

# Cooperative Security – the Concept and its Application in South Eastern Europe

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## Introduction

The concept of “cooperative security” has been developed over the past decades. One definition from the early nineties sees it as “a strategic principle that seeks to accomplish its purposes through institutional consent rather than through threats of material or physical coercion”.<sup>1</sup> Another one would define that

the central purpose of cooperative security arrangements is to prevent war and to do so primarily by preventing the means for successful aggression from being assembled, thus also obviating the need for states so threatened to make their own counterpreparations. Cooperative security thus displaces the centerpiece of security planning from preparing to counter threats to preventing such threats from arising - from deterring aggression to making preparation for it more difficult. Cooperative security differs from the traditional idea of collective security as preventive medicine differs from acute care.<sup>2</sup>

The term is, however, not without problems. The first one concerns its semantics. It is hard to imagine how “security” would be either “cooperative”, or its opposite. What is obviously meant, deriving from the above definition, is not “security” as such but a specific security policy

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<sup>1</sup> J.E. Nolan et. al., “*The Concept of Cooperative Security*”, in: J.E. Nolan (ed.), *Global Engagement, Cooperation and Security in the 21st Century*; Brookings, Washington, D.C., 1994, pp. 4-5.

<sup>2</sup> Ashton Carter/William Perry/John D. Steinbrunner, *A New Concept of Cooperative Security*; Brookings Institution, Washington D.C. 1992; p. 7. This definition coincides with the authors earlier distinction between “preventive” and “repressive” instruments of security policy; see H.Vetschera, “*International Law and International Security - The Case of Force Control*”, in: J. Delbrück (ed.), *German Yearbook of International Law*, vol. 24, Berlin, 1982. It will be the definition used within this paper.

strategy.<sup>3</sup> In this context, the term would indicate a move from “traditional” security policy strategies based upon coercion and confrontation towards a strategy which attempts to find solution for security problems in cooperation even with potential enemies.

The second one concerns the novelty of the concept. In contrast to the way it has been frequently presented, it is not too new at all. It could be traced back practically throughout the history of diplomatic relations. It was first explicitly expressed in the development of the arms control concept in the early sixties of the 20th century by Schelling/Halperin, Brennan and Bull<sup>4</sup> who emphasized the necessity to cooperate even with potential enemies in order to prevent the outbreak of wars. It has, however, gained increased popularity in the later stages of the East-West confrontation where it was frequently presented as “alternative” security policy, juxtaposed to deterrence, and after the end of the East-West divide finally emerged as a dominating principle of European security policy, enshrined in relevant documents in particular in the context of the Conference on (and later Organization for) Security and Cooperation in Europe (CSCE/OSCE).<sup>5</sup>

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<sup>3</sup> Therefore, within this paper we would prefer to use the conceptually more correct term “cooperative security (policy)” rather than the misleading term “cooperative security”.

<sup>4</sup> “A nation’s military force, while opposing the military force of potentially hostile nations, is also bound to collaborate, implicitly if not explicitly, in avoiding the kinds of crises in which withdrawal is intolerable for both sides, in avoiding false alarms and mistaken intentions, and in providing reassurance that restraint on the part of the potential enemies would be matched by restraint on one’s own side” (emphasis H.V.); Thomas C. Schelling/Morton H. Halperin, *Strategy and Arms Control*, 1961; reprint 1985, McLean, VA, p. 1; The same approach has been taken by Donald G. Brennan, *Setting and Goals of Arms Control*, in: D. G. Brennan (ed.), *Arms Control, Disarmament and National Security*; G. Braziller, New York, 1961; and Hedley Bull, *The Control of the Arms Race*, London, 1961.

<sup>5</sup> The CSCE/OSCE has been frequently characterized as an archetypal institution of cooperative security (policy), See for example “*Cooperative Security* is the best characterization of the CSCE as a security regime, both in terms of the role of reciprocity and the mode of decision-making”; Kari Möttölä, *Prospects for Cooperative Security in Europe: The Role of the CSCE*; in: Michael R. Lucas, *The CSCE in the 1990s: Constructing European Security and Cooperation*; Nomos, Baden/Baden, 1993, pp. 1-29 (28).

Ironically, at the same time when the concept of “cooperative security” became the mantra of European security policy, Europe experienced the fiercest breakout of violence since the end of World War II with the secession wars in former Yugoslavia. It became on the one hand a clear indicator for the limits of cooperative security strategies, while the post-war settlements, on the other hand, clearly indicated the role of cooperative security policy strategies not only to prevent armed conflicts, but also to re-establish security in post-war situations.

The following paper will thus

- present the substance of cooperative security policy strategies, including their relation to other, allegedly “more traditional”, security policy strategies;
- indicate how the various security policy strategies have been used in the context of Yugoslav secession wars and thereafter, and finally
- assess the application of cooperative other security and strategies in the sequence of the dissolution of former Yugoslavia, and the criteria for their success or failure.

## **The Concept of Cooperative Security (Policy)**

Despite the above definition, the concept of “cooperative security” and its use appears rather fuzzy, in particular within the academic community.<sup>6</sup> Definitions are – in particular in the American academic debate – mostly linked to the dispute between “realists” and “idealists”, although there are indications that the gap might shrink.<sup>7</sup> In the same context, co-

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<sup>6</sup> In particular with the studies of Carter/Perry/Steinbrunner as well as the collective edition by J. Nolan, and the debate about the role of international institutions between Mearsheimer, Glaser, Keohane/ Martin, Kupchan/Kupchan and Ruggie in *International Security*, vol. 19, no. 3 spring 1995, and vol. 20, no. 1, summer 1995.

<sup>7</sup> “Structural realism properly understood predicts that, under a wide range of conditions, adversaries can best achieve their security goals through cooperative policies, not competitive ones, and should, therefore, choose cooperation when these conditions prevail”; Charles L. Glaser, *Realists as Optimists: Cooperation as Self-Help*; in: *International Security*, Winter 1994/95; vol. 19, no. 3, pp. 50-90 (51).

operative security (policy) has been frequently seen as a question of institutions which are in the view of “realists” perceived as illusions.<sup>8</sup>

Despite the rather coherent definitions of “cooperative security” given at the beginning of this paper, there appear no clear indications about its characteristics, its substance or its limits both in conceptual and in practical terms.<sup>9</sup> A particular weakness within this debate is the lack of any conceptual opposite to “cooperative security” which leads in many cases to a mix-up with traditional concepts, as for example collective security.<sup>10</sup>

The debate about chances and limits of “cooperative security” has thus mostly been guided by some unrealistic expectations about its capabilities. On the one hand, “idealistic”/“liberal” representatives tend to present “cooperative security” as a comprehensive alternative which could finally replace allegedly more “traditional” security policy approaches and make them obsolete. On the other hand, “realistic” representatives come – in reaction to such unrealistic claims – to the conclusion that “cooperative security” would be just an illusion as it could not live up to such overoptimistic expectations. There are only few authors who come to a balanced view,<sup>11</sup> but even they are frequently trapped in the lack of delineation to other concepts.

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<sup>8</sup> See John J. Mearsheimer, *The False Promise of International Institutions*; in: *International Security*, winter 1994/95; Vol. 19, no. 3, pp. 5-49.

<sup>9</sup> In particular with respect to the role of non-cooperative instruments. See for example Möttölä, “The success of the CSCE in pursuing *deterrence* (*emphasis H.V.*) of war and conflict...”, *ibid*, p. 29; or Perry, “An integral part of any cooperative security regime must therefore be the capability to organize multinational forces to defeat aggression should it occur”; W. J. Perry, *Military Action: When to use It and How to Ensure Its Effectiveness*; in: J. Nolan (ed.), *Global Engagement*, pp. 235-241 (235). The terms “deterrence” or “defeat” would normally not be associated with “cooperative”, but rather with other strategies; see below.

<sup>10</sup> As for example in Perrys view on “multinational forces to *defeat aggression* should it occur”; see above. Such statements would correspond to the concept of “collective” rather “cooperative” security.

<sup>11</sup> As for example C. L. Glaser, *ibid*, p. 50.

The lack of conceptual clarity thus leads to mistaken views and expectations. On the one hand, cooperation is presented as a general concept to overcome the anarchy of the international system<sup>12</sup> as perceived by the “realists”. On the other hand – and mainly in reaction to these overoptimistic views – “cooperative security” is viewed as insufficient by the mainstream of the “realists”.<sup>13</sup> The contradictions are further aggravated by the presentation of “cooperative security” not only as an antithesis, but also implicitly as a preferable alternative to traditional security policy strategies.<sup>14</sup>

If, however, seen as complementary, rather than alternative, to traditional, “competitive”<sup>15</sup> strategies, applied in accordance with the circumstances, it may also find its way into the “realist” school of international relations.<sup>16</sup>

## **Cooperative and non-cooperative security policies**

“Cooperative security” has been frequently defined as differing from “traditional” security policy strategies, but little has been said about the difference in substance. The approach appears conceptually flawed, as “tradition” is not by definition an opposite term to “cooperation”. A more adequate term for the opposite would be “competitive” as used by Glaser.<sup>17</sup> For the purpose of this paper we would prefer, however, the

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<sup>12</sup> Examples at J. Mearsheimer, *ibid.*, pp. 38-39.

<sup>13</sup> “Structural realists are pessimistic about the prospects for international cooperation; they believe that competition between the major powers in the international system is the normal state of affairs”; C. L. Glaser, *ibid.*, p. 50.

<sup>14</sup> “Structural realism properly understood predicts that, under a wide range of conditions, adversaries can best achieve their security goals through cooperative policies, not competitive ones, and should, therefore, choose cooperation when these conditions prevail”; C. L. Glaser, *ibid.*

<sup>15</sup> The term used by C. L. Glaser; *ibid.*, p. 51; it corresponds to a large degree to the term “confrontational” security policy as used by the author in earlier studies.

<sup>16</sup> Cf. C. L. Glaser, *ibid.*, p. 50.

<sup>17</sup> See above.

term “non-cooperative”. In this distinction, the allegedly “traditional” strategies would be mostly identified as “non-cooperative”.<sup>18</sup>

### **The Differences between non-cooperative and cooperative strategies**

“Non-cooperative” strategies are primarily aimed at giving security “from” each other. In the view of game theory, they would have to be defined as a “zero-sum game”, where any gains could only be achieved at the expense of the other side, in particular when it comes to power politics. They perceive the other players as competitors and are thus justifiably described as “competitive”.

Within non-cooperative strategies, the most pristine one would be individual or collective self-defence.<sup>19</sup> It can manifest itself either as “defence” in the original, narrow sense, or as deterrence. In the context of collective self-defence, its institutional framework would be alliances, aimed against a potential adversary outside the alliance which in most cases has already in advance been identified as threat.<sup>20</sup>

Another manifestation of non-cooperative strategies is the concept of “collective security”, as developed within the institutional frameworks of the League of Nations or the United Nations.<sup>21</sup> It is no longer aimed against a more or less identifiable potential adversary from outside the system, but against any potential aggressor within the system. Future aggression should be deterred by the threat of joint coercive actions against the would-be aggressor. It requires an adequate institutional

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<sup>18</sup> We should not ignore, however, that classical (and therefore “traditional”) means as for example diplomacy would also fall into the “cooperative” category”. They have, however, for a long time not been perceived as means of “security policy” by the security policy mainstream.

<sup>19</sup> Cf. Art. 51 of the UN Charter.

<sup>20</sup> As for example the original purpose of NATO to deter a potential aggression by the Soviet Union and its allies.

<sup>21</sup> Cf. Art. 1 of the UN Charter: “... *to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace*”.

framework with decision-making capabilities to decide about coercive measures against the aggressor.<sup>22</sup>

Practice has shown, however, that such institutions are as a rule not limited to coercive measures only. They should also provide for the promotion of peaceful relations and peaceful settlement of disputes among their members, and thus contain some cooperative elements.<sup>23</sup>

Truly cooperative strategies should contain no coercive elements at all. As it derives from the various descriptions, they should be characterized by finding solutions for security problems in cooperation even with potential competitors. They should not aim at deterrence but at preventing conflicts from emerging, or at least preventing political disputes to grow into armed conflicts.<sup>24</sup> Their instruments aim at improved predictability, the reduction of misunderstandings, and conflict prevention by negotiations and consultations. They are, in their essence, preventive.<sup>25</sup>

In the context of game theory, cooperative strategies would be characterized as non-zero-sum games. The players could achieve higher gains (or reduce their losses significantly) by cooperating, rather than competing, with each other.<sup>26</sup>

The concept presupposes, however, implicitly if not explicitly, that all players are truly interested in maintaining security for all, including the other players, and would thus refrain from attempts to increase their own security at the expense of the security of the other players. They would have to aim at security *with* each other, rather than *from* each other.

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<sup>22</sup> As for example the UN Security Council. Cf. UN charter, chapter V.

<sup>23</sup> Cf. Art. 1 of the UN Charter: "... and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace."

<sup>24</sup> See the above quotation from A. Carter/W. Perry/J. D. Steinbrunner, "... to prevent war and to do so primarily by preventing the means for successful aggression from being assembled"; Fn 2. Cf. also the role of arms control, Fn. 4.

<sup>25</sup> Cf. the comparison to preventive medicine by A. Carter/W. Perry/J. D. Steinbrunner, *ibid.*

<sup>26</sup> This is the essence of the so-called "prisoners' dilemma".

Cooperative security (policy) thus depends on the willingness by all to cooperate. If one player for whatever reasons would not be ready or willing to cooperate, cooperative security (policy) has little chances. These are its limits. If they are ignored, cooperative security (policy) might indeed quickly turn into wishful thinking or illusions.

## **The relation between non-cooperative and cooperative strategies**

The question of the relationship between the two types of strategies is not only of academic interest but has also implications for their use in practice. It serves as a reference framework for the decision what strategies to use under what circumstances.

The point of departure would be the characteristics of the two types:

- Non-cooperative strategies are, in their essence, repressive,<sup>27</sup> based on deterrence, i.e. the threat with coercive or retaliatory measures in the case of aggression or the breach of peace.<sup>28</sup> Their contribution to conflict prevention is so to say an indirect one, based on the threat of losses the potential aggressor would have to suffer. To be credible, they require, at their ultimate stage, the readiness to fight a war about the issue at stake, either to defend against, or to coerce,<sup>29</sup> the other side. Non-cooperative strategies are most adequate for maintaining international peace and security in deterring intentional and calculated aggression. They are, however, inadequate to prevent the emerging of armed conflicts out of misinterpretation of activities, miscalculation, mistaken assessment of a situation, or similar causes.

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<sup>27</sup> On the question of “repressive” and “preventive” instruments cf. H. Vetschera, *International Law and International Security: The Case of Force Control*; in: Jost Delbrück (Ed.), *German Yearbook of International Law*, vol. 24/1981; Berlin, 1982, pp. 144-165 (pp. 151-152).

<sup>28</sup> See Chapter VII of the UN Charter.

<sup>29</sup> As for example in executing a decision by the UN Security Council in the context of Collective Security.

- In contrast, cooperative security (policy) is by definition preventive<sup>30</sup> in a direct way, explicitly aiming at eliminating or at least reducing misunderstandings and misinterpretations.<sup>31</sup> It presupposes the willingness to cooperate even between potential adversaries but also depends on the willingness of all to cooperate. It requires, at its ultimate stage, the readiness to give up some elements of the issues at stake, in order to achieve a compromise. It is thus inadequate to prevent calculated aggression, as any potential aggressor bound towards confrontation would lack the readiness to compromise.

Non-cooperative and cooperative security policies thus correspond to two contradictory situations which reflect two fundamentally different scenarios:

- Non-cooperative strategies are aimed against threats by an adversary ready for intentional and calculated aggression, who should be deterred or repelled;
- cooperative strategies are aimed against risks potentially developing out of a situation; their “adversaries” are so to say not the other players, but the coincidences and circumstances leading into unintended escalation.

Each of the two strategies appears thus adequate to cope with its corresponding scenario. However, the two strategies cannot cope with the basic scenario of the other strategy. They can cover only one part of the whole spectrum of threats and risks respectively, but not the other part. They are thus no “alternatives” as they cannot replace each other, but complementary to each other.

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<sup>30</sup> Cf. the description that “*Cooperative security thus displaces the centerpiece of security planning from preparing to counter threats to preventing such threats from arising ... Cooperative security differs from the traditional idea of collective security as preventive medicine differs from acute care*” by Carter/ Perry/ Steinbrunner, see above.

<sup>31</sup> For the military sphere see Schelling/Halperin, *ibid.* “... in the modern era, the purpose of military force is not simply to win wars, but to deter aggression, *while avoiding the kind of threat that may provoke desperate, preventive, or irrational military action on the part of other countries*”.

STRATEGY  (to be used against)	ESCALATION FROM CRISIS	PLANNED AGGRESSION
	UNINTENDED	INTENDED
	WAR	
COOPERATIVE PREVENTIVE DIPLOMACY	ADEQUATE	NON-ADEQUATE
NON-COOPERATIVE “REPRESSIVE” DETERRENCE	NON-ADEQUATE	ADEQUATE

**Table I**

## The Two Approaches

The relation between the two strategies is thus characterized by two main factors:

- On the one hand, their complementarity. They are mutually exclusive strategies, being either applicable, or non-applicable. None of them could cover the whole spectrum of threats and risks, but only a part of it;
- On the other hand, their place within escalation. Cooperative strategies will be adequate in an early stage of escalation, to prevent a further growing of a conflict. If, however, one of the parties chooses non-cooperation, the conflict would quickly escalate and induce the others to embark upon non-cooperative strategies (deterrence, defence or enforcement), too.

The corresponding sequence can be derived from the UN charter which clearly indicates the inherent correlation between cooperative (Chapter VI) and non-cooperative (Chapter VII) strategies on the ladder of escalation<sup>32</sup>.

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<sup>32</sup> Chapter VI is devoted to the “*pacific settlement of disputes*”, i.e. the cooperative approach (cf. the means as enumerated in Art 33 par. 1 – *negotiation, enquiry, media-*

## The Application to South Eastern Europe

The development of the wars in former Yugoslavia and thereafter have seen the application of both non-cooperative and cooperative strategies. The following chapter will present the application of these strategies both by the conflicting parties on the ground and the international community<sup>33</sup> during the various stages of the conflicts and thereafter.

### The first stage: the conflicts

The deteriorating social and economic situation in the then Socialist Federal Republic Yugoslavia (SFRY) since the beginning of the 1980s led to the growing of nationalisms in the various republics.<sup>34</sup> During the early stages, it appeared that the various actors on the ground would in principle adhere to cooperative strategies, emphasizing negotiations despite increasingly sharper rhetoric. The first indication for non-cooperative attitudes was the abolishing of Kosovo's autonomy by the

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*tion, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means*). If it proves unsuccessful, the Charter authorizes the Security Council to act – first, still upon request of the parties to a dispute within the cooperative framework of Chapter VI (*recommendations to the parties with a view to a peaceful settlement of the dispute*; Art. 38), but in case of further escalation also to take coercive measures for the enforcement of international peace and security under Chapter VII, imposing non-military (*complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations*; Art. 41) and finally military (*action by air, sea, or land forces as may be necessary to maintain or restore international peace and security*; Art. 42) measures.

<sup>33</sup> The term “*international community/IC*” is problematic. It gives the impression of one single actor rather than a conglomerate of actors with often contradictory interests. Furthermore, this alleged “single actor” (in South Eastern Europe frequently referred to as “the international factor”) is all too often perceived as a powerful conspiracy against the respective interests, and blamed for all the wrong which has happened to the respective State or group. The joke goes that “IC” stands for “*international conspiracy*” rather than for “*international community*”.

<sup>34</sup> For the growing of the conflicts see: Misha Glenny, *The Fall of Yugoslavia*; New edition 1993; Penguin Books, London; Laura Silber/Allan Little, *The Death of Yugoslavia*, Penguin Books, London, 2<sup>nd</sup> revised edition 1996.

Serbian government, in breach of the SFRY's 1974 constitution, and the intensification of repression. An even stronger indication for non-cooperative strategies showing the willingness to use force was given in Slobodan Milošević's speech on occasion of the 600th anniversary of the battle of Kosovo Polje.<sup>35</sup>

The readiness for compromise declined further on all sides, with the last chance for a peaceful development missed with the non-acceptance by the Serbian side of a proposal for constitutional changes in 1990 towards a confederation rather than a federation. When Slovenia and Croatia finally declared independence in summer 1991, the political conflict turned into a military one, to be soon followed by war in Bosnia-Herzegovina from 1992 until 1995.

Parallel to these developments, the situation in Kosovo gradually deteriorated, yet remained still below the level of armed confrontation. In late 1992, the international community attempted to defuse growing tensions in Kosovo, Sandžak and Vojvodina by deploying the first CSCE field missions into these areas. Their mandate was a clearly cooperative one. While the Milan Panic government in Belgrade first accepted these Missions and was ready to cooperate, the Milošević-Šešelj coalition government emerging from the elections in December 1992 took a clearly non-cooperative stance and refused to extend the Memorandum of Understanding (MoU) with the missions, forcing them to leave the country by mid-1993.<sup>36</sup>

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<sup>35</sup> Cf. the analysis of the various "signals" before the outbreak of actual hostilities in H. Vetschera/Andrea Smutek-Riemer, *Early warning, the case of Yugoslavia*; conference paper, at the XVI World Congress of the International Political Science Association (IPSA), Berlin, 1994.

<sup>36</sup> It is a popular misinterpretation that this step would have been taken in retaliation for the FRY's being suspended from the CSCE. There is no such direct correlation, as the FRY had already been suspended in July 1992, some three months before the Missions were deployed. The only connection is the FRY's governments attempt to blackmail the CSCE to be (re-)admitted in exchange for extending the MoU.

The author was at that time desk office for the Missions at the CSCE Conflict Prevention Centre (CPC).

This did not exclude cooperative moves, however. Slovenia and the in practice already Serbian dominated rump Yugoslavia (later established as the “Federal Republic of Yugoslavia”/FRY) accepted a cease-fire soon after the outbreak of hostilities, and a compromise leading to the *de jure* divorce of Slovenia from Yugoslavia in early 1992. Also in early 1992, Croatia and rump-Yugoslavia accepted a cease-fire and its supervision by a UN peacekeeping force, the United Nations Protection Force (UNPROFOR). While the cease-fire and the subsequent deployment of UNPROFOR had been achieved under pressure by the international community, it proved nevertheless working, albeit with some mental reservations on the Croatian side which kept the option open for re-conquering the parts occupied by Serbian forces. Deploying a peacekeeping force with a mostly cooperative mandate thus proved adequate to the situation, as it was – for the time being – in principle accepted by all sides on the ground. The situation only changed when Croatia switched back to non-cooperative strategies with the respective offensives in 1995, re-conquering the parts occupied by Serbian forces.

In contrast, the situation in Bosnia-Herzegovina left little space for cooperative strategies, apart from some deals about humanitarian aid getting into beleaguered places like Sarajevo. Cease-fires were brokered and broken by the dozens. One particular case of failed cooperative measures were the “protected zones” under the auspices of the United Nations. Established under the assumption of a compromise about their status, they would have required the willingness by all sides to respect them. The Serbian side, however, lacked this willingness and overran two of them.

Correspondingly, the application of cooperative measures by the international community proved mostly unsuccessful. It presupposed the willingness to cooperate by the parties on the ground which did not exist, in particular on the Serbian side which saw itself on the winning road and therefore had no reason to cooperate. The most appalling example for the failed application of cooperative measures was the denial to UN-

PROFOR of a mandate adequate to the situation on the ground, which made them mostly helpless bystanders.<sup>37</sup>

It is true that the UN Security Council also passed some resolutions on coercive measures, as for example the suspension of the then Federal Republic of Yugoslavia (FRY), by imposing an economic embargo against the FRY, or by the establishing of no-fly zones. The application of the latter was, however, mostly undercut by the attitude not to endanger the “cooperative” deployment of UNPROFOR by too effective enforcement measures.<sup>38</sup> Thus, the approach by the international community was mainly coined by the fiction that cooperative strategies would work, despite the obvious preference towards non-cooperative strategies by key players on the ground.

The further escalation in 1995 led to a change in strategy on all sides. In reaction to the massacre of Srebrenica and the increased shelling of Sarajevo, the international community switched towards non-cooperative strategies in bombing and shelling Serbian forces. At the same time, Croatia terminated her (cooperative) adherence to the cease-fire and overran the Serbian occupation forces. As a consequence, the Serbian side finally gave up its own non-cooperative strategies and accepted a cease-fire and serious peace negotiations, a clearly cooperative strategy.

## **The second stage: Dayton and beyond**

The Dayton peace accords established a cooperative framework for the future relationship of the various former belligerents within Bosnia-Herzegovina and with the neighboring countries. The first most visible changes took place in the military sector, with an agreement on (military) confidence- and security-building measures (CSBM) in Bosnia-

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<sup>37</sup> While UNPROFOR’s mandate was adequate to the tasks in Croatia, it proved untenable in its subsequent extension into Bosnia-Herzegovina while the war was going on. The taking of UN peacekeepers as hostages by Serbian forces in 1995 earned UNPROFOR the nickname that it would stand for “UNPROtected FOReigners”.

<sup>38</sup> As argued by then UN Undersecretary Akashi to the author, 1994.

Herzegovina (“Vienna Agreement”) and another agreement on sub-regional arms control, encompassing Bosnia-Herzegovina but also Croatia and the FRY (“Florence Agreement”).<sup>39</sup> Their implementation was in the first phase still characterized by uncertainties which gave the impression that the parties would still harbor mental reservations against too cooperative attitudes, and would keep the military, non-cooperative option open.<sup>40</sup> This changed in the course of 1996, in particular when Radovan Karadžić and Ratko Mladić disappeared from the political scene in the Republika Srpska in mid-1996, and from then onwards implementation became increasingly characterized by professional, cooperative attitudes on all sides.

The situation was less clear in the political field. There were some indications that the leaderships in Belgrade and Zagreb had not yet completely abandoned their expansionist attitudes, despite their pledges to the contrary in the Dayton Agreement. They still exerted quite some influence on their ethnic kin in Bosnia-Herzegovina to the detriment of the state of BiH. Also, the suspension of the FRY from membership in practically all international security organizations continued, thus preventing the emerging of “institutional consent” as characteristic for *co-operative security (policy)*.

### **The set-back: the Kosovo conflict**

The situation in Kosovo had been contained in an uneasy balance of non-cooperation practically throughout most of the nineties. While the Serbian authorities had established a repressive regime, the Albanian majority offered civilian resistance, having gone underground and established a “parallel society”.

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<sup>39</sup> The negotiations were mandated by Annex 1-B of the Dayton Agreement, Articles II and IV. They took place under a strict time limit and achieved the Vienna Agreement on 26 January 1996, and the Florence Agreement on 14 June 1996.

<sup>40</sup> Thus the conclusions by the first implementation assessment on the Vienna Agreement in May 1996, Department for Regional Stabilization, OSCE Mission to Bosnia-Herzegovina. The assessment was written by the author.

This changed with respect to their attitude after Dayton where the Albanians had felt “forgotten”, and in strategic terms when after the melt-down of Albania in summer 1997 huge amounts of weapons were smuggled into Kosovo. Ongoing repression by the Serbian authorities was now increasingly countered by Albanian armed resistance, growing into full-fledged guerilla war in the course of 1998. Again, the Serbian side embarked on non-cooperative strategies, with the partly implicit, partly explicit aim of “ethnically cleansing” Kosovo from its Albanian population. The situation became dramatic in mid-1998 when more than 400 000 Kosovars had been expelled and become either refugees, or internally displaced persons (IDPs).

The reactions on the side of the international community, in particular the West (i.e. the US and other NATO states) indicated that lessons had been learned in the application of the two approaches in security policy.

- In the first stage, the West embarked on a cooperative strategy to contain and end the conflict, leading to the Holbrooke-Milosevic agreement of October 1998 to end hostilities and have the cease-fire supervised by an unarmed, cooperative OSCE mission (Kosovo Verification Mission, KVM). The cease-fire remained, however, fragile and was increasingly broken as both sides (in particular, however, the Serbian side) had obviously not given up the military option.
- After several grave breaches, the international community attempted yet another cooperative approach in the Rambouillet/Paris negotiations in early 1999, to achieve a disengagement of forces and establish a peacekeeping force in Kosovo. While the Albanian side offered to accept the compromise proposal, the Serbian side refused any compromise. In reaction, the West switched towards non-cooperative strategies, too.
- As no Security Council resolution on coercive measures could be achieved, the Western States finally decided to act unilaterally and undertook a bombing campaign against the FRY. After several weeks of bombing, the FRY yielded to the Western demands and withdrew its forces from Kosovo.

- In reaction, the international community switched again back to cooperative strategies, establishing a UN administration in Kosovo and inserting a peacekeeping force, however with a “robust”, i.e. if necessary also non-cooperative, mandate.

### **The next phase: institutional cooperation re-established**

Soon after the Kosovo conflict the situation changed both in Croatia and the FRY. In Croatia, the nationalistic phase came to an end with the death of President Tudjman, and the replacement of the nationalist HDZ government by a social democratic administration as a result of the elections held in 2000. In the FRY, the situation took an even more dramatic turn when the people stood up against an election fraud by the Milošević regime and toppled it in October 2000. Under the new democratic government, the FRY was again offered membership in international security policy institutions as for example the United Nations and the OSCE, and returned to the political stage. Thus, the FRY could finally participate in the “institutional consent” as postulated for “cooperative security”.

Another cooperative institutional framework of relevance is NATO’s Partnership for Peace (PfP) program. The various states of the Western Balkans joined at various stages, also indicating their involvement (or rather lack of) in the armed conflicts, with Albania and Slovenia<sup>41</sup> in 1994, FYROM in 1995, Croatia in 2000, with the other successor States of the former SFRY lagging behind until they were invited by NATO at the 2006 Riga Summit.

Cooperative security (policy) was still occasionally challenged as for example by the outbreak of armed conflict within FYROM in 2001. However, it could be brought under control by international mediation before it could endanger the existence of the state or regional stability. Another challenge emerged with the declared wish of Montenegro to secede from the FRY. While these tendencies had been encouraged by

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<sup>41</sup> Slovenia achieved full membership in NATO in 2004.

the West during the Milošević years, they were seen less positive after the changes in Belgrade. The EU's High Representative for Foreign and Security Policy, Javier Solana, in 2003 brokered a moratorium of three years before a referendum on Montenegro's independence could be held. Again, cooperative approaches prevailed with both Serbia and Montenegro agreeing on, and adhering to, the envisaged procedures. When the expiry date of the moratorium approached in 2006 and Montenegro was – against all expectations by the West to the contrary – still bound to embark on independence, the spectre of yet another secession war loomed large despite the much lower level of emotions, compared to earlier secessions. Again, Cooperative security (policy) prevailed, when the EU brokered a specific procedure with a tailor-made threshold for the intended referendum. The compromise was accepted both by Serbia and Montenegro, the referendum was held in May 2006 and succeeded, with some question marks.

There remains, however the question of Kosovo where both the Serbian and the Albanian sides insist on their positions and leave little space for compromise. For the Albanian side, anything short of independence would be unacceptable. Similarly, for the Serbian side, a secession of Kosovo is equally unacceptable. Both sides increasingly appear to paint themselves into the corner. The question is whether they can, at the end, find a compromise at least in real life, even when a formally negotiated compromise might not be possible for domestic reasons, or if they chose to embark on non-cooperative strategies. We should not ignore that cooperative strategies require, at their ultimate stage, the readiness to give up some elements of the issues at stake, in order to achieve a compromise, and there are no visible signals in sight. On the other hand, non-cooperative strategies require, at their ultimate stage, the readiness to fight a war about the issue at stake, either to defend against, or to coerce. While it is yet unclear if the parties concerned would indeed carry on their non-cooperative attitudes to the extreme, we may notice increasingly belligerent rhetoric in particular from parts of the Belgrade political spectrum. Combined with the expressed lack of readiness to achieve a compromise, the situation increasingly reminds of the time when the conflicts started.

## **Conclusions for the role of cooperative security strategies in South Eastern Europe**

The sequence of events in the dissolution of the former SFRY would allow for some conclusions about the role and possible application of cooperative – as well as non-cooperative – strategies, both for the parties on the ground, and for the international community.

One conclusion would be that the application of non-cooperative strategies as undertaken by the Serbian side proved mostly counterproductive for their strategic objectives:

- In the case of the secession of Slovenia they were undertaken more in symbolic terms, as a bluff to prevent secession. Slovenia called the bluff and Serbia had to leave it;
- In the case of Croatia, they were undertaken to establish Serbian rule in areas with a significant Serbian population, including their “ethnic cleansing”. While they were successful for a while, at the end the strategy led to defeat and the (partly forced) emigration of Serbs from Croatia;
- In Bosnia-Herzegovina they were partially successful, by creating the Republika Srpska (RS). However, the idea of a purely Serbian state within Bosnia-Herzegovina and the means of “ethnic cleansing” failed just when they appeared to succeed, by triggering Western intervention after the “most successful” acts of ethnic cleansing in Srebrenica. Western intervention turned the tide, and the idea of a “Serbian state” had to be given up in the Dayton Agreement. While the existence of the RS was thus accepted both by the other parties in BiH and the international community, it was so only as integral part of BiH and – despite its far-ranging autonomy – subordinated to the state of BiH, and open for all ethnic groups;
- In Kosovo, the idea of preventing an eventual secession of Albanians led to such wide repression that at the end, it triggered a Western response which will most probably end with the acceptance of Kosovo’s independence by key players as the United States and the European Union.

In short, the idea of establishing a “Greater Serbia” by non-cooperative strategies has mostly and drastically failed, Serbia being reduced (except for the Vojvodina) to its pre-Balkan Wars of 1912-1913.

The results appear more mixed in the case of the seceding states or entities:

- After the cooperative strategies for solving the dispute with the central government had failed, Slovenia embarked on a non-cooperative strategy by unilaterally declaring independence and engaging in armed conflict, and succeeded.
- Croatia went the same way but suffered defeat in the first round. It could compensate only when the strategic environment had changed but could then clearly defeat the Serbian occupation forces, and established, in conformity with the then prevailing nationalist ideology, a state with less Serbs than before.
- FYROM seceded successfully and peacefully, acting unilaterally but at the same time without too much confrontation vis-à-vis the Central state, or Serbia.
- In Bosnia-Herzegovina, the non-Serbian parties mostly engaged in cooperative approaches, declaring independence while attempting to keep the Serbian element on board. The approach failed due to the lack of will to cooperate on the Serbian side, leading to the most severe armed conflict in Europe since the end of World War II. As indicated above, the non-cooperative strategy of the Serbian side proved almost successful, would it not have been for their exceeding all borders of civilized behavior, and thus triggering Western intervention. Thus, in a mixture of cooperative (diplomatic means with *inter alia* the Dayton compromise) and non-cooperative (defence) strategies, Bosnia-Herzegovina achieved the strategic goal to survive as a state, albeit with far-ranging concessions to the Serbian side.
- In Kosovo, cooperative strategies were from the outset excluded by the non-cooperative strategies applied by the Serbian side from the late eighties onwards. The Albanian side remained non-violent but non-cooperative in the first years. Their strategies turned increasingly violent when frustration after Dayton had

grown, and the means for armed conflict had become available from 1997 onwards. As in the case of Croatia, they were first almost defeated, with a huge proportion of the Albanian population driven from their homes, and an almost successful campaign of “ethnic cleansing” by the Serbian side. However, it triggered – similar to the case of Bosnia-Herzegovina – a Western intervention which led to Serbian withdrawal from Kosovo and a *de facto* independence from Serbian rule. One decisive element in triggering this intervention was without doubt the Albanians, demonstrated willingness to accept a compromise at the Rambouillet/Paris negotiations, where the Serbian side had refused to accept a compromise.

For the international community, we might also see a mixed pattern, however with a distinctive “learning curve”. In the early phase, the international community almost exclusively embarked on cooperative strategies, with a few exceptions as for example the economic embargo against the FRY, and the imposition of the non-fly zones. It ignored the limits of cooperative strategies, depending on the willingness of all sides to accept compromises which was clearly not the case, in particular on the Serbian side. Thus, the international community allowed the agenda to be dictated by the party least inclined to compromise and cooperation, when it attempted to apply cooperative strategies in a situation where they were obviously inadequate.

It needed the most brutal excesses in Bosnia-Herzegovina after the fall of Srebrenica to make the international community switch from primarily cooperative strategies to non-cooperative strategies by intervening against the Serbian side. However, when the Serbian side had yielded, the time had again come for cooperative strategies, first with the Dayton Agreement and immediately afterwards with various cooperative Agreements in the military field, but subsequently also in other fields where the international community offered assistance to all sides. In Bosnia-Herzegovina, the Bonn Powers<sup>42</sup> bestowed to the High Repre-

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<sup>42</sup> Introduced by the Peace Implementation Council Meeting held in Bonn on 9 and 10 December 1997 which significantly enhanced the High Representative’s authority by

sentative allowed for a flexible application both of cooperative and non-cooperative strategies, depending on the situation.

A similar pattern emerged in the context of the escalation in Kosovo. In the first instance, the international community applied cooperative strategies, beginning with the short-lived “long term missions” deployed by the CSCE in 1992-1993. The next such step was the Holbrooke-Milošević agreement, brokering a cease-fire and establishing a cease-fire verification mission in October 1998. When the fighting escalated nevertheless, the last such attempts were the Rambouillet/Paris negotiations. However, when these failed, too, the West immediately switched to non-cooperative strategies. These were credible as the West was willing to wage war, if necessary, when compromise was not accepted by the Serbian side.

The decisiveness demonstrated in 1999 stands in visible contrast to the wavering in the first phases of the conflict when necessary reactions were simply not taken (as for example after the shelling of Dubrovnik or the massacres in Vukovar).<sup>43</sup>

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entrusting him to impose solutions on the Parties, Paragraph XI.2 of the *Conclusions of the Peace Implementation Council Meeting held in Bonn on 9 and 10 December 1997*. They give him the competencies *inter alia* to take interim measures to take effect when parties are unable to reach agreement, which will remain in force until the Presidency or Council of Ministers has adopted a decision consistent with the Peace Agreement on the issue concerned, and to take any other measures to ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and its Entities, as well as the smooth running of the common institutions. Such measures may include actions against persons holding public office or officials who are absent from meetings without good cause or who are found by the High Representative to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation.

<sup>43</sup> We should not ignore that in 1991 there would have been enough readiness even within the Yugoslav/Serbian general Staff to achieve a compromise with Croatia and the other republics bound to secede, with members warning against the dangers of possible Western intervention. The lack of adequate Western reaction led to these voices of caution and compromise being marginalized, while it strengthened those on the political and military levels who preferred non-cooperative strategies.

Timely and limited coercive reaction might thus have been more conducive to achieve a compromise and prevent further escalation, than the alleged preference for coopera-

To sum up, the application of the various cooperative and non-cooperative security strategies in the context of the Yugoslav wars and their aftermath allows the following conclusions:

- The almost exclusive reliance on non-cooperative strategies as applied primarily by the Serbian side has visibly failed. In the attempt to solve all perceived problems by non-cooperation, at the expense of all other parties, Serbia is now weaker than ever during the past century – economically, militarily, and politically. Serbia could have gained economically by ensuring ongoing cooperation with the other republics of the former SFRY, in particular Slovenia. Militarily, Serbia would have avoided the Western bombing campaign with all the losses of human life and economic infrastructure. Politically, she could have remained a respected member of the international community, rather than becoming a pariah state for several years which is not yet trusted completely by its former adversaries, be it in the region or in the West, but also by previously potential allies as for example Macedonia or Montenegro. Finally, Serbia could have gained adequate protection of minority rights for Serbs living outside Serbia if properly negotiated, rather than having to shelter them as refugees from Croatia, Bosnia-Herzegovina, or Kosovo.
- Unfortunately, some developments within Serbia in the context of the ongoing dispute over Kosovo give the impression that the lessons might not yet have been understood completely. An uncompromising stance in the question of the future status of Kosovo, as well as belligerent and unrepentant rhetoric by major political parties, might give rise to doubts about the readiness for cooperation and compromise.
- On the other hand, the almost exclusive reliance by the international community on cooperative security strategies during the early phases has also proven inadequate. It allowed the most aggressive parties in the various conflicts to gain undue advantages, as the strategies were not adequate to the concrete situation. The international community, and in particular the West, adjusted

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tive strategies which turned counter-productive under the given circumstances and constellations

their strategies slowly and in many cases belatedly to the respective situations, at least during the wars in Croatia and Bosnia-Herzegovina.

It appears, however, that the West had already learnt its lessons when it was then during the Rambouillet/Paris negotiations faced with the dilemma what to do when one side would demonstrate readiness for a compromise, but the other would refuse. It was resolute enough to fight, as *ultima ratio*, a war when cooperative strategies had failed.

The main question for success or failure of a particular strategy (cooperative or non-cooperative) has thus not to be seen in the essence of the respective strategy, but whether it has been applied in accordance with the situation, or not. This is true for the Serbian side's frequent missing of opportunities for cooperative approaches. It is also true for the West's missing of the necessities to timely switch towards non-cooperative strategies, as it is ultimately true for the adequate Western responses in the escalation of the Kosovo conflict.