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OBSERVATIONS ON THE NEW PROSPECTS FOR A
STABLE POLITICAL SETTLEMENT FOLLOWING
THE RECENT INITIATIVE OF THE CLINTON
ADMINISTRATION**

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CONFLICT: SOME OBSERVATIONS ON THE NEW PROSPECTS FOR A STABLE
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Although it is a matter of discussion whether the six-point initiative recently launched by the US Secretary of State Warren Christopher has the features to improve significantly the prospects for the success of the international efforts to halt the Yugoslav conflict and foster a workable political settlement, it undoubtedly marked a major shift in US policy towards the conflict. The effects of this shift may be felt on at least two levels.

First, the Christopher initiative promises to modify substantially the pattern of the relations between the US and its European allies which has so far prevailed in the management of the Yugoslav conflict.

Washington finally seems to have stopped viewing the problem of finding a solution for the Yugoslav embroglio as a matter that is primarily a European responsibility.

In retrospect, this attitude, still deep-rooted and probably prevailing in the US Congress, appears to have weakened the ability of the international community to deal successfully with the crisis. It certainly did not allow the international institutions--in particular, the United Nations--to rely, practically and psychologically, on a set of instruments that only the American power could provide. As a result, it also encouraged among the Europeans the reluctance to engage in risky initiatives at both the political and military levels.

It is significant that when the Clinton administration explained its new attitude towards the Yugoslav conflict, it also explicitly blamed the previous administration for letting the situation deteriorate through its inaction. Now, having decided to play a more active role in the ongoing negotiating process, the US has accepted to play a leadership role in the crisis. Furthermore, the new high-profile US involvement in the diplomatic action seems to imply a related US readiness to lead - or to make a major contribution to - possible military actions. In particular, should the US diplomatic offensive succeed, the Clinton administration will not be able to avoid direct US participation in any enforcement measures required to ensure the implementation of an eventual agreement. (It must be recalled that the Bush administration, in conformity with its policy of excluding the dispatch of US troops for ground operations, also refused to participate in the UN peacekeeping missions).

The different levels of involvement that the EC countries and the US have had so far in the international efforts to manage the Yugoslav crisis have seriously handicapped the action of the international institutions, and from time to time have given rise to mutual distrust and suspicions. The change in the US policy could now pave the way to closer and more effective co-operation between Washington and the European capitals. Indeed, the Yugoslav case has very clearly shown the general need for such cooperation in dealing with major crises in Europe.

Second, the new approach adopted by the Clinton administration could provide the conditions for a coherent crisis management strategy which, for the first time, could make

the diplomatic efforts complementary to the assessment of the possible military options. It must be noted in fact that the debate over the initiatives needed to put an end to the conflict have often been vitiated by the tendency to discuss the military options separately from the political problems.

Following the US decision to take an active part in the negotiation process and its apparent readiness to contribute to a military effort for enforcing its results, it seems that this distortion, which is at the origin of many illusory ideas of intervention, could be corrected.

As a matter of fact, the military options have very often been presented as alternatives, rather than as measures complementary to the diplomatic initiatives because of the conviction that the latter had a poor prospects for success. What makes many of these options futile is precisely the lack of a clear political objective. Not surprisingly, several proposals for military action - for instance, the arming of Bosnian Muslims or the bombardment of Serbian strategic targets - seem to be rather random. The weakening of one of the warring parties - i.e. the Serbs - through an action aimed at changing the balance on the ground can certainly be considered a political objective, but it remains quite a limited one, because even in the case of a 'military victory' there would still be the problem of the political solution to be imposed. The formulation of a military strategy is in itself a difficult task in the absence of a definition of its political purposes. This is indeed one of the main points repeatedly stressed by the US military to support their reluctance to provide troops for missions in the territory of the former Yugoslavia.

Furthermore, the advocates of one or the other military option often fail to address the problem of whether it can obtain the international support needed to make it politically and legally viable. More generally, it is not rare, in this debate, that the potential effects of a given military action on the cohesion of the international coalition of forces engaged in the management of the crisis are overlooked.

The Christopher initiative marked an evident retreat from Bill Clinton's campaign rhetoric when he stressed, on several occasions, the need of a tougher stance against the Serbs, citing several possible military actions to undertake against them. The new administration seems to have reached the conclusion that, at least for the time being, using force (in particular, through the employment of air power) would not achieve results significant enough to offset the risk involved.

However, the implementation of any political settlement of the crisis agreed on within the UN Security Council - with the consent or not of the parties involved - will undoubtedly require a credible threat of using force. But, once an agreement on the political solution to be imposed is reached, the goal of an eventual military action would be clear: the enforcement of its terms. The attitude of the international community towards each party involved would be based on its concrete cooperation with the peace plan. Any political settlement on Bosnia-Herzegovina, for instance, would require a disarmament of the warring parties under UN monitoring. The first step should be the surrendering of heavy weapons - in particular, artillery pieces - which currently ensure the Serbs' military superiority. A refusal to comply with this provision would trigger an international enforcement action whose legal legitimacy could hardly be contested. In the absence of an agreed peace plan, however, proposals for military actions in Bosnia are unlikely to obtain the necessary international support.

The foregoing raises the crucial question of whether or not the international community is making progress towards the definition of a just and enforceable peace plan for Bosnia-Herzegovina.

The debate has focussed on the virtues and shortcomings of the plan drawn up by

Cyrus Vance and David Owen, the two co-chairmen of the London peace conference which is taking place under joint UN and EC sponsorship.

The Vance-Owen peace plan calls for the creation, within the present borders of Bosnia-Herzegovina, of a decentralised state made up of ten autonomous provinces and a loose central government in Sarajevo which would be responsible for foreign policy. Three main criticisms have been formulated against this plan.

First, some reject it as an unacceptable ratification of appeasement as it would virtually amount to a mere codification of the existing power relationship on the ground. Less radically, others -- though they recognize that the implementation of the Vance-Owen plan would deprive the aggressor (the Serbs) of significant portions of territories of Bosnia-Herzegovina currently under their control -- see the plan as a reward for Serbs' aggression as it would contain too many concessions to them. In reply to this criticism, the advocates of the plan insist above all on the concept that it represents the only credible alternative to the partition of the country, as the reconstitution of a multiethnic, unitary republic appears to be the most unrealistic option. Furthermore, they stress that, although President Izetbegovic's present Bosnian government can claim to have international legitimacy, it in fact represents only a minority, albeit the stronger one, of the Bosnian population. By preserving the inviolability of the current borders of Bosnia-Herzegovina while guaranteeing autonomy for each ethnic group, the Vance-Owen plan would instead constitute a fair and workable solution. In particular, the Serbs would be allocated three separated areas which would reduce the risk that they could successfully pursue the plan to incorporate portions of Bosnia-Herzegovina into a «Greater Serbia». Finally, as for the objection that the plan would implicitly amount to an amnesty for war criminals, its advocates respond that the establishment of an international criminal court as part of the agreement would ensure that no such amnesty would occur.

A second criticism of the Vance-Owen plan is that it is unenforceable even if formally accepted by the representatives of the three warring parties. The argument is that people who have fought so ruthlessly against each other and built up such a strong mutual hatred can not be forced to live together even under a loose central government. Therefore, the plan is unlikely to provide stability. It must be admitted that there is a strong case for this argument. The advocates of the plan, however, assert that the enforcement of a unitary state in Bosnia would be even more difficult to carry out. In fact, it should probably be imposed by force on both the Serbs and the Croats. Based on more realistic assumptions, the Vance-Owen plan would, at least potentially, be worth the efforts of the international institutions. It must be noted that, though the three parties have taken different positions with respect to the Vance-Owen plan, they have all agreed to the general principle that no states should be created within the territory of the Bosnian state.

Third, a major shortcoming of the Vance-Owen plan, according to its critics, is the lack of credible enforcement provisions (this objection is to be considered more moderate than the previous one, according to which the plan is intrinsically unenforceable). The two co-chairmen of the peace conference did not remain insensitive to this objection. They have in fact recently proposed a new set of enforcement measures, such as the establishment of an international court to try people charged with war crimes or the use of NATO aircraft to bomb those forces which refuse to place their heavy weapons under UN control.

The plan has a certain advantage: it has proved to be able to attract wide international support, including the EC, Russia, China and most Islamic countries. For that reason, the refusal of the Clinton administration to support the plan has been subject to strong criticism. In particular, in some declarations the US officials seemed to have assigned the Bosnian Muslims a sort of ultimate veto power on any plan for the future political settlement of

Bosnia-Herzegovina. If confirmed, this position could become a source of considerable complication for the negotiating process. So far, the new administration has not advanced proposals alternative to the Vance-Owen plan. However, many observers doubt that it will be able to convince the parties to agree to a substantially different plan.

On balance, it seems that the most promising course of action is to continue the negotiating process using the Vance-Owen plan as a starting point. The plan could certainly be improved - for instance, through a fairer redrawing of Bosnian territory and a strengthening of its enforcement provisions - but its basic principles should be confirmed. Indeed, any attempt to find a fair and workable solution to the Bosnian conflict should necessarily take into account the two-fold need to preserve the state's territorial integrity and, at the same time, ensuring self-governing rights for its ethnic groups.

The implementation of a peace plan based on these principles would require a strong and long-term commitment on the part of the international security institutions. Which form this concrete commitment should take poses a difficult question, although the Vance-Owen plan offers significant suggestions also in this regard. Restoring the political, social and economic conditions for a peaceful coexistence in a failing state after a bloody civil war is certainly a difficult enterprise. In the case of Bosnia-Herzegovina, this enterprise, which is complicated by the highly unstable and hostile surrounding geo-political environment, coincides with the objective of saving an entire community - the Bosnian Muslims - from the incumbent threat of genocide.

The most effective solution to these challenges is the establishment of a UN trusteeship. The UN should be given the responsibility for the administration of the country for an appropriate period of time which would necessarily last several years. To perform this task, the UN should rely on the presence of a strong multinational military force. The legitimation for such an arrangement would be provided by the responsibility the United Nations has under its Charter to maintain international peace and security, as the prospect of a definitive collapse of the Bosnian state represents a formidable threat for both regional and global security.

At the same time, there is an urgent need for measures which can prevent a spillover of the conflict into the neighbouring countries. In fact, the continuing deterioration of the situation suggests that the much feared nightmare of a general Balkan conflagration could early materialize. The most evident risk is the spread of the war to the South. The UN has already sent peacekeeping units with a preventive purpose to Macedonia although this is not yet a member state. This presence needs to be substantially reinforced - possibly with a contribution of NATO forces - and extended to Kosovo and Albania. It can only be hoped that the international community has learned from its tragic error of having failed to respond to the urgent request made by Bosnian President Izetbegovic during his visit to Washington in December 1991 for a rapid deployment of peacekeeping troops in the Bosnian territory.