.int/cms3_fo/showPage.asp?id=994&lang=en (25/04/2007)

⁷¹ European Union, European Commission. Available at:
http://ec.europa.eu/comm/external_relations/cfsp/cpcm/rrm/fyrom.pdf (25/04/2007)

⁷² European Union, European Commission. Available at:
http://ec.europa.eu/comm/external_relations/cfsp/sanctions/measures.htm (25/04/2007)

6) SUPPORT TO RECONCILIATION

In the context of reconciliation efforts, the EC deployed in 2003 in close consultation with the EU Special Representative, high-level policy advisors to the Deputy Prime Minister. The purpose was to assist him to fulfill his role in overseeing the implementation of the provisions of the Ohrid Agreement on equitable representation of minorities. This assistance amounted to € 238.800.⁷³

7) PROMOTION OF TOLERANCE IN SCHOOLS THROUGH EXTRA-CURRICULAR ACTIVITIES

Under the project, some 80 projects have been implemented in 20 primary and secondary schools across the country since November 2004. More than 900 young people have participated in the programme, which brings together groups of students from different ethnic backgrounds to initiate and run their own activities under the guidance of school educators and coordinators.⁷⁴

8) TRAINING OF CIVIL SERVANTS

The European Union funded training for 600 young civil servants in FYROM - all of them from minority communities. The project supported efforts in FYROM to develop an efficient public administration - or 'civil service' - that sufficiently represents the diverse ethnic landscape in the country.⁷⁵

⁷³ European Union, European Commission. Available at: http://ec.europa.eu/comm/external_relations/cfsp/news/memo05_313.htm#fyrom (25/04/2007)

⁷⁴ European Agency for Reconstruction. Available at: <http://www.ear.eu.int/macedonia/macedonia.htm> (25/04/2007)

⁷⁵ European Agency for Reconstruction. Available at: <http://www.ear.eu.int/macedonia/macedonia.htm> (25/04/2007)

9) INTER-ETHNIC RECONCILIATION PROJECTS

Several thousand schoolchildren, students and daily newspaper readers were the focus of five EU-funded projects launched to promote inter-ethnic reconciliation in FYROM. The projects, targeting children, journalists, ordinary citizens and law students, were part of a wider €3 million EU-funded civil society development programme supporting inter-ethnic reconciliation, were introduced during an event in which Deputy-Prime Minister Radmila Sekerinska participated.⁷⁶

10) CHILDREN'S PUPPET THEATER

An EU funded project, organized by Search for Common Ground in partnership with Children's Theatre Centre. The two NGOs visited 18 cities through out FYROM and performed three puppet plays for children between the ages of 7-9. The dramas conveyed age-appropriate pro-social messages related to FYROM's ethno-cultural diversity and provided new ways for children to perceive themselves in a pluralistic environment. Each performance was followed by a facilitated interactive dialogue between the SFCG's facilitator, child psychologist or pedagogue and children in the audience – in order to reinforce messages from the puppet plays.

11) SUPPORT OF CIVIL SOCIETY

The project was funded by the EU and implemented by the Foundation Open Society Institute. The project's objectives were the following:

- To support and develop the capacities of civil society organizations, particularly those from economically and socially deprived areas inside the country.
- To incite the creation of regional NGO networks.

⁷⁶ European Agency for Reconstruction. Available at: <http://www.ear.eu.int/macedonia/macedonia.htm> (25/04/2007)

- To enhance communication and cooperation between NGOs and local authorities as well as to appreciate the role of NGOs as monitors of the quality of governance and public service delivery.
- To support and encourage the development of skills of civil society organizations, especially for lobbying and advocacy, and to encourage and support NGOs for undertaking different activities and approaches that ultimately aim at achieving sustainability.

12) STABILITY PACT

Launched in 1999, the Stability Pact for South Eastern Europe is the first comprehensive conflict-prevention strategy of the international community, aimed at strengthening the efforts of the countries of South East Europe in fostering peace, democracy, respect for human rights and economic prosperity. The Stability Pact provides a framework to stimulate regional co-operation and expedite integration into European and trans-Atlantic structures. Among the stability pact partners is the EU's member states and the European Commission, which has a leading role in the Pact.

The Stability Pact consists of three working tables: 1) democratisation and human rights, 2) economic reconstruction, co-operation and development and 3) security issues. With the annual meetings the EU has the possibility to check the progress of the FYROM on the return of refugees and reconstruction issues and push for more reforms if needed. Major Stability Pact's initiatives in FYROM are the following:

- Inter ethnic relations.

The Stability Pact supports FYR Macedonia's attempts to improve inter-ethnic relations, focusing on legislation review and implementation. The non-discrimination legislation review by the Council of Europe aims at recommending action to bring legislation and practice in line with international standards. This activity runs in parallel with the implementation of the Framework Agreement concluded in Ohrid.

- Education and Youth.

The Stability Pact promotes cultural and education programs to children, youth and adults with particular attention to promoting inter-ethnic relations and enhancing tolerance and conflict resolution skills. For instance, the Pact supports the children's TV program "Nashe Maalo" in Macedonian, Albanian, Turkish and Roma as a pilot-model of educational TV broadcast dealing with inter-ethnic relations.⁷⁷

Part of the Stability Pact is the Migration, Asylum, Refugees Regional Initiative (MARRI). MARRI promotes durable solutions for refugees and displacement issues in the Western Balkan countries. Supporting those who choose to return remains the primary objective through the promotion of conditions enabling sustainable returns to take place. These efforts are complemented with support for those who do not choose to return and seek to integrate elsewhere in the Western Balkans, with a particular focus on non-discriminatory access to basic services and the realisation of social and human rights, supported by data exchange.

13) ECHO

17.1. During the winter of 2001-2002, ECHO also provided food to around 15,000 residents and returnees in the villages most affected by the conflict. This was to ease the return process and to prevent further displacement. Furthermore, ECHO co-funded firewood distribution for the crisis-affected population, mainly displaced people living with host families and in collective centres, as well as schools and health centres in the conflict area. This programme brought relief to approximately 30,000 people in need. As soon as the crisis areas became accessible, ECHO funded emergency rehabilitation to the eight schools and seven health centres that had been damaged most. In spring, ECHO also extended the distribution of livestock feed and initiated the distribution of seeds and fertiliser for the villages that were most affected by the crisis. The project, for both returnees and residents, reached over 10,000 families in 20 villages.

⁷⁷ Relief Web. Available at: <http://www.reliefweb.int/rw/rwb.nsf/db900SID/ACOS-64CGKM?OpenDocument> (25/04/2007)

17.2. Finally, these activities, which aimed to ease return, were strengthened with a confidence-building programme. ECHO funded community services and psycho-social activities were expanded to assist conflict-affected women and children through the work of mobile teams in the areas of Tetovo, Kumanovo and Skopje.⁷⁸

14) IMPROVEMENT OF INTER-ETHNIC RELATIONS

The aim of the project, implemented by the European Perspective in the period 2003-2004, was to provide mechanisms for the improvement of inter-ethnic relations and reconciliation at the community, regional and state level facilitating the democratic stabilisation process in the Former Yugoslav Republic of Macedonia (FYROM) and thus the wider region. The services provided under the project are the following:

- a) The Establishment of three Inter-Village Councils (IVC) in three selected Municipalities characterized by low level of inter-ethnic relations;
- b) Training of the IVCs representatives on inter-ethnic relations issues
- c) Creation of three Inter-Village Council Documentation and Information Centers (IVCDIC)
- d) Identification of Inter-ethnic relations problems at the community level of the selected regions
- e) Research analysis based on the identified inter-ethnic relations problems to the target areas and provision of concrete solutions
- f) Open Dialogue on inter ethnic relations issues which will include: i) 30 awareness building meetings, ii) 12 inter-ethnic workshops, iii) publication of 4 inter-ethnic relations Newsletters, and iv) creation of the IVCDIC web-site and Network, and
- g) Realisation of Opinion Polls to identify and measure the public perception.⁷⁹

⁷⁸ ECHO in the FYROM. Available at: <http://www.delmkd.ec.europa.eu/en/bilateral-relations/eu-assistance/echo2003/default.htm> (25/04/2007)

⁷⁹ European Perspectives. Available at: http://www.europers.org/en/projects_view.php?project=48 (25/04/2007)

15) HOUSING RECONSTRUCTION IN WAR AFFECTED AREAS

An EU funded project, launched by the European Perspective, in the period 2001-2004. The overall project value was 4.300.000 EUR and following services were provided:

- Social assessment
- Identification of beneficiaries
- Establishment and functioning of a housing reconstruction committee
- Tenders for materials and labor assistance
- Monitoring
- Coordination with donors
- Coordination with government bodies.⁸⁰

16) AMNESTY LAW, 2002

The amnesty law, passed on March 7, is regarded as a key to stability and peace and an important step to the fulfillment of the Ohrid Agreement.⁸¹

17) ADOPTION OF REGIONAL APPROACH, 1997

The European Union (EU) Foreign Ministers agreed to adopt a coherent and transparent policy towards South Eastern Europe. The policy lays out clear conditions that these countries must fulfill in order to qualify for trade, aid and deepening of relations with the EU. It aims to improve political stability as well as economic development and relations in the region. An important element of this conditionality is the readiness of these countries to engage in cross-border co-operation with their neighbors.

⁸⁰ European Perspectives. Available at: http://www.europers.org/en/projects_view.php?project=52 (25/04/2007)

⁸¹ SouthEast Europe Times. Available at: http://www.balkantimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/newsbriefs/2002/02/020219-GEORGI-001 (25/04/2007)

18) STABILISATION AND ASSOCIATION PROCESS (SAP)

The SAP is the EU's policy framework for the Western Balkan countries, all the way to their eventual accession. The SAP pursues three aims, namely stabilisation and a swift transition to a market economy, the promotion of regional cooperation and the prospect of EU accession. The SAP is based on a progressive partnership, in which the EU offers a mixture of trade concessions (Autonomous Trade Measures), economic and financial assistance (CARDS Programme) and contractual relationships (Stabilisation and Association Agreements).⁸²

The trade provisions offered by the European Union under the trade measures (TMs) provide the countries of the Western Balkans with duty-free access to the Union's market for practically all goods.⁸³ The CARDS Programme for FYROM focuses on these five areas:

- 1) Democratic stabilization, especially supporting the return of refugees, and internally displaced persons,
- 2) Economic and social development, especially promoting trade development, improving the investment climate and promoting social cohesion,
- 3) Justice and home affairs, including modernization of justice, policing and the fight against organized crime, and improved border management,
- 4) Administrative capacity building covering reform of the public administration, regional development and public finance.
- 5) Environment and natural resources, supporting Croatia in upgrading its environmental legislation and its implementation and enforcement. Detailed statistics per sector of the annual CARDS Programmes can be found at the tables in the appendix part of this thesis.

⁸² European Union, European Commission. Available at: http://ec.europa.eu/enlargement/enlargement_process/accession_process/how_does_a_country_join_the_eu/sap/index_en.htm (25/04/2007)

⁸³ European Commission (2003). The stabilization and association process for South East Europe. Second annual report. Available at: http://ec.europa.eu/enlargement/pdf/enlargement_process/accession_process/how_does_a_country_join_the_eu/sap/sap_composite_paper_annex1_en.pdf (25/04/2007)

The SAA are tools which provide the formal mechanisms and agreed benchmarks which allow the EU to work with each country to bring them closer to the standards which apply in the EU. The mechanisms of the SAAs themselves (from specialist sub-committees to political level meetings such as the Stabilisation and Association Council) will allow the EU to help prioritise reforms, shape them according to EU models, solve problems, and monitor their implementation. Effective implementation of the Stabilisation and Association Agreements is a prerequisite for any further assessment by the EU of the country's prospects of accession.⁸⁴

5.3. FINAL REMARKS

This chapter presented the different policies used by the EU as a third party in Croatia's and FYROM's post-conflict environments in order to prevent the re-emergence of the conflicts. Some of these policies were directly designed to address the root causes of the conflicts. Some other, though, were not designed for that or only for that purpose. For the CR field, however, if a policy, instrument, etc. affects and changes the conflict, or the post-conflict in our case, environment or the conflicting parties it is regarded as a third part intervention. Consequently, in this chapter every EU policy or instrument which affected the overall post-conflict environment and/or the conflicting parties is examined.

At that point it should be indicated the difficulty to gather all necessary information related to EU's intervention in the post-conflict environment of Croatia and FYROM. The most difficult part was to find information about NGOs' projects funded by the EU. As mentioned before, due to the lack of an official source of information, I had to depend on my own research, meaning that I had to contact myself NGOs in both

⁸⁴ European Union, European Commission. Available at: http://ec.europa.eu/enlargement/enlargement_process/accesion_process/how_does_a_country_join_the_eu/sap/history_en.htm#sap_agreement (25/04/2007)

countries and ask information about their EU funded projects. The second problem came from the fact that I could not go to the field, so I had to depend on communication via e-mail or telephone. In most of the cases my requests were not answered so, even though I have no clue about the number and the nature of EU funded NGO projects in both countries, it is very likely that important information are missing from this research.

CHAPTER 6

ANALYSES

The previous chapter presented the various EU's actions of intervention, in the post-conflict Croatia and FYROM. At that point it is necessary to evaluate these actions, according to Beriker's framework, adopted in this thesis, thus to identify them with the framework's categories. At the end two tables will summarize the findings, in order to have a clear picture of how many instruments the EU used in each case, what are the similarities and which are the differences between them. At the end the second research question will be answered; what type of intervention did the EU has in the post-conflict Croatia and FYROM.

6.1. CROATIA

1) European Humanitarian Aid Office (ECHO)

This humanitarian intervention aims at helping the people affected by the war, Croats and Serbs, and mainly the return of refugees, by providing assistance in kind (food, hygiene supplies, winter clothing, etc). It is a peace building activity, of the **B2** instruments of the framework, thus a structural intervention, "designed to change the incentive of the disputing parties with the expectation that they would lead the parties to

change their conflict behavior” (Beriker, 2007:25). Besides, humanitarian aid is a tool broadly used by the EU worldwide, especially after a crisis case.

2) 1996-200 ASSISTANCE

Assistance for independent media, de-mining, and democratization is part of a peace building process which aims to eliminate the structural causes of a conflict through democratic processes. Therefore, this activity is part of the **B2** instruments of the framework.

3) SANCTIONS

The two sanctions mentioned aimed to hold senior individuals responsible for the crimes committed in the former Yugoslavia, to the International Criminal Tribunal for the former Yugoslavia. Negative incentives, such as sanctions, are designed to change the parties’ behavior and the course of the conflict. It is, therefore, a **B4** action.

4) EUROPEAN INITIATIVE FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMME

Due to the lack of information about the programme is **not possible to evaluate it**. Assistance to NGO projects for the development of democracy and civil society can take various forms; without knowing the exact type of this assistance we cannot know if it is a transformative or a structural intervention.

5) EUPOP

The EU reconstruction program for return, which helps municipalities to rebuild houses, schools, and health centers and strengthen local enterprises, is another example of structural intervention. More concretely, it is an infrastructure building program, part of the peacebuilding mechanism, **B2**, of the framework, which aims to address the structural causes of the conflict, with the overall goal that this will lead to the change of parties' behavior.

6) ASSISTANCE FOR THE RETURN OF REFUGEES AND DISPLACED PERSONS,1999

Money given for rehabilitation of houses and similar infrastructures is an infrastructure building activity, thus a **B2** action. The action aims to change the environment of the conflict, with the expectation that this will help the parties change their behavior.

7) ASSISTANCE FOR THE RETURN OF REFUGEES AND DISPLACED PERSONS,2000

Exactly the same case as number 7 case, but different year. A **B2** action.

8) STABILITY PACT FOR SOUTH-EASTERN EUROPE

This is another organization created by the EU in order to strengthen the efforts of the countries of South East Europe in fostering peace, democracy, respect for human rights and economic prosperity, in return for the EU's conditionality. The stability pact is a

peacebuilding activity, **B2** category, designed to eliminate the structural causes of the conflict through democratic processes.

9) EU EXPERTS HELP CROATIA

The EU experts helped Croatia to launch in the best way the economic and political reforms, necessary for Croatia's prospect of integration into the EU. It is an institution building activity which helps the parties to build and develop democratic institutions in order to eliminate the structural causes of the conflict. Therefore, it is another **B2** action.

10) SUSTAINABLE DEVELOPMENT IN RETURN AREAS THROUGH CIVIL SOCIETY PROJECT

Another institution and infrastructure building activity, therefore a **B2** type of intervention, which aims to eliminate the structural causes of the conflict through democratic processes, in order to change the parties' behavior.

11) NEW CONSTITUTIONAL LAW ON THE RIGHTS OF NATIONAL MINORITIES

Constitution change is a peacebuilding effort, thus a **B2** action, designed to eliminate the structural causes of a conflict, through democratic processes, with a long-term aim to change the parties' behavior.

12) ADOPTION OF REGIONAL APPROACH, 1997

The regional approach, by which Croatia has to fulfill certain conditions, in order to come closer to the EU entry, is a special EU policy towards possible future candidate countries. For the CR field it is a type of positive incentive, thus a **B1** type of intervention, through which the party is getting rewarded, financially and politically, by a third party, in order to change its conflict behavior.

13) STABILISATION AND ASSOCIATION PROCESS

As mentioned above the SAP is an EU tool for preparing the country to enter the EU in the future. It was not designed by the EU to settle or prevent any conflict directly. Nevertheless, SAP is a major intervention in the post-conflict environment of the country, which changed the post-conflict environment of the parties, leading them to change their conflict behavior. It is, consequently, a structural intervention, with the overall form of the positive incentive (**B1** category); Croatia's future in the EU depends on its ability to fulfill its responsibilities given in the SAP.

Despite its positive incentive nature, special attention should be paid to the CARDS Programme of the SAP. Through CARDS the EU offers humanitarian assistance; supports the development of government institutions and legislation; establishes democracy and the rule of law; promotes reconciliation and facilitates the return of refugees; supports social development and structural reforms; and promotes regional cooperation in the area of the Western Balkans aiming to help the country meet the European standards and eventually integrate into the EU. Thus, the various CARDS policies fall into the peacebuilding/peacekeeping category. For instance, housing reconstruction, de-mining, support to the civil society, constitution changes, institution building, are just some areas financed by the CARDS, which eliminate the structural causes of the conflict, changing parties' behavior, even though the program was not designed for that purpose.

The Regional Approach and the SAP are part of the EU conditionality policy towards the Western Balkans. Anastasakis & Bechev argue that EU conditionality is “a multi-dimensional instrument geared towards reconciliation, reconstruction and reform” (2003: 8) and the most powerful EU instrument for dealing with those countries and preparing national authorities for integration. SAP is especially the longest-term commitment to the countries.

6.2. THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

1) EU MILITARY OPERATION CONCORDIA

A military operation which aims to build a stable environment and implement a peace agreement is a tool of peacekeeping intervention, thus a **B2** type of action.

2) EU POLICE MISSION PROXIMA

The EU’s police mission in FYROM was designed to implement the Ohrid Agreement and to assist the country’s police to move closer to the EU standards. Therefore, it meets the criteria of the **B2** category of intervention.

3) EU POLICE ADVISORY TEAM

EU’s police advisory team continued PROXIMA’s work for the reformation of FYROM’s police, according to the European standards. Thus, it is an EU institution building intervention; **B2** category.

4) RAPID REACTION MECHANISM

All rapid reaction mechanism's activities, described in the previous chapter, are part of an institution and infrastructure building process, which aims to eliminate the structural causes of the conflict through democratic processes. Thus, it is part of the **B2** category.

5) SANCTIONS

Sanctions and restricted measures, as mentioned again, are tools of structural intervention, which aims firstly, to change the conflicting environment and secondly, to change the parties' behavior. Consequently it meets the description of the **B4** category.

6) SUPPORT TO RECONCILIATION

The appointment of a high-level policy advisor to the Deputy Minister for the implementation of the Ohrid Agreement, and more concrete for those parts of the agreement related to the equitable representation of minorities, is an attempt to change the structure of the disputing parties, with the aim that this would lead to the change of their behavior. Consequently, it is a **B2** type of intervention.

7) PROMOTION OF TOLERANCE IN SCHOOLS THROUGH EXTRA-CURRICULA ACTIVITIES

This EU funded project brought together school students from different ethnic-backgrounds, under the supervision of their teachers. It is a conflict resolution training activity (**A3**), through which the students-participants learned how to deal with their differences in a more effective way. Conflict resolution training is part of the transformative intervention.

8) TRAINING OF CIVIL SERVANTS

The training of civil servants is another example of institution building (**B2**), which aims to build a civil service representing the ethnic diversity of the country, in order to eliminate the structural causes of the conflict and change parties' conflict behavior.

9) INTER-ETHNIC RECONCILIATION PROJECTS

Due to the lack of information about the concrete nature of these projects it is **not possible to evaluate** them.

10) CHILDREN'S PUPPET THEATER

The EU funded project offered conflict resolution training (**A3**) to children with the aim of preparing them to be more effective in dealing with their differences. It is another example of third party transformative intervention.

11) SUPPORT FOR CIVIL SOCIETY

This EU funded project, which aimed to support the development of the civil society, is a type of structural intervention. More concrete, it is an institution building project (**B2**) which aims to eliminate the structural causes of the conflict through democratic processes.

12) STABILITY PACT

This is another organization created by the EU in order to strengthen the efforts of the countries of South East Europe in fostering peace, democracy, respect for human rights and economic prosperity, in return for the EU's conditionality. The stability pact is a peace building activity, therefore a **B2** type of structural intervention, designed to eliminate the structural causes of the conflict through democratic processes.

13) ECHO

14.1. ECHO humanitarian assistance to people affected by the crisis is an example of structural intervention. It is an infrastructure and capacity building activity (**B2**) designed to eliminate the structural causes of the conflict with an expectation that the parties will change their conflict behavior.

14.2. The second type of ECHO's contribution, however, is a transformative intervention, and more concretely an **A4** type. Community services and psycho-social activities designed to assist conflict-affected women and children are part of a post-conflict reconstruction activity, through which the third party supports social rehabilitation efforts.

14) IMPROVEMENT OF INTER-ETHNIC RELATIONS

In this interactive conflict resolution project, funded by the EU, people from both parties formed small problem-solving working groups in order to solve their differences in informal settings. Consequently, it is an **A2** type of intervention.

15) HOUSING RECONSTRUCTION

This assistance was given for the reconstruction of war affected areas and more concrete for infrastructure building. It is another **B2** type of intervention, which aims to eliminate the structural causes of the conflict, with the aim to change parties' behavior.

16) AMNESTY LAW

Law changes are part of a peace building process, **B2**, designed to help the parties build and develop democratic institutions in order to eliminate the structural causes of the conflict.

17) ADOPTION OF REGIONAL APPROACH

The regional approach, by which FYROM has to fulfill certain conditions, in order to come closer to the EU entry, is a special EU policy towards possible future candidate countries. For the CR field it is a type of positive incentive, thus a **B1** type of intervention, through which the party is getting rewarded, financially and politically, by a third party, in order to change its conflict behavior.

18) SAP

As mentioned again, the SAP is an EU accession tool, treated in this thesis as a positive incentive (**B1**) instrument for conflict prevention. Special attention should again be drawn to the CARDS part of the process, which works as a peacebuilding/peacekeeping tool.

6.3. CONCLUSION AND FINAL REMARKS

From the above analysis it is clear that the vast majority of the EU conflict resolution instruments fall into the structural intervention, and more concrete into the peacebuilding/peacekeeping, category. The tables summarize in detail the findings. The letters used to describe each instrument are in respect to Beriker's framework, presented in the 18th page of the thesis.

Country	EU's conflict resolution intervention									
	A) Transformative Intervention				B) Structural Intervention					
	A1	A2	A3	A4	B1	B2	B3	B4	B5	B6
Croatia	0	0	0	0	1	10	0	1	0	0
TOTAL	0				12					

Table 5: EU's conflict resolution actions in post-conflict Croatia.

Country	EU's conflict resolution intervention									
	A) Transformative Intervention				B) Structural Intervention					
	A1	A2	A3	A4	B1	B2	B3	B4	B5	B6
FYROM	0	1	2	1	1	11	0	1	0	0
TOTAL	4				13					

Table 6: EU's conflict resolution actions in the FYROM.

Six EU instruments are common in both cases: ECHO, sanctions, Stability Pact, law changes, Regional Approach and SAP. The biggest difference is the absence of any military or police missions in Croatia, even under the peacekeeping category, and the absence of any transformative intervention. The rest of the mechanisms are very much similar to each other, mainly under the peacebuilding/peacekeeping category.

More concretely, EU used in both countries a variety of peacebuilding/peacekeeping mechanisms, such as humanitarian aid, reconstruction help, assistance for the return of refugees, and institution building. Furthermore, in both cases EU used a positive incentive and a sanction tool, whereas it did not use neither any bilateral cooperative programs, nor power mediation, nor military intervention. Similarly, it did not engage in facilitative mediation. Finally, the research shows that interactive conflict resolution, conflict resolution training and post-conflict reconstruction were only used in FYROM, but not in Croatia. A more detailed discussion about the EU's intervention mechanisms will follow in the next and final chapter.

CHAPTER 7

CONCLUSION

Cases comparison

The research reveals some commonalities and some important differences, with regard to the EU's conflict resolution intervention in the post-conflict Croatia and the FYROM. Firstly, most of the instruments available to the EU were used in both cases. Secondly, the majority of those instruments are under the peacebuilding/peacekeeping category. Thirdly, in both cases one positive and one negative incentive were used, while there is lack of any facilitative mediation, bilateral cooperative programs, power mediation and military intervention.

The biggest difference is the absence of any military/police mission, as well as the lack of any transformative mechanism in Croatia. Furthermore, it worth mentioning the fact that even though the FYROM's post conflict period is half than Croatia's, the EU used more conflict resolution mechanisms. In order to explain these differences it is necessary to refer to the overall structure and characteristics of the two cases, as explained at the end of the historical chapter.

A quite obvious explanation from those differences comes from the developments within the EU with regard to its conflict resolution capabilities. From the beginning of '90s the EU has been driving to define its role in the international arena. However, the EU's ambition for being a global actor of high standing and major influence became

more articulated towards the end of 1990s. With the adoption of new policies and the creation of new institutions related to conflict resolution, crisis management and peacebuilding, the EU developed further its intervention capabilities for conflict resolution. An example of these developments is the creation of the Rapid Reaction Mechanism and its use in FYROM's crisis. This development towards the end of the '90s is reflected in this study, which shows that EU's intervention in Croatia and FYROM has mainly been the last seven to ten years.

Throughout the same period that the EU was undertaking a more active role in conflict prevention and peacebuilding, Croatia had already made enough progress in regards to its post-conflict situation and it did not need some of the new established EU's tools of conflict prevention, such as military missions, monitoring missions, etc. At that point it is necessary to refer to the limitations of my research. The tools of transformative intervention used by the EU come mainly through NGOs' projects, funded by the EU. In order to find such information I had to contact various NGOs working on the two countries. In the case of the FYROM my research was more fruitful, while in Croatia's case I faced more problems.

While the connection between the EU's conflict resolution capabilities, strengthened after 2000s, and the number of instruments used in both cases is quite clear, the effect that other differences between the two cases might had on the EU's intervention is not so straight forward. It requires further inquiry in order to make any connection between the overall characteristics of the two conflicts and the conflict resolution mechanisms used by the EU.

Theoretical implications

As seen from the previous analysis, the EU's intervention in the post-conflict Croatia and FYROM is mainly a structural intervention, which aims to change the structure of the conflict with the expectation that this will make the parties change their

behavior, while measures related to the relations of the parties are not used systematically. This conclusion reassures the assumptions of the few studies in the CR literature which have also addressed the EU's involvement as a third party in conflicting situations. Furthermore, the research reveals the EU commitment on institution-building and democratization, as methods of conflict resolution, as the literature also points out.

The framework adopted in this thesis is Beriker's framework of third party roles, as presented in detail in the second chapter of this thesis. The reason I chose to adopt this framework is because it comes from the limited conflict resolution literature on international actors, such as the EU, which intervene as third parties in conflicting situations.

This research shows the variety of instruments used by a third party, the EU, in the post-conflict environment of Croatia and FYROM. On the one hand, it was possible to identify all EU tools in the framework's categories. There was no EU instrument that could not be identified with one of the framework's category. Thus, the strength of the framework is that it is very comprehensive and it includes a big variety of third-party instruments of intervention.

Even though all EU intervention instruments which came out of this research could be found in the framework, some times the examples given in some categories did not explicitly name some instruments. In that case the agreement of the EU instrument with the specific category was implied by the definition. It would be, therefore, useful to add those instruments, which came from the research, to the framework in order to make it even clearer.

In the case of the peacebuilding/peacekeeping category the actions suggested by the framework are: institution building, electoral systems, financial reforms, and constitutional changes. The actions the framework provides can be further expanded to the categories of: infrastructure building (i.e. building the destroyed or damaged houses of the war affected people); strengthening of civil society; the humanitarian assistance (i.e.

providing the victims with food, shelter, clothes, etc); as well as capacity building (i.e. support municipalities' and local communities' abilities to support the return and the rehabilitation of refugees) as it was outlined in this research.

Furthermore, the fact that all instruments found under the peacebuilding/peacekeeping category are actually peacebuilding instruments, it is very likely that it would be better to separate this category into two different categories: peacebuilding and peacekeeping. However, in order for that to happen more research is needed that will test the framework.

A last point regarding the framework is about the “post-conflict reconstruction” instrument of the transformative intervention. It is easy for the reader to confuse this category with the reconstruction activities of the peacebuilding category, which is a structural intervention. It needs full attention and carefully reading of the explanation given by the author, in order to realize that the “post-conflict reconstruction” instrument actually refers to social rehabilitation activities. If the name of the instrument was clearer regarding its context I believe it would not leave any space for misunderstandings.

Policy implications

As mentioned before, the research shows that the EU's intervention is almost exclusively a structural intervention, while the literature highlights the importance of addressing post-conflict issues both via transformative and structural intervention. Structural intervention can tackle issues, such as infrastructure building, constitution amendments, economic and political reforms, etc. Transformative intervention on the other hand, addresses issues related to the parties' perceptions and relationships and aims to reconciliation and social rehabilitation. It is, therefore, necessary for the EU to realize the importance of using simultaneously both types of intervention.

It is not enough for the EU to realize the importance of the transformative intervention. In order to be able to transform this into action it should strengthen its cooperation with the civil society and the NGOs. From this research comes out that all instruments of transformative intervention used by the EU are actually NGOs projects funded by the EU. The EU should not just wait for the NGOs to develop conflict resolution programs and ask for funding. It should require this type of projects and establish offices and institutions which, in cooperation with the other conflict resolution institutions, will coordinate and design activities of transformative intervention.

According to the literature, given in a previous chapter, the EU uses mainly civilian and not hard power. This research reassures this point, since almost all instruments used by the EU are under the “soft power” or civilian category, such as promotion of human rights, reconstruction programs, economic and political reforms, democratization, etc. The questions, however, which arises at that point is how effective can this type of intervention by itself be, and specifically in other areas of the world, where the prospect of membership does not exist.

The main instrument used by the EU is that of attraction: the prospect of integration into the EU is being used as an incentive for making the conflicting parties of both countries deal with their conflicts in a more constructive way. There is no doubt that membership and privileged neighborhood relations are among the EU’s most powerful tools, which can be used in order to bring stability in its periphery. Past enlargements have proven that countries are willing to do a lot in order to join the EU and benefit from the political and economic effects of this relationship. The potential future candidate members are countries from EU’s neighborhood and for that I say that this tool is useful only in its periphery. The carrot of membership is used in order to make Croatia and FYROM become effective democratic states, deal with unemployment and poverty, fight corruption and organize crime, deal effectively with the problems which led to wars in the past and build closer relations with their neighbors. The question that rises at that point about EU’s conflict resolution capacity in its periphery is if the offer of membership is enough by itself to ameliorate conflicting situations and bring peace and stability.

Particularly for other parts of the EU's periphery, which have gone through long, violent conflicts and had a deep impact on the conflicting parties' perceptions, such as the rest of the Western Balkans or the south Caucasus countries, an EU intervention should offer more than just support for institution building. With regard to other parts of the world where the EU would like to intervene, other instruments have to be used. The EU should advance its military capabilities, since the offer of economic or political inducement cannot be used for countries which have small or no interaction with the EU. Furthermore, providing humanitarian aid during crises or after the end of an armed conflict cannot continue to be the main instrument of intervention, if the EU wants to become a global actor. For instance, humanitarian aid should be directly connected to development programs. As a general conclusion, I would suggest the EU to become more familiar with the CR literature in order to become more effective on its conflict resolution missions.

Future research

The current thesis is a research on the EU conflict resolution mechanisms used in the post-conflict environment of Croatia and FYROM. The assumptions reached and discussed throughout the thesis, however, cannot be generalized so as to cover EU's conflict resolution policy worldwide, not even in its periphery. Nevertheless the research gives some stimulus for further research.

It would be appealing, to compare the findings of this thesis with future research on EU conflict resolution mechanisms during the conflict period in Croatia and FYROM. Such a comparison would be very interesting, because it would give a more complete picture of the EU intervention in those two cases from the beginning of the conflicts till now.

Another possible future use of this thesis is to compare it with research about EU interventions in other cases, as to see if EU has a concrete conflict resolution or a more flexible strategy worldwide. The cases could be from its periphery in order to reveal if EU's policy towards neighboring countries is mainly the same. If a comparison is made with cases come from other parts of the world it would show the possible differences and similarities of EU's tools of intervention, depending on the geography. Such comparisons would complete our knowledge about EU's conflict resolution policies.

APPENDIX

1991-2000 EC assistance to Croatia Allocations in millions of € ⁸⁵											
	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	TOTAL
CROATIA											
Obnova (reconstruction and technical assistance)						7.02	8.59	15.00	15.00	16.84	62.45
ECHO humanitarian aid		204.77			38.43	21.15	14.5	6.95	6.50	n.a.	292.3
Media				0.09	0.31	0.72	1.67	0.59		0.20	3.58
Democracy and Human Rights						0.72	2.2	0.6	n.a.	0.90	4.42
Demining								1.00	0.50	0.308	1.808
Customs									1.0		1.0
Tempus										1.50	1.50
TOTAL		204.77		0.09	38.74	29.61	26.96	24.14	23.00	19.748	367.058

CARDS 2002 CROATIA⁸⁶

Priority Areas	M€
1 DEMOCRATIC STABILIZATION	16.0
1.1 Return of refugees and internal displaced people	14.0
1.2 Civil society	2.0
2 ECONOMIC AND SOCIAL DEVELOPMENT	18.0
2.1 Trade	3.0
2.2 Investment climate	9.0
2.3 Social cohesion	6.0
3 JUSTICE AND HOME AFFAIRS	10.0
3.1 Modernisation of justice	4.0
3.2 Policing and organized crime	2.0
3.3 Integrated border management	4.0
4 ADMINISTRATIVE CAPACITY BUILDING	12.0

⁸⁵ http://www.southeastern.org/documents/assist_croatia.pdf

⁸⁶ http://www.delhrv.ec.europa.eu/images/article/File/croatia_programme_2002_en.pdf

4.1	Public Administration Reform	6.0
4.2	National, regional and local development	2.0
4.3	Public finance	4.0
5	ENVIRONMENT AND NATURAL RESOURCES	3.0
5.1	Strategy for environmental law	1.2
5.2	Pilot waste management strategy for four Dalmatian countries	0.8
5.3	Water information system – standardization and monitoring	0.8
5.4	Support to environmental NGOs	0.2
	TOTAL	59.0

CARDS 2003 Croatia⁸⁷

	Priority Areas	M€
1	DEMOCRATIC STABILIZATION	17.0
1.1	Return of refugees and internal displaced people	15.0
1.2	Civil society	2.0
2	ECONOMIC AND SOCIAL DEVELOPMENT	17.5
2.1	Trade	2.5
2.2	Investment climate	6.15
2.3	Social cohesion (including TEMPUS 3 million)	8.85
3	JUSTICE AND HOME AFFAIRS	12.0
3.1	Modernisation of justice	4.0
3.2	Policing and organized crime	3.0
3.3	Integrated border management	5.0
4	ADMINISTRATIVE CAPACITY BUILDING	11.8
4.1	Public Administration Reform	6.0
4.2	National, regional and local development	3.0
4.3	Public finance	2.8
5	ENVIRONMENT AND NATURAL RESOURCES	3.7
	TOTAL	62.0

CARDS 2004 CROATIA⁸⁸

	Priority Areas	M€
1	DEMOCRATIC STABILIZATION	17.0
1.1	Sustainable Development in Areas of Special State Concern	14.0
1.2	Civil society development	3.5
2	ECONOMIC AND SOCIAL DEVELOPMENT	17.75
3	JUSTICE AND HOME AFFAIRS	26.85
4	ADMINISTRATIVE CAPACITY BUILDING	15.1
5	ENVIRONMENT AND NATURAL RESOURCES	3.8
	TOTAL	81.0

⁸⁷ http://www.delhrv.ec.europa.eu/images/article/File/ap_croatia_2003_en.pdf

⁸⁸ http://www.delhrv.ec.europa.eu/images/article/File/ap_2004_hr_ammend_en.pdf

CARDS 2003 FYROM⁸⁹

1 Democracy & the rule of law	
1.1 Inter-ethnic relations & civil society	€3 million
2 Economic & social development	
2.1 Private & financial sector development	€3 million
2.2 Trade	€4 million
2.3 Local infrastructure development	€9 million
2.4 Social cohesion	€1 million
2.5 Tempus (Commission managed)	€3 million
3 Justice & home affairs	
3.1 Reform of the judiciary	€2.5 million
3.2 Integrated border management	€6 million
3.3 Immigration & asylum	€1 million
3.4 Fight against crime	€3 million
4 Environment & natural resources	
4.1 Environment / Cross-border cooperation	€1 million
5 Other	
5.1 General technical assistance facility & programme reserve	€2 million
TOTAL	

CARDS 2004 FYROM⁹⁰

1 Democracy & the rule of law	
1.1 Inter-ethnic relations & civil society	€3.0 million
2 Economic & social development	
2.1 Private & financial sector development	€4.5 million
2.2 Trade	€4.0 million
2.3 Local infrastructure development	€8.5 million

⁸⁹ <http://www.eur.eu.int/macedonia/macedonia.htm>

⁹⁰ <http://www.eur.eu.int/macedonia/macedonia.htm>

2.4	Social cohesion	€2.5 million
2.5	Tempus (Commission managed)	€3.0 million
3	Justice & home affairs	
3.1	Reform of the judiciary	€1.5 million
3.2	Integrated border management	€10.0 million
3.4	Fight against crime	€4.0 million
4	Environment & natural resources	
4.1	Environment	€2.0 million
5	Other	
5.1	General technical assistance facility & programme reserve	€3.0 million
	TOTAL	

CARDS 2005 FYROM⁹¹		
	Democratic stabilisation	
1.1.	<i>Minority rights</i>	
1.1.1.	Implementation of the Framework Agreement	€2.0 million
2	Good governance & institutional building	
2.1.	<i>Justice & home affairs</i>	
2.1.1.	Support to the Public Prosecutor's Office	€1.5 million
2.1.2.	Combating money laundering (phase II)	€1.5 million
2.1.3.	Strengthening capacity to combat organised crime & terrorism	€0.5 million
2.2.	<i>Public administration reform</i>	
2.2.1	Support to the State Statistical Office	€1.0 million
2.2.2.	Technical assistance to the telecommunications sector	€1.0 million
2.2.3.	Capacity building in support to the decentralisation of management of assistance	€1.3 million
2.2.4.	Support of decentralisation process	€2.0 million

⁹¹ <http://www.ear.eu.int/macedonia/macedonia.htm>

2.2.5.	Development of local infrastructure	€6.7 million
2.2.6.	Customs & Taxation	€3.0 million
3	Economic & social development	
3.1.	<i>Investment climate</i>	
3.1.1.	Improvement of the investment climate in FYR Macedonia	€1.2 million
3.1.2.	Small & medium-size enterprise development	€2.4 million
3.2.	<i>Infrastructure</i>	
3.2.1.	Co-operation with IFIs – Transport networks management	€1.0 million
3.2.2.	Co-operation with IFIs – Environmental management	€1.0 million
3.3.	Environment	
3.3.1.	Environmental management strengthening (phase III)	€2.0 million
3.4.	<i>Education & employment</i>	
3.4.1.	TEMPUS: Multilateral co-operation for the development and restructuring of higher education	€3.0 million
4	Other	
4.1.	General technical assistance facility & programme reserve	€1.4 million
5	Community Programmes	
5.1.	Opening of Community Programmes	€2.0 million
	TOTAL	

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