



Published under the authority of the Secretary General, this magazine is intended to contribute to a constructive discussion of Atlantic issues. Articles, therefore, do not necessarily represent official opinion or policy of member governments or NATO.

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Publisher: Director of Information and Press  
NATO, 1110 Brussels, Belgium  
Printed in Belgium by Hayez Imprimeurs  
© NATO

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*NATO Review* is published periodically in English, as well as in Czech, Danish (*NATO Nytt*), Dutch (*NAVO Kroniek*), French (*Revue de l'OTAN*), German (*NATO Brief*), Greek (*Deltio NATO*), Hungarian (*NATO Tiikor*), Italian (*Rivista della NATO*), Norwegian (*NATO Nytt*), Polish (*Przegląd NATO*), Portuguese (*Noticias da OTAN*), Spanish (*Revista de la OTAN*) and Turkish (*NATO Dergisi*). One issue a year is published in Icelandic (*NATO Fréttir*) and issues are also published in Russian and Ukrainian on an occasional basis.

*NATO Review* is also published on the NATO web site at [www.nato.int/docu/review.htm](http://www.nato.int/docu/review.htm)

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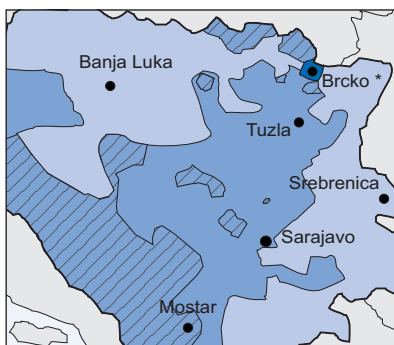
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# foreword

When my predecessor Paul-Henri Spaak launched *NATO Review* at the end of the 1950s, he did so because he believed in the power of ideas, the importance of debate in decision-making, and the benefits of critical analysis. He was, of course, absolutely right, and in the context of the Cold War, *NATO Review* became an important forum for exploring new approaches to addressing the very clear security challenges of the day.

More than 40 years later, the Euro-Atlantic security environment has changed almost beyond recognition. Today, we face a greater variety of security challenges — from crisis management, to peacekeeping, to proliferation and terrorism. We also have new opportunities to build peace and security right across the Euro-Atlantic area, through creative and focused partnership and cooperation. As a result, the need for fresh ideas, for open discussion and quality research is, if anything, greater than ever. That is why we have updated and revamped *NATO Review*. Of course, the new *NATO Review* will still contribute to a constructive discussion of Atlantic issues, and continue to provide a forum for a mature, democratic debate and an exchange of ideas. That will not change. But the updated *NATO Review* will focus on the security issues of today and tomorrow in an even more challenging way, to contribute significantly to international discussion and decision-making. It will also have a more reader-friendly layout. You have the first edition of the revamped *NATO Review* in your hand. I hope you enjoy it.

This issue of *NATO Review* is a most appropriate one in which to make improvements and adaptations. It commemorates the fifth anniversary of the deployment of NATO's first peacekeeping mission — an operation that fundamentally transformed the Alliance and its role in Euro-Atlantic security. And while the Alliance has grown to take on a variety of new missions and roles since then, contributing to the stability and security of Bosnia and Herzegovina remains a vital mission for NATO. In the five years since the NATO-led force first deployed into Bosnia, much has changed for the better, and there has been no return to hostilities. But as we enter the 21st century, the answers to complex and long-term problems have sometimes proved elusive, and it is increasingly important to analyse these problems openly, in order to find lasting solutions. I am confident that you will find that this edition of the *NATO Review* makes an important contribution to this vital discussion.

*Lord Robertson*

# FOCUS ON NATO

## Kosovo visit

**Lord Robertson** visited **Kosovo** on 30 November, where he cautioned both Serbs and ethnic Albanians against supporting militant extremists in the Presevo Valley.

On 28 November at NATO, **Lord Robertson** met Latvian President **Vaira Vike-Freiberga** to discuss preparations for possible NATO membership. He later met President **Aleksander Kwasniewski** of Poland to discuss defence reform.

Slovak Prime Minister **Mikulas Dzurinda** met **Lord Robertson** at NATO on 24 November.

**Lord Robertson** visited **Turkey** on 22 to 23 November to meet Turkish Prime Minister **Bülent Ecevit** and speak to the Turkish Economic and Social Studies Foundation.

German Chancellor **Gerhard Schröder** visited NATO on 22 November to discuss with **Lord Robertson** recent developments in EU-NATO security cooperation, German defence reform, and the situation in the Balkans.

**Lord Robertson** attended the 46<sup>th</sup> annual session of the **NATO Parliamentary Assembly**, which took place from 18 to 21 November in **Berlin, Germany**.

## Soros talks



**George Soros** visited NATO on 9 November to discuss possible cooperation in strengthening democratic society in southeastern Europe and central Asia with **Lord Robertson**.

Bulgarian Prime Minister **Ivan Kostov** met **Lord Robertson** at NATO on 20 November to discuss military reform, Bulgaria's preparations for possible NATO membership, and developments in southeastern Europe.

On 8 and 9 November, NATO's **Military Committee** held its annual two-day meeting at chiefs-of-defence-staff level.

NATO's **Military Committee** visited Kosovo and Bosnia and Herzegovina (Bosnia) to review the peace processes, meeting **KFOR** and **SFOR** commanders, heads of other international agencies, and local political and military leaders.

**Lord Robertson** attended the **Atlantic Treaty Association** general assembly in **Budapest, Hungary**, from 31 October to 3 November and later met the Hungarian President **Ferenc Mádl** and Prime Minister **Viktor Orbán**.

Representatives from the **Verkhovna Rada** (the Ukrainian parliament), the **NATO Parliamentary Assembly** and NATO's international civilian and military staffs gathered at NATO on 2 and 3 November to discuss **NATO-Ukraine cooperation**.

**Lord Robertson** addressed the permanent council of the **Organisation for Security and Cooperation in Europe** (OSCE) in Vienna on 2 November. He also met Austrian Chancellor **Wolfgang Schüssel**, Foreign Minister and OSCE Chairperson-in-Office **Benita Ferrero-Waldner** and Defence Minister **Herbert Scheibner**.

## Secure elections

**Lord Robertson** expressed satisfaction at the conduct of the 28 October municipal elections in **Kosovo**. **KFOR** worked closely with the **OSCE** and the **UN Interim Administration in Kosovo** to maintain a secure environment and provide logistical assistance.

Nine NATO and 11 Partner countries participated in **Cooperative Determination 2000**, a computer-assisted exercise in **Lucerne, Switzerland** between 1 and 10 November. The **International Committee of the Red Cross** and the office of the **UN High Commissioner**

**for Refugees** also participated in the exercise, aimed at training participants in staff procedures for peace-support operations.

Eleven NATO countries took part in **ARRCADE Fusion 2000**, a war-fighting exercise, in **Germany** between 13 and 26 October under the command of the **Allied Command Europe Rapid Reaction Corps**.

Between 16 and 28 October, forces from six NATO countries participated in **Unified Spirit 2000**, a naval exercise in the **Western Atlantic and Caribbean**, to develop interoperability between multinational joint forces and the ability to adapt operations from low intensity to high intensity conflicts.



**Lord Robertson** travelled to **Switzerland** on 26 October in advance of that country's 26 November referendum on the reduction of Swiss defence expenditure by 50 per cent over ten years. He met Swiss President and Defence Minister **Adolf Ogi** and Foreign Minister **Joseph Deiss**, and attended a symposium on *Security through Cooperation*.

The **Conference of National Armaments Directors**, which deals with armaments cooperation and acquisition among NATO members, met on 24 and 25 October in **Brussels, Belgium**.

The **NATO-Ukraine** working group on **scientific and environmental cooperation** met for the first time on 18 October 2000 at NATO.

## Prosecutor's address



**Carla Del Ponte**, prosecutor of the **International War Crimes Tribunal in The Hague**, addressed the **Euro-Atlantic Partnership Council** on 18 October.

The second phase of submarine exercise **Cooperative Poseidon** took place between 9 and 13 October in **Den Helder, the Netherlands**, following an exercise in **Stockholm, Sweden** last March. The aim is to develop common safety procedures between NATO and Partner countries to reduce the risk of submarine accidents.

## KFOR command change

General **Carlo Cavigliosi** of Italy took command for six months of **KFOR** on 16 October. He succeeded General **Juan Ortuño** of Spain.

During a two-day visit to **Sofia, Bulgaria**, from 12 to 13 October, **Lord Robertson** met President **Petar Stoyanov** and Prime Minister **Ivan Kostov**. He also addressed the **Atlantic Club of Bulgaria** and participated in a meeting of defence ministers from countries participating in NATO's **Membership Action Plan**.

Exercise **Adventure Exchange 2000** took place in northern **Greece** from 9 September to 4 October. Troops from 15 NATO member states trained for the common defence of NATO territory.

Exercise **Destined Glory 2000**, involving maritime, air and amphibious forces from eight NATO countries, took place in the **Aegean and**

# FOCUS ON NATO

**Eastern Mediterranean Seas** between 9 and 25 October.

During its third visit (4-6 October) to **Ukraine** since the signing of the NATO-Ukraine Charter in 1997, NATO's **Political Committee** met senior representatives from the foreign ministry, the Ukrainian commission for relations with NATO and members of the Ukrainian parliament.

Three beneficiaries of grants under NATO's Science Programme - **Zhores I. Alferov**, **Alan G. MacDiarmid** and **Paul Greengard** - were co-recipients this year of **Nobel prizes** for Physics, Chemistry and Physiology/Medicine, respectively.



UN Secretary-General **Kofi Annan** visited NATO on 5 October to discuss security challenges in the Balkans, as well as NATO's contribution as a regional organisation to **UN peace-keeping operations**.

## Hand of Friendship

In the wake of the fall of former Yugoslav President Slobodan Milosevic, **Lord Robertson** offered a hand of friendship to the people of the Federal Republic of Yugoslavia. Speaking at an informal meeting of **NATO defence ministers** in **Birmingham**, England, on 10 October, Lord Robertson welcomed the democratic transition and promised to help the Yugoslav people find their true place in the Euro-Atlantic community.

## Video dialogue

During video conferences on 2 and 3 October, **Lord Robertson**, Chairman of the Military Committee Admiral

**Guido Venturoni** and **NATO ambassadors** discussed progress in KFOR's mission with outgoing KFOR Commander General **Juan Ortuño** and the implementation of the Dayton Agreement in Bosnia with High Representative **Wolfgang Petritsch** and SFOR Commander General **Michael L. Dodson**.

Prime Minister **Ljubco Georgievski** of the former Yugoslav Republic of Macedonia(\*) visited **Lord Robertson** at NATO on 27 September.

On 25 and 26 September, **Lord Robertson** travelled to **Georgia**, where he met President **Eduard Shevardnadze** and several government ministers.

**Trans-Carpathia 2000**, a disaster-relief exercise, took place in **Brussels**, Belgium, and **Uzhgorod**, Ukraine, between 20 and 29 September and involved soldiers from two NATO member states and nine Partner countries.

## Future challenges

**Lord Robertson**, **NATO ambassadors**, senior NATO officials, government experts and academics met in **Berlin**, Germany, on 21 and 22 September to discuss future Alliance challenges at the annual **NATO Review Conference**.

On 20 September, the Supreme Allied Commander Europe (SACEUR), General **Joseph Ralston**, briefed the **North Atlantic Council** on KFOR and SFOR preparations for providing security for upcoming elections in Kosovo and Bosnia.

**Lord Robertson** analysed NATO's new role in crisis management and its impact on the Alliance's agenda at a seminar organised by the **George Marshall Center** in **Garmisch**, Germany, on 14 September, before travelling to the **NATO Defense College** in **Rome**, Italy, to give the Eisenhower Lecture on *The relevance of Atlanticism*.

## Milestone meeting

The **North Atlantic Council** and the **EU interim Political and Security Committee** met for the first time at ambassadorial level in **Brussels**, Belgium, on 19 September to take

stock of progress in EU-NATO *ad hoc* working groups, set up to define arrangements for EU access to NATO collective assets, and permanent consultation mechanisms between the two organisations.

## Bildt briefing



**Carl Bildt**, UN Special Envoy for the Balkans, briefed the **North Atlantic Council** on 13 September on the situation in the Balkans.

Exercise **Cooperative Best Effort 2000** took place at Cluj-Napoca in northwestern Romania between 11 and 22 September. It involved 400 troops from eight NATO countries and nine Partner countries and 800 Romanian troops, and focused on operational aspects of peace-support.

Then Slovene Prime Minister **Andrej Bajuk** visited **Lord Robertson** at NATO on 13 September.

Forces from six NATO countries and eight Partner countries conducted a peace-support exercise, **Cooperative Key 2000**, involving aircraft and medical personnel, from 4 to 15 September in southeastern **Romania**.

The **Slovene Language Training Centre** was officially designated by NATO as the seventh **PIP Training Centre**. The centre offers courses to participants from any Partner country wishing to learn English.

**NATO Chiefs of Defence Staff** met in **Athens**, Greece, on 11 September and **Istanbul**, Turkey, on 15 September to discuss the Balkans and review NATO's force structure.

On 8 September, US General **Michael L. Dodson** took over as Commander

of **SFOR** in Bosnia from US General **Ronald Emerson Adams**.

## Atlantic command



US General **William F. Kernan** succeeded US Admiral **Harold W. Gehman Jr.** as NATO's **Supreme Allied Commander, Atlantic** (SACLANT) on 5 September.

**Lord Robertson** attended a symposium organised in **Reykjavik**, Iceland, on 6-7 September by **SACLANT** on the *Future of North Atlantic Security - Emerging Strategic Imperatives*. He underlined the importance of NATO's role in Kosovo, relations with Russia, cooperation with Partner countries, growing EU-NATO collaboration and the need to boost Allied defence capabilities.

## Talking shop

At a meeting of the Permanent Joint Council on 24 July, General **Valery Manilov**, First Deputy Chief of the General Staff of Russia's Armed Forces, gave a briefing on Russia's **military doctrine** and the Russian perspective on the Alliance's strategic concept.

**Lord Robertson** visited **Spain** on 28 July, meeting with Prime Minister **José Maria Aznar**, Defence Minister **Federico Trillo**, and Foreign Minister **Josep Pique**.

**Lord Robertson** visited **France** on 27 July to meet with French Prime Minister **Lionel Jospin**.



For more information see **NATO Update** at [www.nato.int/docu/update/index.htm](http://www.nato.int/docu/update/index.htm).

# Whither Bosnia?

*Gerald Knaus and Marcus Cox examine Bosnia's peace five years after the guns fell silent and assess prospects for a self-sustaining process.*



Signing ceremony: Presidents Slobodan Milosevic (left), Franjo Tudjman (centre) and Alija Izetbegovic (right) have all left office since signing the Dayton Agreement on 14 December 1995.

The fifth anniversary of the Dayton Agreement comes at a time of celebration in the Balkan region. The regimes of Slobodan Milosevic and Franjo Tudjman, the nationalist leaders who fought to carve a Greater Serbia and Croatia from the ruins of the former Yugoslavia, have been decisively rejected by their own people, replaced with governments hoping to lead the two states back into the European fold. No longer trapped between predatory neighbours intent on stirring up trouble, the prospects of long-term peace in Bosnia and Herzegovina (Bosnia) have never looked better.

Yet within Bosnia, the mood is pessimistic. A recent opinion poll suggested that 70 per cent of young people would leave the country, if given the chance. Although

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*Gerald Knaus is director of the European Stability Initiative (ESI), a Berlin-based think tank and advocacy group working to help restore stability to southeastern Europe. Marcus Cox is ESI's senior Bosnia analyst.*

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Bosnians are increasingly more concerned with jobs than ethnic grievances, the main political parties continue to neglect their many pressing needs in favour of narrow and often chauvinistic political agendas. The November 2000 elections, which some in the international community had hoped would turn into a contest between reform-oriented moderates and backward-looking nationalists, became instead a vote against incumbents, whatever their political views. The moderate Social-Democratic Party (SDP) replaced the long-time governing Party of Democratic Action as the leading political force in areas of the country dominated by Bosnian Muslims (Bosniacs). In the Serb-dominated parts of the country, however, where a Western-supported government under Prime Minister Milorad Dodik had been in power since 1998, the party founded by indicted war criminal Radovan Karadzic, the Serb nationalist Serb Democratic Party, managed to bounce back and win the elections.

The international peace mission is now facing a number of extremely serious choices. How can it adapt its policies

to an environment in which leading political parties continue to question the basic legitimacy of the institutions for which elections are held? What can be learned from the repeated failure to try to bolster individual favourites? And how can the necessary long-term, incremental constitutional and administrative reforms to stabilise the political system continue, when a collapse of public revenues is looming and the international community's willingness to focus on Bosnia is decreasing? Can Bosnia's fractious political forces be welded into a tolerably effective state, in time to stave off a deepening economic crisis and challenges to the very notion of the Bosnian state?

The twin challenges of recovering from a devastating war and converting a communist system into a free market have so far proved beyond the capacity of the state's fragile institutions. Despite more than \$5 billion of international reconstruction aid, Bosnia's GDP is still less than half its pre-war size. Unemployment remains high and, with average wages well below the subsistence needs of a family, more than 60 per cent of the population lives in poverty. Foreign investors have stayed away, put off by the slow progress of privatisation, the weak legal system, and a myriad of unhelpful regulations. Some governments, including that of Republika Srpska, are barely able to service their foreign debt from month to month.

Attempts to stop the economic slide have been frustrated by the weakness of public institutions across Bosnia's many tiers of government. From the outset, the Dayton Agreement was recognised as a difficult compromise, creating a state with barely enough central functions to be worthy of the title, while guaranteeing the autonomy of the three communities through a complex system of ethnic power-sharing. State functions are dispersed across two entities, ten federal cantons, 149 municipalities and the internationally administered district of Brcko. Most of these tiers of government are novel creations, and suffer an acute lack of public servants and competent executive organs. The entire structure is so complex and inefficient that, all too often, nobody takes responsibility for addressing pressing social and economic problems.

Because the constitutional organs are weak, real power is exercised behind closed doors, far from public scrutiny or democratic process. The most blatant example of parallel power is the Bosnian Croat para-state of Herzeg-Bosna, which, though formally disbanded in 1994, continues to exercise *de facto* control over Croat institutions and public finances. In November 2000, the Croat People's Assembly, a body with no constitutional status, called a referendum on the status of the Croat people, threatening to constitute itself as a parallel government if its demands were rejected by the international community. In the Federation of Bosnia and Herzegovina, nominally multi-ethnic institutions are in fact split into separate Bosniac and Croat components, with little communication between them. At the state level, the elected repre-

sentatives often work simply to keep the state from becoming an effective political actor.

So long as the basic administrative structures are weak, elections can do little to foster responsible government. The international community has organised six rounds of voting over the past five years, as though constantly rolling the dice in the hope of producing a better outcome. Its search for so-called "moderates" has been a frustrating one, and internationally favoured candidates such as Republika Srpska's Prime Minister Milorad Dodik have proved disappointing once in power. Among Bosniacs, the multi-ethnic SDP of Zlatko Lagumdžija is becoming increasingly popular. However, with its electoral base mainly at municipal and cantonal level and dependent on an extremely weak and fractured administrative apparatus, the SDP is in a weak position to effect substantial reforms in a short period of time. In Serb and Croat-dominated areas, despite widespread disillusionment with the political process, the electorate continues to return the wartime nationalist parties to power.

As international attention in southeastern Europe turns towards the multi-layered problems of the Federal Republic of Yugoslavia, the international mission in Bosnia is seen by some as it was seen in 1996, as a race against time. Bosnia is not yet a self-sustaining structure, and the consequences of a premature withdrawal could be catastrophic, not just for Bosnia but across the region. However, it is also clear that international aid cannot continue to cover for the weakness of the Bosnian state without a clearer perspective on how this state and its institutions could become viable.

In frustration at the weak performance of national institutions, the international mission has become more assertive, to the point where the Office of the High Representative (OHR) and the Organisation for Security and Cooperation in Europe (OSCE) have become central pillars of the constitutional order. Unable to extricate itself without risking the collapse of the state, and yet unable to hand over responsibility to national authorities, the international mission now finds itself in a role it never wanted to play.

In the first phase of the peace process, the tasks of the international mission were set according to traditional ideas of UN peacekeeping, backed with an unusually strong military force. The Dayton Agreement contained an elaborate calendar of military obligations, and with 60,000 troops at its disposal, the NATO-led Implementation Force (IFOR) ensured that they were followed to the letter. The international forces deployed rapidly along the cease-fire lines, physically separating the armies, placing weaponry into cantonment sites, and demobilising the forces to peace-time levels. Detailed balance of force agreements and close IFOR supervision of military movements reduced the security dilemmas between the parties. The

Train and Equip programme, carried out by US contractors outside NATO authority, built up the Federation militaries to create a balance of power between the former warring parties. The International Police Task Force accomplished a similar downsizing and balancing of the police forces.

The international community threw itself into the reconstruction of the war-ravaged country with impressive energy. By the end of the Bosnian War, more than 2,000 kilometres of roads, 70 bridges, half the electricity network and more than a third of the housing had been destroyed. In the face of enormous logistical difficulties, the World Bank and the European Commission coordinated a \$5.1 billion reconstruction programme. By 1999, over a third of the housing had been repaired and most urban infrastructure had been restored to pre-war levels, from telephone lines, electric power generation and water services to the number of primary schools per pupil.

It was in these practical tasks that the international mission enjoyed its greatest success. Its political agenda was more modest, limited to organising elections in the shortest possible time-frame. Elections were thought to be the key to removing extremists from the political landscape and ushering in a new era of liberal democracy. They were also a necessary first step in convening the new state institutions. As it transpired, wartime nationalist leaders were returned to power in successive rounds of elections, strengthened and legitimated with their new constitutional mandates, leaving the international community with no alternative but to carry out its mission in partnership with the same individuals who had prosecuted the war.

So long as the international community was spending its money liberally on reconstructing the country, the peace mission met with little resistance. However, once the immediate military and humanitarian imperatives were met

## No peace without justice

After an inauspicious beginning, the International War Crimes Tribunal for the former Yugoslavia (the Tribunal) has come a long way. Increasingly, the institution is viewed both inside and outside the former Yugoslavia as critical to restoring stability to the region and rebuilding trust between communities. Moreover, as more and higher-profile individuals are tried, it is building up a body of case law, which will be key to the future laws of war.

Founded by UN Security Council resolution 827 of May 1993, the Tribunal is mandated to prosecute and try persons responsible for serious violations of international humanitarian law — grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, genocide and crimes against humanity — committed on the territory of the former Yugoslavia since 1991. As of November 2000, 39 indictees were either on trial or awaiting trial, or had already been tried and found guilty. A further 25 war crimes suspects, including Radovan Karadzic, Ratko

Mladic and Slobodan Milosevic, remained at liberty.

In its early years, the Tribunal faced a series of seemingly insurmountable problems. These included limited funding, hostility of local authorities, a shortage of suspects in custody, and luke-warm support among key members of the international community. Indeed, a year after the end of the Bosnian War, Tribunal representatives were not invited to the December 1996 London meeting of the Peace Implementation Council, the inter-governmental authority that oversees the peace process. Despite lacking a formal invitation, then prosecutor, South African Richard Goldstone, decided to attend this meeting, at which the first 12 months of peace implementation were reviewed. Soon after, his perseverance and that of other Tribunal officials began to yield results.

The Tribunal's fortunes changed on 10 July 1997, when during a daring operation, UK peacekeepers

arrested one war crimes suspect, Milan Kovacevic, and killed another, Simo Drljaca. Kovacevic and, in particular, Drljaca, were both big fish and their removal broke the cycle of impunity which had characterised the wars of Yugoslav dissolution. The feared backlash failed to materialise and more arrests followed in due course. To date, peacekeepers in the Stabilisation Force have arrested 19 indictees; three more war crimes suspects were either killed resisting arrest or committed suicide rather than surrender.

Even before 10 July 1997, several indictees were already in custody in the Tribunal. These individuals had either been arrested abroad, had surrendered voluntarily or, in one instance in June 1997, had been arrested in the jurisdiction of the UN Transitional Administration of Eastern Slavonia in Croatia. The first war crimes trial was that of Dusko Tadic, a Bosnian Serb, who had been arrested in February 1994 in Munich, Germany. After a 79-day trial and appeal, he was sentenced to 20 years in prison. Eight indictees have died; two while in custody. Charges against 18 indictees, three of whom



and attention turned to the creation of a viable state, the international community came face to face with intense political resistance.

Post-war Bosnia was effectively divided into three territorial zones, bordered by the cease-fire lines. Each enjoyed functional independence in political and economic terms, and was ruled by a separate administration under the control of one of the three armies. As in any protracted conflict, these quasi-states developed power structures with vested interests in the abnormalities of the wartime environment, which became strongly resistant to change. Elements in these regimes had close links with smuggling and organised crime, bringing wealth and power to individual political leaders. The combination of the threat of violence and the promise of rewards — typically the redistribution of the spoils of war and the allocation of public sector employment — allowed them to monopolise politi-

cal power within their own ethnic group. In the tradition of the old Yugoslav Communist Party, the nationalist parties used patronage networks to keep public institutions subordinate to their will.

These wartime power structures dominated political life in post-war Bosnia. What seemed to outsiders to be intractable ethnic hatred often turned out to be crude, self-interested political manipulation. The political elite used nationalist rhetoric as a tool to control their own population, playing on collective fears in order to harden the boundaries between ethnic groups. Almost any international objective that went beyond the distribution of aid, such as promoting refugee returns or the creation of a common economic space, posed a threat to the nationalist power structures and met with staunch opposition. Deadlocked on most fronts, the international mission simply forged on with what could be achieved in such an environment, namely physical recon-

were in custody, have been dropped. Two indictees were acquitted after trial.

Many in the international community feared that the issue of war crimes and justice would complicate peace negotiations and come in the way of a lasting settlement. The Tribunal was established following publication of a 3,300-page report by a commission of five legal experts under Cherif Bassiouni, a law professor from Chicago's De Paul University, examining reports of ethnic cleansing. The commission was set up in the wake of the London Conference of August 1992, organised in response to media revelations of the existence of Serb-run detention camps. The work of the Bassiouni Commission was largely financed by donations from the Soros Foundation, the charitable trust set up by international financier and philanthropist, George Soros.

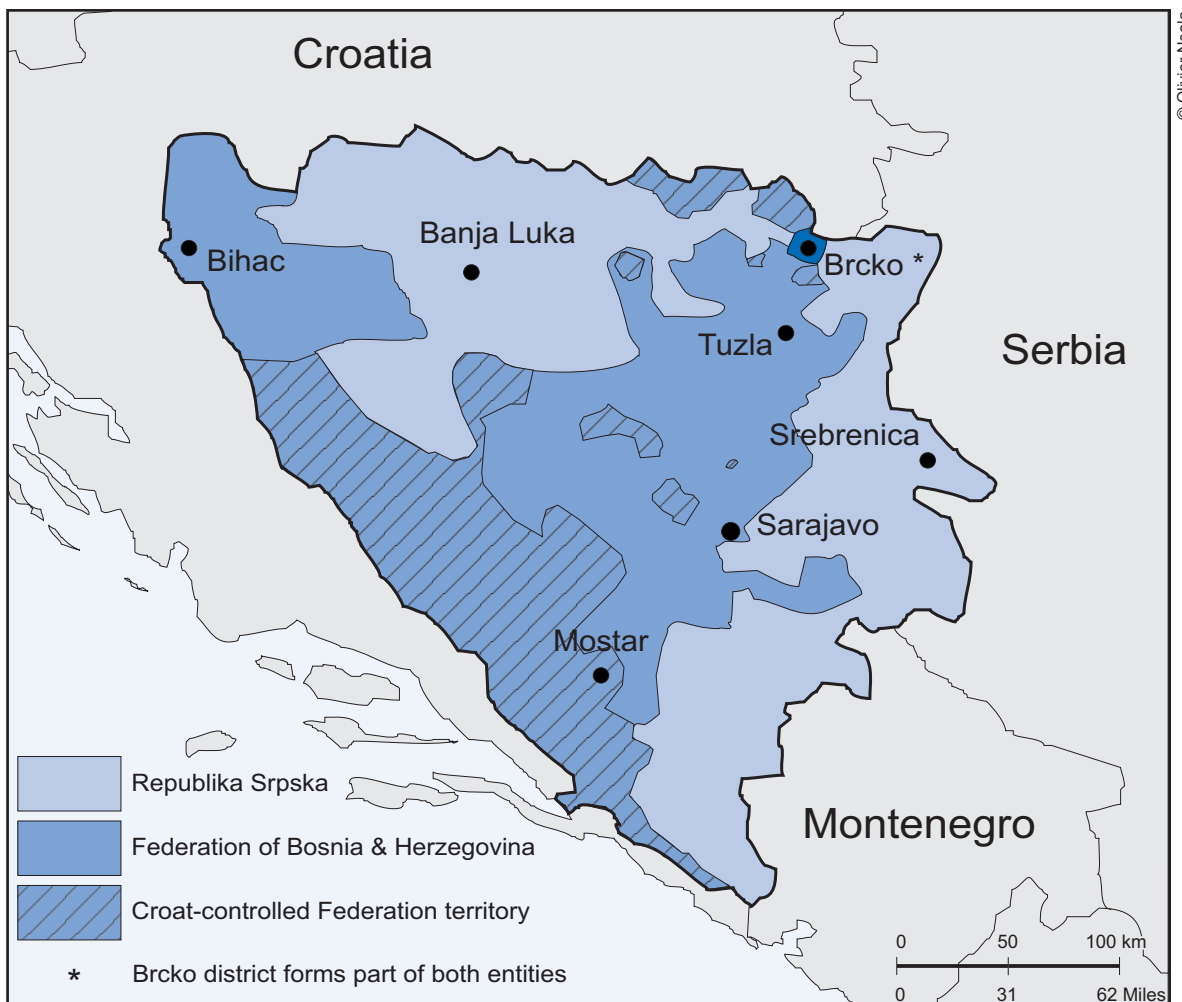
The Dutch government gave the Tribunal a headquarters in The Hague, which is no longer large enough to house today's staff of 1,200. The Tribunal's budget, which has grown from \$276,000 in 1993 to



Wanted: 25 war crimes suspects remain at liberty.

close to \$100 million in 2000, is paid for by the United Nations. Some activities — such as the exhumations programme for Srebrenica, scene of the largest, single massacre of the Bosnian War, and an outreach cam-

campaign, explaining the work of the Tribunal within the region — are externally funded. In addition, in the wake of the Kosovo campaign, 11 countries sent forensic teams to assist the Tribunal in its investigations.



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struction. Inevitably, the disbursement of vast sums of reconstruction aid with a minimum of political or institutional reforms simply helped strengthen the nationalist power structures even further.

It was the continued existence of these parallel systems that frustrated the establishment of the Bosnian state. Real power was exercised behind closed doors. The nationalist parties had no incentive to allow control over their affairs to shift to new institutions, which they could not be sure of controlling. By the simple tactic of refusing to participate, they ensured that the state institutions remained little more than theatres of nationalist politics.

Five years on, the nationalist power structures are fragmenting, undermined by the war-weariness of the population, and the inexorable return of normality to the region. In Republika Srpska, the Karadzic regime began to crumble from the time of the Dayton Agreement, following the split between Pale and Belgrade. The private security forces on which Karadzic's highly predatory regime depended were extremely expensive to maintain. A few well-targeted international operations to disrupt his smuggling networks, together with a concerted political campaign to force him out of public office, broke his hold on power.

The Croat para-state of Herzeg-Bosna lasted longer, but is now suffering heavily from the loss of revenues from Croatia following the defeat of the late President Tudjman's Croatian Democratic Union (*Hrvatska demokratska zajednica* or HDZ) in elections in early 2000. With external subsidies drying up, the parallel structures are increasingly unable to deliver basic public services, let alone the bribes on which their power depends. Divisions in the political machinery are appearing as a result. A handful of senior figures in the Bosnian HDZ are now realigning themselves towards the state and the international community, in search of a more reliable source of revenues. On the other hand, the party leadership under Ante Jelavic has chosen the path of total confrontation with the international community and threatens to withdraw from all institutions.

While this process of decay creates real opportunities for progress, it is also a risky time for the peace process. The nationalist parties remain strong enough to ensure that there is a continuing crisis of governance at all levels of the Bosnian state. As the old systems collapse, the legitimate constitutional structures are simply not ready to take over. The two entities both have chaotic public finances, bankrupt pension funds, bloated and inefficient public sectors, rampant public corruption and neither the skills nor, it

seems, the political will to undertake the economic reforms that the country so badly needs.

As a result, while the days of the monolithic nationalist parties may be numbered, they are being replaced not by liberal democracy, but by growing factionalism and institutional decay. A new government, however sincere its reform intentions, will face an uphill battle against this background of weak institutions, diminishing resources and opposition from many quarters. Just when changes in Croatia and Serbia make the dangers of renewed warfare seem remote, the risk for Bosnia is that the chronically weak state will collapse under the weight of a growing economic and political crisis.

In frustration at the constant dissembling of Bosnian politicians, the international community has arrogated a series of bold new powers to itself. From the weak coordinating role envisaged in the Dayton Agreement, the High Representative has been elevated to the central legislative power. In December 1997, the Peace Implementation Council, the intergovernmental authority that oversees the mission, authorised the High Representative to impose laws and to dismiss public officials who obstruct the peace process.

The High Representative's powers have proved extremely useful for bypassing deadlocked state institutions. It was only with these powers that progress has been possible in areas such as wresting control of public broadcasting from the nationalist parties, introducing a common currency, or returning housing and property rights to people ethnically cleansed during the war. Initially controversial, the imposition of laws by the High Representative has now become routine, attracting little response from the Bosnian public or political elites. It does, however, raise a series of questions related to both the implementation of specific laws and the evolution of the constitutional system.

Administrative and resource constraints are as much of a problem for laws imposed as they are for laws regularly adopted. It is, for example, impossible to decree a functioning Bosnian customs service or judiciary into being, and international programmes in these areas have pointed to the need for intensive post-imposition implementation strategies. The successes in the field of the OHR-imposed property legislation are the result of a major managerial effort to ensure that municipal housing offices are actually putting the new laws into effect. In the internationally administered district of Brcko, the major constraint on a large international mission is no longer nationalist opposition but a dangerous shortfall of resources to keep a complex institutional structure alive.

Overall, imposition opens up an ever wider "implementation gap", which in the medium term undermines rather than strengthens confidence in the legal system. There is also a constant temptation for outsiders as much as for

Bosnian political forces to lobby the High Representative to impose a law to resolve a specific short-term problem or to help a given political favourite. This, however, instead of strengthening trust in young institutions, risks undermining them completely, replacing the arbitrariness of previous regimes with that of the international community.

Trusteeship is a new weapon in the armoury of international interventions, and Bosnia is its first arena. At the end of the day, it can be considered legitimate only if it results in the creation of an effective state, rendering the trusteeship itself redundant. The task of the international mission is now architectural, creating structures that will continue to stand after the external supports are withdrawn.

But there is no magic to the High Representative's powers. He cannot simply decree an effective state into existence. Few of the international agencies in Bosnia have any great experience in the nuts and bolts of institution-building, which requires detailed sectoral expertise. Individual agencies have a tendency simply to plough on with the peacekeeping tasks they are familiar with: reconstruction, monitoring, and still more elections. The question is whether the international mission can successfully change tack at this stage.

A number of institution-building initiatives have had impressive results. A Central Bank has been created under an international governor, which successfully introduced a new currency in 1998. An intensive and long-running programme by the European Union's Customs and Fiscal Assistance Office to reform customs administration has given impressive results. The Independent Media Commission, a new licensing authority for broadcast media, has helped to promote the independence of the media. At the municipal level, efforts to create local administrative structures capable of enforcing property laws are gradually achieving results. Each of these has required a clear strategic vision as to how to bring different forms of international leverage to bear on a complex problem.

The international community now needs to think through the structures required to complete the state-building project. In May 2000, the Peace Implementation Council set out a list of core institutions whose creation should be treated as a priority. These include central regulators in network industries such as telecommunications, energy and transport, an independent and professional civil service, and guaranteed revenue sources for the state. To rise to this challenge, the international mission will need to move beyond battling with the remains of the wartime regimes and begin building institutions to oversee a process of constitutional evolution, aimed at creating a functioning state that is viewed as legitimate by the Bosnian public. ■

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# Seeking security solutions

*David Lightburn surveys Bosnia's military landscape and analyses international programmes aimed at building long-term security.*

When the guns fell silent and NATO-led peacekeepers deployed in Bosnia and Herzegovina (Bosnia) in December 1995, the war had ended, but the peace remained fragile. Bosnia was divided into hostile military camps; relations between rival, ethnic armed forces were antagonistic; and a foreign military presence was required to prevent the resumption of fighting. The Dayton Agreement contained an elaborate calendar of military obligations, which each of the former warring parties had to comply with, but the task of making the accord more than just a cease-fire required more than simply separating and controlling Bosnia's various militaries. To build long-term security and prevent a return to hostilities, NATO and other international organisations have developed a series of programmes designed to build confidence between soldiers from different ethnic backgrounds and help create the conditions in which an appropriate, cost-effective and durable security framework can evolve.

The Dayton Agreement acknowledged the existence of two separate armies in Bosnia — that of the Federation of Bosnia and Herzegovina, the predominantly Croat and Bosnian Muslim (Bosniac) entity, and Republika Srpska, the predominantly Serb entity. *De facto*, however, there were, and remain, three armies, since Croat and Bosniac forces have not been integrated either in structure or in practice, and cooperation between the two is minimal and superficial. This peculiar arrangement is the legacy of nearly four years of war, in which three ethnically based forces, including a mixed group of regular soldiers, paramilitaries, conscripts, foreign volunteers, guerrillas, and paramilitary police, battled for both territory and survival. It also reflects the involvement of both neighbouring states and other countries in the conflict and the assistance that they provided. Moreover, in the wake of the fighting, a great quantity of weapons and munitions were either in the hands of private individuals or stored in sizeable armouries in police barracks.

To outside observers, Bosnia's internal security architecture inevitably appears dysfunctional. Failing economies in

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both entities are groaning under the strain of maintaining separate, oversized armies, which are poorly equipped and trained. Moreover, the absence of genuine dialogue between the military and defence communities of Bosnia's constituent peoples means little political will is being generated to develop a common defence policy and joint military structures. This, in turn, renders the country unsuitable to join European or Euro-Atlantic structures and even to collaborate with individual nations in defence, leaving it incapable of ensuring its own security without the presence of NATO-led peacekeepers.

While the Dayton Agreement ceded responsibility for defence to the entities, long-term security and stability cannot be achieved unless Bosnians in both entities are able to



Singing from the same song book: Bosniac, Croat and Serb soldiers have to work together





mined, but focused in the main on assisting the development of the Bosnia state-level defence system; eventual Bosnian participation in NATO's Partnership for Peace programme or other international associations; progress in the regional arms control talks mandated in the Dayton Agreement, a prospect made a little brighter by positive political developments in both Zagreb and Belgrade; and the development of close and open military ties and exchanges with Serbia, Croatia and other neighbouring states, as a contribution to regional stability and confidence-building.

Bosnian defence officials are now cooperating with the international community to address the agenda set for them by the Peace Implementation Council. An immediate challenge is to create a framework for lasting and substantive cooperation between the two armed forces in the country. Such a restructuring would not aim to forge one integrated army out of the country's three armed forces, as some who wish to derail the process have claimed. Any force restructuring would need to reflect and respect the culture and traditions of the country's constituent peoples, as is the case in some western countries including Belgium, Canada and the United Kingdom.

There is no intention, for instance, to integrate entity forces at lower levels. Instead, one idea is to develop a state-level, unified command and control structure with some joint training and education, forces working under a common defence policy and a common military doctrine, answerable, through the Standing Committee on Military Matters, to the presidency. The purpose of such forces would be to maintain the sovereignty and territorial integrity of the country in accordance with international law; to contribute to international security through the United Nations and other peacekeeping missions abroad; and to provide assistance to civil authorities in the event of civil emergency, disaster or social need.

In some areas identified by the Peace Implementation Council, progress is being made. Armed forces and defence budgets were reduced in both entities in 1999 by about 15 per cent, and a similar cut is planned for 2000. However, further progress is not up to the international community and will depend on generating significant political and public support within Bosnia.

The main obstacle remains the lack of political will in the area of defence, at both state and entity levels. A radical change in the attitude of members of the joint presidency and of other state and entity leaders is required. Ethnically based power structures and lingering suspicions in many influential quarters about the underlying motives of other ethnic groups do not foster a climate of cooperation. Moreover, some officials continue to hide behind the argument that defence was considered a responsibility of the entities in the Dayton Agreement. This particularly hinders the development of the Standing Committee on Military

Matters. Its secretariat still lacks a permanent home, depends on the international community for information technology, is chronically understaffed (dependent on the entities for personnel) and has therefore not been able to take any substantive work forward, performing largely administrative functions.

Other serious obstacles arise out of a genuine lack of understanding of more modern defence concepts. Armies remain too large and expensive to maintain; the numbers of men in uniform far exceed both legitimate security requirements and European norms. In both entities, most weapons and other major equipment are outdated and in poor operational condition. The armies have difficulty maintaining a reasonable standard of training. Defence budgets also exceed international norms and are a severe burden on the failing economies of the two entities. But with, as yet, virtually no public dialogue on security and defence in Bosnia, there is no public pressure for the armed forces in Bosnia to move beyond a cease-fire status.

For public support to be won, an aggressive and concerted information campaign will need to be launched to inform ordinary Bosnians of the issues and to stimulate genuine dialogue on security matters. A more rationally organised and outward-looking military would send a positive signal to the people of Bosnia, removing the potential for a return to conflict and heralding the prospect of long-term stability. This would in turn boost reconciliation in other areas and help attract foreign investment to the country and the region. Prospects for progress will hopefully improve as Bosnia gradually begins to reintegrate with the rest of Europe and as the public realises how unworkable the current defence structure is, and how counter-productive it is to the normalisation process within and without Bosnia. ■

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# Media wars

*Daniel Deluce examines media reform in Bosnia, which began in earnest when peacekeepers seized transmitters belonging to Bosnian Serb television.*

The demonstrators in Serbia called it the “Bastille”. For 13 years, the headquarters of the state broadcaster was a hated symbol of the authoritarian rule of Yugoslav President Slobodan Milosevic. When demonstrators stormed Radio-Television Serbia, it signalled the end of Milosevic’s regime. When he could not persuade the army or the police to defend his television monopoly, his dictatorship was over. The citadel had fallen.

Radio-Television Serbia (RTS) was Milosevic’s most powerful tool, an electronic truncheon that could stifle dissent and manufacture consent for warfare. Serbia remains a long way from securing democracy and the rule of law. But the end of Milosevic’s comprehensive control over RTS has opened a new political era and provides a chance for freedom of expression to take root.

Had the international community been watching this television station more closely in the late 1980s, it might have seen the warning signs of impending doom in the former Yugoslavia. RTS and other media under Milosevic’s control created the conditions that made war possible, spreading fear among peaceful neighbours and persuading many Serbs that the ghosts of the Second World War had returned to slaughter them. RTS constructed a bizarre universe in which the Bosnian capital Sarajevo was never besieged and the devastated Croatian town of Vukovar was “liberated”. The media onslaught launched in Belgrade helped spawn similar hateful propaganda else-

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*Daniel Deluce, a former Reuters correspondent in Sarajevo, worked for the Office of the High Representative between spring 1998 and autumn 2000 reforming Bosnia’s media.*

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where in other Yugoslav republics and its legacy will be felt for years to come.

Since the outbreak of fighting in the former Yugoslavia, millions of dollars have been spent by NATO member states and other Western countries in the Balkans, especially in Bosnia and Herzegovina (Bosnia) and Serbia, in an attempt to repair the damage. International assistance has

helped the public in Serbia and Montenegro gain access to alternative sources of information and helped counter the disinformation of state media. In Bosnia, a degree of pluralism and media freedom has begun to emerge thanks in part to international donations to independent newspapers and broadcasters.

Nevertheless, when it comes to preventing conflict or building peace, media do not always receive the priority they deserve. Despite the destructive role played by the media in fanning the flames of ethnic hatred in former Yugoslavia, the peace agreement ending the Bosnian War, negotiated

in Dayton, Ohio, failed to include any specific provisions for the media in the new state, other than a brief reference to freedom of the press in relation to elections. International organisations charged with overseeing implementation of the peace agreement have since spent much time and energy making up for this oversight.

Until autumn 1997, the international community in Bosnia was obliged to tolerate the hate speech spewing from Srpska Radio-Televizija (SRT), the station controlled by Milosevic’s protégés in Pale, Republika Srpska, just outside Sarajevo. In the absence of coherent regulation of broadcast frequencies or licensing and with the judiciary



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Lethal weapon: Had the international community been watching Serbian television in the late 1980s, it might have seen the signs of impending doom.



politically tainted, the then High Representative, Carl Bildt — who described SRT as “media that even Stalin would be ashamed of” — had few tools at his disposal. Nevertheless, in his last days as High Representative in May 1997, Bildt laid the ground for a more robust approach. The Peace Implementation Council, the gathering of countries and international organisations with a stake in the Bosnian peace process, approved a document in Sintra, Portugal, that empowered the High Representative to intervene against media that posed a threat to the peace agreement. It was broad language drafted with SRT’s inflammatory output in mind.

In summer 1997, it became increasingly clear that SRT was undermining the peace process. In addition to the inflammatory language used to describe non-Serbs and hostility towards many aspects of the peace accords, political opposition within Republika Srpska was denied coverage and routinely attacked in the evening news. As a power struggle developed between the hard-line leadership in Pale and more moderate allies of Republika Srpska’s then President Biljana Plavsic in Banja Luka, more warnings were issued to SRT’s management with little effect. Press officers for the new High Representative, Carlos Westendorp, hinted at possible military action against SRT, but the NATO-led Stabilisation Force (SFOR) remained cautious in its public pronouncements.

It was a tense time for the peacekeeping mission and for NATO member governments. SRT’s broadcasts were appalling, but Western governments feared that if peacekeepers intervened against SRT, the Pale leadership would gain sympathy by presenting themselves as defenders of free speech. The pivotal event came in July, when Plavsic appointed new police chiefs in Banja Luka with backing from UK and Czech SFOR peacekeepers. Details of a planned coup by the Pale leadership against Plavsic were revealed. SRT condemned SFOR’s role and compared the peacekeeping force to the Nazi SS in a video clip. The propaganda now posed a threat to SFOR itself.

When SRT broadcast a distorted account of a press conference by the chief prosecutor of the International War Crimes Tribunal in The Hague, SFOR troops intervened in response to a request from Westendorp, seizing four transmission towers on 1 October 1997. SRT resumed broadcasting under new leadership in the Banja Luka studios, where staff were more sympathetic to Plavsic’s faction. The news programming remained nationalist, but the excesses of the past were eliminated. The anticipated backlash never materialised. Many Serb journalists had viewed SRT for what it was, a political tool that had nothing to do with journalism or public service.

The Pale leadership had made no pretence about SRT’s partisan structure. Senior member of the ruling nationalist Serb Democratic Party (*Srpska demokratska stranka* or SDS) and the then Serb member of Bosnia’s collective presidency, Momcilo Krajisnik (now awaiting trial in The Hague for war crimes) headed SRT’s governing board. In the wake of SFOR’s intervention, the Office of the High Representative (OHR) negotiated “interim arrangements” for SRT with Plavsic, which were agreed in February 1998. These arrangements established a non-partisan governing board and allowed for an international “administrator” who would promote public broadcasting standards and editorial independence.

The seizure of SRT’s transmission towers was a watershed for Bosnia. It created a more level playing field for elections and paved the way for more pluralism and media freedom in Banja Luka, the largest town in Republika Srpska. The international community sent a clear message that it was ready to act to halt incitement to hatred and partisan interference in public broadcasting. It marked the end of the hard-liners’ monopoly over television in Republika Srpska. The crisis surrounding SRT underlined how ruling nationalist parties throughout the country continued to dominate the most influential media and discourage open debate. Bosnian media clearly required systematic reform to bring them into line with democratic norms. With the



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support of donor governments, OHR began developing a strategy to build lasting media freedom.

Over time, the strategy evolved into an ambitious undertaking. It called for the creation of a regulatory framework for broadcasters, reform of the public broadcasting sector, continued financial support for independent media, public service campaigns to explain the international community's efforts and legal protection for journalists.

The Peace Implementation Council's December 1997 meeting in Bonn called for the establishment of a regulatory body that would issue licences to broadcasters according to transparent criteria. The regulatory agency, which was later named the Independent Media Commission (IMC), was to operate under interim international supervision and to become a domestic institution in due course. It was designed to create fair competition for broadcasters and to remove political control of the airwaves.

With funding from the United States and the European Union, the IMC was established in June 1998 by order of the High Representative. Each department had an international head and a Bosnian deputy. An appellate body comprised of Bosnian nationals and foreign experts, the IMC Council, was set up to review appeals from stations. In the intervening period, the IMC has managed to construct a regulatory framework that has stripped away the kind of political manipulation that accompanied the issuing of licences. By promulgating a broadcasting code of practice, the IMC has helped deter inflammatory broadcasts, as stations tend to be reluctant to jeopardise the licences they hold or future licences they hope to secure. Some stations have been reprimanded or fined, a few were temporarily ordered off the air, and two stations were shut down for occupying frequencies illegally and forging documents.

The jury is still out on the IMC. Bosnian journalists and other international organisations have taken it to task for treading too softly against flagrant propagandists and for moving too slowly to consolidate a saturated media market. In a country with fewer than four million inhabitants, there are some 280 broadcasters, probably the highest such ratio in the world. The IMC says the criteria for new long-term licences will be much stricter and result in a more rational market. The IMC also maintains that it must respect legal procedures that allow stations due process, with the result that the agency cannot act with the kind of speed advocated by its critics.

A more fundamental problem is that the IMC has to confront entrenched interests with limited resources and no

enforcement mechanism to implement its decisions. In extreme cases, the IMC can turn to SFOR for assistance — but only if NATO member states deem it appropriate to act. Rulings against Erotel, a station controlled by Bosnian Croat hard-liners of the Croat Democratic Union (*Hrvatska demokratska zajednica* or HDZ), were flouted and ignored for a year.

Whatever IMC's shortcomings, it has set a standard of transparency and fairness that has greatly reduced political interference in broadcasting. It has modelled itself on regulatory agencies in the European Union and North America and avoided regulating print media, choosing instead to help journalist associations agree a voluntary code of ethics. Although excesses are still common in print media, plenty of independent publications serve as a counter-balance.

The biggest question for the future is how and when the IMC's work will be handed over to local authorities. An ambitious timetable for a transfer this year has been reviewed and postponed. Bosnian institutions have yet to prove that they can operate in a transparent and non-partisan manner. Donor governments have approved a plan to subsume the IMC into a single telecommunications regulatory agency under international supervision. Current High Representative Wolfgang Petritsch has identified the frequency spectrum as a vital economic resource that must be regulated in a manner that discourages political interference and corrupt monopolies.

Building a public broadcasting service out of the ashes of an ethnically segregated, inefficient system has proven the most difficult aspect of the OHR's strategy. Vested political inter-

ests have fought to retain control over the remnants of former Sarajevo Radio-Television, Bosnia's pre-war state broadcaster. Just before fighting erupted in the spring of 1992, the Serb nationalist leader, Radovan Karadzic, proposed dividing the station — which had a reputation for balanced, if prosaic, reporting — into three ethnically separate channels. His proposal was rejected but came to fruition once the war started. The assets of Sarajevo Radio-Television were divided in accordance with territorial conquest. Separate ethnically based stations were created with assistance from Zagreb and Belgrade. In areas where the Bosnian government controlled territory, Sarajevo television became known as Radio-Television Bosnia-Herzegovina (RTV BiH) and fell under the political control of Alija Izetbegovic's Bosnian Muslim Party of Democratic Action (*Stranka demokratske akcije* or SDA). Although oriented exclusively to Bosnian Muslims, RTV BiH never engaged in the kind of explicit hate speech employed by Croat and Serb regime media.

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When it comes to preventing conflict or building peace, media do not always receive the priority they deserve

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Barbed message: NATO-led peacekeepers seized four Bosnian Serb television transmission towers in response to inflammatory broadcasts.

Within six months of SFOR's intervention against SRT, Westendorp launched a more comprehensive initiative to reform the entire public broadcasting sector. After months of negotiations with the country's three-member presidency, he persuaded the Croat and Bosnian Muslim representatives — but not the Serb — to agree a memorandum of understanding on the future of broadcasting. This document called for setting up a new public broadcasting service that would respect religious tolerance and editorial independence and operate in a financially transparent manner. It called for a new country-wide public broadcasting network as well as a new service for the Federation of Bosnia and Herzegovina (The Federation), the country's slightly larger entity. It also required broadcasters from Serbia and Croatia to abide by Bosnia's laws and regulations. In practice, however, the regimes in Belgrade and

Zagreb ignored these provisions, the SDA later obstructed implementation of the reforms outlined in the memorandum and the HDZ rejected it after a change in the Croat member of the Bosnian presidency.

A new multi-ethnic board of governors at RTV BiH was, nevertheless, appointed, though its work was obstructed by SDA loyalists. With the memorandum stalled a year after its signing, Westendorp imposed a new Public Broadcasting Service (PBS) for the entire country. Issued on his last day in office in July 1999, the decision created a loose structure designed to ensure that Bosnia's statehood was respected, that the SDA-dominated broadcaster would be succeeded by a genuine multi-ethnic service and that a financially realistic model be pursued.

OHR lawyers found legal backing for a state-level broadcaster in Article II of the Bosnian constitution, which refers to the state setting up communication facilities. It was a groundbreaking interpretation that put an end to legal debates designed to obstruct multi-ethnic public broadcasting. The decision created a broadcaster for the Federation as well. Moreover, both entity broadcasters would in future only have access to international programming through the new BiH service, which would represent Bosnia in international organisations. The legal vacuum that had allowed large mono-ethnic public broadcasters to develop was eliminated. The new service was required to produce at least an hour of news and current affairs programming daily. The decision was described as an interim step and left room for future political representatives to amend or develop as necessary. Given the constraints of the Dayton Agreement, the limits of donor funding and the paralysed political climate at the time, the OHR had pushed as far as it could.

The PBS has now replaced RTV BiH as a member of the European Broadcasting Union (EBU) and broadcasts international sporting events on a country-wide signal. The Olympic games were aired with a multi-ethnic staff of commentators and a current affairs programme allowed viewers to participate in an election campaign discussion. An expert from the BBC has set out guidelines for creating a management structure in line with modern European practice. The High Representative has named multi-ethnic governing boards for the entity broadcasters in both Republika Srpska and the Federation.

Nationalist political parties have inevitably tried to manipulate the PBS governing board, obstructing its work at every step and portraying the entire project as a failure. The failure, of course, lies with the country's political leadership. If Bosnia's political leaders had embraced public service broadcasting standards and multi-ethnic principles, then the international community would never have intervened. Given the hostile attitude of the nationalist parties, the delays in putting PBS on the air with an evening news programme are understandable. However, it is now vital that talented editors are recruited promptly and that PBS

begins airing an evening news programme. A quality PBS news service for the whole country is crucial for building a climate free of intimidation and religious intolerance. A more pluralistic political scene in Bosnia and recent developments in Croatia and Serbia should offer some breathing space for the PBS to develop.

The most ambitious private media project in the Balkans was launched by the first High Representative, Carl Bildt, shortly before the country's first elections in 1996. The United States and the European Union funded the creation of a new multi-ethnic television network, the Open Broadcast Network (OBN), which was meant to serve as a commercial alternative to the mono-ethnic, politically controlled stations on the air. However, the network got off to a poor start with shoddy journalism and weak programming. It was run initially by diplomats with minimal experience in broadcast management. OBN played no role in the 1996 election campaign as it was barely on the air before the vote took place. Less than two years later, after major infusions of cash and advice from television professionals, OBN had put together a solid multi-ethnic news programme that served as a genuine alternative to the nationalist party propaganda. Civic opposition parties finally had a way of reaching voters with their message.

OBN met with fierce resistance among the nationalist parties, particularly the SDA, which tried to deny it broadcast frequencies. Some donor governments refused to support it, preferring home-grown media outlets. Despite its hefty price tag and shortcomings, OBN has played a significant role in breaking down ethnic barriers and creating a fragile pluralism in Bosnia. The Organisation for Security and Cooperation in Europe (OSCE) and the Swiss government launched a multi-ethnic radio network, Radio FERN, in 1996 that proved less controversial. Radio FERN has also produced a quality news service free of nationalist or political bias and has helped build a network of independent stations across the country.

OBN's principal sponsors, the United States and the European Union, had hoped that the station could become a self-sustaining commercial network, possibly covering a wider Serbo-Croat-speaking region. However, Bosnia's economy remains impoverished and the broadcasting market is saturated. As a result, the donors may conclude that OBN cannot make it commercially. Indeed, they are already discussing folding the news service into the PBS structure. Regardless of OBN's ultimate destiny, it has served an invaluable role as a counter-balance to the fabrications and distortions of the stations controlled by the nationalist parties.

Funding news organisations in authoritarian environments inevitably carries risks. Whenever money flows into corrupt and undemocratic societies, powerful political interests find ways to get to the money or hijack the station receiving the aid. To be effective and to ensure taxpayers' money is not wasted, a more coherent and unified approach by donor governments is essential. But to date, the approach of the international community has tended to resemble buckshot from a shotgun. Some of the aid hits the target and much goes to waste. In Bosnia, the media market is chaotic partly because Western governments were so ready to fund new radio and television stations.

There is also a danger that accompanies excessive faith in the commercial broadcasting sector, especially in the longer run. Funding a private station does not result automatically in editorial independence. Private stations in countries that lack an independent judiciary or proper commercial legislation are extremely vulnerable to manipulation by vested political or financial interests. The example of tainted commercial stations and publications throughout the former Soviet Union should serve as a warning against throwing money at the private sector without strict conditions. Otherwise, supposedly independent media turn into political weapons paid for by taxpayers in the European Union and North America.



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To ensure that commercial media in Bosnia evolve in a free and competitive environment, High Representative Petritsch recently suspended privatisation of media until a thorough review could be conducted. The focus of reform efforts in the future will likely turn to the privatisation process and business aspects of the media. The international community will need to push for the dismantling of media oligarchies and prevent the birth of new monopolies.

In terms of promoting the legal protection of journalists, the international community has begun replacing the communist-era laws that stifled free speech and journalistic inquiry. In July 1999, Westendorp invoked his authority as High Representative to strike down a provision that allowed prison sentences for those convicted under the defamation law. He called for a new defamation law and a freedom of information law to be drafted under international guidance. In October 2000, the state parliament adopted a law prepared by OSCE experts that grants free access to information held by governmental bodies except for a narrow range of categories. The freedom of information law, even if it is only partially enforced, carries the potential of transforming the culture of secrecy that has prevailed among Bosnia's political leaders.

A few representatives of press freedom organisations have accused NATO member states of violating free speech by taking action against media deemed inflammatory. When the IMC was established, these same critics claimed that media freedom would be endangered by an all-powerful agency ready to act arbitrarily. While there are obviously risks involved in any interventionist media strategy, many of the critics start from the wrong premises.

Instead of considering Bosnia, or indeed Kosovo, Rwanda or East Timor in terms of a Western democracy, it is important to view these countries through the lens of Germany in 1945. Do we promote free speech if we tolerate political control over broadcast frequencies and printing presses? If demagogues and dictators are allowed to incite religious, ethnic or racial hatred and genocide, do we uphold our democratic values? In countries without democratic traditions or institutions, there is no robust judicial system that protects journalists, no regulatory agency that prevents political interests from controlling publicly funded broadcasters, and no free market that ensures open access to printing presses and advertisers. Doing nothing simply enables vested interests to stifle journalists and dissent.

Where a multinational military keeps the peace, a maximum degree of international authority should be exercised in the media sector earlier rather than later. Frequencies

should not be handed out by political oligarchies. Adopting a laissez-faire approach to former warring factions signals weakness and offers opportunities to revive conflict. Better to take a firm line at the beginning and in this way lay the ground for an earlier withdrawal. An international strategy for fundamental economic and judicial reform must, however, accompany any attempt to promote media freedom. Political control of the economy precludes any attempt to establish a free, independent "Fourth Estate". Printing presses, advertising sources and access to frequencies must be free of political interference. Without an independent judiciary and police force, there is no protection against threats to journalistic inquiry and free speech.

One point that some press freedom activists have made, nevertheless, deserves more consideration. Institutions or regulations imposed by international administrators should conform to democratic standards because, at some point, the peacekeepers will depart and hand over to local authorities. Whatever is created by international peacekeeping missions will eventually be inherited by domestic governments. As much as possible, the laws, institutions and regulations that the international community supports should

be based on best democratic practice and principles. Intervention by the international authority on the ground must follow due process and be accompanied by broader, democratic reforms that protect journalistic inquiry. If there is no due process and no clear democratic principle at stake, intervening in the media or any other sector only to influence political developments tends to backfire. Donor governments cannot be seen to be violating the laws and regulations that operate in their own countries.

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Where a multinational military keeps the peace, maximum international authority should be exercised in the media sector sooner rather than later

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The good news is that the climate has improved for media freedom in Bosnia since 1995, sometimes because of the presence of the international community and sometimes in spite of it. The bad news is that the gains made so far are tenuous and dependent on vast, foreign donations. Too little attention has been devoted to training and educating aspiring journalists. Perhaps the benefits are not visible quickly enough for donor governments, which feel obliged to produce immediate results with aid money. The BBC School for broadcast news in Sarajevo, for example, which is sponsored by the United Kingdom and George Soros' Open Society Fund, has been an unqualified success and is helping shape a new generation of independent-minded broadcast journalists. International funding will inevitably decline over time. But it is critical to take the reform process forward. The media carry vast potential both to ignite war and to help establish democracy. Freeing them from political control should carry the same strategic priority as removing landmines or building bridges. ■

## Is it time to rewrite Dayton?

### Yes:

*Tony Borden is executive director of the Institute for War and Peace Reporting.*



### No:

*Daniel Serwer is director of the US Institute of Peace's Balkans Initiative.*



### Dear Daniel,

It has been a good year in the Balkans. In less than 12 months, Slobodan Milosevic, Franjo Tudjman, Alija Izetbegovic have all — for different reasons — left office. Even more important than the passing from the scene of these three disastrous presidents is the fact that people throughout the former Yugoslavia have, in different terms, voted in open elections against extremism and violence. After ten years of enduring racist stereotypes about their inherently violent nature, the people themselves are demonstrating, however hesitantly or problematically, the will to move on. This is not to overstate the progress: hard-line nationalism and especially corruption are prevalent, several conflict points remain, and fair Balkan winds can quickly revert to foul ones. But it would be an even greater error not to recognise the scale of this shift — and the potential it offers. Problems remain, but the war is over, and it's time to sweep away its legacy. To capitalise on this opportunity, it's essential to forge a positive broader vision for the region. It must be serious and achiev-

able, and it must show people the true respect of holding them to the highest international standards.

Ultimately, of course, this means entry for all states into the European Union. It must therefore mean early and rigorous respect for human rights and other democratic norms. (No, The Hague cannot be put on the back burner.) It means transparent structures — including generous but conditioned aid, with strong reporting mechanisms — and rule of law, not only on the streets, but also in the business and financial sectors. To achieve this, fabulous sums of money, repeated scolding, and tens of thousands of NATO troops are not enough. An essential part of the equation must be sensible, workable, believable political frameworks for the long term. The most unhealthy and unstable political framework in the region is the constitutional house of cards known as the Dayton Agreement. This settlement is the embodiment of the horrid war compromise among the three former presidents. It institutionalises the very problems that need to be overcome. It has created

an unworkable country, and it should be scrapped as soon as possible, in favour of a more sensible settlement for the future.

After five years, the obvious flaw hardly bears repeating (or have we forgotten?): Dayton recognises a political unit, in the Serb entity, based on genocide. But Republika Srpska is not the only problem. While international policy seeks to build a democratic Bosnia based on international norms of individual rights, all of the structures are based on ethnic terms. This contradiction cannot hold. If someone who is not Serb, Croat or Bosniac cannot by law sit on the presidency, a non-Serb cannot, constitutionally, be elected to the Bosnian presidency from Republika Srpska, and someone who is neither Croat nor Bosniac cannot be elected to the Bosnian presidency from the Federation of Bosnia and Herzegovina, then the entire political discourse is fundamentally perverted. An institutionalisation of political parties and structures which are ethnically based is inherently closed and, at least in Bosnia, will inevitably tend towards corruption.

The set-up means the most unworkable series of interlocking municipal, local, cantonal, federal and (few) state-wide institutions. This is unaffordable in the long term and dysfunctional in the short term. In one example, international funds may have been found to repair roads destroyed in the war, but now they are falling into disrepair again because the political structures are too dysfunctional to maintain them. I do not have space to go into the difficulties and delays which the system has forced onto the process of transforming state into public broadcasting, but having just travelled there to review the plans, I can assure you it's a nightmare of complexities. Frustration with the pace of reform in Bosnia is high, and Western diplomats complain bitterly about the intransigence and corruption in Bosnian politics. Because such complaints have some justification, that is only more reason to work for a new arrangement that does not institutionalise these very ills. Certainly after five years, it seems perverse to continue building a structure that must ultimately come down.

This is especially the case because under a recent ruling by the Constitutional Court, the Dayton political framework has essentially been deemed illegal. In a decision this summer, the Court judged that people of all ethnic backgrounds are constituent — that is, have full constitutional rights — in both entities. At a stroke, the entire entity-based structure has been challenged, and the ruling could ultimately kick the legs right out from under the Dayton table. This is probably inevitable. It would certainly be a good thing, and we should mobilise all our creativity and energies to help make it happen as soon as possible.

*Yours,*  
Tony

### Dear Tony,

There is a real need to go “beyond Dayton”. The three armies need to be integrated and a strategic doctrine developed that aims at protecting all of Bosnia and Herzegovina (Bosnia), rather than each of its communities against the others. Nothing less will enable Bosnia to think about Partnership for Peace membership. The three intelligence services should be abolished and a new one created. The nationalist parties should be deprived of their unfair advantages, especially control of state resources and patronage. The offensive presidential election provisions to which you refer need to be changed and the nationalist-dominated upper house of the Bosnian Parliament reformed. But I don't see any reason to believe that these changes would be easier without Dayton than with it.

I've got no particular brief for Dayton. It is an untidy compromise that froze in place the armies and nationalist political parties that made a mess of Bosnia's independence. Its elaborate structures and ethnic criteria are offensive to anyone who believes in transparent, one person/one vote democracy. The wartime history of Republika Srpska is, as you note, unhappy, and so too is its post-war resistance to the return of displaced people and refugees. I will welcome the day when Bosnians see themselves as citizens with equal rights rather than as Croats, Bosniacs and Serbs “protected” by group rights. But you've gone a long way to demonstrating that Dayton remains a viable instrument, one that in time could create the kind of Bosnia that will be part of Europe. It is a Dayton institution, the Constitutional Court, that has produced dramatic change in the Dayton structure. The fact that the Court decided that provisions in the entity constitutions concerning constituent peoples were unconstitu-

tional shows Dayton's strength, not its weakness. We should applaud and encourage the Court to continue its efforts and the international community to provide the Court with full support.

Are you sure that Dayton is so dysfunctional? Do you really want it scrapped without knowing what would come after? Are you confident something better could be negotiated? Any attempt to start again from scratch would provide extreme nationalists with a new opportunity to resuscitate separatist appeals that Dayton has stifled. Many in Western Europe would welcome Dayton's collapse, seeing it as confirmation that multi-ethnic states are not viable and partition inevitable. So, too, would some in the United States, convinced that separating Bosnians ethnically will solve the problem and allow the withdrawal of American troops.

Dayton offers potential that neither the international community nor the Bosnians have yet exploited. In December 1997, the Peace Implementation Council dramatically increased the powers of the High Representative to make binding decisions — including the authority to remove obstructionist officials. So far, these powers have been used piecemeal, but there is no reason why they could not be used in a comprehensive effort to remove the many obstructionists, and criminals, who remain in positions of authority. The Office of the High Representative also created the state border police, which is proving an important addition to the central institutions not envisaged in the original Dayton Agreement. Eliminating the High Representative and his powers — which is what scrapping Dayton would mean — would not do Bosnia any good.

Another area of the Dayton framework worthy of particular interna-

The most unhealthy and unstable political framework in the region is the constitutional house of cards known as the Dayton Agreement

TONY BORDEN

tional attention is the constitutional provisions that give priority over all other law to the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its protocols. These provisions have not yet been exploited vis-à-vis laws at all levels of government in Bosnia. Doing so would likely undermine the bases of nationalist party power and enhance the rights of individual citizens regardless of ethnic identity.

Bosnia's central government, notoriously weak, can be strengthened under Dayton. The functions of the commissions on human rights and property created at Dayton revert to the central government after five years — meaning now. The single economic space that Bosnia needs to be able to approach the European Union for an association agreement can only be realised through regulatory functions not envisaged at Dayton, but easily created if the political will is there.

The critical question remains international and Bosnian political will. With the dramatic changes in Croatia and Serbia, and the recent moderate gains in Bosnia, the situation is ripe for a more aggressive effort to exploit the potential of the Dayton Agreement over the next five years and to make the necessary changes to it where need be. The Dayton framework — a deeply flawed one — nevertheless provides

Bosnia with its best hope for the future.

*Yours,*  
Daniel

Dear Daniel,

Thanks for your reply. It confirms the broad consensus on the fundamental problems in Bosnia and our agreement that what matters is what can work to address them once and for all. Your summary of the main failings is especially helpful. The rub is that this list was as evident in December 1995 as it is today. The first time I had this argument with another colleague was in those urgent days even before the formal signatures were affixed on the accord in Paris: did Dayton placate partitionist desires in the interest of unity, or did it undermine unity in the service of effective partition?

At the time, Dayton was effective precisely because different parties could interpret it in different ways — and get on board with the project. I know you remember the sheer exhaustion of the time in Bosnia, which Dayton successfully exploited to halt the bloodshed. As unpalatable as it was, it worked. But five years on, the debate has not moved. The argument, as expressed by you and many others, is essentially that the pace of reform is acceptable given that there is no alternative, and anyway radical change could at some point be unleashed under Dayton, if only a truly bold High Representative were ready and willing.

Well, still waiting ... We have seen a steady increase in the capacity and determination of the Office of the High Representative. But especially after the recent elections, in which national parties scored unexpected success, it can no longer be enough to place one's hopes on "one more push". This leaves reform vulnerable

to shifting international commitment (a new US administration may be far less interventionist), individual personalities (what if the next High Representative is lousy?) and downright chaos (the raft of last-minute orders signed by the departing Carlos Westendorp were so hurried they even included draft notes and comments, which were incorporated into law).

More importantly, time, money and interest are running out. The growing frustration on all sides cannot bode well for a sustained civilian engagement. I have heard several colleagues in the Office of the High Representative in unguarded, unofficial moments express the feeling that the uncooperative Bosnians should be left to sink in their own corruption and petty bickering. US diplomats warn that the heady days of huge international aid for Bosnia — already put into question by the widespread corruption — will be decisively ended as funds are reallocated to a changing Serbia. Without the threat of a major war, Bosnia will lose out, and we are as likely to see a reduced, weaker international administration, as the opposite.

Yet there is a more fundamental problem. The contradiction at the heart of Dayton is in the end self-defeating. I am passionate about this because I work in the civil society sector, and believe the burden placed on this fragile component of the overall environment is too great. Dayton asks people at the "grass-roots" to build cooperation and ultimately unity when division is institutionalised at the highest level — and underwritten by the international community. This is why, after five years, central institutions remain ephemeral.

We agree that the Constitutional Court ruling offers the hope of breaking down the ethnicised insti-



tutions. But I hardly feel that such a statement of the obvious proves that the Dayton structure can actually reform itself. I'll be thrilled to be proved wrong. But the fact is that the Croat and Serb jurists on the bench boycotted that vote, leaving the verdict open to accusations of yet another Bosniac attempt to undermine the sovereignty of Republika Srpska. Doubtless international officials will bend over backwards to convince Banja Luka that this is not the case and, as so many times before, they will effectively be sustaining the status quo. On my most recent visit, an influential Western ambassador in Sarajevo told me the ruling is destabilising and must be resisted.

This is just one of many examples over the past half-decade that demonstrate that Dayton is not the solution but part of the problem. Nationalists and internationals alike have a vested interest in this bankrupt arrangement, and will not allow it to evolve. As long as Dayton remains unchanged, nationalist parties will continue to exploit it to maintain power and profit, and the international community will continue to degrade itself, waste resources, and remain stuck in an unreformed and unworkable country. Bosnia is heading for a new crisis, and a new urgency is essential. It's time to move the debate from Dayton, the war and the past to Bosnia, Europe and the future.

*Yours,*  
Tony

Dear Tony,

Sure enough: Europe and the future are the way to go. But doing away with the Dayton accords will not lead there. Why should it produce a more unified Bosnia, rather than a partitioned one? Abandoning Dayton is not in my view a practical propos-

al. It will not get you to where you want to go.

International attention to Bosnia is indeed waning, especially in the United States. Many Europeans, as you note, are not keen on implementing even a Constitutional Court decision that favours the unity of Bosnia. What do you think they are going to favour when it comes to writing a replacement for Dayton? The Americans would not, I suspect, have the same commanding position in revising it that they had in writing it. Who will have the clout and the will needed to create a consensus in favour of a more unified Bosnia?

I had the bittersweet pleasure of returning to Dayton in November for the fifth anniversary of the agreement. Bittersweet because I know Dayton's shortcomings, which were all too obvious in divisive presentations by members of each of Bosnia's three main ethnic groups. But there was also a clear commitment to resolving their differences by legal and constitutional means. Had they had that ten years ago, the war would not have occurred.

Below the surface of nationalist claims and recriminations, a consensus on a more unified — though not unitary — Bosnia is growing. Bosnians of all ethnic groups want to enter NATO's Partnership for Peace and to sign an association agreement with the European Union. They are beginning to recognise that military integration and economic unification are necessary steps in those directions.

Corruption is one of the major obstacles. Those who benefit from it want no part of economic integration, transparent military budgets and the rule of law. Fighting corruption in Bosnia would go a long way towards weakening the grip of the nationalist political parties.

Reopening Dayton would give them a new opportunity to exploit their political advantages. While disappointing, the recent elections show nationalist party strength continuing to wane. Full exploitation of the High Representative's powers, implementation of the constitutional court decisions and some changes in the Dayton constitution would deprive the nationalist parties of the unfair advantages they achieved at Dayton and have abused ever since. While I must defer to lawyers on the question of changing the Dayton constitution, it seems to me there are three possible avenues: amendment in accordance with its own provisions, decision in the Peace Implementation Council or decision by the High Representative. I would prefer any of the three to a wholesale revision of Dayton.

Bosnia today cannot be governed without support from moderate political parties. Working together with more moderate nationalists, they may be able to achieve results in the next few years that were beyond reach in the last few. They may even be able to govern on their own within a few years. I see no prospect for better results from abandoning Dayton. I am going to stick with what you term "one more push". Not because I like Dayton, but because Bosnia would suffer more from giving it up. Doing that at a time when Croatia and Serbia are finally turning in the right direction would be foolhardy and risk the stability of the entire region once again. The

Dayton offers potential that neither the international community nor the Bosnians have yet exploited  
DANIEL SERWER



We need a new approach  
— not a Dayton II  
conference but an  
anti-Dayton process

TONY BORDEN

Americans have invested \$20 billion in peace-building in the Balkans over the past ten years. The Europeans have invested more. The prospects of a return on those investments have never been greater than they are today. Now is not the time to give up. The new US administration will be looking for ways to shrink and shorten the international commitment in Bosnia. Upgrading Dayton is the way to go.

*Yours,*  
Daniel

Dear Daniel,

The real problem with our debate is not even Dayton itself — keep the name if you like, it's a fine city — but the concept of reaching political agreement that the accord represents. The three president-signatories are gone, but when I suggest “scuppering Dayton”, you seem to think of another conference, more regional and international leaders, and pressure-cooker negotiations full of

drama, whisky and a last-minute deal. Smoke-filled rooms can never deliver real peace. Why? The very process justifies, legitimises and, as we have seen in the recent elections, sustains those people and parties who are the very problem. Sure, if we get three Willy Brandts in the presidency and a Churchillian High Representative — all at the same time — Dayton's flaws will not matter. But as constituted, Dayton guarantees that we won't. Bosnian democracy is strangled by 13 competing country-wide, entity and cantonal constitutions, and the constant overriding by the High Representative of democratically elected national parties is itself inevitably radicalising.

We need a new approach — not a Dayton II conference but an anti-Dayton process. This takes advantage of all of the levers noted in your “one more push” strategy, starting with the imperative of an “Iron High Representative”. But we must now push, not only with real determination but in a different way. This means in the first place transparency. The broader goal is to establish a participatory democracy with full access for its people to the rights, benefits and responsibilities of the European Union. The aim — because the two things are mutually exclusive — is to rid Bosnia of its ethnicised politics and (bite the bullet) in due course undercut the sovereignty of the entities and cantons. A loose state, yes, but with a meaningful and sovereign central core. Second, it means consistency, especially on core issues of democracy and accountability. Don't even begin to talk about human rights, refugee returns or new politics, while so many war criminals remain at large and “new” Serbia is extended every lenience for those fugitives it harbours. Third, it means process. The means to anti-Dayton is as important as the ends. This is because new politics in Bosnia must be based on a fundamental reinter-

pretation of the role of the state — as the protector of individual rights rather than, as under communism, their main threat. To build a mandate for this state-in-formation, this new role must be explained (constantly), but it also must be made believable and tangible. New state-wide institutions must be formed urgently — wherever possible with consent, but without it if necessary — but in all cases with extensive consultation with the population. A permanent regional, governmental and non-governmental, conference on cooperation would be an excellent start, and could give real meaning to the process already launched through the Stability Pact.

In practical terms, even more important than the personality of the High Representative is the commitment of the international community. “Scuppering Dayton” means recognition by the Peace Implementation Council that the entire project is at risk if a new, more forceful approach is not adopted immediately. That means a determined process to build new politics and a clearly defined goal — a non-nationalist settlement, including the erasure of the absurd former front-line known as the inter-entity boundary line — within which such politics could thrive. There may be a nationalist backlash, but this risk has always been overstated and in any event, with NATO in place, is containable. In such a complex and mixed society, what is essential is to remove the constitutional and political stranglehold and create meaningful civic mechanisms — constitutional structures, electoral systems, conflict-management institutions, media and educational systems — that can move the country forward. With a fresh vision and a realistic state structure, Bosnians will themselves be able to build a system to balance and even combine interests for the benefit of all. Yet paradoxical-

cally, there will not be more democracy in Bosnia until the West imposes it.

*Yours,*  
Tony

Dear Tony,

I am glad to hear that you do not want a new international conference, but I am afraid the participatory mechanism you propose for creating a new and more unified Bosnia is unlikely to produce the result you want. An exclusively participatory process for revision of the Dayton constitution could well produce nothing — the nationalists have demonstrated in the most recent elections that they can still block integrationist efforts. Without vigorous action by what you call an Iron High Representative, it won't come out right. So in the end you seem to me to agree that "one last push" is the right way to go.

You suggest setting as a goal the elimination of the entities. I had once been inclined to a direct assault of this sort on the Dayton structure. If you can do it, I'd be among the first to sign on. But Bosnians who dislike the entities convinced me that a direct assault was likely to be counterproductive, causing a nationalist backlash. Entity economic power will wither if Bosnia undertakes a serious effort to prepare for an association agreement with the European Union. Likewise, the three separate armies will find reintegration logical and necessary as part of an effort to enter Partnership for Peace.

USIP has recently produced a report that outlines in specific terms policy options within the Dayton framework for weakening the entities. These include:

- giving the central government a reliable source of revenue that does not depend on the entities;

- severing nationalist party control over public resources;
- targeting aid to central institutions rather than the entities;
- amending the Dayton constitution to give all citizens three votes for the presidency (one for each of the representatives of constituent peoples);
- dismantling the three separate secret services;
- establishing a unified strategic military doctrine; and
- completing the vetting and professionalisation of the police in both entities.


I could go on much longer. There is really a great deal still to do within the Dayton framework.


Texas today calls itself "sovereign" because it was once independent, but Texans long ago learned that their welfare depended on giving up not only independence but also most "sovereign" functions. Today, the state of Texas retains a large measure of authority to govern, but sovereign functions like defence, foreign policy, monetary and customs policy as well as protection of human rights and regulation of interstate commerce are exercised by the US government. A similar evolution by the entities is not only desirable but possible.

In concluding, I'd like to underline the importance of exploiting the democratic changes in Croatia and Serbia. Bosnia's problems are due in large part to Tudjman's and Milosevic's ambitions for Greater Croatia and Greater Serbia respectively. Croatia is cutting off the Bosnian Croat army and nationalists and insisting that Bosnian Croats make their future within Bosnia. If Serbia were to do likewise — as the international community should insist — the situation within Bosnia would improve dramatically. A truly democratic Serbia will see Bosnia as a sovereign state and partner in

Balkans development. Then Serbs who live in Bosnia will be Bosnian citizens and make their future within the Bosnian state. Bosnia will be one country, no matter what lines may still exist on a map. That day may still be far off. But I think it will come sooner by upgrading Dayton than by abandoning it.

*Yours,*  
Daniel

 The Institute for War and Peace Reporting's award-winning journalism from the Balkans can be read at [www.iwpr.net](http://www.iwpr.net).

 The US Institute for Peace's recommendations for reinvigorating the Bosnian peace process and other papers on southeastern Europe can be found at [www.usip.org](http://www.usip.org).



The Dayton framework — a deeply flawed one — nevertheless provides Bosnia with its best hope for the future.

DANIEL SERWER

## PARTNERS ON THE NET

Regular visitors to the NATO web site may know ISN as an excellent search engine for material on international politics and defence. But this Swiss-funded network offers much more, especially to members of the Partnership for Peace (PfP).

Created in 1994 within the Centre for Security Studies and Conflict Research in Zurich, ISN or the International Relations and Security Network was initially designed as a tool to facilitate and promote the free flow of information among security analysts, think tanks and official bodies. But since 1997, ISN has become increasingly involved in promoting use of the Internet in Partner countries. Such activities were formally written into the current Partnership Work Programme at NATO's Washington summit in April 1999.

In the course of the past 18 months, the PfP-ISN partnership for "the promotion of the use and skills of information technology" has chalked up several achievements. Major region-wide projects with special reference to computer-assisted education have started. These include the Training and Education Enhancement Programme, which promotes the development of simulation programmes, electronic learning and other education projects to train officers, and the Advanced Distributed Learning (ADL), comprising language-training modules and courses on international organisations.

Cooperation in the field of ADL is now also coordinated by the PfP Consortium of Defence Academies and Security Studies Institutes, an organisation created at the bi-annual International Security Forum Conference in 1998 in Zurich. The consortium has a secretariat at the George Marshall European Center for Security Studies in Garmisch-Partenkirchen, Germany.



From an initial four-member team, ISN now employs close to 20 people and this year had an annual budget of 3.2 million Swiss francs (\$1.8 million). Since September 2000, the network has had its own representative at NATO, Stephan Libiszewski. Previously ISN's project coordinator in Zurich for over three years, Mr Libiszewski now liaises between the ISN head office, NATO headquarters and Partner missions to NATO.

As information technology is integrated into PfP programmes, the demand for the network's services is growing and ISN-organised training seminars in Partner countries are proving increasingly popular. In 2000, ISN conducted training sessions on "the use of the Internet for the international security practitioner" in Latvia and Romania and similar seminars are planned in Bulgaria, Estonia and Georgia next year.

Following a three-day training seminar in Bucharest in September, Romania's defence ministry plans to sign a memorandum of intent with ISN for future cooperation and envisages further courses. The seminar, which involved hands-on information courses and practical simulation exercises for students, proved extremely popular.

Shortages in computing equipment remain a barrier to greater use of the Internet in many Partner countries. Although ISN has, since 1998, equipped nine different research institutes in Moscow and Sofia with computers and technical assistance,


the network does not intend to supply hardware.

"We acknowledge a great need for equipment in many Partner countries," Mr Libiszewski said, "But other institutions like the Soros Foundation, the US-sponsored PfP Information Management System, and the PfP Consortium already furnish equipment to institutions in need. With content and education-oriented services, we hope we provide the right complementary approach."

ISN's latest initiatives include the development of free on-line learning courses on the non-proliferation of chemical and biological weapons, and CD-Roms on Swiss security policy and the history of international security since 1945. The network also awards individual grants worth up to 10,000 Swiss francs for unique multimedia learning programmes. Since 1998, six projects from Italy to Ukraine have benefited from such awards.

ISN also runs a Parallel History Programme and a PfP Documentation Centre, created in 1999 and 2000 respectively. The former is an on-line database of Cold War material from national and institutional archives in both East and West. As sensitivities fade and more of these documents are declassified, they will be added to the database. The latter offers access to the proceedings of selected PfP activities.

In the wake of NATO's Kosovo campaign and heightened public awareness of the Internet's potential in the field of international security, ISN is exploring ways to employ information technology as a confidence-building tool in the Balkans. "Promoting the development of regional networks of security policy experts with the support of the Internet is a means of fostering transnational communities. These will have a positive impact on the democratisation and stabilisation of the region," Mr Libiszewski said. ■

 ISN is on the Internet at [www.isn.ethz.ch](http://www.isn.ethz.ch).

# ALBANIAN DISASTER PLANNING

The earth began to shake violently at exactly 7:30 in the morning. Houses swayed and then crumbled, flames ripped through collapsed buildings, and more than 4,000 people found themselves homeless within minutes. Phone lines were down, power lines cut and a landslide blocked all routes in and out of Elbasan, an Albanian town, about 54 kilometres southeast of Tirana. With corpses littering the rubble, bleeding and injured residents screaming in pain and victims trapped under the ruins of their former homes, desperately trying to make themselves heard, panic spread. Within half an hour, as the scale of the natural disaster became apparent, agencies specialising in emergency response learned of it and began preparing their intervention.

This was the scenario for *Albania Disaster Simulation 2000*, Albania's first civil-emergency planning exercise, which took place on 17 October. Such a scenario, which was inspired by the September 1999 Athens earthquake, could occur very easily in Albania, since the country lies on the same, highly sensitive fault-line as Greece and Turkey. The simulation aimed primarily at clarifying the roles and responsibilities of key agencies in Albania in the event of a natural disaster, rather than the management of such an earthquake.

The local government ministry, local authorities, emergency services, non-governmental organisations and international agencies joined in this real-time simulation, which aimed to reproduce the conditions of the critical first ten hours following a natural

disaster, the time it usually takes for international assistance to arrive. Activities included casualty evacuation, food and water distribution, psychological and medical support and the supply of clothing and shelter.

The exercise was the result of three months of intensive preparations. It also followed a year of cooperation between NATO Allies, Partner countries and Albanian authorities to develop a national civil-emergency planning structure and organisation as required under Albania's Individual Partnership Programme with NATO. Moreover, a NATO consultant, Silla Jonsdottir, has been based in Tirana since April 1999 as a legal adviser to Albania's civil-emergency interministerial working group, helping draft the necessary legislation.

Ms Jonsdottir, who is from Iceland, arrived in Albania during



NATO's Kosovo campaign at a time when hundreds of thousands of refugees from Kosovo were spilling over the Albanian border, overwhelming the country's emergency-response services. The experience of having to provide emergency aid for so many people helped make the task of the interministerial group a governmental priority. Between November 1999 and January 2000,

the group studied civil-emergency systems in Partner countries like Slovenia, Sweden and Austria. It then prepared a draft law, which was submitted in May 2000 to ministries, institutions, international agencies and non-governmental organisations for comment.

"For the first time, all these people experienced a totally new working method based on unlimited information and experience-sharing," said Ms Jonsdottir. "This approach forms the base of any well-functioning and efficient cooperation." The consultation process generated input from more than 20 sources, which has been incorporated into the draft document. It should be adopted into law in the near future.

As Ms Jonsdottir's assignment and NATO's assistance comes to an end, Albania will look to Allies and Partner countries for help in continuing the implementation of the legislation. "Assistance to Albania might now exist on a bilateral basis, under the NATO umbrella", Ms Jonsdottir said. "We currently envisage appointing a lead nation to supervise the process."

NATO expanded its civil-emergency planning activities to include members of the Partnership for Peace programme in 1995, many of which have since become very active in the field. Indeed, in 2000 alone, the Alliance helped organise more than 100 civil-emergency planning events, including exercises, seminars and workshops, and involving more than 100,000 officials from throughout the Euro-Atlantic region. Ms Jonsdottir's assignment, nevertheless, constitutes a milestone in NATO's civil-emergency planning as the Alliance has moved beyond its traditional, educational role, to provide tailor-made assistance on specific issues, paving the way for further stability-building programmes. ■



*genocide in Bosnia* (University of California Press, 1996) by Michael Sells, a US professor of religious studies of Serb origin, analyses the role and abuse of religion in the conflict. *Genocide in Bosnia: the policy of "ethnic cleansing"* (Texas A&M University Press, 1995) by Norman Cigar, a US Middle-Eastern specialist of Croatian origin, examines the ideological preparation for ethnic cleansing.

The difficulties faced by the United Nations Protection Force (UNPROFOR) are examined in *With No Peace to Keep: UN peacekeeping and the war in the former Yugoslavia* (Media East West, 1996), a collection of essays edited by Ben Cohen and George Stamkoski. And David Rieff examines the shortcomings of the United Nations' mission in Bosnia in *Slaughterhouse: Bosnia and the failure of the West* (Simon and Schuster, 1995).

Several UN commanders have written accounts of their time in Bosnia, some to justify the policies they adopted, others to vent their frustration at not being able to do more. General Lewis MacKenzie, the Canadian who was first to command UNPROFOR in Sarajevo, tells his story in *Peacekeeper: the road to Sarajevo* (Douglas and McIntyre, 1993). General Philippe Morillon, a French UNPROFOR commander whose actions helped create the United Nations' safe-haven policy, published his memoirs soon after leaving Bosnia in *Croire et oser: chronique de Sarajevo* (Grasset 1993). General Sir Michael Rose, the first British commander of UNPROFOR, gave his account of events in *Fighting For Peace: Bosnia 1994* (Harvill, 1998).

General Francis Briquemont, a Belgian UNPROFOR commander, lets off steam in *Do Something General! chronique de Bosnie-Herzegovine, 12 juillet 1993 — 24 janvier 1994* (Labot, 1998). Colonel Bob Stewart, the British commander in central Bosnia between October 1992 and May 1993 during the most intensive Bosniac-Croat fighting, provides his insight into events in *Broken Lives: a personal view of the Bosnian conflict* (HarperCollins, 1994). French General Jean Cot, who commanded UNPROFOR between July 1993 and March 1994 before resigning in frustration, has helped write two books on Bosnia, *Demain la Bosnie* (L'Harmattan, 1999) and *Dernière guerre balkanique? — ex-Yougoslavie: témoignages, analyses, perspectives* (L'Harmattan, 1996), a collection of essays he edited with Cécile Monnot.

European Union negotiator, Lord David Owen, gives his account of the peace talks in *Balkan Odyssey* (Indigo, 1996), lamenting the international community's failure to

support the so-called Vance-Owen plan of 1993. In *Triumph of the Lack of Will: international diplomacy and the Yugoslav war* (C. Hurst & Co, 1997), James Gow, a British academic, agrees that a critical opportunity was missed in 1993 and offers a balanced account of the international mediation process.

The killing of as many as 8,000 Bosniac males in Srebrenica in July 1995 helped generate a more robust international intervention. This event, the greatest single atrocity of the wars of Yugoslav dissolution, is dissected by Pulitzer-Prize-winning journalist, David Rohde, in *Endgame: The Betrayal and Fall of Srebrenica, Europe's Worst Massacre Since World War II* (Farrar, Straus and Giroux, 1997) and by Jan Willem

Honig and Norbet Both, who focus on the role of the Dutch peacekeepers in *Srebrenica: record of a war crime* (Penguin, 1996). And, almost in the style of Andric himself, Chuck Sudetic, formerly of *The New York Times*, drew on the experience of his wife's brother-in-law's family, who were from Srebrenica, to write *Blood and Vengeance: one family's story of the war in Bosnia* (W.W. Norton & Co, 1998), perhaps the finest book yet written on Bosnia.



Three of the best

After the fall of Srebrenica, the United States took on an increasingly important mediation role, personified by Richard Holbrooke, who gives his account of the events leading to the Dayton Agreement in *To End a War* (Random House, 1998). A different version of the same events is contained in *Getting to Dayton: The Making of America's Bosnia Policy* (Brookings Institution Press, 2000) by Ivo Daalder, currently at the Brookings Institution and formerly the European affairs director at the National Security Council, where he coordinated US policy on Bosnia between 1995 and 1996.

The gap in Bosnia books is the post-Dayton period. *Peace Journey: the struggle for peace in Bosnia* (Weidenfeld, 1998) by Carl Bildt is an account of the huge difficulties he faced as Bosnia's first High Representative, but it ends in July 1997. Rupert Wolfe Murray, a British writer, has published two picture books on the peacekeeping missions, *IFOR on IFOR: NATO peacekeepers in Bosnia-Herzegovina* (Connect, 1996) and *The Road to Peace, NATO and the International community in Bosnia* (Connect, 1997). However, the only attempt to synthesise the entire peace process, *Faking Democracy After Dayton* (Pluto Press, 1999) by British academic David Chandler, is undermined by ideological hostility to international intervention. ■

# Rethinking security

*Chris Donnelly highlights new threats to security and urges the adoption of robust strategies to combat them.*



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Armed intervention: Organised crime is an issue of national security because of its international nature, its links with former hostile intelligence agencies and its capacity to subvert the governmental process.

**I**t is more than a decade since the threat of a super-power clash in Europe disappeared. Although many people have since died in civil wars and local conflicts, on-going reductions in the size and strength of armed forces are testimony to the fundamental change in perceptions of what constitutes a security threat. As conventional and nuclear arsenals shrink, and the demands of peacekeeping force a reappraisal of the roles and duties of soldiers, attention has largely been focused on the associated military reform, the restructuring of defence industries and consequent strains in the relationship between military and society. However, as traditional security

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threats have receded, other non-military threats have become more virulent.

What is under attack is not the territory of the state but its fabric, the nature of its society, the functioning of its institutions, and the well-being of its citizens. These threats, which include corruption, organised crime and terrorism, are more difficult to define than purely military ones, and therefore more difficult to counter. Moreover, in some instances, the cure for such threats can be worse than the disease. Indeed, state action to combat a threat to democracy risks bringing in dictatorial processes that restrict personal liberties more than the threats it was designed to prevent. If, therefore, these new challenges are to be dealt with wisely, a great deal of clear thinking and sensitivity is necessary.

Many of these threats have not traditionally been viewed as security matters. It is, after all, only 20 years since the



concept of “national security” crept into general usage in the West, and less than ten years since it has been properly understood in the new democracies of central and eastern Europe, where “security” to most people meant “state security”, that is, the work of the secret police.

Since state bureaucracies are by nature slow to change, the structures of defence and interior ministries generally reflect older approaches and concepts. They are set up to deal with “defence” and “public safety” rather than “national security” issues. The delay between recognising changing demands and the creation of appropriate structures to satisfy them often creates a security gap. Although the European Union was expected to evolve to meet non-military threats to security when they were first identified, this has not happened. The wars of Yugoslav dissolution have distracted attention from these new security threats that today affect all countries and pose a particular risk to the fragile democracies of central and eastern Europe.

The most basic threat to the stability of most central and eastern European countries today is the lack of effective crisis management. Although this has been recognised as a problem, the legacy of communist rule in the region leads most governments to try and solve it by creating a new central command structure, which a crisis management team would occupy in event of emergency and from where it would manage the crisis. While such a command cell can be useful, it is not in itself a solution. This is because of the internal failings of many central and eastern European governments. Governmental shortcomings include an inadequate legal division of power and responsibilities between agencies of governance, the offices of the key political leaders, ministries and parliaments; ineffective and non-transparent functioning of those agencies and, in particular, the ministries of defence, interior, justice and finance; a shortage of officials with appropriate expertise; and failure to ensure popular support for policies. Many central and eastern European governments are brittle and lack flexibility, with the result that a serious crisis, internal or external, could shatter what appears outwardly to be a stable system. In the absence of good governance, no amount of computers in an impressive command centre will provide effective crisis management.

Corruption is a security threat in its own right, as well as a contributory factor to the governmental failings considered above. Indeed, it is the single most serious threat to the viability of several countries of the former Soviet Union and a severe problem everywhere. Its origins are many and complex, but it is universally pernicious and must be tackled if new democracies are to fulfil their potential. Despite talk of a new, borderless European security architecture, lines are already being drawn. However, they are not being drawn on the basis of NATO or EU enlargement, but on the basis of administrative and business practices, and the extent to which these meet established standards of honesty and transparency. Sadly, corruption in many countries

starts at the very top, with ministers and even presidents not being immune from its influence.

Organised crime is the non-military security threat that attracts most attention. Yet, were it not for the inadequacies of the governmental process and the extent of corruption, it would not exist, at least not on a scale that makes it a security threat. Organised crime has a higher profile than other potential security threats because it has such an obvious and immediate effect on people’s lives and is exported so easily. Indeed, it is often the interface between internal and external threats that makes many of the security threats considered below so real.

The ground for organised crime was fertile in central and eastern Europe because of the region’s communist heritage. Because the medium of wealth was Party privilege rather than money, policing systems in the region were underdeveloped. Moreover, they were based on a discredited philosophy of public order, which undermined their authority in popular eyes. This permitted already well-established criminal organisations to flourish. Worse still, these groups were encouraged by the lack of an ethical base for security; the absence of an effective legal system to set the parameters of business practices, muddying the lines between mafia activities, legitimate business practices and government; and opportunistic Western partners more interested in short-term returns than long-term stability.

What makes organised crime so great a security problem is not only its scale, exportability and the absence of national and international institutions to deal with it, but also its acceptability. Although laundering the proceeds of organised crime is universally condemned, most western financial centres welcome money from central and eastern European countries and do not examine its provenance too closely. Many national security services relegate organised crime penetration to their police forces. They should, however, appreciate that its international nature, its scale, its links with former hostile intelligence agencies and its capacity to subvert the governmental process make it truly an issue of national security. Israel was one of the first countries to suffer from the influx of Russian mafiosi and the Israeli security agencies now regret not paying greater attention to this phenomenon earlier.

Ethnic conflict and nationalism have contributed to the erosion of the concept of the nation state during the past decade. In many places, this has already resulted in greater local autonomy, reduced power for central authority and, in some cases, even the break-up of countries. The issue today is how much further this disintegration can go and at what level the process can or should be halted. Many states have to deal with minority groups struggling for greater autonomy or even attempting to change national borders. At one end of the scale, in, say, Chechnya, these groups can threaten the state with secession. At the other, they may, for example, pressure a government seeking membership of

NATO or the European Union, by threatening to create internal problems that tarnish the country's image abroad. Migration, which is often a consequence of ethnic conflict, is already one of the most politically sensitive issues in Europe and likely to become an even greater problem as the wealth gap widens between countries at Europe's core and those on its periphery.

The issue of proliferation is often considered a military matter. However, the task of addressing it has increasingly been entrusted to security agencies other than the defence ministry, that is the interior ministry, police and border guards. Moreover, the issue has evolved during the past ten years. Whereas proliferation once referred exclusively to nuclear weapons and materials, this is no longer the case. Advances in other scientific fields and the corresponding difficulty of identifying military from civilian uses of this technology has extended use of the term to cover chemical and biological fields. Moreover, since new technologies have become weapons in themselves, proliferation must now be taken to include technology of all types. The damage to national security that can be inflicted by a well-organised group of computer hackers, for example, needs no further elaboration. Poor nations can acquire this technology, and may have nothing to lose by using it.

New threats, like old, can also be subject to political manipulation. This is all the more the case because new threats have often not been adequately defined or contained, public sensitivity to them is high, and existing mechanisms for dealing with them are weak. Exaggerated or spurious threats include, among others, fundamentalism, terrorism, and information security. While the threat of all three can be real, all three examples can also illustrate how the political manipulation, exaggeration or misunderstanding of a threat may undermine capacity to deal with it.

Take terrorism. Countries must and should cooperate to reduce its impact and prevent its spread. Yet, when we look at what terrorism is defined as, controlling it can in some countries be a cover for repression of what, in others, would be seen as a legitimate movement for self-rule. Similar considerations apply to fundamentalism. This can be a serious problem but, because the threat has been so exaggerated in the past, it has been debased. Politicians "crying wolf" have, to some extent, desensitised their populations to this threat, at a time when it may now actually be becoming more serious.

Information security is likewise of real concern to all nations. However, in some central and eastern European countries, what is understood by this term is very different to what it has come to mean in the West. Indeed, information security may even be abused as a catch-all justification for state control of information, where a government fears

free expression and would rather re-impose authoritarian control.

These three examples highlight the potential for political manipulation of some new, non-military threats to security. More study of this problem is necessary, as well as more education of policy elites, journalists and the public so that the measures taken to protect society are appropriate, effective, and not counter-productive. Gauging where to draw the line between the legitimate expression of ideas and interests and unjustifiable threats to the health or existence of state and society requires serious analysis. Where we draw this line depends upon our definition of democracy, legality and human rights.

Since non-military threats to security are new, international institutions have not yet evolved to meet them. Although they are recognised in NATO's most recent strategic concept, these threats fall outside the Alliance's traditional remit and NATO has not yet developed the mechanisms to deal with them adequately. The European Union has the mandate to address most of the issues, and has made progress in some areas, such as strengthening border regimes and justice ministries in central and eastern Europe. But many areas are yet to be addressed and it will be some years before the European Union's central institutions are equipped to deal with them. Meanwhile, other international institutions, such as Interpol and Europol, work to encourage operational concepts, but have to date done little to help central and eastern European countries reform their existing institutions or create the necessary new ones. Bilateral police and customs contacts, good though they may sometimes be, are in the same situation.

Anti-corruption programmes have been run successfully in several countries and the basic principles are well-established. The need to invest in and develop police forces and reform internal security forces from Soviet models to Western-style gendarmeries has also been recognised, although progress is slow in some countries. So much has been achieved in improving customs and border regimes in some central European countries that there is no excuse for not extending this model further eastwards. Legislation is perhaps the most sensitive issue because it touches on the relative positions of parliaments and governments. But enough experience is already available to help countries keen to establish appropriate legal frameworks. Tackling non-military threats to security requires robust strategies. These can only be developed if key people from government, law-enforcement agencies and research institutes come together to develop a comprehensive approach to these problems, which today constitute the most immediate and fastest-growing threats to the safety and survival of new democracies. ■

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As traditional security threats have receded, other non-military threats have become more virulent

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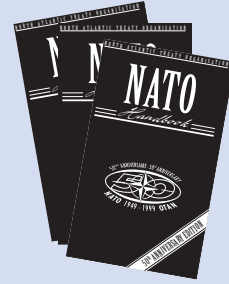


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