10. Nation-Building in the Western Balkans: Some Additional Lessons and the Role of the EU

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The Unfinished Process of Nation and State Building in the Western Balkans

Historically seen, the process of nation-building, which in this interpretation means the development of a specific national consciousness based upon a common language and tradition (which in some cases includes also the same religious orientation), and the process of state-building are not always parallel processes. This is certainly the case in that part of South East Europe, which today is called the Western Balkans[242], and where Croats, Serbs, (Muslim) Bosniacs, Slavic Macedonians, Albanians, and other minor Slavic and Non-Slavic nationalities had settled. The discourse among intellectual elites about the 'national question' generally started in the mid 19th century with some exceptions: the Serbs. Under the strong influence of the Serb Orthodox Church, this discourse occurred earlier. Others, like the Slavic Macedonians and the Bosniacs whose national identity has been called into question by their neighbors, have developed their national ideas somewhat later, from the beginning of the 20th century[243].

The process of nation building in the Western Balkans is not linear and continuous. It has had its 'ups' and 'downs'. This has very much to do with the fact that the majority of the peoples in the Western Balkans – maybe with the exception of the Serbs and Montenegrins – do not have a tradition of statehood and have lived for a long time in multiethnic societies under the rule of foreign powers (Austro-Hungarian and Ottoman Empires). The founder of the Socialist Federal Republic of Yugoslavia

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[242] The term 'Western Balkans', which was established by the EU, includes the Republics of the former Yugoslavia and Albania, excluding Slovenia.

[243] See: W. D. Behschnitt, Nationalismus bei Serben und Kroaten, 1830-1914 (Munich 1980) and I. Banac, Nacionalno pitanje u Jugoslaviji. Porijeklo, povijest, politika (Zagreb 1995).

(SFRY)[244], the former Partisan Marshall, Josip Broz-Tito, an ethnic Croat, succeeded to some degree in interlinking nation and state building as far as the southern Slavs and the Kosovo-Albanians were concerned. In Socialist Yugoslavia (1945-91) the ruling Communists tried to find a balance between the various national aspirations by creating six Republics (which according to the Constitution had the status of 'states') and two special entities inside the Republic of Serbia; the multiethnic Vojvodina and Kosovo, the latter with an Albanian majority and a political autonomy similar to that of the Republics[245]. But the Yugoslav Communists failed to transform the multiethnic but authoritarian-ruled SFRY into a democratic state-union after Tito's death. The dispute among the Yugoslav Communist leaders regarding how far they should go with political reforms in the SFRY had tragic consequences when in Eastern and Southeast Europe the Communist regimes collapsed in 1989-90. The SFRY disintegrated, but not in a peaceful way as it was the case in the former Czechoslovakia, but through war[246].

Nationalist leaders – partly with extreme chauvinist attitude – filled the political vacuum when the Yugoslav Communists showed inability to solve the political crisis. The most important political task for the new political elites was to advance nation building in parallel with state building. But this happened in a very exclusive way: national consciousness was built up by manipulating negative national stereotypes of 'the others'. Members of national minorities were perceived as a Fifth Column and as one of the main obstacles for the creation of an independent and homogenous nation-state. In some cases these prejudices proved to have a real basis; for example, Krajina-Serbs political leaders started a rebellion against the non-Communist government in Croatia with the

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[244] SFRY was the name of the country between the constitutional changes in 1974 and its collapse in 1991. 1945-74 the official name was *People's Republic of Yugoslavia* respectively *Federal People's Republic of Yugoslavia*.

[245] See: H. Sundhaussen, Experiment Jugoslawien. Von der Staatsgründung bis zum Staatszerfall (Mannheim 1993) 116-121.

[246] See: J. R. Lampe, Yugoslavia as History. Twice there was a country (Cambridge: Cambridge University Press 1996) 344-356.

goal to join a greater Serbian state after the first free elections in Croatia in summer 1990[247].

The International Community (IC), including the then European Community, at that time was not capable to moderate the disintegration of the SFRY. There was a lack of willingness, instruments and a clear vision on how to stabilize the crisis. The consequence of these shortcomings was that in the first half of the 1990s nation and state building in the Western Balkans was anarchical. The tragic war in Croatia and especially the ethnic cleansings during the war in Bosnia and Herzegovina (BiH), which led to an estimated 250,000 deaths and more than 2 million refugees, bear witness to the thesis that in times of political and economic crisis, there is only a thin line between the strengthening of national identity and the spreading of national hatred.

The November 1995 Dayton Peace Accords ended the war in BiH, and later NATO's military intervention in Serbia and Kosovo in Spring 1999 changed substantially the international influence in the region. Nation and state building in the Western Balkans have become more and more matters that are influenced by external actors such as NATO, the UN and the EU. The instruments of the IC reach from political and economic sticks and carrots (in the cases of Croatia, Serbia and Montenegro, Albania and Macedonia) to the establishment of semi- and full protectorates in BiH and Kosovo. This direct involvement is certainly a big progress, because the local political elites were either unable or unwilling to find a *modus vivendi* and to agree on peaceful solutions. On the other hand this direct involvement of the IC – and more and more of the EU – in the process of nation and state-building means huge political responsibility. Bigger failures – in the sense of colonial behavior or 'fatigue' in implementing stability in the region – could lead to nationalistic setbacks.

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[247] 1990-95 Serb rebels controlled around one third of the Croatian territory. The so called *Republika Srpska Krajina* included parts of western and eastern Slavonia as well as the hinterland of Dalmatia.

Nation and State Building in Croatia

Since 1999 the region in general has entered a more stable and peaceful phase. This is the direct outcome of the more substantial engagement of the IC. Nevertheless the national issues are not a closed chapter. The clearest situation concerning nation and state-building today exists in Croatia. With the victory of the Croat army against the Krajina-Serb army in the final military operation 'Storm' of August 1995, the transformation of Croatia initiated by the former president Franjo Tudjman in 1991 into a more or less homogenous nation-state, was finished. As a consequence of the military defeat that the Krajina-Serb army had suffered, and of war crimes committed by the Croat army during the operation Storm, around 200,000 Serbs from the Krajina fled to Serbia and the Serbian controlled areas in BiH[248]. According to the last Croatian census (2001) the share of the Serbs in the whole population is 4.5 per cent, unlike the ethnic structure before the war, when their share was around 12 per cent[249]. Unlike in 1991-95, there is no nation building rivalry between the Croat and Serb populations that had threatened a territorial split. The Serbs who remained in Croatia or have returned from Serbia and BiH accept their status as a minority. Nevertheless interethnic relations still play a very important role in state building. For critical Croatian intellectuals, the way the Croat government treats national minorities – especially the Serb minority – is an important indicator of the transformation of the Croatian war society into a state that respects democratic principles and guarantees human rights. In this field some progress has been made since the end of the authoritarian regime of Tudjman in December 1999 – especially in regard of building confidence, but still many Serbs in Croatia feel as 'second class citizens'.

Nation and State Building in Bosnia and Herzegovina

In BiH the process of nation and state building looks much more complicated than in the case of Croatia. The Dayton Peace Accords ended the war, but in the two years following Dayton, the former parties in

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[248] Concerning the consequences of the operation Storm for the Serbs in Croatia see: Croatian Helsinki Committee for Human Rights (ed.), <u>Vojna Operacija 'Oluja' i poslije</u> (Zagreb 2001).
[249] See: <u>http://www.dzs.hr/Hrv/Popis%202001/popis2001.htm</u>

conflict, the political leaders of all Serb, Croat and Bosniac factions perpetuated the pattern of exclusive nation building practiced during the war. Politics was the continuation of war through other means. This was possible because the entities that the Dayton Accords created, the Republika Srpska and the Bosniac-Croat Federation as well as the ten Cantons inside the Federation, had more competencies than central state institutions. The Serb and Croat national leaders, and to a lesser degree the Muslim politicians conducted a policy that undermined BiH as a united and multiethnic state[250]. The Nationalists lost ground only once the mandate of the EU High Representative (HR) was extended and tasked by the Peace Implementation Council with putting an end to obstructionism[251]. The HRs (most of them European career diplomats and former politicians), have dismissed nationalistic politicians and have enacted important laws like for example the private property law or the law on passports and citizenship[252]. It was the pressure the HRs put on the rulers in the two entities, which forced them to make the return of a greater number of Croat and Bosniac refugees into the Republika Srpska and of Serbian refugees into the Federation possible[253].

The political changes in Croatia and Serbia after the death of Tudjman and the collapse of the regime of Slobodan Milošević contributed to a more stable situation in BiH and in general to the more pragmatic and co-operative behavior of local Serb and Croat politicians. In both entities the ruling politicians have 'copied' the Euro-Atlantic orientation of their neighbors and present themselves today as 'moderates'. Although this

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[250] See the reports of the International Crisis Group from that time, at: http://www.crisisgroup.org

[251] The Bonn Powers include a) removals of holders of public offices, b) imposition of legislation and c) other measures including executive decisions, and financial sanctions. See: C. J. Ebner, 'The Bonn Powers – Still Necessary?', in: P. Jurekovic/F. Labarre (ed.), From Peace Making to Self Sustaining Peace – International Presence in South East Europe at a Crossroads? (Vienna 2004) 125.

[252] Ibid, 124-133.

[253] Between 1996 and 2005 there have been 449.000 so called 'Minority Returns'. Most of them took place in 1999-2002. See: http://www.unhcr.ba. See also: F. Labarre, 'Peacebuilding in the Balkans: The Need to Stay the Course', Connections: The Quarterly Journal of the PfP Consortium, Vol. 1, #2, (2002) concerning the action of the IC against the 'obstructionists'.

new political climate in BiH does not mean that the former nationalistic forces have transformed into supporters of a strong state, it seems that there is a chance to make BiH less dysfunctional. In order to achieve larger acceptance for BiH as a state by the Bosnian peoples, it will be necessary to give this country a clear economic and political perspective. The EU's enlargement towards South East Europe plays a crucial role in this regard.

Nation and State Building in the 'Serbia, Montenegro and Kosovo' Triangle

After the collapse of the former Socialist Yugoslavia in 1991-92 only Serbia and Montenegro 'remained' in Yugoslavia, which later became the 'Federal Republic of Yugoslavia' (FRY). The province of Kosovo, whose autonomy had been abolished in 1989/90 by Milošević, is also part of FRY. Since 1990 the Albanian majority population of Kosovo (about 90 Per cent) started to develop parallel health care, education and political systems not connected with Serbian state institutions. The process of Kosovo-Albanian state building between 1990 and 1996 was based upon the peaceful resistance of Kosovo leader Ibrahim Rugova, also known as the 'Gandhi from Kosovo'[254]. His strategy of passive resistance failed when in 1997 the Albanian 'Kosovo Liberation Army' (KLA) started to use guerrilla in order to achieve Kosovo independence. The KLA was more successful, as the NATO intervention that led to the withdrawal of the Serb forces from Kosovo and to the installation of *the United Nations Interim Administration Mission* (UNMIK) in June 1999 has proved[255]. Whereas today the Kosovo Albanians can move forward in the process of state-building – although the final status is still not decided – the remaining non-Albanian population have come into a precarious situation not only in regard of their unsafe living conditions, but also as far as their national identity is concerned. The riots of March 2004, reminiscent of a pogrom, showed that a part of the Albanian popu-

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[254] See: W. Petrisch/K. Kaser/R. Pichler, <u>Kosovo, Kosova. Mythen, Daten, Fakten</u> (Klagenfurt 1999) 181-199.
[255] For a detailed analysis of the military aspects of the Kosovo war see: W. Feichtinger, ‚Die militärstrategische und operative Entwicklung im Konfliktverlauf', in: E. Reiter (ed.), <u>Der Krieg um das Kosovo 1998/99</u> (Mainz 2000) 93-135.

lation is not willing to tolerate non-Albanians in Kosovo[256]. In case that the nationalistic climate will not change to a more tolerant attitude towards minorities, the non-Albanian population in Kosovo will only have two alternatives; either to assimilate and become Albanians, or leave Kosovo. The IC and especially the EU must impress on the Albanians that anarchic nation and state building at the expense of other nationalities will not be tolerated.

At the time when the KLA started attacking Serb forces, a movement for independence was launched also in Montenegro – though there is no direct correlation between the two phenomena. The leading figure of this movement has been Milo Djukanović, who had supported Milošević during the wars in Croatia and BiH. The main motive for Djukanović's break with Milošević and with Serbia was his (correct) estimation that Milošević was an 'outstripped' politician, and that his power along with that of his political allies in Montenegro was running out. Djukanović wanted to preserve his political and economic power and therefore has staked much on an independent Montenegro. In following this policy, Djukanović, who became Prime Minister of Montenegro in January 2003, certainly walks a fine line. Unlike the situation in Kosovo, where the whole Albanian majority population strongly supports the independence of Kosovo from Serbia, there is not such a clear situation in Montenegro. The Montenegrins are traditionally divided as far as their national identity is concerned. Approximately one half of the Montenegrins feels very close to the Serbs and is strictly against the dissolution of the state-union with Serbia. The other half of the Montenegrin population regards itself as a different nation with no special ties to the Serbs and supports the policy of independence. In this polarized situation, the national minorities in Montenegro (Croats, Albanians and Bosniacs) could tip the scales in the project of nation and state building[257]. The EU, which regards border changes as a risk for regional stability, very likely will have to deal with a Montenegrin referendum about independence in Spring 2006. Then, the EU-brokered moratorium on which the state union of

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[256] See: International Crisis Group, <u>Collapse in Kosovo</u> (April 2004), ICG Website, at: <u>http://www.crisisweb.org</u>
[257] See the Podgorica weekly *Monitor*, 4 February 2005, 10-12.

Serbia and Montenegro is based[258] will have ended, some three years after coming into force in February 2003[259].

With the breakdown of Milošević's regime, Serbia has the opportunity for political and economic reforms. But its complicated relations with Kosovo and Montenegro have hindered this necessary transformation. From a rational standpoint, the Serbian government should be interested in getting rid of both problems. The Serbian government and its Prime Minister Vojislav Koštunica seem to be ready for a practical and fast solution only regarding their relations with Montenegro. The official Serb position is either to establish a functional state-union or to divorce. For Kosovo, the Serbian government sticks to its position that it should remain a formal part of the state-union Serbia and Montenegro as an autonomous entity. This is unacceptable to Kosovo Albanians.

Nation and State Building in Macedonia
Despite the fact that Macedonia was the only former Yugoslav Republic to become independent without war, nation and state-building there has developed under difficult external and internal conditions: Greece still today refuses to recognize Macedonia under its official name. The Greek explanation that the Macedonian government could raise territorial claims on the northern part of Greece with the name Macedonia seems ludicrous. Nevertheless, the consequent pressure put by Greece on this issue meant that Macedonia has had to accept the supplement "Former Yugoslav Republic" to its name. For that reason Macedonia is the only successor of the Socialist Yugoslavia, which as far as its name is concerned, is not allowed to end its Yugoslav chapter[260].

For Macedonia its specific interethnic situation is at least just as demanding as the dispute with Greece about its name. The Albanians in

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[258] See: International Crisis Group, Still Buying Time: Montenegro, Serbia and the European Union (May 2002), ICG Website, at: http://www.crisisweb.org
[259] See the interview with the director of the Brussels-based Centre for European Policy Studies, Daniel Gros, in *Monitor*, 4 March 2005, 16-17.
[260] See: International Crisis Group, Macedonia's Name. Why the Dispute Matters and How to Resolve It (December 2001), ICG Website, at: http://www.crisisweb.org

Macedonia (25 Per cent of the total population)[261] had, unlike the Kosovo Albanians, no territorial or political autonomy. The collapse of Socialist Yugoslavia had been a strong stimulus for Macedonian-Albanian nation-building. The Albanian goal to transform Macedonia into a binational Albanian-Macedonian state – as it was dramatically expressed by the civil war-like fights in spring 2001 – is perceived by many Macedonians as threatening Macedonia's statehood[262]. This fear remains four years after the signing of the so-called *Ohrid Framework Agreement*, which in August 2001 stopped the fighting between the Albanian guerrilla and the Macedonian security forces by extending collective rights of the Albanian population[263]. Like in the other cases of unfinished nation and state building in the Western Balkans, constructive support by the EU and a clear vision for the future is necessary to prevent a relapse into instability.

The EU's Changing Role in the Region

The EU's role in the Balkans has to be distinguished between the time before and after the Kosovo war. Before the Kosovo war, the EU had no concrete concept to contribute substantially to stability in South East Europe. Especially in the first half of the 1990s, a common foreign policy of the EU-member states concerning the Balkan conflicts was just lip service of Western European politicians. There was no consciousness among Western European countries that they should be responsible for Balkan issues and that stabilization of South East Europe is a political priority. In that inglorious period of Western European (dis)engagement, the initiative was on the side of the United Nations and later with even more success on the side of the USA, who successfully ended the war in BiH. Between 1991 and 1997 the EU was more or less a weak mediator

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[261] According to the census of 2002.

[262] According to a survey that was published in the UNDP-Early Warning Report from November 2004, more than 70 percent of Macedonians perceive common Albanians as a danger for the country's stability. See: http://www.undp.org

[263] In the Ohrid Framework Agreement the rights of Albanians to use their language in official contacts was extended; it was decided that the Albanians should be better represented in the public service as well as in police forces; by decentralising Macedonia, local self-government should be enhanced.

with no vision on how to stabilize the region. A good example for this passive and reactive attitude, instead of a preventive and comprehensive regional approach was the fact that the EU did not take the initiative to find a political compromise regarding the Kosovo conflict, which had been left out of the Dayton Peace Accords. The EU saw Kosovo until 1998 as a human rights problem exclusively and not as a huge security risk for the whole Western Balkans. The result of this ignorance was that 'the Forgotten of Dayton', the Kosovo Albanians, turned towards violence to attract international attention.

When in spring 1998 the Kosovo conflict entered in its phase of violent confrontation, the EU's engagement began to be more active. Although it was obvious that the United States and NATO remained key players, the representatives of the EU at the peace conference in Rambouillet (February-March 1999) were busy finding a political compromise between the parties in conflict[264]. Although the war in Kosovo will be mentioned in history books 'as another job done by the US', it was the starting point for substantial EU engagement in the Balkans. The Europeanization of crisis- and post-conflict-management in the Balkans was of great importance for the EU. In June 1997 at their summit in Amsterdam, European governments decided to make a giant leap in European unification by putting life in the Common Foreign and Security policy (CFSP). The twin goals of strengthening the CFSP in order to strengthen the EU itself and to stabilize the Western Balkans go hand in hand[265]. The stabilization of the Western Balkans has become the most demanding challenge for the EU's CFSP and the 'Europeanization of the Balkans' has become the most important priority in the regional stabilization process.

The first important step towards a comprehensive approach for the region was the setting up of the *Stability Pact for South East Europe* at the June 1999 EU summit in Cologne, immediately after the Kosovo war. Around 40 countries and international organizations have become mem-

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[264] The main negotiator on the EU side at the peace-conference in Rambouillet was the Austrian career diplomat Wolfgang Petritsch.
[265] Via http://www.europa.eu.int

bers of this political initiative that should enhance regional co-operation in South East Europe. Nevertheless the EU plays the key role in this initiative. Although the Stability Pact is not a purely EU project, it has a special responsibility for its success. Up to now it has provided all the coordinators of the Stability Pact. The member states of the EU are also the most important donors. With its organizational structure, the working table for democratization and human rights, the working table for economic reconstruction, co-operation and development and the working table for security issues, the Stability Pact reflects and deals with all the relevant issues for regional stabilization[266].

It is indisputable that the Stability Pact has been a very useful tool to renew the co-operation between the Balkan countries after years of war, but of more importance in regard of the EU's goal to 'Europeanize' the Balkans is the so called *Stabilization and Association Process* (SAP), with its core, the *Stabilization and Association Agreements* (SAAs). The SAP, which was launched in 2001, represents a concrete political vision and perspective for the Western Balkan countries. Every country in the Western Balkans according to its progress towards democratization, respect for human rights and co-operation with the ICTY as well as economic reforms has the opportunity to become a EU-associate by signing the SAA, and then to apply for full membership[267]. EU member states agreed at their June 2003 summit in Thessaloniki that the process of enlargement would not end until the countries of the Western Balkans have become members[268]. Generally speaking, the prospect of becoming members of the 'EU club' in a medium-term has become the most important catalyst for inner reforms and for normalization of Balkan rela-

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[266] See: http://www.stabilitypact.org, and also F. Labarre, 'Regional Integration through the Stability Pact', Connections: The Quarterly Journal of the PfP Consortium, Vol. 2, #2, (2003).

[267] Macedonia and Croatia signed the SAA in April respectively October 2001. Croatia received the status of EU candidate in Spring 2004. Macedonia applied for EU membership in March 2004. Albania, BiH and Serbia & Montenegro, which are behind these countries in regard of their position in the process of EU integration, currently negotiate with the EU about the SAA.

[268] M.-J. Calic, ,Strategien zur Europäisierung des Westlichen Balkans', Südosteuropa, 1 (2005), 1-37.

tions. Without this positive perspective, which was lacking at the beginning of the Yugoslav crisis, the Balkans would remain a region with semi-democratic political regimes and nationalistic antagonisms.

The EU-Accession Process and Its Impact on Nation and State Building

The EU's integrative approach makes the unfinished Western Balkans nation and state-building processes feasible. This still includes risks for regional stability, but the process can be steered in a direction of cooperation. Instead of negative domino effects, we speak about the possibility of positive domino effects. An example for that is Croatia's progress towards EU accession, which is an important incentive for the other Balkan countries not to fall too much behind. The EU accession process means that certain standards must be met.

This standard-orientated approach has an enormous significance for civil society. Critical NGOs and journalists as well as human rights activists from Western Balkan countries traditionally have had a great deal of trouble with the governing structures. Especially during wartime they were accused of being traitors and some of them were assaulted or murdered. Critical voices are still not very welcome in these societies, but under the 'protective shield' of EU and NATO, which are continuously evaluating the implementation of standards in the region within the scope of the accession process, civil society is becoming more courageous. One indicator for this positive development is that taboo themes, such as war crimes committed by co-nationals, are discussed more openly in the public. Also concerning the return of refugees and expellees who belong to national minorities, the standard oriented approach of the EU shows a positive impact; although it is not realistic to think that all refugees will return, no leading politician would risk a nationalistic campaign in order to prevent minority returns anymore.

The European perspective is not only the most important impulse for the implementation of democratic standards. It can also help avoid zero game situations in regard of weak states or unsolved status issues and sensitive interethnic constellations. This assumption applies to BiH and

Macedonia, respectively to the Dayton and Ohrid peace processes, for instance. In both cases the EU, is deeply involved in peace making. In BiH, the HR, who is the most important political actor there, very often imposes solutions in order to strengthen the central state structures vis-à-vis the two entities. This practice is very unpopular among the local population, but it seems that the ruling politicians in the two entities have become more constructive since the HR began explaining his strong measures as necessary for EU membership. The consequence is that in the setting of this temporary Dayton arrangement, it is possible to make small but steady progress because all actors accept accession to the EU as a common goal.

Envoys of the EU together with representatives of NATO were successful in ending combat between the Albanian guerrilla and Macedonian security forces by convincing both sides to sign a peace agreement. This Ohrid Framework Agreement demanded a lot of concessions from the Macedonian side and is therefore very unpopular among the Slavic Macedonians. A part of the Macedonian population fears that the implementation of this agreement could undermine the Macedonian state and that the Ohrid agreement complies with the ambitions of extremist Albanian groups to separate the Northwest of Macedonia and to unify these territories with Kosovo. But the majority of the Slavic Macedonians accepts – though with a high dose of skepticism – the Ohrid process as a political necessity to maintain the interethnic balance in their country[269]. An important reason for this acceptance is the fact that Macedonia makes progress in Euro-Atlantic integration. The Macedonian population for that reason considers the EU and NATO (and especially the US government)[270] 'guarantors' of Macedonia's territorial integrity. The more Macedonia will make progress towards EU membership, the less extremist Albanian groups will find supporters among ordinary Albanians to destabilize the country.

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[269] One important indicator for the support of this assumption was that the majority of the Macedonian voters did not participate in an anti-Ohrid referendum that took place in November 2004.

[270] The US government recognized Macedonia in November 2004 – against the will of Greece – under the name 'Republic of Macedonia'.

It is imaginable that also with regard to the unsolved status of Kosovo, a provisional state-model steered by the EU, could be a good political solution. Of course it is safe to assume that on account of the big gap that remains between Serb and Albanian political conceptions, such a conflict solution oriented on Kosovo's integration in the EU would include more risks than in the case of BiH and Macedonia. An international Balkan commission under the direction of former Italian Prime minister Giuliano Amato and former German President Richard von Weizsäcker recently proposed a scheme for provisional political solutions until all the entities of the Western Balkans will be integrated in the EU[271]. This commission recommended that Kosovo should neither be a formal part of Serbia nor should it automatically get full independence. For a transitional period, the EU should replace the UNMIK in Kosovo as a controlling instance, but the main competencies should be transferred to the Kosovo authorities. During this period, the Albanian-dominated Kosovo authorities will have to prove that they are really able to guarantee normal living conditions for the non-Albanian population and moreover the EU authorities in Kosovo will prepare them for the association process. According to the Amato/Weizsäcker-commission proposal, Kosovo would not become a formally independent state before it has fulfilled all the conditions for accession to the EU. Then Serbia (in combination with or without Montenegro) would already be a member and would therefore more easily accept the independence of Kosovo.

Challenges for the EU in Order to Keep Its Important Role in the Western Balkans

In order to keep its mainly positive influence on the process of nation and state building in the Western Balkans, the EU must take care of the following challenges:

- The EU must provide the countries of the Western Balkans not only with a list of standards they should implement, but also with a clear time-table in regard of their integration in the EU. Otherwise the EU-integration process could become too abstract and

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[271] See *Frankfurter Allgemeine Zeitung*, 12 April 2005.

therefore lose its attraction for the Western Balkan countries, which could then fall back into the old antagonist scheme.

- Political stability very much depends on satisfying economic conditions. The Balkan countries still have big problems in this regard. The high unemployment rate (30-40% in most of the western Balkan countries) will not get under control without the structural funds of the EU. The Berlin-based European Stability Initiative demanded in one of its reports that every Western Balkan state that concludes an SAA should be offered the status of EU candidate and should have full access to pre-accession programs, irrespective of whether it meets the criteria to begin full membership negotiations[272].

- In order to remain an important political factor the EU must not overestimate its influence. For the EU there is only a thin line between playing a constructive role and lapsing into colonial behavior. That could be the case in regard of the Serb-Montenegrin divorce or reunion, if the EU for instance would do more than just help the two sides to find clear procedures for either scenario. In BiH the next HR, whose most important task will be to help the local authorities to prepare for the accession process, will have to give up his/her huge executive and legislative privileges and have to fall back on an advising role.

- The EU can only be successful if it holds strong links to NATO and the USA. The EU has shown its willingness to take over the responsibility for Peace Support Operations in the Western Balkans from NATO. But still NATO's presence is very important for the successful transformation of the armed forces of Balkan countries. The EU, NATO and PfP accession processes are all congruent processes that contribute to a system of co-operative security in the Western Balkans.

Together, these initiatives at once confirm and require stable and responsible nation and state-building practices to succeed in having the Western Balkans escape their legacy of bloodshed and help complete the European construction.

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[272] See: European Stability Initiative, <u>Recommendations from Wilton Park Conference</u> (June 2004).