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**PEACE, SECURITY AND COOPERATION
IN THE BALKANS:
INSTITUTIONAL INSTRUMENTS
AND THE ROLE OF ITALY**

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Paper presented to the international conference on
"Peace, security and cooperation in the Balkans: 70 years after the Lausanne Treaty"
Thessaloniki, 27-29 January 1994

IAI9406

ISTITUTO AFFARI INTERNAZIONALI

PEACE, SECURITY AND COOPERATION IN THE BALKANS: INSTITUTIONAL INSTRUMENTS AND THE ROLE OF ITALY

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1. A preliminary observation has to be made. It is unavoidable that the international community concentrates its efforts on the immediate problem of stopping - or at least containing - the blood-letting in the former Yugoslavia and preventing a further enlargement of the war. Until a comprehensive and stable political settlement is reached, especially for the conflict in Bosnia, the negative impact of the disintegration process of Yugoslavia will continue to be felt in the whole region. Furthermore, even if one looks beyond the current warfare, it is doubtful that the successor states to Yugoslavia will be able to create new forms of cooperation among themselves. Instead, the instability in the area of the former Yugoslavia is likely to continue to affect, in the foreseeable future, the security situation of each country of the Balkan region and to remain one of its greatest causes for concern.

This does not mean, however, that any effort aimed at establishing regional cooperation arrangements is doomed to failure. The current conflict notwithstanding, there is some room for action which should not be underestimated. A careful attention has to be paid, in particular, to the potentialities of the already available cooperation instruments.

After the fall of the Berlin wall, Italy, while confirming the commitment to promote West-European and Transatlantic solidarity, has tried to play an autonomous role in the cooperation with the Eastern European countries. It has promoted, in particular, the cooperation project today known as Central European Initiative (CEI). For some time Italy's government had also hoped to use it as an additional instrument for managing and containing the Yugoslav crisis. On the contrary, it was the disintegration of Yugoslavia which dealt the strongest blow to the Central European cooperation project. More recently, however, there have been some signs of a relaunching of the CEI. Hungary, which assumed the presidency for 1993 mounted a major effort to revitalize the organization. Four Balkan countries - Slovenia, Croatia, Bosnia-Herzegovina and Macedonia - participate in it. Other countries, such as Romania, Bulgaria and Albania, have shown interest in becoming members. In the last summit of the CEI specific attention was devoted to the problems connected with the reconstruction of the areas of Bosnia and Croatia affected by the war.

The central focus of the CEI's activities is on economic cooperation. Although many projects have been worked out, actual progress, especially in crucial fields, like environment, energy and telecommunications, is lagging behind the objectives. Even more problematic is the role the CEI can play in promoting the political dialogue among the participating states. Italy is certainly keenly interested in the political dimension of the CEI, also in the view of improving its relations with Slovenia and Croatia. Beyond being an important instrument to improve bilateral relations, the CEI can also serve as a forum for formulating common positions to be presented to the meetings of international organizations. Of special importance is the contribution the participating states could make to a further strengthening of the CSCE. Indeed, the political dialogue on some typical CSCE issues has gradually intensified within the CEI. This is the case, in particular, of minority issues. Recently, the CEI ad-hoc committee on minorities was transformed into a permanent committee. However, the last CEI meetings have revealed basic differences on this issue among several participating states. At the Budapest meeting a draft on the problems of minorities submitted by Italy was rejected. Problems have also emerged in the dialogue between Slovakia and Hungary. Instead, the experience of the bilateral talks between Italy and Slovenia was rather positive. The talks within the CEI were actually instrumental in

dispelling some mutual suspicions and clarifying misunderstandings between the two countries. Other bilateral meetings which took place in the CEI framework provided an opportunity to discuss a variety of issues. Furthermore, for countries like Bosnia and Macedonia, which are surrounded by a hostile environment, the CEI can represent an important forum to seek support and solidarity.

In the field of the protection of minorities a valuable contribution is being made by the High Commissioner on National Minorities (HCNM). This new body of the CSCE has done a useful work especially in the Balkan states, where the advice and comments by the HCNM brought to significant changes in the national legislation concerning minorities. In the last few months he also began dealing with the situation of some minority groups in the Balkan countries: the Albanians in Macedonia, the Greeks in Albania and the Hungarians in Hungary's neighbouring countries. Worth of mention is in particular the specific recommendations he gave on the status of minority groups in Albania. In general, it must be stressed the importance of the early-warning action which can be carried out by the HCNM in the Balkan region where a variety of ethnic rivalries and tensions can lead to open conflicts. There is indeed a wide consensus that the HCNM has proved to be the CSCE most promising instrument for avoiding or containing ethnically based conflicts.

Some Balkan states - Albania, Bulgaria, Greece, Romania, Slovenia, Turkey - will also take part in the negotiations on the Stability Pact, a process launched by the European Union at its last summit on the basis of the so-called Balladur initiative. The objective of this new forum, which will begin its work next Spring, is the adoption of "good neighbouring" agreements aimed at the protection of national minorities and at the consolidation of the borders. The Pact would ratify the globality of the agreements signed by the participating states. The Stability Pact initiative is clearly based on an approach which put the emphasis on conflict prevention. In fact, the problems of countries involved in open conflicts will not be addressed. In particular, all the republics of the former Yugoslavia will be excluded, except for Slovenia. Because of this features the Pact on Stability must be considered complementary to the initiatives undertaken in the framework of the UN-EU sponsored conference on the former Yugoslavia. Indeed, the functional relationship between the two forums have still to be clarified.

The Stability Pact can serve two important purposes. First, it can facilitate the cooperation between Eastern European countries and the European Union, by helping the former to meet some requirements concerning the protection of minorities which are considered pre-requisites for their full membership in the EU. Second, it can allow the EU to play a greater catalyzing role in preventive diplomacy. However, the initiative also presents some controversial aspects. It could further stimulate the drives towards greater bilateralism, weakening indirectly the efforts to address some problems at the multilateral level. In particular, the principle established by the CSCE that all human rights problems - including those concerning minorities - are of interest for all countries can be eroded or undermined. The second major risk is to open the Pandora's box of mutual claims without having sufficient diplomatic instrument and leverage to settle them. The reservations expressed by Italy on the Stability Pact initiative emphasizes especially this risk. Similar reservations were also expressed by the leaders of some Eastern European countries.

Another crucial dimension for the stabilization of the Balkan region is arms control. The programme of the Forum for Security Cooperation created at the CSCE Helsinki meeting calls for a growing regionalization of arms control and confidence and security building measures (CSBMs). In fact, the future of arms control in Europe seems to lie in quickly negotiated regional measures which can contribute to early warning and crisis prevention. This approach can be particularly important for the Balkans.

A working group on CSBMs for the former Yugoslavia was established within the CSCE Security Forum, but it has so far been largely ignored. In general, the problem of whether the

CSBMs could even be applied to situations like that of the former Yugoslavia has not been seriously addressed. Indeed, the whole system of arms control and CSBMs was only created for peacetime situations.

Last year, NATO submitted a proposal for the introduction of a set of stabilizing measures for crisis situations. They include notification of conventional arms transfers and some constraints such as no-fly zones and a ban on military activity for border areas among the parties involved in a conflict. It is important that the negotiating process on the former Yugoslavia be integrated with an agreement on some of those measures. So far, the confidence-building dimension of a peace settlement has been discussed in the framework of the peace conference rather than at the CSCE. However, an active involvement of the CSCE is certainly advisable at least as it has the necessary expertise in this field.

2. Italy's exposure to the effects of the Yugoslav crisis has been growing as a result of the gradual escalation of the conflict and of the new measures adopted by the international organizations. Although no Italian troops are deployed on Yugoslav territory, Italy is providing a significant contribution to the implementation of those measures and therefore finds itself in a frontline position. Furthermore, it is engaged in delicate negotiations on the implementation of certain aspects of the Treaty of Osimo on whose outcome future relations with both Croatia and Slovenia depends.

The government has been accused of being lacking in a clear strategy towards the Yugoslav crisis. This criticism, which has been growing in the last few months, is expressed vehemently by a neo-nationalist tendency. Yet, even exponents of political positions foreign to nationalistic aspirations lament the lack of awareness of Italy's strong exposure in the Balkans and draw attention to the need for actions specifically directed at safeguarding national interests.

The most controversial issues are certainly those connected with the Osimo treaty. In fact, the disintegration of Yugoslavia and the consequent sharing between Croatia and Slovenia of the area assigned to Yugoslavia under the Osimo treaty has raised the question whether the treaty should be considered still valid or, instead, be denounced or renegotiated. There are two main arguments in favour of the denunciation of the treaty. The first is legal: The treaty is to be considered null as the principle of the unicity of the Italian ethnic group set down in the Article 8 has been violated by the sharing of Istria between Slovenia and Croatia. The second argument, more political in nature, postulates that the treaty corresponded to a precise strategic objective: the safeguarding of good relations with a country which could exert a containing function on the Soviet power in a crucial area like the Balkans. Since this function no longer exists, so the argument continues, there is no reason why all matters regulated by the treaty should not be renegotiated. The advocates of the treaty reply that even though the former strategic concerns have disappeared, Italy is still vitally interested in keeping the situation stable on its eastern borders. Furthermore, a new border dispute would not only jeopardize the crucial objective of obtaining new guarantees on the rights of the Italian minority in Croatia and Slovenia, but would also strip Italy of the support of its European partners. These arguments have also been used by the Italian government, which has maintained a rather low-profile approach towards this issue. It must be recalled that in 1992 Italy gave up to make recognition of Slovenia and Croatia conditional upon safeguards concerning the Italian minority. Furthermore, after Slovenia's announcement in July 1992 that it would succeed Yugoslavia in all treaties with Italy, Italy's government limited itself to issue an official communiqué expressing its satisfaction, thereby manifesting its intention to continue considering the treaty valid. The government excluded the denunciation of the treaty, but recognized the need to adjust it to new situation. It maintained, however, that only those parts of the agreements concerning economic problems and the protection of Italian minority could be amended, not those relative to the borders.

A crucial factor influencing Italy's relations with Slovenia and especially with Croatia is

the growing regionalism in Istria. In Croatia this phenomenon manifests itself, among other things, in the rise of the Istrian Democratic Alliance, a regionalist formation with a conspicuous Italian component. Its autonomistic platform has inevitably led it into disagreement with the centralizing policy pursued by Tudjman. The Alliance's declared objective is to transform Istria into an autonomous cross-border region with broad legislative powers. This plan is strongly opposed by both the Croat and the Slovene governments. Heated controversies have already developed over the question of bilingualism and other rights claimed by the Italian community. In many municipalities, however, the action of the Alliance has led to the approval of statutes containing advanced provisions for the protection of Italian communities.

Italy began parallel talks with Ljubljana and Zagabria in February 1993. The talks revolve mainly around three problems: compensation or return of property abandoned by Italian refugees after the Second World War, protection of minorities and economic cooperation. Without entering into details, suffice it to say that the two first issues do not appear, for a variety of reasons, easy to settle. Furthermore, the asymmetry between the two bilateral negotiations is evident. Not only is the Slovene economy in much better shape than that of Croatia, but Slovenia is more integrated in the European cooperation context having recently accelerated its integration in the multilateral institutions and the process of drawing closer to the EU. Croatia, in contrast, is caught up in the Balkan conflict and suffers from a semi-isolation internationally. As a result, attainment of Italy's goal to unify the two parallel bilateral negotiations into a single bilateral negotiation, still seems rather distant. Then again, relations between Slovenia and Croatia continue to be marked by tension. If this situation persists, it will be difficult to obtain sufficient guarantees on the uniform treatment of the Italian minority.

Italy will have to develop its future policy towards the Balkan area reckoning with some basic factors. It certainly lacks the capacity and instruments to expand its influence in the Balkans by acting outside the Western and European framework. Furthermore, a policy of consistent search for European and Western solidarity cannot be reconciled with choices which could contribute to the already high level of instability in the Balkans. The Italian government has so far shown a clear awareness of this.

Also in the future the most difficult test will be the management of the problems connected with the Treaty of Osimo. Some of them are a possible source of difficulties and tensions in the relations with Croatia and Slovenia. However, there are many areas of possible common interest with both countries, especially in the economic field. What is needed is a comprehensive agreement including the economic as well as the political aspects of the relationship with the two republics.

The other key element of Italy's policy towards the Balkans should be the promotion or support of the cooperation efforts at the regional level. In fact, the action of the international institutions needs to be complemented by a more intense and effective dialogue among the countries of the region. By virtue of its geopolitical position Italy can also play a crucial role in achieving this goal.