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EU-US Foreign Policy after the Cold War: the Dissolution of Yugoslavia and the Case of Bosnia- Herzegovina

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Abstract

Il periodo immediatamente successivo alla fine della guerra fredda è caratterizzato da grandi cambiamenti: oltre al crollo dell'URSS, si assiste infatti anche al crollo di un sistema di equilibri che durava dalla fine del secondo conflitto mondiale. Le scelte di politica estera, che fino a quel momento erano dettate dalle regole non scritte dell'equilibrio bipolare, ora vanno riformulate. Gli Stati Uniti da una parte e, dall'altra, la Comunità Europea, che poi diverrà Unione Europea, stanno sviluppando nuovi approcci alla politica estera: nel primo caso, gli Stati Uniti si ritrovano ad essere l'unica delle due superpotenze rimasta in campo; nel secondo caso, un gruppo di Stati europei sta cercando di ampliare i campi in cui elaborare politiche condivise, come appunto nel caso di una politica estera comune. In questo periodo molti cambiamenti stanno avvenendo anche nei Balcani e, in particolare, nello Stato jugoslavo. Le mosse che Stati Uniti ed Unione Europea compieranno rispetto alla dissoluzione della Jugoslavia e alla guerra in Bosnia, sia separatamente che unitamente, avranno forti ripercussioni non solo rispetto alle vicende jugoslave, ma forgeranno allo stesso tempo il rapporto tra USA ed UE in ambito di politica estera, andando ben oltre le intenzioni fino a quel momento dichiarate di sostenersi e rafforzarsi a vicenda all'interno di un'alleanza transatlantica.

Al fine di analizzare al meglio la tematica presentata, la tesi è suddivisa in quattro capitoli: il primo tratta in termini generali della situazione di USA ed UE dopo la guerra fredda; il secondo riassume per sommi capi la storia della Jugoslavia per poi analizzarne la dissoluzione; il terzo si focalizza sulla guerra in Bosnia fino agli accordi di Dayton del 1995; infine, il quarto cerca di riprendere le tematiche principali e di elaborare degli spunti di riflessione.

L'obiettivo finale è quello di analizzare in che modo la dissoluzione della Jugoslavia e in particolare la guerra in Bosnia siano state fondamentali per l'evoluzione dei rapporti USA-UE all'interno dell'alleanza transatlantica e per l'elaborazione delle politiche future.

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Introduction

The period right after the end of the Cold War was characterized by great changes: the end of Germany's bipartition symbolized at best the profound political changes which the USSR and her Eastern allied socialist States underwent since the early 1980s. After that of Berlin, other regime changes occurred, and over a relatively short period of time in countries like Poland, Romania, Czechoslovakia and Bulgaria, the former communist power monopole came to an end. In 1991, a period of deep economic and political crisis led the Soviet Union to the breakdown and the Communist Party of the Soviet Union (CPSU) was dissolved.¹ The world witnessed the end of the USSR and with it also the end of the balance system that had been developing since the end of the Second World War. As a consequence, the United States and the European Community, future European Union, were developing new approaches towards foreign policy issues. In that period many changes were occurring also in the Balkans: the independence of Slovenia and Croatia, the dissolution of the Federation of Yugoslavia and the war in Bosnia-Herzegovina. In my dissertation, I will analyze how the intertwined policies of US and EU influenced the Yugoslav dissolution and the course of the Bosnian war, and, especially, how the Bosnian war in particular shaped the relationship between the US and EU in the field of foreign policy.

The problem of historiography I will try to understand better and give a solution to is how were developing the foreign policies of the US and Western Europe after the Cold War? Was the aim of their relationship a cooperation on equal terms in the field of foreign policy or were the US pursuing the maintenance of their world leadership, starting from their role in Europe? Were the Yugoslav crisis and the Bosnian war significant to the shaping of a new US-EU foreign

¹Federico Romero, *Storia della guerra fredda. L'ultimo conflitto per l'Europa*, Torino: Giulio Einaudi Editore, 2009, 326 -334.

policy? What resulted from the US-EU involvement in Bosnia in terms of foreign policy system and aims?

In order to give an answer to these questions, I used sources that can be divided into those which are more focused on the Yugoslav crisis and the war in Bosnia and those which analyze the policies of the United States and Western Europe after the post-Cold War. For what concerns the sources related to Yugoslavia, I faced certain limits due to linguistic reasons- I do not know any of the domestic languages of the geographical area under investigation- and some difficulties in forging my own idea on the issue, since there are as many opinions and points of view as many books, essays and articles. I found particularly illuminating Woodward's book "The Balkan Tragedy", where she describes the dissolution of Yugoslavia taking into consideration the inner as well as the external factors involved. Other authors such as Bert or Parenti seem to handle the events in a more selective way, mainly to support their own theses: in the case of Bert, a pro-US attitude clearly emerges, while in Parenti the idea of an "evil" and "colonizing" West, symbolized by the US, prevails. Authors like Malcolm or Dizdarević and Riva present different points of view, too: in the first case, the author emphasizes the supposed Serbian aggression, while in the book of Dizdarević and Riva the focus is on the UN and on the way in which, according to them, the Yugoslav dissolution meant the failure of this organization. Another significant author for the subject of my thesis has been Marolov, in his essay on the US-EU foreign policy in the Yugoslav conflict: although then I developed my own point of view, it inspired me in considering the Yugoslav conflict as a crucial moment for the evolution of the EU-US relationship.

A second group of bibliographical references is related to the EU-US policies after the Cold War. I started from some more general histories, such as "Storia della guerra fredda" by Romero or "Europa e Stati Uniti dopo la guerra fredda" by Mammarella, in order to have a general framework. Then, I focused my attention on books and essays dealing with the US support for European integration, the evolution of the Atlantic framework and the EU-US intertwined foreign policies. Among these, the most significant to me was the text by Lundestad "Empire by Integration" and also the essays by Art, Williams, Brenner, Hammond and De

Benoist, which analyze the role of the US in shaping EU's foreign policy, the role of NATO and of the European Union and their evolution during and after the Bosnian war. I also tried to find and use other kinds of material in order to give depth and evidence to my statements: newspaper articles, and the texts of agreements, treaties, and political declarations, published in written form or registered in videos. To find these documents, I consulted the official websites of some of the involved institutions.

Through the study of these sources I developed the structure of my dissertation, dividing it into four main chapters. In the first one, I analyzed the evolution of EC/EU, focusing in particular on its foreign policy and on the role of the US in supporting this process in order to include the European Union in an Atlantic framework. The second chapter is dedicated to Yugoslavia, its history and dissolution, and the influence that the international community had on these events. The third focuses on the Bosnian war and on the role of both the United States and Western Europe; in this chapter I try to merge in one of the previous two lines of discussion, showing how the policies of the US and of EU were intertwined. During the Bosnian war the different American and European aims emerged more clearly. These differences affected both the efforts to find a solution to the Bosnian war and the further evolution of US-European relationship. The conclusive chapter tries to sum up, under the light of the foregoing analyses, the evolution of EU-US foreign policy after the Cold War, and highlights the crucial role the Bosnian war had in shaping it.

1. US-EU and the “empire by integration”

The process of European integration after the Second World War had the approval and support of the United States. In the official documents, publications or public participations, the stress was on how important would be a united and independent Europe for the United States. This question was presented as if the United States had the only role and aim to bring peace, security and unity all over the world, whereas the other hidden interests at stake were obviously never mentioned. From the beginning, right after the Second World War, and so at the start of the period of ideological contrast with URSS in the Cold War period, the role of the US was to “save the world” and a united Europe was considered a source of support and power.

Our policy will be designed to foster the advent of practical unity in Western Europe. The nations of that region have contributed notably to the effort of sustaining the security of the free world. From the jungles of Indochina and Malaya to the northern shores of Europe, they have vastly improved their defensive strength. Where called upon to do so, they have made costly and bitter sacrifices to hold the line of freedom. But the problem of security demands closer cooperation among the nations of Europe than has been known to date. Only a more closely integrated economic and political system can provide the greatly increased economic strength needed to maintain both necessary military readiness and respectable living standards. – Dwight D. Eisenhower ²

Noi dell'Occidente dobbiamo agire insieme nel costruire la forza militare. Dobbiamo consultarci tra di noi più ancor più strettamente di quanto fatto finora. Dobbiamo insieme studiare le nostre proposte di pace e insieme operare mentre esse vengono presentate ai tavoli delle conferenze, e insieme dobbiamo condividere oneri e rischi di questo sforzo. – John F. Kennedy ³

²Speech by President Dwight D. Eisenhower, *Annual Message to the Congress on the State of the Union*, 2 February 1953, “Presidential Documents Archive”, The American Presidency Project website: <http://www.presidency.ucsb.edu/ws/index.php?pid=9829&st=eisenhower&st1=> , (last visualization: 13.01.2014).

³Speech by John F. Kennedy from the “Report to the Nation on the Berlin Crisis”, 25 July 1961 cited in Dino Del Bo, *Gli USA per l'Europa Unita. Dagli scritti di Truman, Eisenhower, Kennedy e Johnson*, Roma: Giovane Europa Editrice, 1964, 20.

In the 1950s and 1960s the US promoted their role of hegemonic power and the European area was the place where to begin to bring peace and security. However, as it was clear by these statements, the US had never presented themselves as an “empire” that wanted to exercise control over the entire world, but all the actions taken were to be agreed in cooperation and beside a united and strong Europe.

Gli USA non possono ritirarsi dall'Europa a meno che e fino a quando l'Europa non voglia che ce ne andiamo. Non possiamo fare una distinzione tra le loro difese e le nostre (...) La nostra politica nei confronti dell'Europa si basa oggi su una profonda convinzione: che la minaccia dell'Occidente è fondamentalmente indivisibile come indivisibile è il deterrente occidentale nei confronti di tale minaccia. – John F. Kennedy⁴

Also and especially in the field of security, from an American perspective, US and Europe needed to collaborate in an Atlantic framework. The real aim was to sustain an integrated Europe as long as it would mean more support for the US hegemonic interests.

Per noi Stati Uniti il progresso dell'unificazione europea rappresenta una sfida di cui siamo pienamente consci. Ma noi siamo lieti di questo tipo di sfida e l'accogliamo volentieri poiché un'Europa che si va unificando ci offre una maggiore speranza di poter ottenere quella associazione che cerchiamo di creare attraverso l'Atlantico: un'associazione tra eguali. - Lndon Johnson⁵

US foreign policy during the Cold War was that of constant confrontation with USSR foreign policy. The two superpowers wanted to dominate the world and to spread their ideologies: both US and USSR thought that their identity and survival depended on their ability to lead the transformations that were occurring in the world towards socialism or liberal capitalism, redefining the entire reality.⁶

⁴Speech by John F. Kennedy from the “Conference on the Commercial Policy”, Washington, 17 May 1962 cited in Dino Del Bo, *Gli USA per l'Europa Unita. Dagli scritti di Truman, Eisenhower, Kennedy e Johnson*, Roma: Giovane Europa Editrice, 1964, 22-23.

⁵Speech by Lndon Johnson , Rotterdam, 5 November 1963 cited in Dino Del Bo, *Gli USA per l'Europa Unita. Dagli scritti di Truman, Eisenhower, Kennedy e Johnson*, Roma: Giovane Europa Editrice, 1964, 31.

⁶ Federico Romero, *Storia della guerra fredda. L'ultimo conflitto per l'Europa*, Torino: Giulio Einaudi Editore, 2009, 5-6.

During the Cold War and for the first time in their history, the US became a huge military power in peacetime: the dominating principle of isolationism⁷ was replaced with interventionism and a new form of nationalism.⁸

The post- Cold War period was quite different: the collapse of the Soviet Union removed the relative symmetry of power between the US and the USSR, and security needs became less urgent. Moreover, in the absence of tension between the superpowers, blocs became superfluous and alliances lost their purpose.⁹

At least in a first period right after the end of the Cold War, even if the US, as the only remaining superpower, had a central role in world politics, third-world conflicts were no longer given high priority or, to put it better, the US had not decided yet what kind of priority they should be given in political and military terms. In political terms, US power was thought to be used to create a Western form of coalition aimed at the safety of liberal capitalism, developing a new international system based on multilateralism and US hegemony, even though it was not sure what price they could be able to pay to reach these objectives. Conflicts during the Cold War were encouraged and stimulated by one or both superpowers, while in this first phase right after the end of the Cold War the US and other powers had lost interest in promoting conflicts or in controlling them. In many cases, such as in the case of Yugoslavia, they deplored these conflicts, but they also were unprepared to pay the price necessary to prevent or stop them. The new international situation in which the US found itself in the early 1990s and in which the Bosnian War was to be set, at least in its first phases, was, in some

⁷“Isolationism, I repeat, is the deposit of this fundamental American foreign policy. The principle of the policy was to keep a free hand in order to expand westward to the continental limits. In any current European usage of the words American isolationism is not neutralist or pacifist. By nature and by mood it is not prudent and it is not retiring. The isolationists of the twentieth century have wished to isolate not merely the American continental domain and the Western Hemisphere. In the last analysis they have wanted to isolate American decisions and actions, to have the final word wherever Americans are involved.”, Walter Lippman, “Isolation and expansion” in Walter Lippman *Isolation and Alliances: An American Speaks to the British*, Little, Brown and Co., 1952: <https://www.mtholyoke.edu/acad/intrel/lipp.htm> (last visualization: 25.11.2013).

⁸Giuseppe Mammarella, *Europa e Stati Uniti dopo la guerra fredda*, Bologna: Il Mulino, 2010, 11.

⁹Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 1-5.

ways, a relief after the continual tension and threat of nuclear annihilation that accompanied the Cold War. At the same time, the US found themselves without a clear mission for their armed forces and its foreign policy; the new localized and brutal conflicts in the world appealed to citizens' humanitarian instincts and seemed to call for intervention, especially when receiving high visibility through electronic media, but there was also a realization that intervention might have been costly, and without any kind of immediate payoff that would generate public support.¹⁰

The US had to make a "choice": if in the Cold War period their hegemonic role was due to the continuous competition with URSS, now, as the only superpower left, they had to decide if they would have acted in order to maintain their power and control over the world, creating a sort of sphere of influence that can be lightly compared to the domain of an empire, even if with different means and methods.

The theory that my dissertation will present is in line with those historians that saw, in the behaviour of the United States and in the historical events where they were involved, a form of US imperialism, even though through different means if compared to the great powers of the past. As sustained by Lundestad, the United States, like other "Great Powers" such as the Austrian, the British or the French empires, protected their interests, and after the Second World War these interests expanded dramatically. US efforts to control and dominate were based on American values of freedom, peace and security, and, on the American side, these values left a wide scope for European self-organization. However, the European self-organization option was possible just under American control and within a specific framework where US had the hegemonic role.

Thus, while the overall objective of the United States may not in principle have been very different from those of other "Great Powers", the way in which the US defined its control and the methods it used to maintain this control were indeed

¹⁰Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 8-13.

rather different from those of other “Great Powers”. Unlike traditional empires, most of the countries under some sort of American influence were independent. At the same time, however, there could be little doubt about the predominant overall role of the US. This American “empire” contained many of the key areas of the world, with Western Europe being the most important one. In Western Europe, Washington, in fact, was able to organize NATO, control the larger part of crucial Germany, keep the Communists out of power, include the region in the American-organized system of free trade, and greatly enhance the influence of American culture. The fact that many Europeans supported these same objectives does not detract from this fact. So, on the one hand, the US clearly organized their “empire” differently from those of other “Great Powers”: Washington actually favoured the creation of a supranational Europe with its own political bodies and at least the possible development of an alternative political centre.¹¹

It is the first time in history that a great power, instead of basing its policy on ruling by dividing, has consistently and resolutely backed the creation of a large Community uniting peoples previously apart.¹²

Yet, on the other hand, the US protected its preeminent position. First, the US did not pursue its pro-integrationist policy primarily for the sake of the Western Europeans, but the main reason to sustain a united Europe was the “double containment” of Germany and Soviet Union. Second, while the US supported an integrated Europe, this was not to be an independent Europe in the sense of the “third force” beyond US and URSS. In the American perspective, the integrated Europe was always to be fitted into a wider Atlantic framework, and this concept was maintained also after the end of the Cold War. Lundestad calls this kind of hegemony “empire by integration” and it can be analysed and better understood

¹¹Geir Lundestad, *“Empire” by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 1-4.

¹²Francois Duchêne, *Jean Monnet: The First Statesman of Interdependence*, New York: Norton, 1994, 386.

first of all taking into consideration both the evolution of the EC/EU foreign policy and the relationship between EC/UE and US foreign policies.¹³

1.1 EC/EU foreign policy evolution

1.1.1 Background to EU foreign policy development

Throughout the stages of the construction of a European Community, the issues of political union, common foreign policy and common defence policy had regularly been put on the agenda by a series of policy proposals. In 1950, the Pléven plan, named after the French Prime Minister, aimed at creating an integrated Western European army under joint command. This plan was the subject of negotiation between member states of the European Coal and Steel Community (ECSC) from 1950 to 1952, and led to the signature of the treaty establishing the European Defence Community (EDC). However, it never came to fruition, since it was rejected by the French National Assembly on 30 August, 1954. In the early sixties, tough negotiations were conducted on the basis of the two Fouchet plans presented one after the other in France, calling for closer political cooperation, a union of states and common foreign and defence policies. However, no agreement could be reached on the proposals of the Fouchet Committee and negotiations between the member states foundered in 1962.¹⁴

In response to calls by Heads of State and Government for a study of possible ways of moving forward on the political level, the Davignon report was presented in 1970 at the Luxembourg Summit. This was the starting point for European Political Cooperation (EPC), launched informally in 1970 before being formally enshrined in the Single European Act (SEA) in 1987. The main feature of EPC was consultation among the member states on foreign policy issues. The

¹³Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 1-4.

¹⁴ Common Foreign and Security Policy”, in: *Europa. Summaries of EU legislation*: http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a19000_en.htm (last visualization: 25.11.2013).

establishment of the European Council in 1974 contributed to better coordination of EPC because of the role it gave to Heads of State and Government in defining the general orientation of Community policy. Determined to strengthen EPC, in 1981 it was adopted the London Report which required prior consultation by member states of each other and the European Commission on all foreign policy matters affecting all member states. In 1982, prompted by the same concern to affirm the international position of the Community, the Genscher-Colombo initiative proposed a draft European Act and led, in 1983, to the Stuttgart Solemn Declaration on European Union.¹⁵

In 1985, the Dooge Committee Report, drawn up in preparation for the inter-governmental conference which was to lead to the Single European Act, contained a number of proposals concerning foreign policy and proposing some objectives given the highest priority, such as a homogeneous internal economic area, the promotion of the common values of civilization, the search for an external identity, efficient and democratic institutions, easier decision-making in the Council, a strengthened Commission and the European Parliament as a guarantor of democracy in the European system.¹⁶

In the end, the provisions introduced by the Single European Act did not go as far as the Dooge Committee proposals, but they did establish an institutional basis for EPC, the group of European correspondents and a Secretariat working under the direct authority of the Presidency. The objectives of EPC were also extended to all foreign policy issues of general interest.¹⁷

¹⁵ “Common Foreign and Security Policy”, in: *Europa. Summaries of EU legislation*: http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a19000_en.htm (last visualization: 25.11.2013).

¹⁶ “Report from the ad hoc Committee on Institutional Affairs to the European Council”, Brussels, 29-20 March 1985, *Bulletin of the European Communities*, Luxembourg: Office for official publications of the European Communities, March 1985, CVCE website, http://www.cvce.eu/obj/report_from_the_ad_hoc_committee_on_institutional_affairs_brussels_29_30_march_1985-en-17c22ae3-480a-4637-ad28-e152d86105b7.html (last visualization: 25.11.2013).

¹⁷ “Common Foreign and Security Policy”, in: *Europa. Summaries of EU legislation*: http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a19000_en.htm (last visualization: 25.11.2013).

1.1.2 The Maastricht Treaty and the Common Foreign and Security Policy (CFSP)

After the Cold War, the world, especially from an economic point of view, was changing, and Europe was changing with it. The need for a more cooperative system, resulted in the modification of the EC treaties through the UE treaty, also called Maastricht treaty (effective from November 1, 1993).

The Union shall set itself the following objectives:

- to promote economic and social progress which is balanced and sustainable, in particular through the creation of an area without internal frontiers, through the strengthening of economic and social cohesion and through the establishment of economic and monetary union, ultimately including a single currency in accordance with the provisions of this Treaty;
- to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to a common defence;
- to strengthen the protection of the rights and interests of the nationals of its Member States through the introduction of a citizenship of the Union;
- to develop close cooperation on justice and home affairs; (...)¹⁸

With the Maastricht Treaty taking effect in 1993, the Common Foreign and Security Policy (CFSP) replaced EPC and a separate inter-governmental pillar was created in the Community structure. CFSP was now governed by the provisions of Title V of the Treaty on European Union¹⁹ and its capacity for action was reinforced through the introduction of more coherent instruments and more efficient decision-making under the Treaty of Amsterdam. The European Council, the body that defines the principles and general guidelines of the CFSP, now has the right to define, by consensus, common strategies in areas where the member

¹⁸“Treaty on European Union”, *Official Journal C 191*, 29 July 1992, in: European Union official website : <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html#0001000001> (last visualization: 25.11.2013).

¹⁹“Consolidated version of the Treaty on European Union”, see the full text in the website basiclaw.net: http://www.basiclaw.net/Appendices/eu_cons_treaty_en.pdf (last visualization: 25.11.2013).

states have important interests in common. A crucial step was also the incorporation into Title V of the EU Treaty of the Petersberg tasks, which represented a very fitting EU response to the resurgence of local conflicts posing a real threat to security (as in former Yugoslavia). The Petersberg tasks embodied the Member States' shared determination to safeguard European security through operations such as humanitarian and peace-making missions.²⁰

Ministers reviewed the significant changes that had taken place in the security situation in Europe since their last regular meeting in November 1991. They emphasized the importance of strengthening the role and institutions of the CSCE for peace and security in Europe. (...) They supported the proposal under discussion at the Helsinki Follow-up meeting for the CSCE to declare itself as a regional arrangement under Chapter VIII of the United Nations Charter. Ministers considered that the CSCE should have the authority to initiate and pursue peacekeeping operations under its own responsibility.(...)²¹

1.1.3 Western European Union (WEU)

The Western European Union (WEU), intended to become the EC/EU's operational arm, is an important aspect of European defence cooperation. Through WEU the EC was thought to be able to develop a defence cooperation which also would strengthen the European pillar of the NATO.²²

WEU's origins date back in the 1940s, but the role that it achieved in the post-Cold War period is linked to its reactivation in the early 1980s. On the initiative of the Belgian and French Governments, a preliminary joint meeting of the Foreign and Defence Ministers within the WEU framework was held in Rome on 26-27

²⁰ "Common Foreign and Security Policy", in: *Europa. Summaries of EU legislation*: http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a19000_en.htm (last visualization: 25.11.2013).

²¹ "Petersberg Declaration", *Western European Union Council of Ministers*, Bonn, 19 June 1992, <http://www.weu.int/documents/920619peten.pdf> (last visualization: 25.11.2013).

²² Thomas Frellessen, Roy H. Ginsberg, *EU-US Foreign Policy Cooperation in the 1990s. Elements of partnership*, Brussels: Centre for European Policy Studies, 1994, 5.

October, 1984. It was marked by the adoption of the founding text of WEU's reactivation: the Rome Declaration.²³

Conscious of the continuing necessity to strengthen western security and of the specifically western European geographical, political, psychological and military dimensions, the Ministers underlined their determination to make better use of WEU framework in order to increase cooperation between the member States in the field of security policy and to encourage consensus.²⁴

In addition, the role of WEU within the Atlantic Alliance has been stated through the Hague Platform (1987),²⁵ through which the WEU Council and its Special Working Group produced a report on European security conditions and criteria, and on the specific responsibilities of the Europeans for their defence.²⁶

²³“WEU History” , in: Western European Union - Union de l'Europe Occidentale official website, <http://www.weu.int/History.htm#3> (last visualization: 25.11.2013).

²⁴ See the entire document “Declaration Rome”, *Council of Ministers*, 24 October 1984, <http://www.weu.int/documents/841024en.pdf> (last visualization: 25.11.2013).

²⁵ See the entire document “Platform on European Security interests”, *The Hague*, 27 October 1987: <http://www.weu.int/documents/871027en.pdf> (last visualization: 25.11.2013).

²⁶“WEU History” , in: Western European Union - Union de l'Europe Occidentale official website, <http://www.weu.int/History.htm#3> (last visualization: 25.11.2013).

1.2 Analysis of the relationship between EC/UE and US foreign policies

1.2.1 First stages of US support for EC/EU integration

First of all there is to make a distinction between the public US position towards EC/EU integration and the interests and motives that pushed US to act as they did with regard to this issue: in this section my aim is to present the evolution of the public position in order to have a starting point for my discussion.

The Marshall Plan

From 1947 onwards the US supported Western European integration, starting with the Marshall Plan that called for comprehensive forms of cooperation among European countries.²⁷

It is already evident that, before the United States Government can proceed much further in its efforts to alleviate the situation and help start the European world on its way to recovery, there must be some agreement among the countries of Europe as to the requirements of the situation and the part those countries themselves will take in order to give proper effect to whatever action might be undertaken by this Government. It would be neither fitting nor efficacious for this Government to undertake to draw up unilaterally a program designed to place Europe on its feet economically. This is the business of the Europeans. The initiative, I think, must come from Europe. The role of this country should consist of friendly aid in the drafting of a European program and of later support of such a program so far as it may be practical for us to do so. The program should be a joint one, agreed to by a number, if not all European nations.²⁸

²⁷ Geir Lundestad, *“Empire” by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 6.

²⁸ “The Marshall Plan Speech at Harvard University, 5 June 1947” in OECD website: <http://www.oecd.org/general/themarshallplanspeechatharvarduniversity5june1947.htm> (last visualization: 10.01.2014); for the audio see “The Marshall Plan Speech” in the George C. Marshall Foundation website <http://www.marshallfoundation.org/library/MarshallPlanSpeech.html> (last visualization: 10.01.2014).

The 1950s: the European Coal and Steel Community, the European Defence Community, the European Atomic Energy Commission, the European Economic Community and the European Free Trade Association

In the 1950s, when the Europeans began actually to work out more concrete forms of cooperation, US gave its support from the very beginning. Soon after French foreign minister Robert Schuman launched the idea of a European Coal and Steel Community (ECSC) in May 1950, the US president Harry S. Truman underlined that the United States welcomed “this act of constructive statesmanship”.²⁹

The US supported also the European Defense Community (EDC): the idea, expressed by the secretary of state John Foster Dulles in 1953, was that if the EDC was not established it would have implied the US withdraw from Europe. In the end, however, although the French national assembly rejected the EDC in August 1954, the American forces remained.³⁰

US expressed their total public support to an integrated Western Europe also in 1957 during the creation of the European Atomic Energy Commission (EURATOM) and the European Economic Community (EEC): US President Eisenhower told a French delegation that “he felt that the day this common market became reality would be one of the finest days in the history of the free world, perhaps even more so than winning the war”.³¹

In the negotiations between the EEC, or the Common Market, composed by France, West Germany, Italy, Belgium, the Netherlands, and Luxembourg, and the

²⁹US Department of State, *Bulletin*, 29 May 1950, 828 cited in Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 7.

³⁰Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 6-7.

³¹Declassified Documents Reference Service, 1992, 0440, meeting Eisenhower French delegation, probably 26 February 1957. See also FRUS, 1955-7: IV, Report by the Subcommittee on Regional Economic Integration of the Council on Foreign Economic Policy to the Council, 15 November 1956, 483-4; *Public Papers of the Presidents. Dwight D. Eisenhower, 1956*, 1038-45 cited in Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 7.

European Free Trade Association (EFTA), established in 1959 and consisting of Britain, Sweden, Denmark, Norway, Austria, Switzerland, and Portugal, to overcome the split between the “inner six” and the “outer seven”, as the two groups were also called, both the Eisenhower and the Kennedy administration made it clear that while they wanted the split overcome, this was not to be done at the expense of the Common Market structure, because, as the President John F. Kennedy underlined it was the best solution for the Atlantic Community.³²

This represented a shift in Washington’s attitude, a shift that will be very significant to understand the further evolution of EU/US relationship: no longer was the emphasis on the need for an as much as possible comprehensive European integration, but this integration had to take place within an Atlantic framework. The American leadership role, which had earlier been more or less assumed, was now explicitly underlined.³³

De Gaulle’s challenge to the Atlantic framework

Two main challenges were to arise in the 1960s to the American policy of support for a more united Western Europe inside an Atlantic framework: one came in the form of the French President Charles De Gaulle and his vision of a Europe relatively independent from the US; the other was economic and was expressed in Washington’s concern about the effects a more united Europe would have on American economic interests. However, at the end, US support was maintained and the general American position on European integration was formulated, with strong emphasis on the Atlantic framework, in 1962.³⁴

The nations of Western Europe, long divided by feuds far more bitter than any which existed among the 13 colonies, are today joining together, seeking, as our forefathers sought, to find freedom in diversity and in unity, strength.

³²FRUS, 1961-3 XIII, Memorandum of conversation Kennedy- Adenauer, 13 April 1961, 6, cited in Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 8.

³³Geir Lundestad, *“Empire”by Integration*, 9.

³⁴Geir Lundestad, *“Empire”by Integration*, 64.

The United States looks on this vast new enterprise with hope and admiration. We do not regard a strong and united Europe as a rival but as a partner. To aid its progress has been the basic object of our foreign policy for 17 years. We believe that a united Europe will be capable of playing a greater role in the common defence, of responding more generously to the needs of poorer nations, of joining with the United States and others in lowering trade barriers, resolving problems of commerce, commodities, and currency, and developing coordinated policies in all economic, political, and diplomatic areas.³⁵

After Eisenhower and Kennedy, later administrations were to repeat the same themes, and were to keep searching for ever-new formulations in ever-new declarations that could create the best basis for an improved Atlantic relationship between the US and the more integrated Europe, whether this was called the EEC, the EC, or the EU.³⁶

1.2.2 From Nixon to Reagan: different approaches towards EC/ EU integration

Nixon-Kissinger: new policy towards European integration

In spite of the positive declarations, with US President Nixon in the 1970s we can see for the first time that the US were actually re-evaluating Washington's traditional policy of strong support for European integration: the two sides of the Atlantic did not have the identical political interests and they competed fiercely in certain economic areas³⁷; what is more, the new element was that, because of this Atlantic priority, Washington was no longer to push for the most supranational forms of European integration: the formal rationale for the new policy was that the Europeans had to decide on their own what they wanted. The Nixon administration policy was, in other words, to leave the initiative on European integration to the Europeans, with the US stressing the overall Atlantic

³⁵ Speech by President John F. Kennedy, at Independence Hall, Philadelphia, 4 July 1962, *Presidential Remarks*, PBS website <http://www.pbs.org/capitolfourth/kennedy.html> (last visualization: 11.01.2014).

³⁶ Geir Lundestad, *"Empire" by Integration*, 9.

³⁷ Geir Lundestad, *"Empire" by Integration*, 9-10.

framework.³⁸ The conclusion was clear: the US “should leave the internal evolution of a united Europe to the Europeans and use its ingenuity and influence in devising new forms of Atlantic cooperation”.³⁹ In the Nixon-Kissinger analysis, Atlantic cooperation worked well in the security field, but not in the economic one. This discrepancy led the president to ask whether Atlantic unity in defence and security could be reconciled with the European Community’s increasingly regional economic policies and he answered himself that the Europeans “could not have it both ways”, that is to say, they could not have the US participation and cooperation on the security front and then proceed to have confrontation and even hostility on the economic and political front.⁴⁰

Nixon and Kissinger dealt with the problem of the decline in transatlantic relations in the period called the Year of Europe, which was the most ambitious attempt to redefine and strengthen relations with Europe within the Atlantic framework. The new Atlantic Charter that Kissinger proposed irked the Europeans by pointing out that, while the US had global responsibilities, the Europeans only had more regional ones, and also by emphasizing the linkage between the maintenance of the American security guarantee and a European quid pro quo in the economic sphere and with regard to military burden-sharing. In response the EC’s draft agreement stressed the political equality of the EC and the US. The Europeans also refused to recognize any linkage between security and political/economic problems. It was in this context that the Nixon administration underlined that “the Europeans could not have it both ways”. The result of these discussions was the 1974 Atlantic Declaration, largely based on American ideas. The American security guarantee was tied to the Europeans assuming a fair share of the defense burden. The linkage with political/economic problems was also recognized by an expression of intent that the American-European security relationship “be strengthened through harmonious relations in the political and

³⁸Geir Lundestad, “*Empire*”by *Integration*, 98-100.

³⁹Henry A. Kissinger, *What kind of Atlantic partnership?*, *The Atlantic Community Quarterly*, 7, 1969, 32.

⁴⁰*Public Papers of the Presidents. Richard M. Nixon, 1973*, 404-5 (the question); *1974*, 276 (the answer), cited in Geir Lundestad, “*Empire*”by *Integration*, 102.

economic fields”. Washington’s fear that the European would “gang up” on the Americans was to be avoided by the Europeans consulting the Americans before they reached decisions on important matters of common interest.⁴¹

After Nixon’s resignation in August 1974, President Ford had more pressing matters to deal with than American-European relations and, together with Kissinger, he decided to consult regularly only with the chairman of the European Council, representing the national governments, not with the supranational Commission President.⁴²

The Carter and Reagan administrations

The Carter administration came to power believing in “trilateralism” between US, Western Europe and Japan. The new President had criticized Nixon and Kissinger for their concentration on relations with the Soviet Union and China at the expense of loyal allies such as the Europeans. Because of these ideas, there were relatively few trade disputes between the US and the EC in this period and, furthermore, the whole decade 1973-1983 was a sort of stagnate decade in EC developments. But then the EC took on new life with the adoption of the Single European Act (SEA) of 1985, which aimed to establish a fully integrated market. The Reagan administration continued some of the pro-integrationist rhetoric and thus welcomed the SEA, but probably just because this act was not taken seriously, reflecting the previous decade’s experience with an EC of considerable talk, but little action. However, when the Act was actually being ratified in the national parliaments, articles about the danger of a “Fortress Europe” began to appear in the American press. Also the Reagan administration now expressed concern on several points, among which agriculture remained the single most difficult issue: Washington in fact saw many of the SEA directives implementing the integrated market as protectionist. What is more, the US, which had

⁴¹Miles Kahler, Werner Link, *Europe and America: A Return to History*, New York: Council on Foreign Relations Press, 1996, 79-85.

⁴²Geir Lundestad, *“Empire” by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 106-107.

consistently been running a surplus in its trade with the EC, began in 1984 to run a deficit.⁴³

1.2.3 Western European Union reactivation and the US approach towards EU in the 1990s

The reactivation of WEU

In 1984 the French presented plans to revitalize the Western European Union and, in October, the foreign and defense ministers adopted a Rome declaration underlining their determination to increase cooperation between the Western Europe member states in the field of security policy. The reactivation of WEU received the public approval of the Reagan administration, but, more privately, the administration was clearly afraid that the French-led initiative could impact negatively on the supremacy of NATO. In late March 1985, Richard Burt, the assistant secretary of state for European and Canadian affairs, therefore sent a letter to the seven WEU governments cautioning them that in particular they should not seek a common position on arms control matters outside the NATO framework. All these developments, combined with numerous transatlantic quarrels about East-West issues, including arms control, and the close relationship between Reagan and Euroskeptic Margaret Thatcher made relations between the US and the EC the coolest ever.⁴⁴

The Bush administration and the Transatlantic Declaration (1990)

The atmosphere between the US and the EC was to improve in the 1990s with the George H. W. Bush administration: while Reagan had tended to get personally involved especially in the economic disputes between the two sides of the

⁴³Geir Lundestad, *“Empire” by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 108-111.

⁴⁴*Ibidem*, 109-112.

Atlantic, Bush was much more focused on the overall political relationship. In addition, the end of the Cold War resulted in the liberation of Central and Eastern Europe in 1989 and the unification of Germany in 1990, reinforcing US sympathy for European integration: a strong EC was seen as even more useful in integrating a reunited Germany in Europe and, what is more, the EC was also valuable in a general burden-sharing perspective.⁴⁵

Many EU and US leaders testified to the value and importance of working together to solve common international problems especially leading up to the Transatlantic Declaration on November, 1990.

The United States of America on one side and, on the other, the European Community and its Member States,

- mindful of their common heritage and of their close historical, political, economic and cultural ties,
- guided by their faith in the values of human dignity, intellectual freedom and civil liberties, and in the democratic institutions which have evolved on both sides of the Atlantic over the centuries,
- recognizing that the transatlantic solidarity has been essential for the preservation of peace and freedom and for the development of free and prosperous economies as well as for the recent developments which have restored unity in Europe,

(...) have decided to endow their relationship with long- term perspectives.⁴⁶

Two important speeches may be taken into account here to understand the evolution of a common policy through the Transatlantic Declaration:

The changes that are occurring in Western Europe are less dramatic than those taking place in the East, but they are no less fundamental. The post-war order that began in 1945 is transforming into something very different. And yet certain essentials remain, because our alliance with Western Europe is utterly unlike the cynical power alliances of the past. It is based on far more than the perception of a common enemy; it is a tie of culture and kinship and shared values. And as we look toward the 21st century, Americans and Europeans alike should remember the words of Raymond Aron, who called the alliance a moral and spiritual community. Our ideals are those of the

⁴⁵Geir Lundestad, *“Empire” by Integration*, 110-114.

⁴⁶*Transatlantic Declaration on EC-US Relations*, 1990, in: European Union External Action official website: http://eeas.europa.eu/us/docs/trans_declaration_90_en.pdf (last visualization: 25.11.2013).

American Bill of Rights and the French Declaration of the Rights of Man. And it is precisely because the ideals of this community are universal that the world is in ferment today. - George Bush⁴⁷

The President and I agreed, at this time, to strengthen the links between the European Community and the United States. We agreed for that purpose, as the President has said, that a meeting between the U.S. President and each President in office of the European Council should become a regular feature of the U.S.-European Community relations, and that one such meeting should be held each Presidency of the European Council. And I'll be recommending that to my European colleagues, the heads of state or government of the European Community, immediately on my return. We also agreed that the Foreign Ministers of the Community will meet the U.S. Secretary of State on two occasions a year, at least. In addition, the European Commission is taking steps to increase the frequency of its formal meetings with the U.S. Cabinet. This arrangement will give us both a better overall structure and direction to the wide variety of existing contacts and discussions, and they will also provide a new framework for enhanced political and economic ties between the Community and the United States. We are, in fact, building a broader bridge across the Atlantic. - Charles Haughey⁴⁸

With the Transatlantic Declaration EU and US defined some common goals in order to support democracy, the rule of law and respect for human rights. They wanted to safeguard peace and promote international security, by cooperating with other nations against aggression and coercion, by contributing to the settlement of conflicts in the world and by reinforcing the role of the United Nations and other international organisations.⁴⁹

⁴⁷US President George Bush, *Remarks at the Boston University Commencement Ceremony in Massachusetts*, 21st May 1989, see the full text in the website George Bush Presidential Library and Museum: http://bushlibrary.tamu.edu/research/public_papers.php?id=437&year=1989&month=5 (last visualization: 25.11.2013).

⁴⁸*Remarks Following Discussions With Charles Haughey, Prime Minister of Ireland and President of the European Council*, 27th February 1990, see the full text in the website The American Presidency Project: <http://www.presidency.ucsb.edu/ws/index.php?pid=18195#axzz2gSc5cP3> (last visualization: 25.11.2013).

⁴⁹*Transatlantic Declaration on EC-US Relations*, 1990, in: European Union External Action official website: http://eeas.europa.eu/us/docs/trans_declaration_90_en.pdf (last visualization: 25.11.2013).

Anyway, in Washington the assumption was still that the US would act as the undisputed leader, despite the growing strength of Western Europe, and, when the Bush administration felt that the supreme role of NATO, and of the United States, was threatened, he spoke out forcefully organizing the so-called Dobbins démarche to European capitals: deputy assistant secretary of state for European affairs James Dobbins made it plain that while the US would welcome a stronger European voice in NATO, it was most uneasy about the development of a WEU which was not closely connected to NATO. Again “no ganging up” against the US and it was also again underlined that on important matters the US had to be consulted before the Europeans reached agreement. The good side about the WEU was that it could help in burden-sharing, particularly outside the NATO area.⁵⁰

The Maastricht Treaty

With the ratification of the Maastricht Treaty, a European Union (EU) was formally proclaimed, a Common Foreign and Security Policy could be developed, and also an Economic and Monetary Union was decided to be set up.⁵¹ The Bush administration indicated strong support, trying to find the good points that could favour the US too. A monetary union would help American companies inside the EU and greatly alleviate the troublesome problem of competitive devaluations, but it could also threaten the central role of the dollar in international finance. On the other side, the CFSP had to be reconciled with the pre-eminent role of NATO.⁵²

⁵⁰Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 114-116.

⁵¹Thomas Frellessen, Roy H. Ginsberg, *EU-US Foreign Policy Cooperation in the 1990s. Elements of Partnership*, Brussels: Centre for European Policy Studies, 1994, 12.

⁵²Geir Lundestad, *“Empire”by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 115-117.

Clinton administration

At the beginning of Clinton administration the domestic side was what at most counted in the formulation of the US policy. The overall tone of US policy towards Europe was only to be firmly set by the President himself in Brussels in January 1994.⁵³

I have come here at this time because I believe that it is time for us together to revitalize our partnership and to define a new security at a time of historic change. It is a new day for our transatlantic partnership: the Cold War is over; Germany is united; the Soviet Union is gone; and a constitutional democracy governs Russia. The spectre that haunted our citizens for decades of tanks rolling in through Fulda Gap or nuclear annihilation raining from the sky -- that spectre, thank God, has largely vanished. Your generation is the beneficiary of those miraculous transformations.(...) My administration supports European union, and Europe's development of stronger institutions of common purpose and common action. We recognize we will benefit more from a strong and equal partner than from a weak one. - Bill Clinton⁵⁴

In principle, he also looked favourably on the EU's commitment to develop a Common Foreign and Security Policy and on the Western European Union's intention to assume a more vigorous role. What is more, while definitely leaving the initiative almost entirely to the Europeans, the administration did express support for both the widening and the deepening of the European Union, favouring the inclusion of the Central and Eastern European countries in the EU. As in the words of Lundestad, the question that raised is, how was this approach reconciled with the traditional emphasis on the supremacy of the NATO framework?⁵⁵

⁵³Geir Lundestad, *"Empire" by Integration*, 116-118.

⁵⁴US President Bill Clinton, *Remarks by the President to a Multinational Audience of Future Leaders of Europe*, 9th January 1994, see the full text in the website United States Diplomatic Mission to Germany: <http://usa.usembassy.de/etexts/ga6-940109.htm> (last visualization: 25.11.2013).

⁵⁵Geir Lundestad, *"Empire" by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 117-119.

We give our full support to the development of a European Security and Defence Identity which, as called for in the Maastricht Treaty, in the longer term perspective of a common defence policy within the European Union, might in time lead to a common defence compatible with that of the Atlantic Alliance. The emergence of a European Security and Defence Identity will strengthen the European pillar of the Alliance while reinforcing the transatlantic link and will enable European Allies to take greater responsibility for their common security and defence. The Alliance and the European Union share common strategic interests.⁵⁶

The stronger formulation reflected the change on the American side from Bush's traditional Cold War insistence on NATO's supremacy to Clinton's added focus on the Europeans doing more for their own defence. The result was the American proposal for Combined Joint Task Forces (CTJF) within NATO: that is to say, that specifically designated forces could be put together for operations, particularly outside the NATO area, while still drawing upon NATO infrastructure. In other words it meant that WEU forces could be put into action without any American contribution of troops, while still making use of NATO assets, such as command-and-control systems.⁵⁷

The Clinton administration's attitude could be explained with the end of the Cold War, after which Washington could now be more relaxed about the forms of European integration, since the EU could do a useful job in integrating the Central and Eastern European countries in a democratic and market-oriented system. In addition, the US were sympathetic to the WEU as long as it accepted NATO supremacy⁵⁸:

The first principle is that NATO is and will remain the anchor of America's engagement in Europe and the core of transatlantic security.⁵⁹

⁵⁶*Ministerial Meeting of the North Atlantic Council/ North Atlantic Cooperation Council*, NATO Headquarters in Brussels, 10-11 January 1994, see the full text in NATO official website: <http://www.nato.int/docu/comm/49-95/c940111a.htm> (last visualization: 25.11.2013).

⁵⁷Interviews with Robert E. Hunter cited in Geir Lundestad, *"Empire" by Integration. The United States and European Integration, 1945-1997*, New York: Oxford University Press, 1998, 120.

⁵⁸Geir Lundestad, *"Empire" by Integration.*, 119-121.

⁵⁹USIS, Christopher's speech, 1 December 1994 cited in Geir Lundestad, *"Empire" by Integration.*, 121.

In reality, the fact was just one: the Europeans were coming to rely even more on the Americans than before, since NATO was to have first call on NATO resources if NATO wanted to undertake some action, and, if for some reason it did not want to do this and the WEU were then to act using NATO resources, the necessary decision would have to be taken by the NATO Council and the NATO chain of command had to be respected; of course the US had full control over its national resources: since all this clearly meant many different forms of American approval, it was difficult to see how the Europeans could really act alone.⁶⁰

After an initial period of hesitation, it became increasingly clear that the United States certainly did not want to be left out of European decision-making. What is more, sometimes a considerable discrepancy existed between what the administration said and what it actually did.⁶¹

This double-face that characterized the American policy of this historical period is best illustrated in the case of the former Yugoslavia, and, in particular in that of Bosnia-Herzegovina. For this reason, in the next chapters I will focus my attention on the development of the Yugoslav wars and on the course and solution of the Bosnian war.

⁶⁰Philip H. Gordon, *Europeanization of NATO: A Convenient Myth*, 7 June 1996, The New York Times online: <http://www.nytimes.com/1996/06/07/opinion/07iht-edphil.t.html> (last visualization: 13.01.2014).

⁶¹Geir Lundestad, *“Empire” by Integration.*, 122.

2. Yugoslavia: origins and end of a federation

The Bosnian war could not be understood without taking into account the history of Yugoslavia and, even if it seems obvious, it might be useful to highlight why. Bosnia, its history and its nature of a multi-ethnic society are strictly linked to the history and evolution of Yugoslavia as a whole. In order to understand and to discuss the declarations, the aims, the actions both of internal and external actors during the period of the war in the 1990s, it is necessary to have a general framework of the evolution of this territory. As Malcolm highlights, the war in Bosnia created two more reasons to study the Yugoslav case: the need to understand the origins of the conflict and the need to dissolve the misunderstandings and the legends that were part of the debate on Bosnia and the war.⁶² In this way, also the behaviour of the international community, and in particular of the US and the EU, can be better understood.

I will examine the most important moments in Yugoslavia history after World War II, focusing on the economic crisis that Yugoslavia had to face and which was one of the main causes of its break-up, and dealing with the period of political instability. The latter was characterised by the search for independence by the single republics, the intervention by the international community, which acted following different principles, such as that of self-determination or that of sovereignty, and the beginning of the war in Croatia and then Bosnia.

2.1 Yugoslavia: from kingdom to federation

2.1.1 The Kingdom of the Serbs, Croats and Slovenes

Two were the united Yugoslavias that developed after World War I, one from 1918 to 1941 and the other from 1945 and 1991, and both were shaped by the post-war settlements of the European powers.

⁶²Noel Malcolm, *Storia della Bosnia. Dalle origini ai giorni nostri.*, Milano: Bompiani, 2000, 17.

In 1918, right after World War I, the great powers at Versailles determined the composition of the new country and, using the new principle of the right to self-determination to justify the dissolution of the Habsburg and Ottoman empires, which had ruled the region for half a millennium, they created Yugoslavia.

TREATY OF NEUILLY, AND PROTOCOL THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, ITALY and JAPAN.

These Powers being described in the present Treaty as the Principal Allied and Associated Powers; BELGIUM, CHINA, CUBA, GREECE, THE HEDJAZ, POLAND, PORTUGAL, ROUMANIA, THE SERB-CROAT-SLOVENE STATE, SIAM and CZECHO-SLOVAKIA,

These Powers constituting, with the Principal Powers mentioned above, the Allied and Associated Powers, of the one part;

And BULGARIA, of the other part; (...)

PART III.

POLITICAL CLAUSES.

SECTION I.

SERB-CROAT-SLOVENE STATE.

ARTICLE 36.

Bulgaria, in conformity with the action already taken by the Allied and Associated Powers, recognises the Serb-Croat-Slovene State.

ARTICLE 37.

Bulgaria renounces in favour of the Serb-Croat-Slovene State all rights and title over the territories of the Bulgarian Monarchy situated outside the frontiers of Bulgaria as laid down in Article 27, Part II (Frontiers of Bulgaria), and recognised by the present Treaty, or by any Treaties concluded for the purpose of completing the present settlement, as forming part of the Serb-Croat-Slovene State.⁶³

The great powers gained a state they hoped would not only create regional stability in place of many small states and border conflicts, but also create a buffer between Austria and Serbia, the two states that had ignited the world war. Serbia had fought as an independent state on the side of the Allies in order to complete its

⁶³*Treaty of Peace Between the Allied and Associated Powers and Bulgaria, and Protocol and Declaration signed at Neuilly-sur-Seine, 27 November 1919, see the full text in the website The World War Document Archive: http://wwi.lib.byu.edu/index.php/Section_I_-_ARTICLES_1_-_120 (last visualization: 26.11.2013).*

nineteenth-century nation-building process, and, for this reason, its representatives were not so favourable to the idea of a Yugoslav state. As a compensation, Serbia became the core of the new state and its unitary constitution: the Kingdom of the Serbs, Croats, and Slovenes (called Kingdom of Yugoslavia under Alexander I after 1929). However, the interwar kingdom was characterized by political instability, as national movements, especially of Croatia, complained a lack of autonomy. Equally difficult was the task of integrating into one the territories, bureaucracies, legal and transportation systems of the former states, and peoples of divergent historical experiences. By the mid-1920s the world demand for agricultural exports, which was kingdom's primary source of trade revenues, had collapsed and the liberal democratic constitution written at Versailles, after long constitutional quarrels, gave way to a dictatorship, when British and French financial credits were withdrawn on the eve of the Great Depression. The return to democracy in 1935 became tied to German economic penetration and to an economic recovery based on German rearmament and expansion after 1936. Yugoslavia was anti-Bolshevik, but its "fascist" leanings were limited to the introduction of corporatist institutions in the economy and the state. On 27th March, 1941 the Yugoslav government secretly adhered to the so called Tripartite Agreement with the Axis, in order to accept the passage of the Axis troops, that were undertaking the invasion of Greece. The agreement did not last long, since a group of Serb officials, averse to the pact, overthrew the Yugoslav government. This caused an air force coup: Belgrade was bombed and the Axis powers invaded, splintering the country among occupying armies from Germany, Italy, Hungary, and Bulgaria. Croatian fascists in exile in Italy returned to accept the German offer of an independent state of Croatia, including Croatian annexation of the territories of Bosnia and Herzegovina. The Yugoslav government went into exile in London, and the Serbian royal army broke down into guerrilla bands. The Communist Party organized a partisan army of national liberation.⁶⁴

⁶⁴Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 21-24.

The period of World War II in this area is characterized by many conflicts linked to three main wars: the war against the external invader, the war between the Croat extremists, called Ustashi, and the Serb extremist, loyal to the king, called Chetniks, and the war between the groups of partisans, in particular between the Chetniks of Dragoljub "Draža" Mihailović and the communist partisans guided by Josip Broz Tito. The partisans won the war: the new assembly proclaimed the creation of the Republic with Tito as President and the Constitution of the Federative People's Republic of Yugoslavia was adopted in 1946.⁶⁵

2.1.2 Tito's Yugoslavia (1945-1989)

ARTICLE 1. The Federative People's Republic of Yugoslavia is a federal people's state, republican in form, a community of peoples equal in rights who, on the basis of the right to self-determination, including the right of separation, have expressed their will to live together in a federative state.⁶⁶

In the period right after the end of World War II, the new governing party had to operate within the constraints of a compromise envisioned by the major powers for stability and influence. This was the Percentages Agreement between Churchill and Stalin of October 1944, which divided the influence in Yugoslavia on an equal basis between the West and the East. The British would retain their sphere of influence in the Balkans (until 1947, when the US took over this position), but Tito's forces would be permitted local governance. The tensions that developed in the Balkans from 1945 to 1949 had a significant role in the origin of the cold war. Among the main conflicts of this period were Yugoslavia's grievance with the Allies for awarding Trieste and a surrounding area to Italy; conflicts between Tito and Stalin over defence policy, development strategy, and

⁶⁵Noel Malcolm, *Storia della Bosnia. Dalle origini ai giorni nostri.*, Milano: Bompiani, 2000, 238-255.

⁶⁶*The Constitution of the Federative People's Republic of Yugoslavia (1946)*, see the full text on the website: http://www.worldstatesmen.org/Yugoslavia_1946.txt (last visualization: 26.11.2013).

independence in the Balkans; and quarrels with Britain and the United States both on their attempt to undermine Tito's regime by economic sabotage and Yugoslav support for the guerrillas in the Greek civil war. Decisive for the definition of Yugoslavia's position during the Cold War was a quarrel between Tito and Stalin which led to the Yugoslav Communist Party's exclusion from the Cominform on 28th June 1948, and a second civil war in less than ten years ensued. Even though the majority of the Yugoslav population sided with Tito over Stalin, nonetheless tens of thousands chose loyalty to international communism. The regime survived thanks to US military and economic assistance, in particular with the restoration of trade relations with the West after August 1949.⁶⁷

In exchange, Yugoslavia played a critical role for US global leadership during the cold war: Yugoslavia was a country which could be used as a buffer zone between NATO and the Warsaw Pact alliance, as well as an obstacle for the access of the Soviet Union to the Mediterranean via the Adriatic. At the same time, the independent policy of Yugoslavia could be taken as a kind of model for all other East European communist states. The message that the US wanted to send was that countries that would dare to oppose Stalin would be able to rely on US support.⁶⁸

Yugoslavia's economic relations and the system of defence

Yugoslav openness to economic relations with all three divisions of the cold war gave it flexibility in a world where economic aid and access to capital and commodity markets was politically governed. The country found a balance in its associate or observer status in both alliances after 1955, with the Organization for Economic Cooperation and Development (OECD), the Council for Mutual Economic Assistance (CMEA), and the Warsaw Treaty Organization (WTO).

⁶⁷Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 25-27.

⁶⁸Dejan Marolov, *The Policy of the USA and EU towards the disintegration of Yugoslavia*, in: the International Journal of Social Science Tomorrow, 8 April 2012, e-print published by SPIRI (Society for Promoting International Research and Innovation) on the website UGD Academic Repository: <http://eprints.ugd.edu.mk/1224/1/276.pdf> (last visualization: 26.11.2013).

Between 1958 and 1965, the Yugoslavs reformed their economy to meet the conditions for full membership in the General Agreement on Tariffs and Trade (GATT). Beginning in 1971, they negotiated association agreements with the European Community, and with the European Free Trade Association (EFTA) after 1979. Much of Tito's energies were directed towards the third world by helping to found the Nonaligned Movement (NAM) and the Group of 77 as alternatives to superpower blocs. Yugoslav leaders became leading advocates of peaceful coexistence between ideological camps and of the redistribution of wealth from rich to poor countries in the form of economic assistance, following the program of the New International Economic Order (NIEO).⁶⁹

We, the members of the United Nations, (...) solemnly proclaim our united determination to work urgently for the Establishment of a New International Economic Order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations.⁷⁰

The domestic and political system of socialist Yugoslavia was structured around the needs of its policy of neutrality and independence. The result was a hybrid system that combined market and socialist elements emphasizing increasing autonomy for firms and territorial decentralization. The balancing act that characterized the economic field was extended to the organization of the armed forces and strategic doctrine: at the federal level a standing army, air force, and navy (the Yugoslav People's Army, YPA) were deployed with technologically advanced weaponry; whereas, at the local level, an all people's civilian militia (the Territorial Defence Forces, TDF) was designed to present a systematically

⁶⁹Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 25-46.

⁷⁰*Declaration on the Establishment of a New International Economic Order* , Resolution adopted by the General Assembly 3201 (S-VI), in: UN Documents, full text on the website: <http://www.un-documents.net/s6r3201.htm> (last visualization: 26.11.2013).

organized, prolonged, guerrilla resistance to any invader. It was under control of republican and local militaries.⁷¹

Yugoslavia's constitutional order

The second Yugoslavia under Tito began with a provisional government called AVNOJ (the Anti-Fascist Liberation Council of Yugoslavia) which, on November 1943, declared its intention to replace the monarchy with a republic and create a federation based on the territorial organization of the partisan, antifascist resistance. These principles formed the basis of the postwar constitution, which was ratified in 1946 but was substantially revised in 1953 after the country's international position had been stabilized. While the 1946 Constitution stressed that power belonged to the people, the Constitutional Law said that "all power in the FPRY belongs to the working people". One of the most important novelties was the provision under which the basis of the social and political organisation of Yugoslavia was established: "social ownership of the means of production, self-management of industrial producers, self-management of the working people in municipalities, cities and circuits".⁷²

The principle of sovereignty was central to the Yugoslav constitutional order, and was simultaneously political and economic, incorporating a long tradition of local self-government in the Balkans, the principle of national self-determination that created the first Yugoslavia, and democratic and socialist ideas of popular sovereignty. There were also some weak points in Yugoslavia constitutional order. One of the main problems was the dual concept of a nation-ethnic peoples and peoples of territories. The founding peoples of Yugoslavia were Croats, Macedonians, Montenegrins, Serbs, and Slovenes, and, following the 1963

⁷¹Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 25-46.

⁷²*The Constitutional Law on the Basis of Social and Political Organisation of the Federative People's Republic of Yugoslavia and Federal Bodies of Power*, 13 January 1953, Arhiv Jugoslavije, on the website: http://www.arhivvyu.gov.rs/active/en/home/glavna_navigacija/leksikon_jugoslavije/konstitutivni_akti_jugoslavije/ustavni_zakon_1953.html .

constitution⁷³, Muslims (in the sense of a political community, not a religion). Individual members of the six constituent nations had rights as members of those nations as “ethnic people”, defined by a common religion, language, and political consciousness. In addition, there were many citizens who identified themselves with people who had a national homeland elsewhere, called nationalities. Jews, Czechs, Romanians, Russians, Bulgarians, Turks, and Italians, and also individuals whose nation had no homeland, such as the semi-nomadic Romany and Vlachs, had guaranteed cultural rights to preserve their sense of community and its inheritance. Albanians and Hungarians, the largest of these groups, were also given local self-government in two autonomous regions in the Republic of Serbia where they predominated (Kosovo and Vojvodina, respectively). The organization of the economy emphasized territorial over functional organization and it became more and more decentralized: for this reason, the primary practices of sovereignty came over time to be associated with the republics. So, the six federal units had administrative and budgetary autonomy over their economies, education, and culture. Another characteristic to be highlighted is the fact that large parts of the country, including cities and most towns, were ethnically mixed. This was particularly the case in exposed plains and formerly movable borderlands between empires, because in these areas ethnic settlements had been established by political initiative to create defensive buffers or to repopulate areas decimated by war. Despite the extensive autonomy of the republics and provinces, the real centre of the Titoist system and its concept of self-determination was the idea that individual workers and citizens, in association, would govern their workplaces and local communities. This was the Yugoslav contribution to the

⁷³ “The Constitution is known under the name “Self-Management Charter” because the self-management model was implemented in all spheres and at all levels of social life. The state was renamed the Socialist Federative Republic of Yugoslavia and defined as a “federal state of voluntarily united and equal peoples and socialist democratic union based on the authority of the working people and self-management. “The territory of Yugoslavia” is integral and is made up of the territories of socialist republics.” “*The Constitution of the Socialist Federative Republic of Yugoslavia*, 7 April 1963, Arhiv Jugoslavije, on the website: http://www.arhivju.gov.rs/active/en/home/glavna_navigacija/leksikon_jugoslavije/konstitutivni_akti_jugoslavije/ustav_sfrj_1963.html (last visualization: 26.11.2013).

socialist experience; it replaced private property and markets for capital and labour with the idea of shared, equal property rights for all employed persons. Along this system of economic democracy was an entire society based on the concept of guaranteed welfare, for which federal and local governments shared responsibility. However, economic decentralization meant that the standard of living depended greatly on where citizens lived. The exception was the army, which fell under federal jurisdiction. Even more noticeable than local differences in standards of living was the effect of guaranteed subsistence, which divided the population into two worlds: those with employment in the public sector and those left in the private sector until jobs could be created. The primary source of household living standards was not private wealth but a public sector job. The problem was that the policies of economic reform had eroded the tenet of job security found in other socialist countries and created an ever-increasing number of people who could not get a public sector job and were struck in the private sector or unemployed. The division between the two worlds, public and private sectors of employment, applied to political rights as well as economic privilege: the unemployed did not participate in the system of workers' self-government. Labour mobility was another characteristic of the Yugoslav society: people left villages for secondary or university education or in order to get better job opportunities. The migrants were in many cases considered second-class citizens and in many regions there was a sharp distinction between old settlers and recent ones.⁷⁴

To sum up, from 1950 to 1970 Yugoslavia went through a radical change in the social structure. This change was characterized first of all by a reduction of the relative importance of the countryside and agriculture, while the industrial working classes strengthened and a small but active intellectual class consolidated. Thanks to the increased trade relationships with the Third World and the convertible currency areas, a group of dynamic executive managers was established and, as a result of the complexity of the self management system, the

⁷⁴Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 25-46.

bureaucratic machinery expanded. This “social revolution” reached its climax in 1970 and represented the completion of a cycle which should have led to inevitable changes both in the political system and in the economic system. The power structures should have been redefined in accordance with the new circumstances. However, despite the reforms of the period 1968-1974, the system was never really changed. From a socio-economic point of view, the complex structure of the self-management system which was launched in 1976, together with the strengthening of the power of the republics and the two autonomous regions, created an institutionally decentralized and unarticulated society, lacking effective means of assuring a unitary re-composition of the society’s emerging interests. From a social point of view, domestic problems and problems connected to the democratic transformation of Yugoslav society had been present in the country since World War II: Tito’s reaction to these kind of social tensions was always repression of nationalism, also because of the fear that USSR could take advantage of the problems in order to destabilize the country. This is the reason why, after the 1968-1972 crisis caused by both democratic and national tensions, the 1974 Constitution reformed state institutions in the name of self-government based on a wide decentralization of power, but without real democratization.⁷⁵

Anyway, despite the influence of communism on society and the predominant role of Tito, after 1974 Yugoslavia lived under a regime that was committed to civil rights. The granting of the veto right to republics and regions, the rotation of offices, the use of ethnic ratios in choosing state and party elites, the recourse to linguistic pluralism in the country at large to bilingualism in the areas where ethnic minorities lived, and the nurturing of press organs in minority languages were all aspects of this commitment to civil rights, even if such support had its

⁷⁵Stefano Bianchini, “The collapse of Yugoslavia: sources of its internal stability”, in Stefano Bianchini, Paul Shoup (ed.), *The Yugoslav war, Europe and the Balkans: how to achieve security?*, Ravenna: Longo Editore, 1995, 17-25.

limitations: in military circles only one language was spoken, and freedom of religion was not allowed.⁷⁶

All in all, Yugoslavia had produced a relatively stable society, it had no small measure of international prestige as a leader of the non-aligned movement and site of numerous world sports competitions. But during the 1980s, all three elements composing that stability were increasingly threatened: international position, constitutional order defining governmental powers and property rights, and social order and concept of citizenship.⁷⁷ What is more, on the 4th May 1980 Tito died, so, according to the 1974 Constitution, from that moment the collegial presidency of the Federation was led in turn, each for one year, by the representatives of the six republics (Slovenia, Croatia, Serbia, Bosnia and Herzegovina, Montenegro and Macedonia) and of the two autonomous provinces (Kosovo and Vojvodina).⁷⁸

⁷⁶Stefano Bianchini, “The collapse of Yugoslavia: sources of its internal stability”, in Stefano Bianchini, Paul Shoup (ed.), *The Yugoslav war, Europe and the Balkans: how to achieve security?*, Ravenna: Longo Editore, 1995, 20-29.

⁷⁷Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 25-46.

⁷⁸Zlatko Dizdarevic, Gigi Riva, *L'ONU è morta a Sarajevo. Dal genocidio alla spartizione*, Milano: Il Saggiatore, 1996, 190.

2.2 Yugoslavia towards the end

2.2.1 Austerity and economic reform during the 1980s

According to Woodward, Yugoslavia's dissolution began in this period with fundamental changes in the international environment. Like so many countries in the second and third worlds, from Poland to Mexico, the Yugoslav government had fuelled growth during the 1970s with foreign borrowing. The loans served two purposes: first, they allowed the country to import advanced technology to improve its international competitiveness, and, second, they bought time for domestic industry to adjust to both higher prices for oil and other primary commodities. The 1970s ended with extreme external shocks: a second oil price rise occurred in 1978-79; interest rates for US dollars, in which Yugoslav debt was denominated, skyrocketed. The Western recession that started in 1975 caused a period of economical instability during the 1980s. For Yugoslavia, an economic crisis originating in the foreign sector could no longer be averted by minor adjustments. Because governments had to guarantee repayment of their country's foreign debt, the sharp reversal in lending from Western commercial banks forced the Yugoslav government to turn first to domestic resources to restore its ability to finance crucial imports. The immediate solution was to seek short-term coverage, through the International Monetary Fund (IMF) credits, to try to refinance the debt, to cut imports to the bone, and to promote all conceivable commodity exports to hard currency markets in the West.⁷⁹

Parenti underlined the fact that the first disastrous error of the Yugoslav government was that of borrowing heavily from the West, because when Western economies entered a slump and blocked Yugoslav exports creating a huge debt for Belgrade, the massive debt began to develop its own interest-fed momentum: in

⁷⁹Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 47-51.

short order, as in so many other debtor nations, the creditors, including the World Bank and the IMF, demanded a “restructuring”.⁸⁰

For the population this meant austerity, escalating inflation, falling of real incomes, consumer goods shortages and unemployment. As a consequence, the substantial middle class, which had been growing since the 1950s and which consisted of public sector managers, urban professionals, skilled industrial workers, and a portion of private sector shop-owners, artisans and farmers, was eroded. They were the most likely to benefit from successful liberal reforms, but, instead, they were being hurt economically and socially by the austerity conditions. People looked for ways to forestall the decline in purchasing power by supplementing their increasingly worthless money with barter, gifts, friendships, political networks and connections, and the reciprocal obligations of kinship and ritual kinship. So, instead of encouraging market behaviour as intended, the reforms, by forcing people to resort to the older norms of reciprocity and mutuality, reinforced the localization of economic distribution and the social divisions within the labour force prevalent in preceding decades. Furthermore, other two important aspects were developing: religious revival and generational conflict between young unemployed people and those who had secure jobs.⁸¹

Economic reform

When the IMF shock therapy hit Yugoslavia, the initial form of social disorder was not ethnic friction, but massive and repeated strikes and labour actions. As late as 1988, an enterprising US journalist employed in Belgrade had difficulty in finding ethnic passions and reported: “ ‘I would be a Serb, a Bosnian, anything - an Uzbekistani- I'd make my eyes slanted, if I'd have money,’ says a Belgrade taxi driver named Zoran, stretching the skin around his eyes to make the point. Ordinary people turned into ethnic monsters only after all their options for a normal economic life were destroyed. Ethnic cleansing arrived only after shock

⁸⁰Michael Parenti, *To Kill a Nation. The attack on Yugoslavia*, New York: Verso, 2000, 19-23.

⁸¹Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, 52-56.

therapy had done its work. Therefore, as Woodward rightly notes in her study to explain the Yugoslav crisis as a result of ethnic hatred is to turn the story upside down and begin at its end.”⁸²

Domestic liberal economists and IMF program advisers alike felt that the country had to reorient to production of exports that were competitive in Western markets and had to generate growth by improving efficiency at home in order to escape the trap of persistent trade deficits and debts. These reforms shifted the balance of economic policy in favour of certain firms, sectors, and areas. Because the primary earning capacities in foreign trade varied significantly among the republics, Slovenia and large areas of Croatia had a significant advantage, and Serbia somewhat less; demand declined for producers in agriculture, mining and metallurgy, and defence, which tended to concentrate in Bosnia and Herzegovina, Macedonia and Serbia and the Serbian autonomous provinces, Kosovo and Vojvodina. Liberalization and the transformation into a market economy were intended to restore financial stability and discipline by sending price signals to all economic participants rather than by reorganizing and decentralizing the economy and focusing on production, as in the 1970s. Because this meant fundamental changes in the locus of economic decision-making, it required constitutional and political reform. Despite years of pushing decentralization in Yugoslavia, the IMF advisers and economic liberals now attributed the lack of monetary discipline to excessive decentralization of the banking and foreign exchange systems. Global integration now required a unified domestic market, which meant reintegration of the segmented economies of the republics, and the free movement of labour, capital, and goods across local and republican borders according to price signals and opportunities for profit.⁸³

Managing the economy under conditions of large macro-economic imbalances and structural disequilibria and in an unfavourable international financial and foreign trade climate was an

⁸²Nick Beams, *IMF “shock therapy” and the re-colonisation of the Balkans*, published by the International Committee of the Fourth International (ICFI), 17 April 1999, in: World Socialist Web Site: <http://www.wsws.org/en/articles/1999/04/imf-a17.html> (last visualization: 26.11.2013).

⁸³Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, 58-59.

extremely difficult task. The situation was further complicated by the consequences of the 1974 constitutional reform which further reduced the power and responsibilities of the Federal authorities. Furthermore, some of the institutional changes made in the late 1970s and the 1980s in the wake of the new constitution were quite novel and their implementation proved more difficult than originally thought. Under normal circumstances some of these arrangements might not have had such negative effects, but in a climate of crisis they failed to produce the desired results, notably as far as combating inflation and promoting exports were concerned. Given the urgency of the problems, especially on the external side, administrative measures were also often introduced. These, combined with the diverging interests and goals of republican, regional and local institutions and pressure groups further weakened the operation of market forces at the national level, thus increasing the cost of the necessary adjustments.⁸⁴

Criticism of the government focused on the virtual stalemate in federal decision-making due to republican and provincial autonomy, the conflicts between federal and provincial authority and the procedure for making federal decisions. The strongest resistance to these criticisms and to the proposed reforms came from those who stood to lose economic power and privilege; these anti-federalists believed that the problem did not lie with republican and provincial autonomy but with the powers still held by the federal government over economic resources that were rightfully theirs. In the early discussion of political reform, members of this camp were staunch defenders of the status quo as represented by the decentralized 1974 Constitution. But when the IMF program and economic reform began to legislate reforms in banking, foreign economic relations and the monetary system, and when political conflicts arose over cuts in the federal budget, the rights to foreign exchange earnings and wage controls, they shifted to a more radical confederalist position. This meant eliminating the remaining political functions of the central government, the federal courts, police, army, procedural rules, and the fund for development assistance that bound the republics and provinces together, in favour of republican sovereignty.⁸⁵

⁸⁴*OECD Economic Surveys Yugoslavia 1985*, Paris: OECD Publication, 1984, 10; publication online on the website keepeek.com: http://www.keepeek.com/Digital-Asset-Management/oced/economics/oced-economic-surveys-yugoslavia-1985_eco_surveys-yucs-1985-en#page10 (last visualization: 26.11.2013).

⁸⁵Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, 60-67.

2.2.2 Fiscal crisis and constitutional reform

By 1985 either the economic and political situation of Yugoslavia were in danger: reforms were needed but difficult to implement. The economic surplus obtained by the period of austerity in 1983-1984 was now unsustainable as exports fell. The resulting recession caused a great pressure on the federal cabinet: industries, the less developed republics and a group of economists and politicians were in favour of a more gradual path towards stabilization and economic upturn in order to reverse recession. An intense period of confrontation over financing for the federal budget characterized the relationships among republics and between them and the federal governments. Political conservatives were reinforced by this situation and in May 1984 they won the elections to the federal state presidency.⁸⁶

Woodward explains with these words the economic and financial crisis that developed in Yugoslavia in the middle of the 1980s, and which is a very important aspect of its future disintegration:

“By 1985 the effect of foreign trade liberalization and the deliberate contraction of domestic consumption on the two main sources of federal revenue, the customs duties and the sales tax, had produced a dramatic drop in revenues. The budget deficit rose, defying the balanced budget principle of monetary stabilization in a reformed socialist economy and of the conditions set for IMF credits. The federal government had two choices: to ignore the reform program, the IMF, and monetary stability by printing money or to ask for higher contributions from the republics. With the loss to the National Bank of authority over foreign exchange and the elimination of socially managed agencies to fund public services, republic governments were similarly facing the prospects of declining revenues at a time when they needed resources to revive the growth and export-earning capacity of their own economies: the republics balked at the idea of increased contributions. The solution involved isolating the components of the budget into three separate budgets, one for defence, one for export incentives and

⁸⁶Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, 67-69.

material reserves, and one for all other beneficiaries. But only one year later, in November 1986, the government agreed to break all further links between the federal and republican budgets and to finance the federal budget from federal revenues only. The severity of the economic decline and the net capital outflow to repay the debt compounded the zero-sum character of budgetary thinking in the socialist economy.”⁸⁷

The result of this critical situation was that all sides involved felt legitimized to believe they were victims of the economic system that was developed to favour “the others”. In addition, this debate was part of the wider social changing situation that characterized the years 1985-1986 and in which also Europe played a relevant role, pushing the debate even further by seeming to offer new options to some and to limit or worsen choices for the others.⁸⁸

“In 1985, the European Community committed to accomplish the next stage of market integration by 1992. The CMEA and the EC resumed talks on freer mutual trade that had broken off in 1979. Gorbachev came to power in Moscow with a program of westernization and a common European home. The revival of commercial bank lending to Eastern Europe gave profitable exporters in Yugoslavia an alternative to federal restrictions on foreign exchange. The outcome was a growing political polarization between official alternatives: a federal government pushing ever more radical economic reform and confronting republican governments asserting their sovereignty and national interest with equal conviction.”⁸⁹

The political system was unable to formulate an answer to the economic and financial problems Yugoslavia was facing and it was at that time that the League of Communist of Yugoslavia (LCY), unable to give up its leadership, started to regard inter-republican discourse as the only possible democratic discourse in

⁸⁷Susan L. Woodward, *Balkan Tragedy*, 67-72

⁸⁸Ibidem, 71-72.

⁸⁹Ibidem, 67-73.

society. This attitude had disastrous effects, since it forced the political elite to protect its sources of consensus, not the expression of different social and transnational interests, but an expression of the interests of a certain territory. As a result, a sort of territorial competition grew out of the traditional socio-economic and regional imbalances and the gap between strong and weak areas became wider. At the same time, “the lack of debate on general issues hindered the emergence of an idea of citizenship in which all tensions, ethnic tensions included, could find outlets within the political system that would not encourage the process of feudal-style negotiation and bargaining among the eight constituent members of the federation. For all these reasons the country abandoned the idea of unity”.⁹⁰

A new stage of political reform

On the 11th February 1987 the presidency of the League of Communist of Yugoslavia (LCY) opened the next stage of political reform by recommending to the Lower House of the Federal Parliament 130 amendments to the 406 articles of the Federal Constitution.⁹¹

The division between certain republics was set: Slovenia favoured a confederation giving the republics more sovereignty, while Serbia favoured maintaining a federal system. In October 1987, the Slovene delegation and some members of the Croatian delegation walked out of the federal parliament, no longer willing to contribute to the federal budget, thereby solidifying the division between the federalists and anti-federalists. Despite these actions, in November 1988 amendments to the federal constitution on economic reform were approved.⁹²

⁹⁰Stefano Bianchini, Paul Shoup, *The Yugoslav war, Europe and the Balkans: how to achieve security?*, Ravenna: Longo Editore, 1995, 22.

⁹¹Susan L. Woodward, *Balkan Tragedy*, 82.

⁹²Kristen P. Williams, “Internationalization of Ethnic Conflict in the Balkans: the Breakup of Yugoslavia”, in Steven E. Lobel and Philip Mauceri (ed.), *Ethnic Conflict and International Politics: explaining diffusion and escalation*, London: Palgrave Macmillan, 2004, 78.

Woodward describes a new stage of economic reforms, this time associated with the rewriting of the republics' constitutions, as another step towards disintegration, not unity. "The rising trade deficit forced Prime Minister Branko Mikulić to reopen negotiations to finance the deficit with IMF credits: the IMF's conditions required much more drastic economic reform. All this meant that the first year of the government's return to a policy of austerity and to a radical economic program of liberalization was focused on the rewriting of the constitutions in the republics. Despite the will to change things, the leaders' proposed revisions retained all the ambiguity of the compromises in the original commission draft. The draft accepted both the IMF demands for a stronger federal administration and independent central bank and the republics' demands to retain their sovereignty. At the same time, it continued the constitutional prerogatives and political role of the Communist party in binding the republics together. There were already three fundamentally different constitutional programs on the table: the confederalist concept proposed by Slovenia; the liberal economic concept of a centralized capacity for macroeconomic policy appropriate to an open market economy proposed by the IMF and the federal cabinet; and the federalist views held by a motley coalition but associated most with Serbia. A year later the issue was again subordinated to economic reality. It was only clear politically on December 30, 1988, when Prime Minister Mikulić felt forced to resign before his mandate expired, that the gradualists on federal economic policy had lost in their attempt to balance the tension between policies for foreign debt repayment and trade liquidity, on the one hand, and policies to revive economic growth at home, on the other. With the administration of the new Prime Minister Ante Marković, the federal reform agenda as well as the program to replace the socialist economic system with a market economy became even more radical in pace. In 1989, Marković insisted on a federal system based not on parliamentary sovereignty and territorial autonomy, but on functional integration. In the meantime, however, political events had taken their own course, further weakening the governing capacity of the federal government and leading to growing polarization among proponents of competing visions of constitutional reforms."⁹³

⁹³Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington

2.3 Political instability and foreign actions during the 1990s

During January 1990, after having refused to reorganize Yugoslavia in a centralistic way according to the Serb proposal, the Slovenian and Croatian delegations abandoned the XVI Congress of the Communists League which was being held in Belgrade. The League of Communists, which had been the driving force of the Federation, came to its end. During the following months the first free parliamentary elections saw the victory of the reformist Milan Kučan in Slovenia, the nationalist Franjo Tuđman in Croatia and the leader of the Muslim Party Alija Izetbegović in Bosnia-Herzegovina, while in Serbia Milošević won again. Slovenia was the first to seek independence, and in December 1990 a referendum was held: it was a plebiscite in favour of an independent Slovenia. This changing political situation within the federal system caused many episodes of tensions between the republics and between different sides of the political debate that was developing. One of the main sources of tension was the Krajina region in Croatia, where people in majority were Serbs and where a referendum for its independence was held on 12 May 1991: the winning faction was for the secession from Zagreb. Another crucial date was the 15 May 1991, when, according to the system of rotation, the federal presidency would have been taken by the Croatian Stipe Mesić, but the Serbs opposed to his designation, and so Yugoslavia was left without a federal president. In the meantime, on 19 May 1991, a referendum for independence was held also in Croatia, with the Krajina region not included, and 94% voted in favour of an independent Croatia. As a consequence, on 25 June 1991, both Slovenia and Croatia declared their independence.⁹⁴

As Woodward underlines, the result of this evolution towards independence did not lead to democratisation, whereas democratic elections became the vehicle for the republics of Slovenia and Croatia to declare popular legitimacy for their

D.C. : The Brookings Institution, 1995, 82-85.

⁹⁴Zlatko Dizdarevic, Gigi Riva, *L'ONU è morta a Sarajevo. Dal genocidio alla spartizione, Milano: Il Saggiatore, 1996, 190-191.*

assertion of sovereignty for their majority nations, on the grounds, as they declared, of their right to national self-determination, provoking others to do the same. The declarations of national sovereignty also opened a legal door to extreme Serb nationalists who had revived the dream of a Serbian nation-state and who now could claim the right to redraw the borders in the case that the republics followed through on their assertions on the grounds that the right of self-determination in the constitution belonged to nations, not republics. The federal government continued to believe that more rapid economic reform was the best solution to the crisis. The federal presidency, handicapped because its members represented their republics and only collectively the country, nonetheless attempted to manage the process: to gain control over paramilitary forces and civil violence, to discuss the practical implications of confederation and dissolution, and to arrange for a federal referendum on the issue for federal elections. The commodity most needed was time, for alternative civic and political groups to create new political parties and coalitions, to use the courts to win protections for individuals against the abuses of the new governments, to build standards of political civility within partisanship, and to develop a public opinion. But these efforts had no support from the outside, and the momentum of the crisis was not solely of internal character. Foreign influences from neighbouring states, Western bankers, churches, émigrés, and even global powers, on the contrary served to escalate rather than moderate the pace of political disintegration of Yugoslavia.⁹⁵

US and EC had a great influence in this scenario, even though their roles were not well-defined, neither in the relations with Yugoslav states, parties and leaders nor in the relation between each other. Western power politics was not concerted: they responded piecemeal, in terms of either domestic political calculations and pressures or national interests in their foreign relations with countries they considered significant. The longer the fighting went on, the more involved they became. However, they never stopped to alter their original reluctance, reduce

⁹⁵Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 143-145.

their contradictory messages, recognize the role they were playing in the conflict itself, or formulate a policy.⁹⁶ This situation was even more evident in the case of Bosnia. Before dealing with it, however, it may be to analyze what happened in the previous years, when the attention was still focused on Slovenia and Croatia, and the different positions of external actors were still developing, most of the times in an inconsistent way which created more problems than solutions.

2.3.1 Slovenia's and Croatia's declarations of independence

With a birth, a man acquires the right to dream. With work, we acquire the right to advance one's life and dreams. Yesterday we combined both for the Slovenes who once dreamed of this and for future generations who will build a new world. Now we shall enter a family of free, independent nations. We cannot understand how this can intimidate anyone because we offer everyone our open hearts and a welcome hand. – Milan Kučan⁹⁷

We call on all parliamentary democracies : recognise the will of the Croat people to join the society of free and independent nations.– Franjo Tuđman⁹⁸

In order to understand how the two republics of Slovenia and Croatia reached independence and how the international community finally recognised them, it is worth recalling some salient provisions of the 1974 SFRY Constitution:

The nations of Yugoslavia, proceeding from the right of every nation to self-determination, including the right of secession (...).⁹⁹

⁹⁶Susan L. Woodward, *Balkan Tragedy*, 147.

⁹⁷“Slovenia declared independence, June 1991”, *You Tube*, uploaded by Teodosios M on 11.06.2011, http://www.youtube.com/watch?v=dLJPdh_q0g4 (last visualization: 26.11.2013).

⁹⁸“The Death of Yugoslavia- Wars of Independence part 3 (full documentary)”, *You Tube*, uploaded by FullDocumentaries on 26.02.2013, <http://www.youtube.com/watch?v=jMyQsTLsVeI> (last visualization: 26.11.2013).

⁹⁹Constitution of the Socialist Federal Republic of Yugoslavia, Basic Principles, Sec. I, cited in Lenard J. Cohen, Jasna Dragović-Soso, *State Collapse in South- Eastern Europe. New Perspective on Yugoslavia Disintegration*, US: Purdue University Press, 2008, 108.

As Rich underlines, the application of this principle, the right of secession, was limited both by the fact that no mechanism existed in the Constitution to allow for secession and also by two important distinctions. The first one was made between the nations of Yugoslavia and the republics of Yugoslavia, the former being peoples like the Croats, Macedonians, Slovenes and Serbs without any necessary geographic connection and the latter being the six geographically defined federal units without any necessary ethnic connection. The second distinction was made between nations and nationalities with the latter being defined as members of nations whose native countries border on Yugoslavia. Accordingly, the Albanians of Kosovo and the Hungarians of Vojvodina were regarded as nationalities and did not have a right of self-determination or secession under the Constitution. The situation in Yugoslavia, as the democratisation process swept through Eastern Europe in the late 1980s, could therefore be described as one where the rhetoric of self-determination could not easily be translated into practice. This dichotomy led to the use of force and created the dilemma in the international community how to react to the claims for independence by the various Yugoslav republics. Following the declarations of independence of Slovenia and Croatia in June 1991, the Yugoslav National Army resisted attempts by the Slovenian and Croatian authorities to assert their independence, and considerable violence occurred. The European Community assumed the principal mediation role in the conflict and on July 7, 1991 the Yugoslav party meeting in Brioni agreed to a three month moratorium on the implementation of the declarations of independence.¹⁰⁰

2.3.2 International recognition

Reversing earlier indications that it would await diplomatic cover from European governments, the Vatican formally recognized the independence of Croatia and Slovenia today, underscoring

¹⁰⁰Roland Rich, "Recognition of States: the Collapse of Yugoslavia and the Soviet Union", in *Symposium: Recent Developments in the Practice of State Recognition*, in European Journal of International Law, 38-40, Oxford University Press website: <http://207.57.19.226/journal/Vol4/No1/art4.pdf> (last visualization: 26.11.2013).

Pope John Paul II's desire to show strong support for the predominantly Roman Catholic republics.¹⁰¹

Austria announced Monday it will recognize Croatia and Slovenia as independent states if other European countries go along, fuelling foreign momentum to accept the breakup of Yugoslavia.

Officials in Germany and Italy warned they would support secession by the two Yugoslav republics if fighting in Croatia did not cease. The two countries, key members of the 12-nation European Community, said they would press their view at an EC foreign ministers meeting Tuesday. The nations of Europe and elsewhere had opposed the independence declarations by the two republics on June 25, but leaders have been distressed by the continued fighting that has pitted Croatian security forces against militant Serbs living in Croatia as well as the Yugoslav federal army. Austrian Foreign Minister Alois Mock announced there was "complete (government) agreement that Slovenia and Croatia will be recognized." But Chancellor Franz Vranitzky said it would not be prudent for Austria to take the step alone. Andreas Khol, foreign policy spokesman of the conservative Austrian People's Party, said Vranitzky instructed Mock to formally seek support from other nations and "initiate a wave of recognition" of Slovenia and Croatia.¹⁰²

Germany flexed its new diplomatic muscle today by recognizing the independence of two breakaway Yugoslav republics, Slovenia and Croatia. German consulates in the two republics will be upgraded to embassies on January 15, the Foreign Ministry said in a statement.

"In the view of the German Government, the republics of Slovenia and Croatia fulfil the conditions set by the European Community," the statement said.¹⁰³

Se non si arriva a una soluzione negoziata della crisi jugoslava l' Italia, come la Cee, arriverà a riconoscere l' indipendenza della Slovenia e della Croazia. Il ministro degli Esteri Gianni De Michelis ha illustrato la posizione del governo italiano, con questa novità, di fronte a una Camera che non ha risparmiato critiche all' azione dell' esecutivo. Quasi tutti gli intervenuti hanno accusato

¹⁰¹ Alan Cowell, *Vatican Formally Recognizes Independence of Slovenia and Croatia*, 14 January 1992, The New York Times online, <http://www.nytimes.com/1992/01/14/world/vatican-formally-recognizes-independence-of-croatia-and-slovenia.html> (last visualization: 26.11.2013).

¹⁰² George Jahn, *Momentum Grows in Europe to Recognize Independent Croatia, Slovenia with Am-Yugoslavia, Bjt*, in: AP News Archive online, 26 August 1991, <http://www.apnewsarchive.com/1991/Momentum-Grows-in-Europe-To-Recognize-Independent-Croatia-Slovenia-With-AM-Yugoslavia-Bjt/id-7444ab08b97a08b223c0374e38858cc6> (last visualization: 26.11.2013).

¹⁰³ Stephen Kinzer, *Slovenia and Croatia Get Bonn's Nod*, The New York Times online, 24 December 1991: <http://www.nytimes.com/1991/12/24/world/slovenia-and-croatia-get-bonn-s-nod.html> (last visualization: 26.11.2013).

il governo italiano, con la sua linea favorevole alla Jugoslavia unita e democratica di oscillazioni che hanno poi costituito un alibi all' intervento dei militari. C' è poi la richiesta di riconoscere le dichiarazioni di indipendenza slovena e croata, che non viene solo dal Pds o dai radicali, ma anche dal democristiano Flaminio Piccoli, Presidente della commissione Esteri della Camera, e da diversi deputati veneti e friulani democristiani e socialisti. De Michelis ha difeso la condotta del governo e negato qualsiasi cambiamento nella posizione sua e degli alleati occidentali, ma la sensibile correzione di rotta è stata avvertita, e apprezzata, da tutti.¹⁰⁴

At first, people have been given to understand, wrongly, that it was just a question of civil war between two different groups. They needed to be inform that it was between communist Serbia, about to taking control of the army and of the country, and democratic Croatia and Slovenia, both of whom had exercised their right to become independent.¹⁰⁵

The declarations of independence of Slovenia and Croatia presented Western powers with a serious dilemma. Their commitment to the right of peoples to self-determination, embodied in the UN Charter and the Helsinki Accords, had in fact several possible interpretations.

The participating States will respect the equal rights of peoples and their right to self-determination, acting at all times in conformity with the purposes and principles of the Charter of the United Nations and with the relevant norms of international law, including those relating to territorial integrity of States.¹⁰⁶

Woodward introduces the problem of different interpretations of the right to self-determination with a sequence of questions: “Did it mean the inviolability of international borders, the territorial integrity of states, and the right of sovereign states to non-interference in their internal affairs? If so, the federal action to protect the territorial integrity of Yugoslavia was legitimate. Did it mean the right

¹⁰⁴ Leopoldo Fabiani, *L'Italia cambia linea: sì all'indipendenza se l'esercito attacca*, La Repubblica website, 4 July 1991: <http://ricerca.repubblica.it/repubblica/archivio/repubblica/1991/07/04/italia-cambia-linea-si-all-indipendenza.1061.html> (last visualization: 26.11.2013).

¹⁰⁵ “Margaret Thatcher TV Interview for HRT: urges International recognition of Croatia and Slovenia 1991”, *You Tube*, uploaded by GCC Melbourne on 24.03.2012, <http://www.youtube.com/watch?v=9Ae3mVerKo0> (last visualization: 26.11.2013).

¹⁰⁶ *Conference on Security and Cooperation in Europe Helsinki Final Act 1975*, in CSCE official website, <http://www.osce.org/mc/39501?download=true> (last visualization: 26.11.2013).

of peoples to self-determination, freely chosen? If so, nearly 90 percent of the voting publics of Slovenia and Croatia had chosen independence. Did this constitute an inalienable right of nations to independence, and was the international community therefore obliged to recognize their sovereignty in spite of the sanctity of borders and principle of non-interference? Western powers had spoken in many voices on the subject. The European Parliament had explicitly declared the internal borders of Yugoslavia to be inviolable, effectively accepting the independent rights of Slovenia and Croatia. The German leadership had defined the results of popular referendum as the deciding criterion for the right of East German citizens to abolish their state and rejoin fellow Germans in West Germany. The delegations of the European Community and the United States had appeared to waver, depending on their assessment of the outcome most likely to promote regional and global stability.”¹⁰⁷

According to Woodward, we can distinguish between two main positions. The Austrian position, presented by Foreign Minister Mock: Yugoslavia as an artificial state and the denial of the Slovene right to secede as a declaration of war. This argument appeared to be of national interest, based on Austria’s assessment that its border was more secure with an independent Slovenia and with the Yugoslav army at a distance. The fact that Germany now openly began to call for immediate recognition, however, gave the Austrian position greater weight. The other extreme was represented by the United States: Secretary of State Baker and Ambassador Zimmerman sustained that the breakup of Yugoslavia would be highly destabilizing and could not occur without war and horrendous carnage. This position had also strong French and British support.¹⁰⁸

¹⁰⁷Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 163-164.

¹⁰⁸Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 162-164.

2.3.3 EC and US facing the recognition dilemma

The EC-CSCE viewed the question of political recognition ignoring the political dilemma presented by its contradictory principles of European security and limiting it to a problem of European security, reducing the entire Yugoslav conflict to a border dispute between two parties, Slovenia and the federal government, and to the limited objective of a ceasefire.¹⁰⁹

On the other side, US policy in Yugoslavia was at the time linked to the role of NATO and NATO's preeminent role in European security. The changes in European security regimes during the 1980s were the cause of Yugoslavia's declining geostrategic importance just as improved relations within Europe were the outcome of NATO- Warsaw Pact negotiations. The talks aimed at progress on arms control, the dismantling of cold war armed forces and greater transparency by the CSCE, left out neutral and nonaligned powers such as Yugoslavia. Thus the Yugoslav armed forces was left intact, but in an international limbo, just at the time it faced massive political pressure from citizens, from the governments of Slovenia and Croatia, and from the economic pressure of budget cuts and republican tax revolts.¹¹⁰

With regard to this last statement, very interesting is the theory of Parenti, who underlines that the same powers that declared their support for a united Yugoslavia were threatening it with their actions. Washington's declared policy was to support Yugoslav unity while imposing privatization, IMF shock therapy, and debt payment, in fact, supporting Yugoslavia with words while undermining it with deeds.¹¹¹ Concern was expressed by the Bush administration that Bonn was getting out ahead of the US with its support of Croatian secession, but the United States did little to deter Germany's efforts. What is more, for a number of years before hostilities broke out between various national groups in Yugoslavia,

¹⁰⁹Susan L. Woodward, *Balkan Tragedy*, 165.

¹¹⁰*Ibidem*, 150-151.

¹¹¹Michael Parenti, *To Kill a Nation. The attack on Yugoslavia*, New York: Verso, 2000, 25.

measures were being taken by the major powers and financial interests to undermine the Belgrade government and the national economy.¹¹²

2.3.4 Yugoslav breakup: the hour of Europe

Scrambling to forestall further worsening of the Yugoslav crisis, the European Community sent a high-level mediation team Friday to Belgrade aimed at bringing the federal Government and the rebel republics of Slovenia and Croatia back to the bargaining table.

After meeting Friday night with Prime Minister Ante Marković of Yugoslavia in Belgrade and with Presidents Milan Kučan of Slovenia and Franjo Tuđman of Croatia in Zagreb, the capital of Croatia, the mediation team announced early today that all parties had agreed to measures to end the conflict. The mission formed by the foreign ministers of Luxembourg, Italy and the Netherlands was sent by a summit meeting of Community leaders, who postponed a debate on European integration to take up the Yugoslav crisis.

Shortly before leaving here Friday, Luxembourg's Foreign Minister, Jacques Poos, said European governments had a special responsibility to act in a crisis that threatened European stability. "This is the hour of Europe," he said. "It is not the hour of the Americans."¹¹³

The Yugoslav crisis reached its climax between February and June of 1991. The efforts by the US administration since May 1989 to persuade Europe to take greater responsibility for its own security, especially its financial burden, gained unexpected support as a result of the allied actions against Iraq in January 1991. The Persian Gulf engagement revealed sharp disagreements, particularly among France, Germany and Great Britain, on the nature of Europe's participation in the military action, as well as on fundamental questions of security and a continuing Atlanticist posture after the cold war. The obvious lack of unity was an embarrassment to the Europeanists, who were determined to seek opportunities to demonstrate their capacity for a common foreign policy and their need for and the possibility of a separate defence. Anyway, the Europeanists' initiative suited the

¹¹² Peter Gowan, *The NATO Powers and the Balkan Tragedy*, New Left Review, no. 234, March/April 1999, 94.

¹¹³ Alan Riding, *Conflict in Yugoslavia; Europeans sent high-level team*, The New York Times online, 29 June 1991, <http://www.nytimes.com/1991/06/29/world/conflict-in-yugoslavia-europeans-send-high-level-team.html> (last visualization: 26.11.2013).

US position on Yugoslavia in many ways, for policymakers were unwilling to commit substantial US resources or any troops to an area no longer of vital strategic interest. Moreover, a core motivation of US urgings for greater European participation was to ensure Europe's responsibility for the transition in eastern Europe. Many saw a more cynical motive to US policy, however, as if it dared the Europeans to prove their ability to go it alone and, in expectation of their inability to do so, served to demonstrate the continuing importance of NATO and US leadership.¹¹⁴

However, as Croatia and Slovenia prepared to declare their independence, both Europe and the United States began a flurry of diplomacy. On June 22 and 23, 1991, the Conference on Security and Cooperation in Europe stated their support for the territorial integrity of Yugoslavia and the EC foreign ministers, including Germany, voted unanimously not to recognize Slovenia and Croatia if they seceded unilaterally. U.S. Secretary of State James Baker visited Belgrade on June 21, for one day, listened to all sides, then declared that the United States opposed the breakup of the country and also opposed the use of force to hold the country together. All the participants heard what they wanted to hear. Serbians heard only that the country should stay united; the Slovenians and Croatians heard only that force should not be used against them, should they decide to secede. Baker warned Tudjman and Kučan that the United States would not recognize unilateral secession and would hold those who fail to negotiate responsible for the bloodshed. On June 25, 1991, four days after Baker's visit and over the objections of many of their own citizens, Slovenia and Croatia did declare independence. Two days later war started in Slovenia. It has been called an "operetta war," for the Slovenes lost only 9 men and the JNA only 37. In fact, according to the U.S. Ambassador Warren Zimmerman, the Slovenes succeeded only because Kučan made a deal with Milošević that the JNA would withdraw from Slovenia. Croatia, on the other hand, would not win its independence so easily.¹¹⁵

¹¹⁴Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution after the Cold War*, 157-158.

¹¹⁵Metta Spencer, *Separatism: Democracy and Disintegration*, Lanham, Maryland: Rowman and Littlefield, 1998, ch.7, in: Metta Spencer official website: http://metta.spencer.name/?Papers:Academic_papers:The_Breakup_of_Yugoslavia (last visualization: 26.11.2013).

2.3.5 Towards total independence

In the second part of 1991, EC occupied the entire crisis management stage, attempting mediation with the full authorization of both the CSCE and the UN. NATO and the American government also gave their approval and support to the role assumed by the Community. In April and May 1991 the Presidents of the EC Commission and the EC Council, Jacques Delors and Jacques Santer, failed in their attempt to entice the seceding republics to remain within the Yugoslav federal structure. After an armed conflict had erupted in late June, the Community obtained a suspension of the Slovenian and Croatian declarations of independence and tried to buy time in order to find a political solution. The Brioni Accord did end the war in Slovenia. The three-month moratorium agreement, however, did not prevent the war in Croatia, where Serb irregulars and the JNA launched heavy fighting by the end of June.¹¹⁶

In the meantime, EC was trying to find a solution to the problem. Through the forum of the Hague Conference which opened on September 7, 1991, chaired by Lord Peter Carrington, former British Foreign Secretary and former NATO Secretary General, the EC set up a negotiating process which, besides the negotiators themselves, included an Arbitration Commission that could advise on legal aspects of the controversy. The EC mediators aimed at a specific constitutional solution: replacing the federal state with a confederation of sovereign states. While focusing on the borders of the old republics, the plan prepared by Lord Carrington entailed the designation of a special status for territories in which a national minority constituted a large local majority.

However, political negotiations proceeded slowly in the midst of intense fighting and repeatedly violated cease-fires. Frustration with the inconclusive negotiating process also grew among interested outside actors. Though the

¹¹⁶Metta Spencer, *Separatism: Democracy and Disintegration*, Lanham, Maryland: Rowman and Littlefield, 1998, ch.7, in: Metta Spencer official website: http://metta.spencer.name/?Papers:Academic_papers:The_Breakup_of_Yugoslavia (last visualization: 26.11.2013).

fighting was continuing in Croatia, Carrington continued to defend the territorial integrity of that country, without however finding any basis for compromise. Still the war continued. Germany's foreign minister Hans Dietrich Genscher now reversed his position, arguing in favour of recognizing Croatia and Slovenia. Others, including the United States, regarded this as an error in judgment. The U.S. negotiator Cyrus Vance and Lord Carrington both insisted there should be no Western recognition of any Yugoslav republic until they had all agreed on their relationships. Vance told Warren Zimmerman, "My friend Genscher is out of control on this. What he's doing is madness."¹¹⁷

When the three-month suspension of the Slovenian and Croatian declarations of independence ended on October 7, the EC itself acknowledged the de facto breakup of the federation. Finally, on November 8, when Serbia rejected another complex proposal formulated by Lord Carrington, the EC Council imposed economic sanctions against the Yugoslav republics (later limited to Serbia and Montenegro) and asked the UN Security Council to order an oil embargo. The only Community lever still remaining was the threat of recognizing the breakaway republics. Bonn had been urging Western European recognition for Slovenia and Croatia since July. German Minister of Foreign Affairs, Hans Dietrich Genscher, had for months been using the threat of recognition and the consequent internationalization of the conflict as a way of deterring what he considered to be a Serbian aggression. The very critical letters sent to the German government by the UN Secretary General Boutros Boutros-Ghali, UN negotiator Cyrus Vance, US Deputy Secretary of State Lawrence S. Eagleburger, and others, were unable to divert Bonn from this line of action.¹¹⁸ In an interview with the prestigious *Frankfurter Allgemeine Zeitung*, Mitterrand said France would not oppose Germany's recognition move, but did not approve of unilateral actions. "I believe that international recognition (of Slovenia and Croatia) must come, as soon as

¹¹⁷Metta Spencer, *Separatism: Democracy and Disintegration*, in Metta Spencer official website: http://metta.spencer.name/?Papers:Academic_papers:The_Breakup_of_Yugoslavia (last visualization: 26.11.2013).

¹¹⁸Mario Zucconi, "The Legacy of the "Gray Area". Security and humanitarian issues in the Western response to the crisis in former Yugoslavia", in S. Bianchini, P. Shoup (ed.), *The Yugoslav war, Europe and the Balkans: how to achieve security?*, Ravenna: Longo Editore, 1995, 130-131.

conditions are there. This cannot be a unilateral act," Mitterrand added. Mitterrand said also that Serbia and Croatia should retain some links, but the war made such advice unlikely to be accepted. "We have no interest in seeing Europe break into a thousand pieces," Mitterrand said.¹¹⁹

Finally, when the participants at the extraordinary meeting of the EC Foreign Ministers on December 16, 1991 were faced with the choice between recognizing the two breakaway republics or exposing their inability to produce a common policy a few days after the signature of the Treaty on the European Union, they chose to establish a set of criteria that allowed for the recognition, according to fixed criteria, of the individual republics that constituted former Yugoslavia.¹²⁰

Genscher succeeded in persuading the reluctant British to accept his position in exchange for some German concessions regarding the Maastricht Treaty. The EC decided to recognize the independence of any Yugoslav republic only after its claim had been investigated by its judicial commission, to be headed by a French lawyer, Robert Badinter.¹²¹

EC members decided to recognize on the January 15, 1992 the Yugoslav republics that would ask for recognition by December 23, and that would satisfy some requirements expressed in the European Community Declaration on Yugoslavia and on the guidelines on the recognition of new states.¹²²

As Türk underlines in his comment on the Declaration, even though the guidelines for recognition were clear and contained a series of legal requirements,

¹¹⁹Nesha Starcevic, *Slovenian, Croatian Leaders to visit Bonn to discuss recognition with Am-Yugoslavia, Bjt*, November 29th, 1991, in AP News Archive: <http://www.apnewsarchive.com/1991/Slovenian-Croatian-Leaders-To-Visit-Bonn-To-Discuss-Recognition-With-AM-Yugoslavia-Bjt/id-7205deb83bfc95e04db04fb3a27e48> (last visualization: 26.11.2013).

¹²⁰Mario Zucconi, *The Legacy of the "Gray Area"*, 131.

¹²¹Metta Spencer, *Separatism: Democracy and Disintegration*, in: Metta Spencer official website: http://metta.spencer.name/?Papers:Academic_papers:The_Breakup_of_Yugoslavia (last visualization: 26.11.2013).

¹²²Zlatko Dizdarevic, Gigi Riva, *L'ONU è morta a Sarajevo. Dal genocidio alla spartizione, Milano: Il Saggiatore, 1996, 193.*

including the declaration by the new states that they accept various international legal obligations, on the other hand, the guidelines, and the pertinent practice of Western states, disregarded one of the classical criteria for recognition, namely the criterion of effectiveness of the governments of the new states. Although the EC and the US together reiterated their reliance on traditional international legal criteria for recognition, their policy of non-recognition of various states was far from being consistent application for legal criteria.¹²³

On 2 January 1992, Serbs and Croats met in Sarajevo to sign an agreement to temporarily stop the fighting. Another important step was the UN Resolution n° 727 of 8 January 1992:

“The Council welcomes the signing of an Implementing Accord in Sarajevo on January 2, 1992, to implement the cease-fire agreed to on November 23, 1991, and endorses the Secretary-General’s intention to send 50 military liaison officers to promote the maintenance of the cease-fire.”¹²⁴

Later in January, the CEE Arbitrary Commission guided by the Constitutional Court President, the French Robert Badinter, asserted that Slovenia and Macedonia owned the recognition requirements, on the contrary of Croatia and Bosnia-Herzegovina. Despite this, Croatia together with Slovenia were recognised. Bosnia-Herzegovina would hold a referendum among its people.¹²⁵

By the time that the Community had shifted to a policy of recognition, the Serb-controlled Yugoslav People’s Army (JNA) had already taken control of 30 percent of the Republic of Croatia’s territory. This act catered to the interests of the Serb population of Croatia (11,5 percent of the population). The deployment of UN peacekeeping troops in the contested areas starting in February 1992,

¹²³Danilo Türk, *Recognition of States: a Comment*, European Journal of International Law official website, 1993: <http://www.ejil.org/pdfs/4/1/1227.pdf> (last visualization: 26.11.2013).

¹²⁴Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, 402.

¹²⁵Zlatko Dizdarevic, Gigi Riva, *L’ONU è morta a Sarajevo. Dal genocidio alla spartizione*, Milano: Il Saggiatore, 1996, 193.

contributed to the further crystallization of this partition of Croatian territory. All in all, it is noticeable that the EC's decisions did not really reflect the situation on the ground. In addition, as the Macedonian and Croatian cases made clear, rather than following a series of general guidelines, the EC in the end decided on recognition case by case. The really decisive factor was the specific national interest of individual EC member states. Such an approach would prove not only unproductive, but also counterproductive, especially in the case of Bosnia-Herzegovina.¹²⁶

2.3.6 The change of US policy

The question of recognition of independent Yugoslav republics was a test for the coordination of policies between EC and US regarding the Yugoslav crisis. While not agreeing initially on the possible impact of an early recognition of the former Yugoslavia republics, the US eventually followed the lead of the EC and aligned its policy with that of the Europeans. The Bush administration initially held the view that recognition would fuel the fighting and that the goal should be to promote the maintenance of Yugoslav unity. But, despite this, according to Frellessen, German pressure within the EC eventually won also over the Americans and the alignment of policies was expressed in the US-EC declaration on the recognition of the Yugoslav republics in March 1992.¹²⁷

The Community and its Member States and the United States have agreed to coordinate their approaches to completing the process of recognizing those Yugoslav republics that seek independence.

The Community and its Member States, bearing in mind its declaration on 16th December 1991, and the United States are agreed:

¹²⁶Mario Zucconi, "The Legacy of the "Gray Area". Security and humanitarian issues in the Western response to the crisis in former Yugoslavia", in S. Bianchini, P. Shoup (ed.), *The Yugoslav war; Europe and the Balkans: how to achieve security?*, Ravenna: Longo Editore, 1995, 132.

¹²⁷Thomas Frellessen, Roy H. Ginsberg, *EU-US Foreign Policy Cooperation in the 1990s. Elements of partnership*, Brussels: Centre for European Policy Studies, 1994, 31.

that the United States will, in this context, give rapid and positive consideration to the requests for recognition by Slovenia and Croatia in such a way as to support the dual-track approach based on the deployment of the UN peace-keeping force and the European Community Peace Conference chaired by Lord Carrington. (...)¹²⁸

According to Marolov, there was a change in the US policy which was due to the start of the military conflict in the republics of Slovenia and Croatia. With this, the principle of unity was practically dead.

In spite of this change of policy, the US maintained their passivity, leaving the management of the problem to the EC. Uncertain over the future direction of events, the US demonstrated that they were still comfortable with following rather than leading on the issue of regional instability in south-eastern Europe.¹²⁹

A new policy was officially introduced in October 1991 when a State Department official, Ralph Johnson, stated that the principles of self determination, respect for borders, support of democracy, respect for human rights and respect for international law would have from that moment formed the basis of the new USA approach towards Yugoslavia.¹³⁰

It was clear that the USA withdrew from the principle of unity and replaced it by the principle of self-determination. It seemed that the USA completely accepted the idea of the dissolution of Yugoslavia. However, there were certain indications that the USA were hoping for survival of Yugoslavia in some form of loose federation or at least a part of it. According to the former USA Ambassador to Yugoslavia, Zimmerman, America's wishes were: complete cessation of hostilities, change of the political system and creation of a completely new Yugoslavia without Slovenia. The new Yugoslavia would have been a loose confederation of five republics. There would have been no change in republican

¹²⁸ "US/EC Declaration on the Recognition of the Yugoslav republics", 10 March 1992, in: *European Political Cooperation Documentation Bulletin*, vol.8, European University Institute, Firenze, 1992, in Archive of European Integration (AEI) website: <http://aei.pitt.edu/36872/1/A2881.pdf> (last visualization: 26.11.2013).

¹²⁹ Lukic R., Lznch A., *Europe from the Balkans to the Urals. The Disintegration of Yugoslavia and the Soviet Union*, New York: Oxford University Press, 1996, 313.

¹³⁰ *Ibidem*.

borders and the Albanians in Kosovo as well as Serbs in Croatia would have got full autonomy.¹³¹

Through this statement, it is possible to highlight many aspects of US foreign policy in the Yugoslav question. First, the positions of the USA expressed desires. This in itself suggested the absence of strong positions on the future of the Yugoslav federation and a kind of passive approach to the whole issue. Second, the USA wanted a ceasefire and then a change of the political system. Thirdly, the final vision of the USA was that of a new Yugoslavia that would have worked as a loose federation. One of the main differences of this new Yugoslavia to the old one would have been Slovenia not to be a part of it. Fourthly, according to the US's vision, the republic's borders would have remained intact as a guarantee for peace; fifthly, the large national minorities in the republics would have got great autonomy and remained in the existing republican borders. Yet this idea was just a US desire rather than a strong position and this was the consequence of their definition of the question as a European one.¹³²

2.3.7 Mistakes of the international community in managing the crisis: the path to war

Western intervention in the Yugoslav crisis officially aimed at mediation and crisis management. Instead, it provided the irreversible turning point in its escalation toward nationalist extremism and war. Having ignored the mounting crisis during 1989-90, the international community took actions in 1991 that redefined the origins and myriad of aspects of this upheaval as ethnic conflict and nationalist revolution. By abandoning the Yugoslav federal government, which depended on international support for its economic and political reforms; prejudging the army as nationalist and its actions and its actions to restore order in

¹³¹Lukic R., Lznch A., *Europe from the Balkans to the Urals*, 314.

¹³²Dejan Marolov, *The Policy of the USA and EU towards the disintegration of Yugoslavia*, in: the International Journal of Social Science Tomorrow, 12 April 2012, e-print published by SPIRI (Society for Promoting International Research and Innovation) on the website UGD Academic Repository: <http://eprints.ugd.edu.mk/1224/1/276.pdf> (last visualization: 26.11.2013).

the republics as illegitimate intervention; and ignoring the many citizens' groups working to foster countrywide cooperation, the West deprived Yugoslav citizens of the last of the protections for their individual rights and the last alternatives to nationalist or treasonous loyalties within their republics of residence. By accepting the principle of national self-determination for the independence of states, without regard to the Yugoslav conditions of multi-nationality and the shared rights to national sovereignty of the Titoist system, or a willingness to enforce their unilateral decision on borders, Western powers were making war inevitable.¹³³

The theories over the influence of Western powers in the breakup of Yugoslavia split basically in two directions: those who retain that it was not done on purpose, that there was not a wider political plan behind the decisions taken, and those who see a clear orchestrated pattern in what happened, as in the case of Parenti when he underlines that if some critics may not know what policy makers were doing does not mean that they did not know what they were doing; that Western leaders made misleading statements about their goals and intentions does not denote confusion on their part but a desire to confuse their publics as to what interests they were really serving.¹³⁴

What clearly emerges, from the analysis of these first phases of the breakup of Yugoslavia and of the Yugoslav war that rose from it, is that the policies of Western powers, in particular those of the US and the EC, were confusing and changeable. This reflects the political instability that was caused by the end of the cold war. The US, being involved as the only remained superpower in many conflicting situations, wanted to see recognized their leadership in peaceful and global stability, but were not willing to spend their energies, in terms of money and military means, to reach this aim. The EC was not ready to deal with a situation as that of Yugoslavia, because of the lack of a common and stable policy and because the many conflicting interests of its members. It can be considered that these were the reasons that caused the so wrong and counterproductive policy

¹³³Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 198.

¹³⁴Michael Parenti, *To Kill a Nation. The attack on Yugoslavia*, New York: Verso, 2000, 1-2.

towards Yugoslavia. When the new situation stabilized, or rather, when it became irreversible, the Western powers understood that they could not do anything but trying to be coherent and justify their past and future policies. During the following phases of the conflict, which would expand in Bosnia-Herzegovina becoming here even more complex and violent, external actors maintained the same attitude: their main worry was to care about their own interests. For instance, considering the Yugoslav war sometimes as ethnic war or, by others, as Serbian aggression; using international law principles, as the principle of self-determination or that of non-interference, which could work at their advantage. EC and US policy towards Yugoslavia in the early 1990s was one of the main causes for what happened afterwards, during the war in Bosnia, where the same pattern of what had happened in Yugoslavia before was repeated and Western powers' responsibility and policy became even more clear.¹³⁵

¹³⁵Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 270.

3. US and EC intervention in the case of Bosnia-Herzegovina (1991-1995)

3.1 Bosnia from multiparty elections to war

The abandonment by the external actors of the search for a comprehensive solution of all the aspects of the Yugoslav crisis, that they had contributed to create, fostered Bosnia-Herzegovina seeking independence. In the case of Bosnia, the international community had to deal with a more complex, much longer, and more destructive phase of the conflict. With the EC having exhausted all the levers at its disposal, and given the changing character that was attributed to the conflict, no longer political and legal, but more military and especially humanitarian, other institutions stepped in to occupy centre-stages on the behalf of the international community. The United Nations became the most prominent player, and the North Atlantic Treaty Organization took up a growing role in support of UN humanitarian intervention.¹³⁶

What is more, the development of the conflict showed both the end of the so called “hour of Europe” and the confusing role of the US, at times in accordance with the EC and other times in contrast to it. As Woodward underlines, the lack of progress in the Yugoslav conflict since mid-1991 reflects the lack of change in the EC and US definition of the problem and their respective interests. The United States necessarily bore a heavy responsibility in the Yugoslav tragedy, for their hegemonic role in defining Europe in the cold war period was particularly influential in the Yugoslav case. And while the Bush administration chose to abdicate leadership in the early stages of the Yugoslav conflict, both the Bush and the Clinton administration were also unwilling to remain uninvolved, leaving the

¹³⁶Mario Zucconi, *The Legacy of the “Gray Area”. Security and humanitarian issues in the Western response to the crisis in former Yugoslavia*, in S. Bianchini, P. Shoup (ed.), *The Yugoslav war, Europe and the Balkans: how to achieve security?*, Ravenna: Longo Editore, 1995, 132-135.

situation entirely to the Europeans. Whenever developments toward the Yugoslav conflict seemed to challenge the US leadership in Europe, they stepped in.¹³⁷

3.1.1 1990-1991: multiparty elections and coalition government

The first democratic transition process in Bosnia-Herzegovina took place during the one-year period between the first multiparty elections in November 1990 and October 1991, when the Bosnian central parliament adopted the memorandum on sovereignty. In the midst of a worsening economic default and growing suspicions of an imminent incorporation of parts of the country into an authoritarian-nationalist “Great Serbia” ruled by Slobodan Milosević, Bosnia-Herzegovina held its first free and fair multiparty parliamentary elections on November 18 and 25, 1990. The result was a national assembly dominated by three ethnic parties that had agreed to establish a broad coalition to force the communist out of power. Ethnic parties gained control of 98 seats out of 130 in the lower house of parliament (House of Citizens), similarly they won 104 seats out of 110 in the upper house (House of Countries). In December 1990, ethnic parties established a non-Communist- SDA (Stranka Demokratske Akcije)- SDS (Srpska Demokratska Stranka)- HDZ (Hrvatska Demokratska Zajednica) coalition government, where representatives respectively of Bosniaks, Serbs and Croatians collaborated, and a non- Communist collective presidency, with the Bosniak leader Alija Izetbegovic serving as the President. This broad coalition could not withstand the fast pace of political changes in Yugoslavia. The independence declarations by Slovenia and Croatia on June 25, 1991 put Bosnia-Herzegovina in an uncomfortable position. The coalition split over the question whether to remain a part of the Yugoslav federation, now dominated by Serbia, or to seek independence like Croatia and Slovenia. Following the Yugoslav’s army campaign against Croatia, President Izetbegovic urged Bosnian citizens not to take part in

¹³⁷Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 395-396.

the act of aggression against Croatia, as sign of solidarity. On October 15, 1991 the Bosnian parliament adopted a memorandum on sovereignty. The memorandum required the parliament of Bosnia-Herzegovina to choose between full independence or a loose Yugoslav confederation on the condition that it also included Croatia and Slovenia to mitigate Serbian domination. The Bosnian Serb members of parliament, mainly from the SDS, deserted the central parliament in Sarajevo and, in retaliation to the memorandum, the SDS set up the Assembly of the Serb People of Bosnia-Herzegovina on October 24, 1991, which ended the multiethnic coalition.¹³⁸

3.1.2 1991-1992: referendum on independence

The Assembly of the Serb People of Bosnia-Herzegovina declared the Serbian Republic of Bosnia-Herzegovina on January 9, 1992, which then became the Republika Srpska in August 1992, with its capital in Pale.¹³⁹

Following the EC declaration of 16 December 1991, which stipulated the conditions upon which Yugoslav republics would be granted international recognition as independent states, Bosnia-Herzegovina's initial application was rejected by the EC on January 15, 1992. The Badinter Commission's recommendation was that Bosnia-Herzegovina could not be recognised because the will of the people of Bosnia and Herzegovina had not been ascertained as to whether they were in favour of the republic becoming a sovereign and independent State. Opinion n°4 of the Commission concluded with a statement that the decision not to recommend recognition could be reviewed following a plebiscite which established the will of all the citizens of Bosnia-Herzegovina without distinction to seek independence.¹⁴⁰

¹³⁸Doğa Ulaş Eralp, *Politics of the European Union in Bosnia-Herzegovina. Between Conflict and Democracy*, Maryland: Lexington Books, 2012, 14-15.

¹³⁹Ibidem.

¹⁴⁰Peter Radan, *The Break-up of Yugoslavia and International Law*, London: Routledge, 2002, 186.

Bosnia-Herzegovina held its independence referendum on February 29 to March 1, 1992. The turnout was only 63.4 percent, because most Bosnian Serbs boycotted it. But 99.7 percent of the votes cast were in favour of independence.¹⁴¹

The Serbian Democratic Party, led by Radovan Karadžić, opposed the referendum and declared it illegal since it was not approved by the full Assembly and did not have the support of all three main nationalities.

The SDS therefore called upon the republic's Serbian population to boycott the referendum. Two reasons have been given for the SDS boycott, both of them stemming from opposition by Serbian leaders in Bosnia-Herzegovina as well as in Belgrade to Bosnia-Herzegovina breaking away from Serbia. Some alleged that the boycott resulted from concern that Serbs residing in Bosnia-Herzegovina might actually disagree with their leaders and support the republic's move toward independence. Once in a voting booth, this argument contends, there would be no control over the ethnic Serbian voter, but by boycotting the referendum the SDS could observe who went to polling stations and could therefore intimidate or punish any Serbs who did.

SDS representatives denied that this was the cause of their boycott. Instead, they argued that the referendum itself was illegal and illegitimate since their leaders in the Assembly had not voiced their support, as is necessary according to the agreement to proceed on the basis of consensus among the nationality-based parties. Assuming that Muslims and Croats would vote for independence, they argued, the result would be a majority even if all Serbs voted against independence, yet their participation would indicate an acquiescence to this outcome, which was, in fact, unacceptable to them. SDS representatives also pointed to the fact that their party leaders organized their own referendum in November 1991 in which the Serbian people of Bosnia-Herzegovina had already and overwhelmingly expressed their desire to remain in a Yugoslav state. One SDS official also claimed referenda were not legal in deciding constitutional issues.¹⁴²

Bosnia-Herzegovina declared independence on March 3, 1992. The war eventually broke out on April 5, 1992 when the Yugoslav National Army (YNA) tanks surrounded Sarajevo. As highlighted by Spencer, the same logic underlayed the Bosniac-led government and their Serbian opponents. Izetbegović had been

¹⁴¹Doğa Ulaş Eralp, *Politics of the European Union in Bosnia-Herzegovina*, 15-16.

¹⁴²*Report: the Referendum on Independence in Bosnia-Herzegovina*, in the Commission on Security and Cooperation in Europe official website, 1992, 12: [http://csce.gov/index.cfm?FuseAction=UserGroups.Home&ContentRecord_id=250&Content Type=G&ContentRecordType=G&UserGroup_id=5&Subaction=ByDate](http://csce.gov/index.cfm?FuseAction=UserGroups.Home&ContentRecord_id=250&ContentType=G&ContentRecordType=G&UserGroup_id=5&Subaction=ByDate) (last visualization: 26.11.2013).

willing to accept almost any compromise that would have held Yugoslavia together, but, if despite everything, Slovenia and Croatia seceded, he could not tolerate becoming a minority within a Serbian-dominated Yugoslavia. For their part, the Bosnian Serbs had also wanted to hold Yugoslavia together at all costs, but, if despite everything, Bosnia seceded, they could not bear to become a minority within a Bosniac- and Croatian-dominated Bosnia. This argument was specular to the one expressed a short time before by the Serbs of Croatia, who had also objected being dragged out of Yugoslavia against their will.¹⁴³

3.1.3 US and Bosnia recognition

As underlined in the second part chapter, dealing with the first phases of Yugoslavia breakup, Germany held an important role in the recognition of Slovenia and Croatia, while the position of France and UK was that of maintaining a united Yugoslavia or of creating a loose federation, at most without Slovenia. Woodward asserts that the treatment of Bosnia-Herzegovina encourages the most cynical interpretation of Western policy. Despite the fact that the conditions for the recognition of Slovenia and Croatia required that all six republics were eligible for recognition, Germany did not want to recognize Bosnian sovereignty and looked for ways to delay. Once Kohl, Germany Chancellor, and Genscher, Germany Foreign Minister, had gained what they could domestically by recognizing Slovenia and Croatia and exhausted the means of foreign influence they were willing to use, more traditional foreign policy concerns re-emerged. Especially according to the German propaganda, if the Serbs, being still the most numerous people in the former country, did win the allegiance of the Yugoslav army, Serbia could become a military dictatorship that could have threatened European security in the long run. Moreover, Serbia controlled a substantial part of the Danube river, which was critical to the German

¹⁴³Metta Spencer, *Separatism: Democracy and Disintegration*, Lanham, Maryland: Rowman and Littlefield, 1998, ch.7, in Metta Spencer official website: http://metta.spencer.name/?Papers:Academic_papers:The_Breakup_of_Yugoslavia (last visualization: 26.11.2013).

economy. It would not do to allow Serbia's isolation, German diplomats concluded by late January. It was also a German diplomatic conviction, going back to Bismarck at the Congress of Berlin in 1878, when Serbia gained recognition for its independence from the Ottoman empire, that Bosnia could not survive independently without an imperial overlord of some kind. These historical prejudices were nourished by the barrage of propaganda from the Tadjman and Milošević administrations to justify their predatory plans, which fed anti-Islamic fears in Europe that the government aimed to create a fundamentalist Islamic state for the first time in Europe.¹⁴⁴

On the ninth, in my first meeting with French President François Mitterrand, he made it clear to me that, although he had sent five thousand French troops to Bosnia as part of a UN humanitarian force to deliver aid and contain the violence, he was more sympathetic to the Serbs than I was, and less willing to see a Muslim-led unified Bosnia. – Bill Clinton¹⁴⁵

Late last year, the peace negotiator Lord Owen addressed an issue that has seldom been openly discussed but has rarely been far from European politicians' minds during the Bosnian war. "The European Union," he said, "has no reason to be suspicious or to fear a new Muslim state emerging within Europe. For Europe over the centuries has been enriched by Islam." The sense of that enrichment, evident from Cordoba in Spain to Sarajevo, has, however, been dimmed by more pressing concerns. Rising Islamic militancy in neighbouring Algeria, a steady flow of Muslim immigrants across the Mediterranean from North Africa and explosive racial tensions in cities short of jobs have produced a thinly veiled anxiety in Western Europe over the potential radicalization of a Muslim-led Bosnia.¹⁴⁶

This question emboldened most EC countries to consider a rump Yugoslavia made up of the remaining republics the best solution to regional stability, once Slovenia and Croatia became independent. As a consequence, recognition of

¹⁴⁴Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 195-197.

¹⁴⁵"Clinton tells Europe's Islam fear behind Bosnian war", *World Bulletin/ News Desk*, October 2013, in: World Bulletin website, <http://www.worldbulletin.net/?aType=haber&ArticleID=119564> (last visualization: 26.11.2013).

¹⁴⁶Roger Cohen, *THE WORLD; West's Fears in Bosnia: 1) Chaos, 2) Islam*, March 13, 1994, The New York Times website, <http://www.nytimes.com/1994/03/13/weekinreview/the-world-west-s-fears-in-bosnia-1-chaos-2-islam.html> (last visualization: 26.11.2013).

Bosnia-Herzegovina became an American cause. Beginning in late January 1992, the US began a campaign to persuade its European allies to join it in extending sovereignty to Bosnia-Herzegovina and Macedonia.¹⁴⁷

3.1.4 EC plan versus US push for recognition

Over a period of nearly two months, the European efforts to negotiate ethnic partition of Bosnia and Herzegovina and the American efforts to promote recognition of its independence proceeded on parallel tracks. Initially, neither the European mediators nor some Bosnian leaders regarded the partition and recognition as mutually negating factors. But they ultimately became stark alternatives.¹⁴⁸

The reasons for the US to get involved in Bosnia recognition were many. The disunity within the Western alliance was disturbing to the US. Moreover, concerned that Germany was getting “out ahead of the US” (according to Deputy Secretary of State Eagleburger) and that it had lost any leverage on the Yugoslav situation after the EC’s December decision to extend the possibility for recognition to all the Yugoslav republics that were in line with the Badinter Commission requirements, the US nonetheless insisted on retaining its position against differential treatment of the republics. If the US were to reverse its position on recognition, it could only do so by recognizing all four republics at once and persuading the Europeans to follow suit. The Europeans countered that political circumstances had deteriorated to such a point that Bosnia was not able to constitute a sovereign state. In the pattern they established toward Slovenia and Croatia, EC negotiators now turned their mediating efforts to forestalling war in Bosnia-Herzegovina. A week before the required referendum, Portuguese EC

¹⁴⁷Susan L. Woodward, *Balkan Tragedy*, 195-197.

¹⁴⁸David Binder, *US Policymakers on Bosnia Admit Errors in Opposing Partition in 1992*, The New York Times online, 29 August 1993, <http://www.nytimes.com/1993/08/29/world/us-policymakers-on-bosnia-admit-errors-in-opposing-partition-in-1992.html?pagewanted=all&src=pm> (last visualization: 26.11.2013).

mediator José Cutileiro convened separate EC negotiations on Bosnia-Herzegovina.¹⁴⁹

On March 18, 1992, Alija Izetbegović (Bosnian-Muslim leader), Mate Boban (Bosnian-Croat leader), and Radovan Karadžić (Bosnian-Serb Leader) all reached an agreement on the peaceful succession of Bosnia-Herzegovina from Yugoslavia. The Agreement was known as the Lisbon Agreement or the Cutileiro Plan. It called for an independent Bosnia divided into three constituent and geographically separate parts, each of which would be autonomous. Izetbegović, Boban, and Karadžić all agreed to the plan and signed the agreement. On March 28, 1992, ten days after the agreement was reached that would have avoided war in Bosnia, Warren Zimmerman, US Ambassador, showed up in Sarajevo and met with the Bosnian-Muslim leader, Alija Izetbegović. Upon finding that Izetbegović was having second thoughts about the agreement he had signed in Lisbon, the Ambassador suggested that if he withdrew his signature, the United States would grant recognition to Bosnia as an independent state.¹⁵⁰

“Immediately after Izetbegović returned from Lisbon, Zimmermann called on him in Sarajevo. The Bosnian leader complained bitterly that the European Community and Bosnian Serbs and Croats had pressured him to accept partition. "He said he didn't like it," Zimmermann recalled. "I told him, if he didn't like it, why sign it?". But after talking to the Ambassador, Izetbegović publicly renounced the Lisbon agreement. A referendum on independence concluded on March 1. The vote was largely boycotted by Bosnian Serbs, while Croats and Muslims, representing two-thirds of the electorate, endorsed it by 99.4 percent.

Karadzic, the leader of Bosnia's Serbs, called the referendum illegal. He warned that international recognition would worsen the situation. Talks on partition were reconvened on March 7 in Brussels. Izetbegović sustained the impossibility of a tri-partition. Karadzic countered that Bosnia- Herzegovina should not be recognized as a unitarian, independent entity and that Serbs want their own state.

¹⁴⁹Susan L. Woodward, *Balkan Tragedy*, 196-197.

¹⁵⁰ Andy Wilcoxson, *Bosnia: How the War Started*, in: Slobodan Milosević website, <http://www.slobodan-milosevic.org/bosnia-started.htm> (last visualization: 26.11.2013).

The Bush Administration pushed ahead with its plan for recognition. "The policy was to encourage Izetbegović to break with the partition plan," said a high-ranking State Department official who asked not to be identified. "It was not committed to paper. We let it be known we would support his Government in the United Nations if they got into trouble. But there were no guarantees, because Baker didn't believe it would happen." Meeting with European foreign ministers in Brussels on March 10, Baker urged them to recognize Izetbegović's Government immediately, promising that the United States would swiftly follow with recognition of Croatia and Slovenia as well. Richard Johnson, the Yugoslav desk officer at the State Department, declared that Baker told the Europeans to stop pushing ethnic cantonization of Bosnia, while pressing them to move forward on recognition. The European Community members recoiled, in part because of reports of escalating nationalist tensions among Bosnians. On March 16, Karadzic warned of a civil war between ethnic groups and religions with hundreds of thousands dead and hundreds of towns destroyed. That day, the three Bosnian leaders met again in Sarajevo for another round of talks. Late the following night, they signed a new agreement to divide Bosnia into three constituent units based on ethnic criteria. Karadzic was momentarily euphoric, calling it a great day for Bosnia and Herzegovina. But, within days, Izetbegović again voiced strong reservations, saying the only reason he had signed was because the Europeans told him that he had to if he wanted to gain international recognition of his Government. There was one more round of negotiations, on March 30 in Brussels, to draw the map of a partitioned Bosnia. But by this time, armed bands of Serbs had crossed the Drina River to begin driving Muslims from Bosnian towns, while in the Herzegovina region, tens of thousands of armed Croats, including main force divisions of the Croatian army had seized control in areas where Croats predominate. Fighting broke out in downtown Sarajevo between Muslim and Serb forces. On April 5, Izetbegović met in Sarajevo with his Serbian and Croatian counterparts in a television studio. In the presence of a European mediator, they listened grimly while their agreement on a cease-fire was read out by two anchormen. It was the first of many. In Luxembourg the following day, 12 European Community foreign ministers announced recognition by their countries

of the independence of Bosnia-Herzegovina. As planned, the United States followed the next day with a statement by President Bush recognizing the sovereignty of the Sarajevo government as well as the independence of Croatia and Slovenia.”¹⁵¹

Those involved used the expression of preventive recognition in order to justify this admittedly dangerous gamble given that the Serbs had often repeated their intention to resort to the use of force should recognition precede a political agreement.¹⁵² Thus, the international community proceeded to recognize the independence of a state that had ceased to exist in any meaningful way.¹⁵³ The constitutional crisis left a parliament that no longer represented the three constituent nations and a government that no longer functioned legally.¹⁵⁴ In this context of brutal disintegration, the recognition of Bosnia-Herzegovina’s independence without respect for international legal principles and internal constitutional guarantees only encouraged the various parties to seek their goals by the use of force.¹⁵⁵

¹⁵¹David Binder, *US Policymakers on Bosnia Admit Errors in Opposing Partition in 1992*, The New York Times online, 29 August 1993, <http://www.nytimes.com/1993/08/29/world/us-policymakers-on-bosnia-admit-errors-in-opposing-partition-in-1992.html?pagewanted=all&src=pm> (last visualization: 26.11.2013).

¹⁵²Mihailo Crnobrnja, *Le Drame Jugoslave*, Quebec: McGill-Queen’s University Press, 1994, 176-177, cited in: Michael Barutciski, *Politics Overrides Legal Principles: Tragic Consequences of the Diplomatic Intervention in Bosnia-Herzegovina (1991-1992)*, American University Law Review 11, n. 5, 1996, 783, <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1412&context=auilr> (last visualization: 26.11.2013).

¹⁵³Muhamed Filipovic, “Conditions et circonstances du maintien de la paix en Bosnie-Herzégovine”, in: Catherine Samary, “La fragmentation de la Yougoslavie. Un mise en perspective”, *Cahiers d’étude et de recherche*, 19/20 (1992): 3-53, here 43, <http://basepub.dauphine.fr/bitstream/handle/123456789/9473/Fragmentation%20de%20la%20Yougoslavie.PDF?sequence=1> (last visualization: 26.11.2013).

¹⁵⁴Misha Glenny, *The Fall of Yugoslavia: the Third Balkan War*, Penguin Books, 1996, 177.

¹⁵⁵Michael Barutciski, *Politics Overrides Legal Principles: Tragic Consequences of the Diplomatic Intervention in Bosnia-Herzegovina (1991-1992)*, American University Law Review 11, n. 5, 1996, 783-784, <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1412&context=auilr> (last visualization: 26.11.2013).

By denying that partition of Bosnia could take place when in fact it was inevitable, the international community ensured that it would be accomplished in the worst possible way. The map of Bosnia was redrawn in blood on the ground, rather than around a table.¹⁵⁶

The re-entry of the US into the Yugoslav debacle as a part of the balance of power dynamic already in play in Europe added yet another element to the particular way in which Yugoslavia would unravel. The US, though in competition with Germany, remained primarily concerned with maintaining the Atlanticist posture of the Kohl government. But the one consistency in the US position since spring 1991, other than its refusal to commit soldiers, which Germany shared, had been its interpretation of the conflict as Serbian aggression. Now Germany was shifting its policy to find ways to subject Serbia to its rules. In place of the confrontation that could have resulted, the US appeared to move toward a geopolitical division of labour instead, conceding a primary sphere of influence over Croatia to Germany and taking on Bosnia as its responsibility. Yet because the US remained unwilling to consider the use of ground forces to back up its recognition of Bosnia-Herzegovina, it reverted to its policy of human rights.¹⁵⁷

In early May 1992, Barbara Crossette wrote in the New York Times that there seemed to be no move to raise the response to the war beyond the cautiously diplomatic. This was an apt description of the US response, as it turned out, for the next three months. The US had recalled Ambassador Zimmerman from Belgrade, and the Council on Security and Cooperation in Europe (CSCE) had finally suspended Yugoslavia from membership, in spite of Russian opposition. But in a reversal soon after, it reduced the penalty for Yugoslavia only to suspension from discussions on Yugoslavia until the end of June. Imposing

¹⁵⁶Robert M. Hayden, *US Efforts to Resolve the Balkan Crisis Have Only Added to Muslim's Losses*, SUN-SENTINEL, Feb. 9, 1994, 19, cited in Michael Barutciski, *Politics Overrides Legal Principles: Tragic Consequences of the Diplomatic Intervention in Bosnia-Herzegovina (1991-1992)*, American University Law Review 11, n. 5, 1996, 783, <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1412&context=auilr> (last visualization: 26.11.2013).

¹⁵⁷Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 197.

sanctions or a show of force had apparently been ruled out. And in contrast to the Gulf War, there had been no statement from a high official on the situation in Bosnia-Herzegovina. Crossette reported a pervasive sense of helplessness, even those who were most critical of the Bush policy found it difficult to recommend a course of action that would have a mitigating effect in Bosnia.¹⁵⁸

Since the US foreign policy objective in reasserting influence over the Yugoslav conflict was to prevent differences between its own position and that of its European allies from causing a rift, it dropped its insistence on recognizing all four republics, deferring to Greek intransigence against a sovereign Macedonia. No sooner was the principle of preventive recognition applied than it was, once again, subordinated to other priorities. The US became now preoccupied with the possible spread of war to Kosovo and Macedonia, as the next step in what they viewed as a war waged to create a “Greater Serbia”. Although they argued that the danger came from Milošević’s expansionist policies and Yugoslav army aggression, it also remained unwilling to contemplate military deterrence.¹⁵⁹

3.1.5 UN troops in Bosnia

As soon as the breakup of Yugoslavia appeared imminent in 1991, knowledgeable Yugoslavs and some Western diplomats and scholars had warned publicly, and made proposals to the responsible authorities, that there would have to be an interim international protectorate for Bosnia-Herzegovina, in order to protect the peace in the republic. The adherent of the idea became more numerous once the war in Bosnia began. The choice repeated the one the Europeans made at Brioni when they sent unarmed monitors to Croatia. The UN chose to place its headquarters for the Croatian peacekeeping mission, the United Nations Protection Forces (UNPROFOR), in Sarajevo as a symbolic presence to protect the republic from the spread of war. But even this decision was, in fact, addressed

¹⁵⁸Wayne Bert, *The Reluctant Superpower: United States’ Policy in Bosnia, 1991-95*, New York: St. Martin’s Press, Scholarly and Reference Division, 1997, 148-149.

¹⁵⁹Susan L. Woodward, *Balkan Tragedy*, 1995, 197.

to the situation in Croatia, where UN authorities wanted to distinguish their peacekeeping forces from the EC mission, particularly from the EC's failure to remain neutral. To make clear its commitment to neutrality, the UN would establish headquarters in Bosnia-Herzegovina, but it would have no mandate to act in the republic. These troops only began to arrive in Croatia in March because of delays in putting together the mission that occurred when states did not want to assume the financial obligations. As a result the UN opened shop in Sarajevo not long before the war was full blown. Moreover, the UNPROFOR commander, General Satish Nambiar, actually requested permission to pull out of the city even before the recognition decision of April 6-7 because the administrative and communication headaches he encountered in Sarajevo had proven too great to make the Croatian operation effective. The speed of events and spreading violence instead caught him with a peacekeeping operation in the midst of a war. As a result, the only foreign personnel on the ground when the war exploded in Bosnia-Herzegovina were international relief organizations, primarily the International Committee of the Red Cross (ICRC) and the United Nations Office of the High Commissioner for Refugees (UNHCR), and UNPROFOR for the peacekeeping operation in Croatia. By April 28, UNPROFOR was forced to extend humanitarian operations into Bosnia-Herzegovina as a result of the flood of refugees being expelled by the Bosnian Serb campaign in eastern Bosnia.¹⁶⁰

One hundred UNPROFOR military observers were redeployed from Croatia to certain parts of Bosnia and Herzegovina. However, in light of the deteriorating situation in Bosnia and Herzegovina, the Secretary-General, Boutros Ghali, decided to accelerate this deployment by sending 40 military observers to the Mostar region of that Republic on 30 April 1992. In May, despite all diplomatic efforts by the European Community, the Secretary General's representatives and UNPROFOR to negotiate a lasting cease-fire, the conflict between the Bosnian Muslims and the Bosnian Croats on the one side and the Bosnian Serbs on the other intensified. On 14 May, when risks to their lives reached an unacceptable level, the observers were withdrawn from the area and redeployed in the United

¹⁶⁰Susan L. Woodward, *Balkan Tragedy*, 1995, 284-286.

Nations Protected Areas (UNPAs) in Croatia. About two thirds of UNPROFOR headquarters personnel also withdrew from Sarajevo on 16 and 17 May, leaving behind some 100 military personnel and civilian staff who lent their good offices to promote local cease-fires and humanitarian activities. In a series of resolutions and statements, the Security Council appealed to all parties to bring about a cease-fire and a negotiated political solution, and demanded, inter alia, that all forms of interference from outside Bosnia and Herzegovina, including by the Yugoslav People Army (YPA), as well as by the Croatian Army, cease immediately and that all local irregular forces be disbanded and disarmed. On 30 May, acting under Chapter VII of the United Nations Charter, the Security Council, in its resolution 757 (1992), imposed wide-ranging sanctions on the Federal Republic of Yugoslavia (which by then consisted of Serbia and Montenegro), in order to help achieve a peaceful solution to the conflict. It also demanded that all parties create the conditions necessary for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport.¹⁶¹

Throughout April and into May, the staff within the office of the UN Secretary General and its office of peacekeeping pushed hard for the resumption of political negotiations over Yugoslavia in the form of a sponsored peace conference at Geneva in June. Their idea was to bring together a wide range of representatives from Yugoslavia and from the major powers, including Russia, which had begun to take a more assertive role in the Yugoslav conflict in response to domestic pressure. They failed, however, to persuade the Secretary General. The UN activities remained confined to humanitarian assistance and the principle of non-interference in the internal affairs of a sovereign state under pressure from France, Britain, and the United States, all of which, as in the case of Croatia, preferred to use the UN to avoid greater involvement. At the same time that such action presumed the fighting to be a civil war, however, the US and the EC simultaneously resumed their position that this war was the result of external

¹⁶¹“Former Yugoslavia- UNPROFOR”, *the Department of Public Information*, United Nations, 1996, in United Nations official website, http://www.un.org/en/peacekeeping/missions/past/unprof_b.htm(last visualization: 26.11.2013).

aggression from Serbia. In addition to this, the EC had ended trade sanctions against Serbia along with its recognition of Bosnia on April 6, but warned it would reinstate them if fighting did not cease in Bosnia by April 29. On April 11, the EC told the army to leave the republic and threatened to recall its ambassadors from Belgrade; the US warned rump Yugoslavia that it would not be recognized as successor state and would be denied membership in international organizations, such as the IMF and the UN, if the YPA did not leave by the end of the month; and Austria and Hungary proposed expulsion of Yugoslavia, by which they meant Serbia from the CSCE. ¹⁶²

Restoration of preferable trade arrangements and aid for Serbia were made conditional on future Serbian promises of respect for borders and minority rights, as well as a change in its policy of claiming control over Croatian airspace. ¹⁶³

On 27 April, 1992 Serbian and Montenegrin members of the Yugoslav parliament voted to adopt a new constitution for the Federal Republic of Yugoslavia consisting only of Serbia and Montenegro. The Constitution had been adopted by the respective republican legislatures during the preceding two days. ¹⁶⁴

Mindful of the freedom-loving, democratic and nation-building traditions, historical ties and shared interests of the state of Serbia and the state of Montenegro;

Arising from the unbroken continuity of Yugoslavia and voluntary association between Serbia and Montenegro;

The Federal Chamber of the Assembly of the Socialist Federal Republic of Yugoslavia, following upon the proposals and consent of the National Assembly of the Republic of Serbia and

¹⁶²Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 286-287.

¹⁶³Charles Goldsmith, *EC, Hoping to End the Fighting, Recognizes Bosnia-Herzegovina*, the New York Times online, 7 April 1992, http://www.nytimes.com/1992/04/07/news/07iht-yugo_0.html (last visualization: 26.11.2013).

¹⁶⁴Susan L. Woodward, *Balkan Tragedy*, 1995, 286-287.

the Assembly of the Republic of Montenegro hereby adopts and promulgates The Constitution of the Federal Republic of Yugoslavia.¹⁶⁵

Diplomatic activity continued to seek a political settlement for Bosnia along the dual tracks established for Croatia: the EC held another round of talks in Brussels on March 30 and 31, in Sarajevo on April 12, and in Lisbon at the end of April, while UN secretary general Boutros-Ghali had dispatched Cyrus Vance on April 10 to assist and, on April 29 Murrack Goulding, Under-Secretary General of the UN, to canvass conditions for peacekeepers. But the US also appeared to accept the need for political leadership, when secretary of state Baker called leaders of the EC, Britain, France, Germany and Portugal on April 15 to discuss ways to end the fighting, but this lasted only until May 4, when the administration retreated because it saw no solution. By the end of the month, the EC had accepted a French proposal to increase collaboration with UN, humanitarian relief, and negotiating efforts. Despite the retreat of UNPROFOR headquarters from Sarajevo, the UN Security Council became increasingly assertive in the crisis during May, although it was simultaneously following the lead of France on a humanitarian and negotiating strategy and the lead of United States and the EC on a strategy to hold Serbia responsible for the war by economic and diplomatic isolation.¹⁶⁶

As the EC struggled on the peacemaking front and the UN grappled with a possible peacekeeping role, the Serbs quickly gained the upper hand on the ground, making huge advances in eastern Bosnia and laying siege to Sarajevo. Serb attempts to create "ethnically pure regions", in the words of Boutros-Ghali, were now attracting major international attention, as was the indiscriminate shelling of the Bosnian capital by Serb gunners lodged in the surrounding hills.

¹⁶⁵“The Constitution of the Federal Republic of Yugoslavia, Preamble”, 27 April 1992, *The Constitutional Court of the Republic of Armenia website*, http://www.concourt.am/armenian/legal_resources/world_constitutions/constit/serbia/serbia-e.htm (last visualization: 26.11.2013).

¹⁶⁶Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 287-288.

With each new success, the flood of Muslim refugees increased. As the death toll began to mount, it was only a matter of time before the Serbs came to be seen as the clear aggressors in the conflict, although they insisted they were merely acting in self-defence. Lord Carrington's view early in the war, shared by others in the international community, that "everybody is to blame for what is happening in Sarajevo" was soon outpaced by the carefully-selected images appearing on television screens around the world.¹⁶⁷

The media, it seemed, did their best to reinforce a straight distinction between good and evil, despite the complexity of the war. By the middle of May, the EC was declaring that "by far the greatest share of the blame falls on the YPA and the authorities in Belgrade which are in control of the army, both directly and indirectly by supporting Serbian irregulars."¹⁶⁸

3.1.6 Between humanitarian aids and economic sanctions

By May- June 1992, the issue of national sovereignty was beginning to confront Western governments with a dilemma between their assessment of the strategic non-significance of Bosnia-Herzegovina and a growing humanitarian crisis that all the world could see.¹⁶⁹

Deploing the grave situation in Bosnia and Herzegovina and the serious deterioration of the living conditions of the people there, especially the Muslim and Croat populations, arising from the aggression against the territory of the Republic of Bosnia and Herzegovina, which constitutes a threat to international peace and security, (...)

¹⁶⁷*Fear and Loathing in the Balkans*, IISS Strategic Survey 1992-93, 87, cited in: Vincent Rigby, *Bosnia-Herzegovina. The International Response.*, Political and Social Affairs Division, Publications du gouvernement du Canada, January 1994, <http://publications.gc.ca/Collection-R/LoPBdP/BP/bp374-e.htm#%2819%29end> (last visualization: 26.11.2013).

¹⁶⁸*Keesing's Record of World Events*, May 1992, 38918, cited in: Vincent Rigby, *Bosnia-Herzegovina. The International Response.*, Political and Social Affairs Division, Publications du gouvernement du Canada, January 1994, <http://publications.gc.ca/Collection-R/LoPBdP/BP/bp374-e.htm#%2819%29end> (last visualization: 26.11.2013).

¹⁶⁹Susan L. Woodward, *Balkan Tragedy*, 289.

Expressing grave alarm at continuing reports of widespread violations of international humanitarian law occurring within the territory of the former Yugoslavia and especially in Bosnia and Herzegovina, including reports of mass forcible expulsion and deportation of civilians, imprisonment and abuse of civilians in detention centres and deliberate attacks on non-combatants, hospitals and ambulances, impeding the delivery of food and medical supplies to the civilian population, as well as wanton devastation and destruction of property,

Strongly condemning the abhorrent practice of "ethnic cleansing", which constitutes a grave and serious violation of international humanitarian law,

Recalling the report of the Secretary-General of 12 May 1992, in which he states that "all international observers agree that what is happening is a concerted effort by the Serbs of Bosnia and Herzegovina, with the acquiescence of, and at least support from, the Yugoslav People's Army, to create "ethnically pure" regions in the context of negotiations on the "cantonization" of the Republic in the Conference of the European Community on Bosnia and Herzegovina",

Expressing grave concern that, despite the relevant resolutions of the Security Council, no effective measure has been implemented to stop the abhorrent practice of "ethnic cleansing", or to reverse and discourage the policies and proposals that might encourage it,

Expressing grave concern that, despite repeated demands by the Security Council, the cease-fire agreed upon by all parties has not been respected,

Concerned that other demands made by the Security Council in its relevant resolutions, especially resolutions 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 764 (1992) of 13 July 1992 and 770 (1992) and 771 (1992) of 13 August 1992, have not been complied with, (...)

Commending the efforts of the Secretary-General, the Security Council, United Nations agencies, including the Office of the United Nations High Commissioner for Refugees and other international and relief organizations, including the Organization of the Islamic Conference, the European Community, the Conference on Security and Cooperation in Europe and the International Committee of the Red Cross,

Commending also the United Nations Protection Force for its continuing action in support of the relief operation in Sarajevo and other parts of Bosnia and Herzegovina,

Deeply concerned about the safety of the personnel of the United Nations Protection Force and expressing sympathy for the losses suffered by them,

Demands that all parties to the conflict immediately stop fighting and find a peaceful solution in line with the Charter of the United Nations and the principles of international law, in particular the principles of respect for sovereignty and territorial integrity of States, non-recognition of the fruits of aggression and non-recognition of the acquisition of territory by force; (...)¹⁷⁰

¹⁷⁰“The Situation in Bosnia-Herzegovina”, *United Nations General Assembly, A/RES/46/942, 91st plenary meeting, 25 August 1992*, in the UN official website, <http://www.un.org/documents/ga/res/46/a46r242.htm> (last visualization: 26.11.2013).

The pressure, especially created by public opinion and the media, mounted during the summer of 1992, but was already sufficient to put Bosnia-Herzegovina on the agenda at the annual meetings of the Group of Seven (G-7) economic powers, the Western European Union (WEU), and the CSCE, all being held in July. However, although President Bush began to adopt a belligerent tone toward the conflict, he held steadfast to the US position of no intervention, insisting at both CSCE and WEU meetings that those bodies should deliver humanitarian aid. The US was joined by the British in this adamant opposition to sending military force for any other than humanitarian purposes. Rather than denying it had vital interests at stake, as the US did, however, the British reasoned that this was a civil war and the cycles of animosity and revenge had to be left alone to run their course. The obvious solution to this dilemma of moral pressure without strategic interest was to impose economic sanctions.¹⁷¹

The action, declaring the Yugoslav conflict "a threat to international peace and security," came after the United States, alarmed by a mounting death toll in Bosnia following months of ineffective mediation efforts, shifted policy and took over the diplomatic lead from the European Community. It pushed the Security Council deeper into trying to curb an ethnic-fuelled conflict of the kind that it prefers to leave to regional organizations. The United States already had slapped a trade and economic embargo on Yugoslavia. The UN sanctions seek to force Serbia and Montenegro to agree to a cease-fire in Bosnia. But some Western diplomats expressed doubt that even universally applied sanctions would deter Serbian leader Slobodan Milosevic from pursuing his goal of creating a greater Serbia by effectively annexing Serbian enclaves in neighbouring states that have declared their independence from Yugoslavia. "Everyone is very pessimistic, perhaps rightly so," one diplomat said. "The odds, I suppose, are against it." The key hope is that the sanctions will strengthen opposition to the Milosevic regime. Mr. Milosevic called the sanctions "typical pressure on a small country."¹⁷²

¹⁷¹Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 289-293.

¹⁷²Mark Matthews, *UN Approves Sanctions on Yugoslavia. Security Council Attempts to Halt Bloodshed in Bosnia*, The Baltimore Sun online, 31 May 1992, http://articles.baltimoresun.com/1992-05-31/news/1992152005_1_serbia-and-montenegro-yugoslavia-bosnia (last visualization: 26.11.2013).

The imposition of sanctions reflected a shift away from the EC approach of political negotiations to the particular crisis in Bosnia-Herzegovina to a CSCE approach to the problem of European security in general preferred by the US and Germany. The issue was to assert the existence of a community of norms to which states made commitments, enforced by the threat of sanctions against those who deviate. However, after having won recognition for Croatia, Germany seemed to abandon the strong stand on norms expressed by Foreign Minister Genscher and it adopted a more realist or national interest-oriented policy, which aimed to prevent the total isolation of Serbia as a potentially major military power in the Balkans and as a possible gatekeeper of significant stretches of the Danube River, which was important to much of Germany's commerce. The US, therefore, took the lead as the primary proponent of the sanctions regime and of the broader European security approach to the conflict. The effect of the sanctions was to worsen the dilemma regarding national sovereignty by identifying the problem with Serbia and Serbs and by handing its resolution to Milošević. By allowing the major powers to avoid the contradiction between their recognition of the right to national self-determination and their insistence on Bosnian sovereignty, sanctions could hardly be an instrument of policy aimed at ending the war itself.¹⁷³

3.1.7 Need for containment and military intervention: US and EC positions in conflict

Despite persistent arguments in favour of economic sanctions as an alternative to military force, the fact that sanctions did not make an impact quickly made them particularly inappropriate as an instrument to stop a war over national sovereignty, especially since they were imposed only after the conflict had deteriorated so far as to be a question of territory.¹⁷⁴

¹⁷³Susan L. Woodward, *Balkan Tragedy*, 289-294.

¹⁷⁴*Ibidem*, 294.

With Sarajevo enduring the most devastating attack on a European city since World War II, United Nations' sanctions on a predominantly Serbian Yugoslavia are not biting soon enough or hard enough to stem the violence.

"Before we run out of Coca-Cola here in Belgrade, there will be no water to drink in Sarajevo," said Stojan Cerovic, a journalist and critic of the Yugoslav Government, summing up the growing impression that the sanctions will not stop the furious Serbian assault on the Bosnian capital.

The population of Sarajevo, staggered by shelling that has intensified over the last two days, is said to be hoping for speedier deliverance in the form of Western jet fighters zeroing in on the mountainside positions from which the Serbs unleash storms of artillery and rocket fire.

And the notion of an international military response is being taken more seriously because the last two days have made clear that, whatever sanctions might achieve in the long run, they are not likely to bring relief to Sarajevo.¹⁷⁵

The revelations of atrocities such as beatings and executions in detention camps, accusations of mass rapes and a network of forced bordellos, caused a shock to citizens and editorialists of Western countries, creating a moral pressure on the governments involved. However, this did not alter the governments' view that they had no vital, strategic interests at stake, but rather they did begin to think in terms of the war spreading to areas where they did have such interests. There was still no cause to defend Bosnia's borders with military force, but if war occurred in Kosovo or Macedonia, it would have international implications. A war in this areas could threaten to involve Albania, Bulgaria, Greece, and perhaps Turkey¹⁷⁶ and oblige a NATO response, including intervention between two NATO members. Of more immediate concern for Europeans was the direct effect the war was beginning to have on them through the flow of refugees.¹⁷⁷

¹⁷⁵Michael T. Kaufman, *A Sanction Minuet; To Bosnia, Diplomacy Is Merely Nice; Serbs Seem To Understand Only Force*, The New York Times online, 9 June 1992, <http://www.nytimes.com/1992/06/09/world/sanction-minuet-bosnia-diplomacy-merely-nice-serbs-seem-understand-only-force.html> (last visualization: 26.11.2013).

¹⁷⁶See Stephen Engelberg article, *US fears war will spread. Fighting in Bosnia may spawn regional conflict*, published in the New York Times, 25 April 1993, where the fear of a war against Greece and Turkey is clearly stated: <http://news.google.com/newspapers?nid=1320&dat=19930425&id=FUJWAAAIBAJ&sjid=X-oDAAAIBAJ&pg=4366,8012093> (last visualization: 26.11.2013).

¹⁷⁷Susan L. Woodward, *Balkan Tragedy*, 295.

By horse-cart and on huge plough horses, on flatbeds towed by tractors and packed by the score into rickety trucks, thousands of exhausted soldiers and refugees arrived in this quiet textile town today after the worst military defeat suffered by the Sarajevo Government in the Bosnian war. An exodus that gathered pace through the night reached full force after dawn, with mile after mile of muddy, weeping people pouring into Travnik along the road from Jajce, the strategic town 30 miles northwest of here that fell to Serbian nationalist forces on Thursday.

By noon, it was clear that what was developing here was the latest disaster in a worsening refugee crisis that is shaking Europe and threatening to become a catastrophe this winter.

The figure given by the United Nations, of at least 1.3 million Bosnians left homeless by the "ethnic cleansing" campaigns that have devastated this Balkan republic, has been repeated so often that even United Nations officials here seem numbed. Long before Jajce fell and inflated the number by at least 30,000 to 40,000 people, the officials were in a state of near desperation, to the point of warning that as many as 400,000 refugees could die in coming months of hunger and cold.¹⁷⁸

Germany, the primary foreign host, began to demand after mid-July that European countries set quotas for the number of refugees they were willing to accept.

Between 1992 and 1996, Germany gave temporary protection to 320,000 to 350,000 Bosnian refugees, about half of all Bosnians who sought protection in Western European countries during the Bosnian war. Since the end of the war, Germany has exerted tremendous pressure on Bosnian refugees to "voluntarily" repatriate, a policy it continued in 1999.¹⁷⁹

As one of the prime targets of German criticism for not accepting a fair share of refugees, Britain proposed that safe havens for civilians be established within Bosnia-Herzegovina. On July 23, the UN High Commissioner for Refugees,

¹⁷⁸John F. Burns, *Survivors of Fallen Bosnian Town Add to Refugees*, New York Times online, 1 November 1992, <http://www.nytimes.com/1992/11/01/world/survivors-of-fallen-bosnian-town-add-to-refugees.html> (last visualization: 26.11.2013).

¹⁷⁹"U.S. Committee for Refugees World Refugee Survey 2000 – Germany", *United States Committee for Refugees and Immigrants*, 1 June 2000, <http://www.refworld.org/docid/3ae6a8b228.html> (last visualization: 26.11.2013).

Sadako Ogata, called for a conference in Geneva on July 29 of eighty-six countries to obtain pledges to finance aid and refugee work.¹⁸⁰

There is undoubtedly an urgent and compelling need to reinforce humanitarian action, but humanitarianism cannot be sustained for long without an effective political solution. Therefore, by drawing the attention of the world to the scale and complexity of this humanitarian tragedy, I hope this conference will mobilise the international support necessary for the protection and assistance of the victims of the conflict in former Yugoslavia and for the pursuit of solutions, as well as contribute to an impetus for a peaceful, political settlement.(...) One such important measure would be to extend international humanitarian presence to those areas of rising tensions where there is no conflict, for the purpose of objective reporting and monitoring, as well as to have a moderating effect and play a mediating role between the parties.(...) I am afraid time is running out. For weeks – and months – for too long – people have been attacked, and forcibly driven from their homes. It is time – and probably the last call – for the world to launch a humanitarian counter-offensive. Let us make sure that the dimensions of the humanitarian crisis galvanises world conscience into decisive action for a peaceful, political settlement. Humanitarian action cannot be a substitute for political action but it can act as the bridge from conflict to peace. I hope that today's meeting will mark an important step along that bridge.(...)¹⁸¹

Another important aspect of the conflict, which had an important role in the policy developed by the US, or, in other words, which pushed the US to take into consideration the use of force to change the future of the war was the fact that televised pictures and firsthand accounts of the horrors sought to shock international public opinion into taking a principled stand against the reappearance of genocide in Europe. The US government was particularly influenced by the entrance of its interests and allies in the Middle East. The Organization of the Islamic Conference (OIC) was becoming more vociferous in its condemnation of Western disregard for Muslim victims and its calls to exempt the Bosnian government from the arms embargo and to supply arms. So-called

¹⁸⁰Susan L. Woodward, *Balkan Tragedy*, 296.

¹⁸¹*Statement of Mrs. Sadako Ogata, UN High Commissioner for Refugees, to the International Meeting on Humanitarian Aid for Victims of the Conflict in Former Yugoslavia*, Geneva, 29 July 1992, UNCHR The UN Refugee Agency official website, <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3ae68fac1a&query=state%20of%20the%20world%27s%20refugees> (last visualization: 26.11.2013).

“moderate” Islamic states such as Egypt, Turkey, and Saudi Arabia appealed for action, claiming that US inaction was strengthening the position of Islamic fundamentalists in the region. However, still unwilling to alter its fundamental policy against sending soldiers, the US began to push through resolutions of the UN security council to strengthen enforcement of the sanctions on Serbia and Montenegro and to supplement this by helping to defend the Bosnian government indirectly by reducing the military imbalance on the ground that favoured the Bosnian Serbs. The US thus argued for a naval blockade of NATO ships in the Adriatic Sea to tighten enforcement of the embargo on goods arriving at Montenegrin ports and for a no-fly zone against military flights over Bosnian airspace. The US also began to argue for lifting the arms embargo on the Bosnian government on the basis of the Article 51 of the UN Charter, that a member had a right to self-defence, and for the use of NATO air power to threaten air strikes against Serbian heavy weapons and supply routes. Although the US approach conflicted with the approach underlying the UN protection forces on the ground, that this was a civil war and the only action that should be taken was to aid the civilian victims, the task of implementing these initiatives was handed to those troops.¹⁸²

The Council notes the agreement of all parties to the reopening of Sarajevo airport for humanitarian purposes under the exclusive authority of the United Nations, decides to enlarge the mandate and strength of UNPROFOR. (...) ¹⁸³

But the effect of these US initiatives was to transform in part the role of sanctions against Serbia and Montenegro into a weapon of quarantine for Bosnia-Herzegovina and to harden the distinction between the internal conflict and Europe. The US and the European approaches to the war were now potentially in direct conflict. Countries contributing troops to UNPROFOR in Yugoslavia, particularly France and Britain, both of which had initiated UN involvement and

¹⁸²Susan L. Woodward, *Balkan Tragedy*, 297-298.

¹⁸³ UN Security Council, *Resolution 758*, 8 June 1992, in NATO/IFOR official website, <http://www.nato.int/ifor/un/u920608a.htm> (last visualization: 26.11.2013).

lobbied for more humanitarian action, now had an interest in preventing decisive military engagement in the war because they had troops on the ground that would be at risk. The result was that, from July through November 1992, they objected, stalled, and weakened each resolution being pressed by the US that involved greater use of military power. The no-fly zone was discussed from July 1992 until Resolution 781 was voted on October 9, but it only allowed for monitoring flights. Pressure mounted for giving it military muscle until Resolution 816 of March 31. Air strikes were discussed seriously in the US and Europe beginning July 1992, opposed by Britain and France, by the commanding officer of UNPROFOR troops in former Yugoslavia, General Satish Nambiar, and, after November, by Russia.¹⁸⁴

All in all, the first half of 1992 had repeated the pattern of 1991. Despite the growing recognition of a need for international leadership toward the Bosnian war, jockeying continued between the US and the EC over who should take the lead and with what approach. The US rhetorically favoured Bosnian territorial integrity, as they did for Yugoslav territorial integrity the previous year, but they would not commit military force to defend that integrity. The EC continued to put stock in mediating a political agreement among the parties, but any new initiative introduced after the US had pre-empted the Lisbon talks depended on overcoming EC internal disunity and establishing the capacity for a common foreign and strategic policy, the original goal of its mediation efforts. The problem of the absence of leadership appeared to put any serious action on hold as the EC awaited turnover of the presidency to Britain in June 1992. Many appeared to assume that a British presidency would be more active and, in addition, British Prime Minister, Major, was said to be in search of a diplomatic victory and British leverage in the Maastricht process of EC integration. The US Congress on the other side resumed pressure on the White House, in light of media reports from the escalating war, to show more leadership against what it called EC ineptitude.

¹⁸⁴Susan L. Woodward, *Balkan Tragedy*, 499.

The result was the decision to convene a second peace conference to find a comprehensive settlement for the territory of former Yugoslavia.¹⁸⁵

3.2 Peace plans

3.2.1 The London and Geneva peace conferences

In August 1992 a conference was held to try to find a political solution for the Bosnian war. It involved the Western Europeans together with the UN. As Bert stresses, nothing exemplified better the frustrating mix of tragic events on the ground, stirring rhetoric by diplomats, and confused and inadequate attempts to deal with the tragedy than this conference. The fact is that, while it opened to rousing condemnation of the Serbs from nearly two dozen nations, there were virtually no calls for action beyond tightening economic sanctions. The Bush administration proposed more international inspectors for the international embargo and the stationing of human rights monitors in what could become the new targets (Kosovo, Sandzak and Vojvodina). The Serbs agreed to many actions, (such as for instance lifting siege of Sarajevo and dismantling detention camps), which they could certainly not be expected to take seriously; on the other hand, the Western powers themselves did not assign to these promises a high degree of credibility.¹⁸⁶

The London Conference, co-chaired by British Prime Minister John Major and the UN Secretary-General Boutros Ghali, attended by delegates from the UN, the EC and the CSCE, established to promote a cessation of hostilities and a constitutional settlement in the republic. It also created a Geneva-based permanent negotiating forum, which may be considered the only real result of the conference itself.¹⁸⁷

¹⁸⁵Susan L. Woodward, *Balkan Tragedy*, 302.

¹⁸⁶Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 152.

¹⁸⁷Vincent Rigby, *Bosnia-Herzegovina. The International Response.*, Political and Social Affairs Division, Publications du gouvernement du Canada, January 1994,

The participants in the London Conference on the former Socialist Republic of Yugoslavia condemn the continuing violence in Bosnia and Herzegovina and the attempts to gain territory by the use of force. They reject as inhuman and illegal the expulsion of civilian communities from their homes in order to alter the ethnic character of any area. They welcome the adoption by the United Nations Security Council of Resolution 771 and other Security Council Resolutions, and the Resolution of the UN Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia.¹⁸⁸

Over the last few days, we have had co-operation and I believe we have achieved significant results. The first result will be new negotiations for a settlement, starting in Geneva next week, under the Chairmanship of the United Nations and the European Community. The talks will be on the basis of clear principles on which all the participants, without exception, have subscribed. That means that the Yugoslav parties have pledged themselves to a code of conduct.

– J. Major¹⁸⁹

The new peace conference established in permanent session at Geneva in September 1992, the International Conference on the Former Yugoslavia (ICFY), also resumed negotiations among the ethno-nationalist leaders of the three warring parties.¹⁹⁰

The UN representative remained Cyrus Vance, while Lord David Owen, the former British Secretary of State for Foreign and Commonwealth Affairs, replaced the recently retired Lord Carrington as the EC envoy.

In the meantime, as Rigby notices, in the West hesitation ruled the way. As the early promise of the London Conference began to fade and the Serbs continued their success on the ground, popular pressure for military action again mounted.

<http://publications.gc.ca/Collection-R/LoPBdP/BP/bp374-e.htm#%2819%29end> (last visualization: 26.11.2013).

¹⁸⁸*British Prime Minister Statement on Bosnia*, “The London Conference”, 27 August 1992, in: Sir John Major website, Speeches/ Statements, <http://www.johnmajor.co.uk/londonconf.pdf> (last visualization: 27.11.2013).

¹⁸⁹*Mr. Major’s Comments at the media briefing during the London Conference*, 27 August 1992, in: Sir John Major website, Speeches/ Statements, <http://www.johnmajor.co.uk/londonconf.pdf> (last visualization: 27.11.2013).

¹⁹⁰Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 303.

The Islamic Conference Organization hinted at possible intervention, but in Geneva Vance and Owen made a strong plea to avoid any military action that would imperil either their negotiations or the yet 7,000 peacekeepers in Bosnia. However, possible military options continued to be debated, even though a consensus remained elusive. The US was warming to the idea, still popular in Islamic countries, of lifting the arms embargo in order to deliver weapons and ammunition to the Muslims, while the EC, with the exception of Germany, would not give its support, being convinced that this would only add fuel to the fire and prolong the conflict.¹⁹¹

The ICFY returned to the Hague conference idea of a comprehensive settlement for the entire Yugoslav region, creating six working groups, including one dedicated to the Bosnian war. Like in the previous attempt to reach a total stability, also this time, as Lord Carrington before them, Vance and Owen needed to face the complex situation of Bosnia-Herzegovina, trying to formulate a political agreement that would achieve a lasting cease-fire. By October they had formulated a peace proposal consisting of a constitutional agreement and a map.¹⁹²

3.2.2 The Vance- Owen plan

The aim of this plan was to stop the ethnic partition, present also in the Lisbon accord, and rather supporting the idea of Bosnian sovereignty. The territory of the republic was divided into ten provinces on the basis of geographical and historical criteria as well as the ethnic mix of the population. The constitution established a power-sharing agreement among the nations on local and central government, and a decentralized state. Nonetheless, the negotiator's mandate was still to obtain a

¹⁹¹Vincent Rigby, *Bosnia-Herzegovina. The International Response.*, Political and Social Affairs Division, Publications du gouvernement du Canada, January 1994, <http://publications.gc.ca/Collection-R/LoPBdP/BP/bp374-e.htm#%2819%29end> (last visualization: 26.11.2013).

¹⁹²Susan L. Woodward, *Balkan Tragedy*, 304.

cease-fire as rapidly as possible. However, the plan was destined to fail because of two main reasons: first, the fact that the warring parties tried even harder to occupy other areas in order to make them recognizable as parts of their legitimate territory; second, the plan was not supported by the US, in particular by the Clinton administration.¹⁹³

Of the three warring parties, just the Croatian part and its leader, Mate Boban, were enthusiastic about the proposal, and signed all almost immediately. Very different was the reaction of Serbs and Muslims. First of all, even though Bosnia was still an autonomous republic, its power would have diminished, and this could not be accepted by the Bosnian leader Izetbegović. Secondly, what is more, Izetbegović complaints turned around the fact that Bosnia would have to give many of its territory up and so for this reason the Muslims were presented as double-punished victims. Also the Serbs were not willing to accept the plan, since they had to surrender many parts of territory already won and many of their provinces would be scattered throughout the country, stopping the creation of a country within the country. At the end, on one hand, Izetbegovic did accept the constitutional principles, but he continued to reject the map and the cease-fire provisions; on the other hand, the Serbs, apparently under pressure from Milosević, signed both the constitutional principles and the cease-fire accord.¹⁹⁴

3.2.3 The Clinton administration policy towards the Vance- Owen plan

Mr. Clinton has argued that he will also diverge from the Bush Administration in two other fundamental areas. One is the question of values, where he says he would assign a much greater weight than Mr. Bush to promoting democracy abroad, rather than settling for stability based on authoritarian governments that repress human rights. (...)

¹⁹³Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 304.

¹⁹⁴ Vincent Rigby, *Bosnia-Herzegovina. The International Response*, <http://publications.gc.ca/Collection-R/LoPBdP/BP/bp374-e.htm#%2819%29end> (last visualization: 26.11.2013).

The second area where he says he would differ from the Bush Administration is military strategy. (...)As a man who has spent his entire career in state government in Arkansas, Mr. Clinton has no foreign policy record to run on or be judged against. Therefore, critics say, he has had the luxury of defining himself purely through a series of speeches. None of his ideas have had to meet the test of the real world.

For instance, while Mr. Clinton has supported the use of force to bring aid to Bosnia under United Nations supervision, what would he do if the United Nations or the allies were not ready to cooperate? Would he go it alone? What if American troops got shot at or bogged down in Sarajevo?(...)

In some ways, the better question to ask is not what is in Mr. Clinton's speeches, but what sort of long-held instincts would he bring to the foreign policy task if elected?

By his own admission, Mr. Clinton is not a man who has thought as long and hard about the nation's imperial role, as he had about the challenges of welfare or health care reform.

Mr. Clinton's personal attitudes on foreign policy seem to be a combination of instinctive and acquired tastes. If World War II was the defining moment in the formation of George Bush's instincts on foreign policy, going through the Vietnam War while a student at Oxford University in England, was the parallel defining moment for Bill Clinton. (...)

As one old friend from the Oxford days put it: "His world view is shaped by Vietnam. Underneath the internationalism is a lot of caution. You don't want to get involved in foreign problems unless there is a direct American interest, or unless there is such a horror, like Nazi Germany, going on that it could easily begin to affect the rest of the world."¹⁹⁵

Clinton found “such a horror, like Nazi Germany” in the practices of ethnic cleansing that characterized the Bosnian war, and focusing his attention on punishments for the guilty (the Serbs) and relief for the victims (the Muslims), simplifying a rather more complex situation, in order to find a political solution that could glorify the action of the West under US leadership. It was in this perspective that the Vance- Owen peace plan was considered a process that would be impossible to implement, since it gave insufficient land to the Muslim and was accused of appeasing the Serbs. The US State Department appointed a US envoy

¹⁹⁵Thomas L. Friedman, *The 1992 Campaign. Issues: Foreign Policy- Looking Abroad: Clinton and Foreign Policy/ A special report; Clinton's Foreign Policy Agenda Reaches Across Broad Spectrum*, 4 October 1992, The New York Times online, <http://www.nytimes.com/1992/10/04/us/1992-campaign-issues-foreign-policy-looking-abroad-clinton-foreign-policy.html?pagewanted=all&src=pm> (last visualization: 29.11.2013).

to the negotiations to help gain improvements in the plan along lines sought by President Izetbegović. In order to avoid the possible Russian obstruction in the UN Security Council in support of Serbs, the US also insisted that there be a Russian representative to the talks. Moreover, Clinton's presidency happened in a period of costly delay as his administration conducted a month-long policy review, which culminated in a reaffirmation, announced on February, of his predecessor's approach.¹⁹⁶

The proposal was that of the so called "lift and strike" policy, through which the embargo on international arms sales to the ex-Yugoslavia would have been lifted for Sarajevo's government only and, then, NATO airstrikes against the Bosnian Serbs' artillery and supply lines would have launched.¹⁹⁷

The result was an additional source of tension between US and EC members that had thought a peace plan was near and continued to object to an escalation of war while they had troops on the ground. What is more, US policy was opposed to the Russian policy and this could have revived Russian veto in the Security Council. The US were finding support lacking and for this reason also their concept of the conflict changed: the Secretary of State, Warren Christopher, replaced talk on Bosnian sovereignty and its status as a symbol of multiethnic coexistence with talk on Muslim victims and ancient ethnic hatreds.¹⁹⁸

After coming into office proclaiming the need to take action against moral outrages in Bosnia, the Clinton Administration has shifted gears, and is now telling the American people that Bosnia is a quagmire about which very little can be done.

In effect, the Administration has gone from shaking its fist at the Serbs to throwing up its hands. And it has gone from describing Bosnia as a test case of America's ability to nurture democracy in the post-cold-war world to being the intractable "problem from hell" that no one can be expected to solve.

¹⁹⁶Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 306.

¹⁹⁷Steven Kull, Clay Ramsay, "US Public Opinion on Intervention in Bosnia", in Richard Sobel and Eric Shiraev (ed.), *International Public Opinion and the Bosnia Crisis*, Lanham, Maryland: Lexington Books, 2003, 84-85.

¹⁹⁸Susan L. Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, Washington D.C. : The Brookings Institution, 1995, 306-307.

Administration policymakers vigorously deny that they have given up trying to press the Serbs into making concessions to the Bosnian Muslims, and insist that they are now working on lifting the arms embargo to give the Muslims more of a fighting chance.

But they also concede that they have begun to talk about Bosnia differently, to cast the problem there less as a moral tragedy -- which would make American inaction immoral -- and more as a tribal feud that no outsider could hope to settle.

The reason for this political redefinition goes back to the Presidential campaign, when Mr. Clinton used the Bosnia issue to differentiate himself from President Bush in foreign policy, and to put Mr. Bush on the defensive. Mr. Clinton lambasted Mr. Bush for passivity toward Bosnia's fate and for dumping the problem in the lap of the Europeans.

But since coming into office, Clinton Administration officials have learned just how complex the Bosnia issue really is. The Europeans and Russians are woefully divided on what to do there; all polls show that the American public has no desire to send its sons and daughters to fight there, and the Pentagon resists getting involved in military action on the ground there.¹⁹⁹

So, despite the clear determination, endorsed by the US, of Serbia's responsibility for aggression, the moral announcements about the need to take action and the effect of the punitive measures against Serbia, the US did not move to respond in a more forceful way. Any commitment of force more general than what could have been, for instance, air and naval escort protection for humanitarian relief convoys to Sarajevo under UN Security Council authorization, was left out. Baker declared that there would have been no unilateral use of US force since US could not be considered the world's policeman. Also the new Secretary of State, Lawrence Eagleburger, repudiated the use of force in such a complex situation as Bosnia.²⁰⁰

¹⁹⁹Thomas L. Friedman, *Bosnia Reconsidered; Where Candidate Clinton Saw a Challenge The President Sees an Insoluble Quagmire*, 8 April 1993, The New York Times online, <http://www.nytimes.com/1993/04/08/world/bosnia-reconsidered-where-candidate-clinton-saw-challenge-president-sees.html?pagewanted=all&src=pm> (last visualization: 9.12.2013).

²⁰⁰Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 162.

3.2.4 No-fly zone, safe areas and the failure of the Vance-Owen plan

On 31 March 1993, the UN Security Council strengthened its enforcement of a no-fly zone over Bosnia-Herzegovina, and NATO planes began over-flights through the Operation Deny Flight. France resuscitated the British proposal for safe havens: the “safe area” concept gave international protection under Chapter 7 of the UN Charter to specified cities under attack by Serbian artillery. UNPROFOR would supervise the withdrawal of Bosnian Serb military units in order to demilitarize areas such as Tuzla, Žepa, Goradže and Bihać.²⁰¹

The Bosnian Government announced today that it would cooperate in carrying out a Security Council resolution calling for the deployment of thousands of United Nations military forces to protect six regions it has designated as safe areas for Muslims.

The decision, made on Sunday, came despite sharp local criticism of the resolution, which many people here regard as capitulation by the West to nationalist Serbs who have seized 70 percent of Bosnia and as a move toward the creation of reservations for uprooted Muslims.

"As far as the public opinion goes, it would have been easier to reject the plan," said one Government official, who insisted on anonymity. "We would have gotten three days of applause, and then we would have had to decide what to do next."

In diplomatic language the Government made clear that it had decided to back the resolution because, with the Serbs attacking Muslim enclaves and with Croats seeking to carve out a section of Bosnia, it had no other choice.²⁰²

For what concerns the Vance-Owen plan, the negotiations continued during January- May 1993, but no result was reached because of the already in Lisbon discussed problem of the lines on the map. Breaking the plan in smaller parts, the co-chairmen obtained signatures from all three parties on only the constitutional principles. But by March 25, the Bosnian government and the Bosnian Croats had signed all four documents, so that now the only thing left to do was to put pressure on Milošević through the threat of further economic sanctions for Serbia

²⁰¹Susan L. Woodward, *Balkan Tragedy*, 307.

²⁰²Chuck Sudetic, *Capitulating, Bosnia Backs Plan to Create Safe Areas*, 8 June 1993, The New York Times online, <http://www.nytimes.com/1993/06/08/world/capitulating-bosnia-backs-plan-to-create-safe-areas.html> (last visualization: 9.12.2013).

and Montenegro. Milosević made public his support for the plan and was almost succeeding in convincing the Bosnian Serbs leader Karadžić to sign the plan in all of its parts. The problem was now that a year and more of war had changed the conditions in which Karadžić was now acting; in particular, the military victories had reinforced the most extremist parts of government and army, and the power of the Commander of the separate Bosnian Serb army, General Mladić, was rising. During a meeting at Athens on 1-2 May 1993 between the ICFY co-chairmen and Yugoslav, Croatian, and Bosnian leaders, Mladić opposed to the Vance-Owen plan, and, through this so called “midnight coup” against Milosević and Karadžić, the assembly rejected the plan.²⁰³

Bosnia's Serbian nationalist leaders convened their self-proclaimed parliament in a ski hotel here today to ratify the results of a weekend referendum that overwhelmingly rejected the international peace plan for Bosnia and Herzegovina. (...)

Less than three weeks ago, Dr. Karadzic formally signed the so-called Vance-Owen plan, named for the negotiators who drew it up for the United Nations and the European community, Cyrus R. Vance and Lord Owen. At the time, Dr. Karadzic said that a combination of Western military threats and pressure from Slobodan Milosevic, the president of Serbia, who had been a staunch ally of the Bosnian Serbs, had forced him to accept it.²⁰⁴

According to Malcolm, the only way for Milošević to have the plan signed by Karadžić was to convince him that it would have been just a temporary passage towards a complete secession. The basis of this concept was explained by Dragoslav Rančić, spokesperson for the nationalist thinker Dobrica Ćosić, who was at the time the President of the Serbian-Montenegrin part of Yugoslavia: “This is just the first stage”, he declared, “It will not last long. Not even Lord Owen himself is believing in it”.²⁰⁵

²⁰³Susan L. Woodward, *Balkan Tragedy*, 308.

²⁰⁴John F. Burns, *Bosnian Serbs' Leaders Meet to Ratify Vote Rejecting Peace Plan*, 20 May 1993, The New York Times online, <http://www.nytimes.com/1993/05/20/world/bosnian-serbs-leaders-meet-to-ratify-vote-rejecting-peace-plan.html> (last visualization: 11.12.2013).

²⁰⁵Correspondence by Tim Judah, “The Times”, 3 May 1993, cited in Malcolm Noel, *Storia della Bosnia. Dalle origini ai giorni nostri*, Milano: Bompiani, 2000, 324.

However, many Bosnian-Serb politicians, and even many commanders, thought they could obtain what they wanted without passing through the acceptance of the Vance-Owen plan. In particular, this attitude was stronger among those Serbian politicians who had become governors of vast regions and who did not want any interference in their administration. Their position was defended by General Mladić and it finally led to the rejection of the plan through the referendum.²⁰⁶

Malcolm underlines that the end of the Vance-Owen plan, and according to him, also the end of Bosnia itself, was certified in a meeting held in Washington, on 22 May, 1993, among the Foreign Ministers of Britain, France, Spain, Russia and United States. The option of air attacks in response to Serbian rejection of the plan fell apart and with it, also the idea of imposing the peace plan. The meeting turned around the idea of guaranteeing safety within the safe areas, even though the UN power to protect civilians was limited (UN staff could react only if they were themselves directly attacked).²⁰⁷ The protection of the safe areas was meant to be guaranteed through a document called “the Joint Action Program”. Bert highlights the fact that one of the main aims of this document was to show the regained agreement among the Western powers and Russia, and to deflect a Russian attempt to convene the Security Council following the demise of the Vance-Owen plan.²⁰⁸

3.2.5 The Owen-Stoltenberg plan

After the rejection of the Vance-Owen peace plan, the international community seemed to have lost the purpose to find a solution towards the integrity of the

²⁰⁶Malcolm Noel, *Storia della Bosnia. Dalle origini ai giorni nostri*, Milano: Bompiani, 2000, 324-325.

²⁰⁷Malcolm Noel, *Storia della Bosnia*, 325-327.

²⁰⁸Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 203-204.

Bosnian state, or even the distribution of the population as it was before the war. The result was the preparation of the Owen-Stoltenberg plan.²⁰⁹

It would have partitioned Bosnia between the three constituent peoples leaving only a loose federation as central authority, and providing for possible future reunification between the Bosnian Serbs and Serbia and the Bosnian Croats and Croatia. Lord Owen had advised Bosnia that it could not win back much of the land lost to the Serbs, and that they would be well advised to take a hard look at this new plan.²¹⁰

According to Bert citing again some words that appeared on “The New York Times” in 1993, after the defeat of the Vance-Owen plan, the new plan was the beginning of a new approach to finding a solution to the war: after having failed to persuade the Serbs to accept the previous plan and being unwilling to do anything about it, the European negotiators now set about trying to persuade Bosnia that they had lost the war and would have to make the appropriate adjustments in order to reach a settlement.²¹¹

The new plan based the commitment to human rights on no less than 12 human rights instruments incorporated into the treaty, but with little discussion of enforcement. The changes it incorporated could only be interpreted as concessions to the Serbs. Instead of the previous ten provinces, it reduced the number to three republics, one for each constituent people. The partition was not considered inconsistent with the interests of the Union of Republics of Bosnia and citizens were allowed to have dual citizenship, in the constituent republic as well as the Union. Very important is also to underline that, while the plan stated that no

²⁰⁹Malcolm Noel, *Storia della Bosnia*, 328.

²¹⁰From *The New York Times*, 18 June 1993 cited in: Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 204.

²¹¹From *The New York Times*, 31 July 1993, cited in Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 204.

republic might withdraw from the Union without prior agreement of all of the republics, it also set up the conditions necessary for withdrawal.²¹²

Anyway, the plan was eventually rejected and, as underlined by Owen, the main reason for this failure laid with the issue of acceptance of the map rather than the basic framework of partition.²¹³

3.2.6 US and EU different approaches towards the peace plans

The main difference between US and EU policy towards the war in Bosnia was that while US was not willing to put pressure on the Bosnians to accept the peace plans, EU, together with UN, in line with their declared policy of treating all parties equally, were less reluctant to directly pressure an acceptance of the plans. So, when the Bosnian parliament rejected the Owen-Stoltenberg plan, EU placed much of the blame on the Bosnians' belief, encouraged by the Americans, that they could get a better deal by continuing the war. As according to Bert, buoyed by a few recent military successes and with the Americans more willing to continue sanctions on Serbia and less willing to pressure the Bosnians, there was an element of realpolitik in the Bosnian position.²¹⁴

The EU decided then to introduce the European Action Plan, as the follow-up to the failed Owen-Stoltenberg plan. It was a modified version of the Union of the Three Republics. As explained by Sloan, the carrot was consisted of an explicit guarantee to Serbia that the European Union would work toward the gradual lifting of economic sanctions if the Bosnian Serbs agreed to the territorial concessions demanded by the Bosnian government. The stick instead was less explicit and involved tightening economic sanctions against Serbia. The plan was presented at a November 1993 meeting in Geneva, but the talks ultimately

²¹²UNSC document, S/26337/Add.1, 23 August 1993, pp. 8-9, 5, 10, quoted in Cohen, *Broken Bonds*, first edition, 259, n.55, cited in Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 207.

²¹³David Owen, *Balkan Odyssey*, Harcourt Brace, 1997, 215.

²¹⁴Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 207-208.

brought no agreement. Facing not threat of force, the Bosnian Serbs did not feel compelled to give up land they controlled. In addition, knowing that the US would not engage in diplomatic efforts to pressure them, the Bosnian Muslims were encouraged to continue their efforts to regain territory by force. This situation brought a further division on how to respond to the rebuff of a peace plan.²¹⁵

According to French Foreign Minister Juppé, the European Action Plan collapsed largely because the US and Russia did not give their full support, thus encouraging the parties on the ground to continue fighting. In fact, the Serbs expected the Russians, and the Bosnians the US, to give them the support necessary to get a better deal than was being offered by the Europeans.²¹⁶

As the “New York Times” reported, nobody seemed to believe anymore in a single Bosnian state, and the Bosnians were trying to get the best deal possible; in an attempt to gain access to the sea and a viable swath of territory instead of just isolated territories, they were even considering the partitioning of Sarajevo. In this situation, the US, while concerned about the premature lifting of sanctions on Serbia, had ceased to talk about the lifting of the embargo or the use of force against the Serbs. Christopher continued to follow his “hand off” policy and to talk of a tragedy which is occurring about which little could be done by the outsiders, as if the “outsiders” had never influenced what had been happening from the beginning of the disintegration of Yugoslavia.²¹⁷

3.2.7 1994 : the “European option” and the Washington Federation Agreement

The year opened with the French, as usual prone to oscillating between calls for a firmer policy and the use of force, on the one hand, and caution about the dangers of escalation, on the other, leading a movement to get the US to join

²¹⁵Elinor C. Sloan, *Bosnia and the New Collective Security*, Westport, CT: Praeger Publishers, 1998, 55.

²¹⁶Lenard J. Cohen, *Broken Bonds: Yugoslavia's Disintegration and Balkan Politics in Transition*, Westview Press, 1995, 295-297.

²¹⁷*New York Times*, 25 November 1993, cited in Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 209.

Western Europe in a more direct military intervention in Bosnia, in particular in the use of air power, logistics or ground forces to protect the safe areas as Serb pressures increased.²¹⁸ France also urged US to make it clear that it firmly backed the latest European peace effort, and to lead the Muslims to cease hostilities and accept a negotiated settlement.²¹⁹

A month later, EU and US were still having difficult exchanges when the 5 February shelling on the marketplace in Sarajevo and the killings resulted from that put more pressure to do something. This episode, even for its accessibility to the media, meant, especially from a EU perspective, that there was likely to be a significant response. The February marketplace shelling resulted in the EU, the US and Russia agreeing on the need for a tougher policy on the Serbs and a larger US role. The US reacted agreeing to press the Bosnian government to accept a peace plan that partitioned the country along ethnic lines. The negotiating strategy could have involved also the use of force if necessary. This new direction would produce the peace plan fashioned by the Contact Group, composed of representatives from the US, Britain, France, Germany and Russia. Although it would not achieve a settlement, it could be considered the forerunner of the Dayton Agreement.²²⁰

The first reaction to the market shelling was an established agreement for a ceasefire in Sarajevo and also for the pull back of Serb heavy weapons. The NATO gave ten days to the Serbs to turn their weapons over to UN authority, 20 km far from the capital.²²¹ After the threat of using air power if the conditions would not have met, for the first time since the start of the Bosnian war, even if temporarily, life in Sarajevo returned to an almost “normal” condition and NATO did not lose the opportunity to present this result as a great success of the

²¹⁸Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 211.

²¹⁹Elinor C. Sloan, *Bosnia and the New Collective Security*, Westport, CT: Praeger Publishers, 1998, 55.

²²⁰Wayne Bert, *The Reluctant Superpower*, 212.

²²¹Zlatko Dizdarevic, Gigi Riva, *L'ONU è morta a Sarajevo. Dal genocidio alla spartizione, Milano: Il Saggiatore, 1996, 201.*

Alliance.²²² However, Serbian compliance was facilitated by Russia sending troops to Pale, providing the Serbs with a face-saving reason for complying with the ultimatum and simultaneously allowing Russia to bolster its own role in obtaining a settlement.²²³

The second most important event of 1994 in Bosnia, after the shelling of Sarajevo and the reactions to this, was the end of the Muslim-Croat war in central Bosnia. On the 6 February 1994 the General Assembly of Bosnian and Herzegovinian Croats was held, adopting the peace plan which served as the basis for the Washington Agreement. After this initiative, many meetings between the Croat and the Bosnian ministries were organized and, through the assistance of the US, an agreement to the creation of a new Federation was reached on 1 March 1994. On the 18 March Izetbegović and Tudjman met in Washington and signed an agreement for the creation of a new constitution, which was then ratified by the Bosnian parliament on 29 and 30 March.²²⁴

The new federation, the Federation of Bosnia and Herzegovina, was an entity that would have the possibility of later confederating with Croatia and its territorial basis was that each group could claim on the basis of ethnic majority in 1991. An important goal was to stop Croat-Muslim fighting and improve the military balance against the Serbs.²²⁵

As Daadler points out, the peace reached between the Bosnian Croats and Muslims would mean little if the Bosnian Serbs could not also be brought on board. Because of this, how to get the Bosnian Serbs to the table and then agree to give up large parts of their gains was a major preoccupation of negotiations

²²²Dejan Marolov, *The Policy of the USA and EU towards the disintegration of Yugoslavia*, in: the International Journal of Social Science Tomorrow, 8 April 2012, e-print published by SPIRI (Society for Promoting International Research and Innovation) on the website UGD Academic Repository: <http://eprints.ugd.edu.mk/1224/1/276.pdf> (last visualization: 26.11.2013).

²²³Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 212.

²²⁴Noel Malcolm, *Storia della Bosnia. Dalle origini ai giorni nostri.*, Milano: Bompiani, 2000, 330-331.

²²⁵Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 212-213.

throughout the remainder of 1994. Assistance in this effort came once again from Russia. After having acted in order to convince the Bosnian Serbs to withdraw their guns, then to reopen the airfield in Tuzla for humanitarian relief flights and also to back off the assault to Goradze in collaboration with NATO, now Russia was again involved in the talks for finding a new solution for the Bosnian war.²²⁶ The emergence of the US and Russia as major players on the Bosnian peace-negotiating scene suggested that the EU-UN arrangements that had been in place since late 1991 were no longer up to the task. As a consequence, in order to avoid EU-UN exclusion, a new negotiating forum known as the Contact Group was formed in April 1994. It offered each of the five members, the US, Russia, Britain, France and Germany, particular advantages: for the Europeans the arrangement proved to be a way to ensure that the US would not move too far ahead of the prevailing consensus; for Washington it provided the ability to avoid complex processes that would involve all twelve EU members and the in Washington's eyes unwieldy UN system. In addition, for Moscow this was an opportunity to confirm Russia's continuing international standing as a major power.

Throughout spring and early summer of 1994, Contact Group discussions focused on a map of the territorial division among the parties in a peace settlement, drawing largely on the efforts of the Owen-Stoltenberg plan. By providing the Muslim-Croat Federation a majority of the territory, yet allowing the Serbs to maintain their occupation of significant areas of previously Muslim lands, US officials viewed the proposal as a compromise between justice and reality. Anyway, this solution was antithetical to the idea of a multiethnic and territorially integral Bosnia and this represented a change in the US idea of the entire problem.²²⁷

On July 1994 the Contact Group plan was formally presented, giving to the parties two weeks to accept the proposal. In case of refusal, the parties were

²²⁶Elaine Sciolino, "US and Russians Broker New Pacts for a Bosnia Peace", *New York Times*, March 2, 1994, A1, cited in Ivo H. Daadler, *Getting to Dayton. The Making of America's Bosnia Policy*, The Brookings Institution, 2000, 28.

²²⁷Ivo H. Daadler, *Getting to Dayton. The Making of America's Bosnia Policy*, The Brookings Institution, 2000, 28-30.

warned of punitive actions. The Muslims and Croats agreed, while the Bosnian Serbs delayed their response to the very last minute and then couched the terms of their acceptance in so many conditions as to be the tantamount to a rejection.²²⁸ After the deadline expired, the Serbs were pushed to reconsider for a second and third time, but to no avail. As a result of the Serb rejection, the Contact Group started considering punitive measures in order to compel the Serbs to accept the agreement.²²⁹

Another important aspect of the Contact Group plan was the offer to lift the sanctions imposed on Serbia. This was also a point on which the US and the EU had long disagreed. The Europeans indeed tended to give less importance to the role Serbia played in initiating the movement for a Greater Serbia, encouraging the mobilization of Serbs in Croatia and Bosnia, and also to the fact that men and supplies from Serbia had been a key factor in keeping the war going and contributing to Bosnian Serb gains. However, the degree to which the objectives of Milošević, who wanted to get sanctions lifted and had grown disillusioned with Karadžić's leadership and his cause, diverged from those of the Bosnian Serbs, had become increasingly obvious, and this made it easier for the Europeans and the Americans to agree to a plan that offered loosening of sanctions as a key motivator for getting Milošević to go along with the plan, using his leverage to bring Karadžić to the table and get a settlement.²³⁰

3.2.8 The failure of the Contact Group peace plan and the question of the arms embargo

The Contact Group kept until the fall of 1994 to pressure the Bosnian Serbs to sign on to its proposal, but by October the situation on the ground had changed

²²⁸David Ottaway, "Bosnian Serb Reply to Peace Plan Seeks More Talks on Map, Six Issues", *Washington Post*, July 22, 1994, A20, cited in Ivo H. Daadler, *Getting to Dayton. The Making of America's Bosnia Policy*, The Brookings Institution, 2000, 30.

²²⁹Ivo H. Daadler, *Getting to Dayton. The Making of America's Bosnia Policy*, The Brookings Institution, 2000, 30.

²³⁰Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 214.

dramatically, further undermining the prospects for a negotiated solution. The Bosnian Muslims had launched an offensive from the safe area of Bihać and the Serbs responded with a major counterattack. By November, some 2.000 to 4.000 Croatian Serb troops had joined 10.000 Bosnian Serbs in the assault. The new fighting risked a major escalation of the war, and, whereas the US worried about an escalation of the conflict to a region-wide war, the Europeans were less concerned: British and French blamed the Bosnian government for starting the fighting and they viewed the Serb counterattack as little more than an attempt to reacquire lost territory. Americans and Europeans disagreed also over how to proceed now in the search for an end to the Bosnian war. One of the main source of conflict was the question of the arms embargo, which the Clinton administration announced would no longer enforce.²³¹ With the rejection by the Bosnian Serbs of the Contact Group plan, Clinton threatened a unilateral lifting of the arms embargo. As a consequence, on 15 November 1994 the US Congress voted a cut off of funds for enforcement: the US henceforth would not divert ships carrying arms to Bosnia or Croatia nor share embargo-related intelligence with the allies. In addition, the US also voted for a UN General Assembly resolution, which passed 94-0 with 61 abstentions, calling for a lifting of the arms embargo. At the end of 1994 a truce negotiated by former US President Jimmy Carter interrupted the war, but as spring approached, the conflict was no closer to a solution than it was three years earlier. The Croats and Muslims were committing to find a solution to the problems present in their alliance through international mediation, but, at the same time, Croatia was also threatening to expel the UN troops with the consequence to reopen fighting. From their part, the UN were maintaining a low profile approach, with planes from various parties regularly violating the no-fly zones.²³²

²³¹Ivo H. Daadler, *Getting to Dayton. The Making of America's Bosnia Policy*, The Brookings Institution, 2000, 30-31.

²³²Wayne Bert, *The Reluctant Superpower. United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 215-217.

3.3 1995: towards the Dayton Peace Accords

3.3.1 Renewed period of fighting

The cease-fire proposed by the former US President Jimmy Carter had been accepted just in order to have more time to strengthen in view of the spring offensive. During April and May 1995 the fighting intensified in many Bosnian areas and especially in Sarajevo, which was under one of the strongest bombings of the entire war with 800 grenades and rockets in less than six hours. Another important event of this period of war was the assumption by the Croat forces of many strategic areas of West Slavonia, which was under the Serbs. In response, after the farewell, the Serbs threw many rockets in the streets of Zagreb, they set fire to a catholic church in Banja Luka and expelled from this zone many Croats and Muslims too. The re-conquest of West Slavonia was very important to show the renewed force of the Croat army and in addition it revealed the morale fragility and tiredness of the Serbs.²³³

3.3.2 The “hostage crisis”

What happened during the last week of May 1995 was influential for the kind of UN deployment in Bosnia. On 25 May 1995 NATO was allowed by UN to reply with its air force to the bombings of Sarajevo. The first Serb answer was to shoot a rocket in the middle of the safe area of Tuzla. The second reaction was to find and capture many UN soldiers and observers dislocated all over Bosnia, surpassing 360 units. Other hostage crisis had already happened during the war, but what made this one in particular more dramatic were the TV images that described the conditions of the prisoners and through which the Serbs threatened to kill the hostages if the air attacks had not stopped.

²³³Noel Malcolm, *Storia della Bosnia. Dalle origini ai giorni nostri.*, Milano: Bompiani, 2000, 335-336.

The reaction of UN and its member states was in line with the Serb requests: the air attacks stopped and did not restart even after the hostage liberation. But, in addition to this, another Western reaction was to create a new Rapid Reaction Force, composed by 10.000 soldiers divided in a French brigade and a multinational brigade.²³⁴

3.3.3 Srebrenica and Žepa

After having tried and failed to free Sarajevo from the siege also with the help of the international Reaction Force, the Bosnian government had to face another challenge: in July the Serbs around Srebrenica decided to conquer the city, in order to cause another important loss to the Bosnians and also to free the Serb soldiers closed there. Srebrenica fell on 11 July 1995 and on 14 July 1995 also Žepa, another “safe area”, was attacked: the Serb strategy was to conquer as fast as possible all the most vulnerable “safe areas”, also because of the presence of the international Reaction Force. After a further attack to the Bihać enclave and because its fall would have meant the reinforcement of the Serbs in the Croatian Krajina, the Croats guided by President Tudjman signed a new agreement with the Bosnians in order to collaborate from a military point of view. On the 4 August 1995 Tudjman reached the aim for which he had decided to help the Bosnians: the re-conquest of the entire Krajina region. These important changes encouraged the international community to change its policy too and to think that now a diplomatic initiative could have had some success.²³⁵

3.3.4 The change in Western policy and the Dayton Peace Accords

After the rather passive Western stance, in terms of direct military actions, that characterized so much of Western policy since the Bosnian war began in 1992, it came as a surprise when NATO began an intensive bombing campaign of Serbian

²³⁴Noel Malcolm, *Storia della Bosnia*, 336-338.

²³⁵*Ibidem*, 338-340.

weapons, air defences, munitions stores, and communications infrastructure in late August 1995. The immediate provocation that caused the reaction of the West was another shell landing in downtown Sarajevo, causing 38 casualties and creating a public reaction of shock and repulsion. The West had dropped the demand that the Serbs either take-or-leave the Contact plan, and instead offered it as a basis for negotiations. In addition, it offered to lift the embargo against Serbia if Belgrade would recognize the borders of Bosnia and Herzegovina: since Serbia had refused and Bosnian Serbs intensified their bombardment of Sarajevo, the Western answer was even more bombing. Another point was the hostage crisis and, as described in the previous paragraph, also the invasion of Srebrenica and Žepa.²³⁶

All of these events caused the creation of the so-called Deliberate Force Operation, beginning at the end of August 1995. There were many factors because of which this operation could be implemented: Russia had just the role of observer, the UN-NATO decision-making system was simplified, giving more direct authority to the NATO commanders, the Western troops of the Reaction Force had been dislocated on the Igman mountain, out of Sarajevo, and the last British group was pulled back from Goražde in order to make sure that the troops were not in a position once again to become victims of hostage taking. The NATO bombings lasted two weeks and, at first the tactic of Mladić was to survive the attacks, hoping that the Western tenacity would have weakened by other factors, such as internal factors or because of Russia opposition. But, after more than 3.000 NATO missions, he decided to pull back the main part of the heavy weapons located in Sarajevo.²³⁷

The change in policy was also facilitated by a major shift in European sentiment, especially in the government of the newly elected President Chirac. It was the fall of Srebrenica and Žepa that evoked harsh criticism from the French: after Srebrenica, Prime Minister Alain Juppé said that the French were ready to take part in a military action to retake the enclave. Since their troops were already

²³⁶Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95*, New York: St. Martin's Press, Scholarly and Reference Division, 1997, 220-221.

²³⁷Noel Malcolm, *Storia della Bosnia*, 340-341.

in place a part of the Reaction Force they were ready to advance.²³⁸ If once again there was no will to act against the Serbs, said Juppé, France was ready to let the arms embargo be lifted, withdraw UNPROFOR and let the combatants fight. This was a solution of despair, but it would be even worse for French troops to watch passively while ethnic cleansing is taking place.²³⁹ While the French continued to oppose air strikes and professed to favour using the newly introduced European Rapid Reaction Force to retake Serb-conquered “safe areas”, nonetheless, the French pronouncements provided support to President Clinton’s desire to take a firmer stand against the Serbs, and tended to push the rest of the Europeans in that direction.²⁴⁰

In the meanwhile, the Croatian and Bosnian forces, through a combined action, were collecting many successes in the Western part of Bosnia, and, when on 19 September 1995 Croatia stopped this campaign because of the pressure of the American and British governments, Serbia has already lost about the 15% of the total area of Bosnia.²⁴¹ From a US perspective, the strengthened Croatian hand helped to restore the balance of forces, and improved the prospects for peace in the former Yugoslavia, starting from Bosnia. Furthermore, another pressure Clinton confronted on Bosnia was from the domestic arena, in fact, he was facing an upcoming election in little more than a year. Congress was threatening to pass, over Clinton’s veto, a measure that would force the US government to lift unilaterally the arms embargo on Bosnia and allow the Bosnians better to arm themselves. Faced with growing Bosnian Serb assertiveness and Western humiliation as “safe areas” fell and hostages were taken, changing attitudes in Europe, growing domestic opposition and encouragement from Croatian successes, the prospects of putting this problem behind him with a radical new

²³⁸ *Agence Francaise Presse (AFP)*, 12 July 1995 in *FBIS*, cited in: Wayne Bert, *The Reluctant Superpower: United States’ Policy in Bosnia, 1991-95*, New York: St. Martin’s Press, Scholarly and Reference Division, 1997, 221.

²³⁹ *Press Association* (London) 15 July 1995 in *FBIS*, *WE-DR*, 17 July 1995, pp. 4-7 cited in: Wayne Bert, *The Reluctant Superpower: United States’ Policy in Bosnia, 1991-95*, New York: St. Martin’s Press, Scholarly and Reference Division, 1997, 222.

²⁴⁰ Wayne Bert, *The Reluctant Superpower*, 222-223.

²⁴¹ Noel Malcolm, *Storia della Bosnia*, 341-343.

approach was bound to be appealing to President Clinton, that finally persuaded the Europeans to implement part of the original solution, which comprised air strikes, to the Bosnian problem that he had espoused in the 1992 campaign. In early August Anthony Lake, US National Security Advisor, and Peter Tarnoff, Undersecretary of State for Political Affairs, launched an American diplomatic offensive with a trip to European capitals.²⁴²

President Clinton is dispatching two senior foreign-policy officials to Europe on Wednesday to discuss several new American ideas for diplomatic initiatives in the Balkans.

Anthony Lake, who is Mr. Clinton's national security adviser, and Peter Tarnoff, Under Secretary of State for Political Affairs, are to visit London, Paris, Bonn and possibly Rome and Moscow, ranking policy-makers said. One White House aide said they would put forward "very concrete notions, not only on how to get the peace process off the dime but on trade-offs that we think might work."(...)

American officials believe that President Jacques Chirac of France is probably raising the possibility of a withdrawal mainly as a bargaining ploy; in their view, he would be reluctant, as a Gaullist committed to re-establishing French glory, to begin his term with a troop pullout. The British Prime Minister, John Major, is another matter, the Americans think; he told one United States negotiator recently that in a formal vote in the British Cabinet, which he has resisted taking, a majority would probably back withdrawal.

To clear the way for Mr. Tarnoff's and Mr. Lake's trip, Mr. Clinton called Mr. Chirac, Mr. Major and Chancellor Helmut Kohl of Germany on Monday. But no attempt has been made yet, officials said, to seek the views of the Bosnian Government or, for that matter, of their Serbian enemies.²⁴³

Later in August, serious bombing of Serb positions and forces was added to the US strategy. This time the damage done to the Bosnian Serb war machine was more than symbolic: with the Serbs already smarting from the Croatian pounding and its repercussions in Bosnia, the NATO bombing campaign had a serious effect on the Serbs and allowed the Clinton administration to get all three warring

²⁴²Wayne Bert, *The Reluctant Superpower*, 223.

²⁴³R. W. Apple Jr, *Clinton Sending Two Foreign Policy Advisers to Europe With New Proposals on Balkans*, 9 August 1995, The New York Times online, <http://www.nytimes.com/1995/08/09/world/clinton-sending-2-foreign-policy-advisers-europe-with-new-proposals-balkans.html?src=pm> (last visualization: 9.01.2014).

Bosnian parties to the table at Wright Patterson Air Force Base in Fairborn (Dayton, Ohio). Meanwhile, a Croat-Muslim offensive was taking advantage of the bombing and Serb demoralization to make significant gains on the ground: the Clinton administration delayed the meeting to give the offensive time to progress before starting the Dayton talks. The Clinton administration had effected a major change in US policy: the assumption that had governed it from the beginning of the war was that, through negotiation, a settlement could be attained even though the military situation and incentives on the ground were at variance with the proposals on the table was finally jettisoned. Taking specific action to halt the Serb advances and ensure their willingness to come to the table, and all this with European cooperation, was a break-through approach. The American assumption now was that, in order for fruitful negotiations to take place, force must be applied.²⁴⁴

However, the option of ending the conflict through a clear military defeat of the Serbs was not taken into consideration by the US, which began to work on a new version of the previous plan of the Contact Group. The proposal was once again to divide the territory between the 51% to the Croat-Muslim Federation and the 49% to the Serbs, leaving the map “open” to further adjustments through mutual agreements. During a meeting in Geneva on 8 September 1995, these principles were accepted as the basis for further agreements and in a later meeting in New York other principles were discussed, such as the preservation both of the Croat-Muslim Federation and of the Serbian Republic, with modified versions of their Constitutions and with the possibility for both of establishing “parallel special links” with the neighbouring countries. At the same time, also the preservation of Bosnia-Herzegovina as a single state within its pre-war borders was promoted in these meetings, creating tension between the two conflicting ideas of a de facto partition of Bosnia between Croat-Muslim Federation and Serbian Republic and a de jure preservation of it. After many intense meetings at Dayton, on 21 November 1995 a general agreement was announced. It provided for a territorial solution (maintaining the division 51%- 49%), for a new constitution, for new

²⁴⁴Wayne Bert, *The Reluctant Superpower*, 223-224.

human rights protecting mechanisms, for a return of the refugees and the reconstruction of the economy, and, eventually, for a plan that envisaged the deployment of an international force of 60.000 soldiers that, under NATO control, had the task to monitor the end of the hostilities.²⁴⁵

²⁴⁵Noel Malcolm, *Storia della Bosnia*, 342-343.

4. End of a war, start of a new era: conclusions

The two main points that emerge from my dissertation are, firstly, the reason why I consider the war in Bosnia a crucial point for the definition and evolution of the EU-US foreign policy after the Cold War and, secondly, the new Atlantic foreign policy that resulted from the war and that saw a triumph of the US leadership with its objectives and principles. In order to better understand my point of view, it may be useful to draw a conclusion analyzing these two important aspects.

4.1 Bosnian war and the role of US in Europe

In the first chapter I focused my attention on the importance of EC/EU integration process for the US, and in particular I underlined how this process was supported by the US as long as it could be included in an Atlantic framework. I described how, from the end of the Second World War, different approaches were adopted to deal with EU integration and its inclusion in the American sphere of influence. In the 1990s, after the end of the Cold War, the world changed and a new equilibrium had to be found between US and Western Europe. One of the main question was: what should be the role of the US in Europe after the URSS collapsed and with the Cold War over? Was Western Europe to build its own common defence system, with the Americans and NATO to make a step back? What were the options for the United States?

These and other questions were central to the debate that developed around the end of the 1980s, when it became clear to Europeans and Americans that Germany might be reunified and the Cold War ended, and that is commonly referred to as either “the Eurodefence debate” or the debate over “Europe’s Security Architecture”.²⁴⁶

²⁴⁶Robert J. Art, *Why Western Europe Needs the United States and NATO*, *Political Science Quarterly*, Vol. 111, No. 1, (Spring, 1996), 3, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

Eurodefence debate

According to Robert Art, two were the main concerns of Western Europeans: fear for “renationalization of defence” and the role of US in Europe.

The “renationalization of defence” was the fear of Western Europe’s political-military elites that thought their security and defence affairs would retrogress from multilateralism to nationalism: from the multilateral, cooperative approach that had been achieved within NATO under forty years of American leadership to a nationalistic, competitive approach. The theory endorsed by Art is that, even though now a war between Western European states was unthinkable, the European elites feared that a “security competition” would ensue if the Americans removed their security blanket from Europe. In defining “security competition” he explains that it is “when states come to view their security as highly competitive and divisible. If nations in a grouping come to regard their security as divisible and then implement policies that lead to competitive approaches, a security competition has broken out”.²⁴⁷ Anyway, he also adds that a security competition may also not involve a military competition, and, since in Western Europe now a war was unthinkable, the effects that a security competition could have and that worried the European political elites were linked to political cooperation and economic interdependence. Evidence of these worries could be found in the attempt to create a new security order for Western Europe in the post-Cold War era. The main problem was to choose the entity that could best keep the peace in Western Europe among NATO, the Western European Union (WEU) and the Euro-corps, a Franco-German corps intended by the French to be the nucleus of an all-European army. Two different visions of Western Europe’s post-Cold War security can be found in the debate of that period: on the one hand, France and its allies (Belgium, Spain and Italy) favoured a Western Europe tight security structure, while, on the other hand, the United Kingdom, Denmark, the Netherlands and Portugal opposed such a structure for the fear that it would empty

²⁴⁷Robert J. Art, *Why Western Europe Needs the United States and NATO*, *Political Science Quarterly*, Vol. 111, No. 1, (Spring, 1996), 6, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

NATO of its meaning and thereby cause the United States to depart. Germany instead was in the middle between these two visions: it strongly supported the creation of a meaningful European Defence Identity but at the same time it also favoured the preservation of a strong NATO. For their part, the US opposed any designs that would weaken the power of NATO. The political struggle to define the new Western Europe's political order became a "war over institutions" (NATO, the WEU and the Euro-corps). National positions in this war over institutions depended on the different views about both European political unification and the American role in Europe. The US wanted NATO to remain Europe's central security forum, but they did not oppose the development of the CSCE and the WEU as long as those two did not challenge NATO's role. France favoured the development of a strong European Defence Identity and just a residual role for NATO. Britain was instead in favour of a strong NATO and a more modest EDI, while Germany did not come down unequivocally for any particular institutional design, trying to please all its allies: it wanted to assert its new found power, but also to avoid alarming its neighbours about it and, in order to reach its aim, it needed more European political unification to satisfy France and its allies and a strong NATO under American leadership to reassure Britain and its allies.²⁴⁸

Evolution of US policy towards Europe after the Cold War: interests and possible choices

As highlighted in the previous chapters, the US had an important role in defining the new European security structure, since this was strictly linked to the role of NATO and of the United States themselves in Europe. According to Williams, Hammond and Brenner, the future of US policies in Europe after the

²⁴⁸Robert J. Art, *Why Western Europe Needs the United States and NATO*, *Political Science Quarterly*, Vol. 111, No. 1, (Spring, 1996), 8-10, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

Cold War was influenced by three factors: the “calculus of interests”, the “psychology of leadership” and the “political dimension”.²⁴⁹

The “calculus of interests” is linked to US interests during the Cold War, which were to maintain the balance of power and to prevent Soviet domination of the European continent, and to US interests towards Europe after the Cold War, which were defined by a series of undesirable outcomes. First of all, the United States feared that with the end of the bipolar system their role in Europe could now mean bearing the major share of the burdens without commensurate privileges or real benefits. A second undesirable outcome would be the exclusion from a prosperous and stable Europe based around the EC but extending into Eastern Europe and perhaps in the future also towards the former Soviet Union. Thirdly, the possible “renationalization of defence” could threaten the global balance of power and the US were feeling responsible for avoiding this, especially for its long-term effects that could put at risk US leadership.²⁵⁰

The “psychology of leadership” is explained by the psychological reluctance of the US to give up leadership, especially taking into consideration the role they had during the Cold War. This feeling, which had an historical origin, for instance with regards to the role of US in the two world wars, is also accompanied by the fear that a breakdown of old security order could mean the breakdown of the international economic order. The danger is that the single European market might involve protectionism or other forms of regional economic nationalism which could cause a more limited US access to European markets. “With the removal of the security glue from transatlantic relationship, economic strains are more likely to result in fracture- especially as the US can no longer use the threat of removing

²⁴⁹P. Williams, P. Hammond, M. Brenner, *Atlantis Lost, Paradise Regained? The United States and Western Europe after the Cold War*, published by Wiley in the behalf of the “Royal Institute of International Affairs 1944”, Vol. 69, N. 1, January 1993, 3, <http://www.jstor.org/stable/2621091> (last visualization:16.12.2013).

²⁵⁰P. Williams, P. Hammond, M. Brenner, *Atlantis Lost, Paradise Regained? The United States and Western Europe after the Cold War*, published by Wiley in the behalf of the “Royal Institute of International Affairs 1944”, Vol. 69, N. 1, January 1993, 3-5, <http://www.jstor.org/stable/2621091> (last visualization:16.12.2013).

security guarantee to moderate European economic policies and restrain European competitiveness”.²⁵¹

The “political dimension” concerns domestic problems: the US were lacking the abundant economic resources needed to finance a policy of global activism and, at the same time, the world scene after the Cold War lacked a menacing enemy to activate the sense of national mission. Moreover, the Atlantic alliance was no longer characterized by the automatic deference of European governments to American leadership. The US, as any other society, had always had to choose how to balance foreign and security policy on the one side and domestic needs and demands on the other. During the Cold War the requirements of national security and global leadership were pre-eminent and domestic needs were correspondingly neglected, with the result that now the US needed to face an increasingly onerous and demanding domestic agenda.²⁵²

Considering the abovementioned three factors that characterized the US policy during the post-Cold War period, the possible alternatives that the US had to shape their policy towards Europe were three: “reasserting US leadership”, “selective engagement and cooperative introversion”, “disengagement and confrontational introversion”. Assuming that a total disengagement was not considered possible, especially during the Bush administration, the options left were both linked to the role of US and NATO in the European security policy: NATO’s survival depended upon the ability to adapt and the possibility to be implemented. The disjuncture between declared strategy and implementation was visible during the Yugoslav crisis: here the failure to act posed serious question marks against an organization which claimed to be the security institution of first resort; NATO was saved from a real legitimacy crisis only by the inability of other Europeans institutions to do any better, also because they were not independent.²⁵³

²⁵¹P. Williams, P. Hammond, M. Brenner, *Atlantis Lost, Paradise Regained? The United States and Western Europe after the Cold War*, published by Wiley in the behalf of the “Royal Institute of International Affairs 1944”, Vol. 69, N. 1, January 1993, 5-7, <http://www.jstor.org/stable/2621091> (last visualization:16.12.2013).

²⁵²*Ibidem*, 8-10.

²⁵³*Ibidem*, 10-12.

Bosnia as the crucial point: definition of US role in Europe

In order to understand the importance of the Yugoslav crisis, and in particular of the Bosnian war, for the definition of the US policy and the role of NATO in Europe, it might be useful to analyze how they evolved. Art describes two different phases in the evolution of the problem: the first from December 1989 until the end of 1991; the second from early 1992 until January 1994. The first phase is characterized by the Maastricht Treaty which could be considered for what concerns security policy a sort of compromise between the French and the British visions of a European Defence Identity. “The French maintained that the WEU was to become the defence component of the European Union and succeeded in inserting language to that effect in the treaty. The British, however, maintained that the WEU was more the European pillar of NATO, therefore an entity independent of the European Union, and inserted language in the treaty that stipulated that any European defence entity had to be compatible with NATO”.²⁵⁴

The Union requests the Western European Union, which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications. (...)

The policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States, and shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.²⁵⁵

So, by the end of this first phase, there was no clear agreement about the role of the WEU as the defence component of the European Union or the European pillar of NATO. In addition, it was not even clear whether the WEU would duplicate the

²⁵⁴Robert J. Art, *Why Western Europe Needs the United States and NATO*, Political Science Quarterly, Vol. 111, No. 1, (Spring, 1996), 26-28, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

²⁵⁵“Treaty on European Union”, *Official Journal C 191*, 29 July 1992, in: European Union official website : <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html#0001000001> (last visualization: 25.11.2013).

staff and command structure of NATO, whether the WEU would be superior or equal to Euro-corps or whether NATO could draw upon the Euro-corps.²⁵⁶

The whole question was settled in the second phase of its evolution and through the Yugoslav crisis. As highlighted by Art, although Yugoslavia was a source of great tension among the NATO allies, it paradoxically solidified the compromises and understandings reached by early 1994. Analyzing the evolution of the relationship between the US and Western Europe during the Yugoslav crisis, and in Bosnia in particular, I personally think that the final result was given by a dual system of interconnected policies: on the one hand, the European Union and its Member States, that were more concerned to prevail one over the others rather than to actually shape their own security policy, and, on the other hand, the US, which did not want to lose their leadership in Europe, since it would have meant to lose their role on the whole world scene. These two behaviours and the connections between them were evident both in the period right after the fall of the Berlin wall and also during the Bosnian war.²⁵⁷

As stated by Art, in 1989 the first to define what the new security order for Europe should look like were the United States, which were able to move quickly to exploit the revolutionary events of that year since, contrary to the view that at the time they “lacked vision”, the Bush administration had in fact developed quite early a strategic conception of what it wanted to accomplish in Europe: reunification of Germany and its inclusion in the NATO framework. In order to adopt NATO to the new era, the US devised the July 1990 NATO summit held in London, which was one of NATO’s most important summits because it was there that the fundamental steps to transform this organization from a Cold War to a post-Cold War alliance were taken.²⁵⁸

²⁵⁶Robert J. Art, *Why Western Europe Needs the United States and NATO*, Political Science Quarterly, Vol. 111, No. 1, (Spring, 1996), 28, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

²⁵⁷Robert J. Art, *Why Western Europe Needs the United States and NATO*, Political Science Quarterly, Vol. 111, No. 1, (Spring, 1996), 33-35, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

²⁵⁸*Ibidem*, 10-11.

“At the London meeting, NATO launched four major political initiatives, all of which flowed from Secretary Baker’s speech in Berlin in December: NATO declared its intention to ‘enhance the political component of the alliance’; it proposed a joint declaration to the Warsaw Pact in which the two would ‘solemnly state that we are no longer adversaries’; it invited the Soviet Union and its Warsaw Pact allies ‘to establish regular diplomatic liaison with NATO’ in Brussels; and it proposed that the CSCE summit in November 1990 ‘decide how the CSCE can be institutionalized to provide a forum for wider political dialogue in a more united Europe’. The first three decisions were intended to make NATO look more relevant to the emerging European scene; the second and third, to appear non-hostile to the East; the fourth, to strengthen the continent’s only pan-European forum so that the Soviet Union would not feel excluded from Europe.”²⁵⁹

For what concerns the Bosnian war, here two aspects of the topic emerged: firstly, the conflicting character of the EU-US relationship, for instance in the lacking US support for the Vance-Owen plan, in the divergent opinions on Bosnia’s partition and on the different views on the lift of the arms embargo; secondly, the will of the US to maintain their leadership in the European security system through the use of NATO power. By the end of 1993 at the NATO summit in Copenhagen the issue had been settled: the WEU would be part of the European Union, but it would not undercut NATO. NATO was “the essential forum for consultation and venue for agreement”²⁶⁰ on security and defence matters in Europe. Because of this, the WEU would not duplicate NATO’s military command and staff structure: what this meant was that there would have been two chains of political decision-making, but only one set of military assets.

²⁵⁹ Robert J. Art, *Why Western Europe Needs the United States and NATO*, 12-13; Art quotes some phrases taken from *The London Declaration of a Transformed North Atlantic Alliance*, 6 July 1990, NATO Press Office, Brussels.

²⁶⁰ *Final Communiqué of the Ministerial Meeting of the North Atlantic Council in Copenhagen*, 7 June 1991, paragraph 7, NATO Review 39 (June 1991) cited in Robert J. Art, *Why Western Europe Needs the United States and NATO*, 30.

So, the WEU relied on NATO for military staff work, command structure, logistics and intelligence.²⁶¹

As I explained in the first chapter, if the WEU was to be expected not to develop its own assets, then it had in any case to use NATO's: even in those situations where the Europeans decided to use their combat forces, but the United States chose not to send theirs, as in the case of Yugoslavia, the military assets of NATO, including its command structure, were made available. One of the institutional manifestation of this two-chains-one-set-of-assets agreement was NATO's decision to form Combined Joint Task Forces (CJTFs). These were forces organized for what are called "non-Article 5 missions", that is to say those not related to the defence of a NATO member against attack; they needed to be flexible, mobile and rapidly deployable forces, able to make use of non-NATO forces that can be attached to them. With the formation of CJTFs NATO redesigned itself for selective intervention missions, which could be conducted by NATO as a whole or by the WEU separately, with or without the participation of non-NATO nations. The US transformed NATO from a collective defence alliance to an organization that could serve as the military core around which to organize intervention actions on the European continent and later on a global level: this was also the approach used for the "peace enforcement" role that NATO undertook in Bosnia in 1995.²⁶²

To sum up, the question that resulted from the end of the bipolar system was finally given a definitive answer: the US maintained its leadership, NATO was shaped in order to serve their hegemonic purposes that now had a different character. The "empire by integration" that I cited in the first chapter was accomplished: the US support for EU security policy integration aimed at reinforcing their role and the role of NATO.

In the second part of this final chapter I will examine the new role of NATO and of US security policy, their new objectives and means on the day after the

²⁶¹Robert J. Art, *Why Western Europe Needs the United States and NATO*, Political Science Quarterly, Vol. 111, No. 1, (Spring, 1996), 29-31, published by The Academy of Political Science <http://www.jstor.org/stable/2151926> (last visualization: 16.12.2013).

²⁶²*Ibidem*, 30-32.

Bosnian war and the Dayton Peace Agreement, and also the way in which the US policy shaped the Transatlantic foreign policy system that they dominated.

4.2 From the implementation of the Bosnian peace agreement to the “humanitarian wars”

With the Dayton Peace Agreement the Bosnian war was guided towards peace and NATO played the part of “peace enforcer”. Through NATO, US security policy was shaping the way of dealing with what were later also called “new wars”. These “new wars”, called “new” since they did not have the extension of a world war, and not even the characteristics of a cold war, needed “new” policies and means. Actually, the new approach was not all that new, since it could be considered a form of imperialism, as Lundestad underlined, even if “new”, but not “brand new”, means were used. After having “won” over Europe, maintaining their world leadership, now was time for the United States to solve the conflict in their own way, shaping a new way of dealing with the “new wars”, or, as de Benoist calls them, “humanitarian wars”.²⁶³

I would like to start with an important speech by the US President Bill Clinton on the day after the Dayton Peace Agreement on Bosnia:

Tonight I want to speak with you about implementing the Bosnian peace agreement and why our values and interests as Americans require that we participate. Let me say at the outset America's role will not be about fighting a war. It will be about helping the people of Bosnia to secure their own peace agreement. Our mission will be limited, focused, and under the command of an American general. In fulfilling this mission, we will have the chance to help stop the killing of innocent civilians, especially children, and at the same time, to bring stability to central Europe, a region of the world that is vital to our national interests. It is the right thing to do. (...)

With the Cold War over, some people now question the need for our continued active leadership in the world. They believe that, much like after World War I, America can now step back from the responsibilities of leadership. (...)

²⁶³Alain de Benoist, *Cronache di guerra in Diteo a Sparta. Serbia ed Europa contro l'aggressione della NATO*, a cura di Maurizio Carbona, Genova: Graphos, 1999, 66.

But nowhere has the argument for our leadership been more clearly justified than in the struggle to stop or prevent war and civil violence. From Iraq to Haiti; from South Africa to Korea; from the Middle East to Northern Ireland, we have stood up for peace and freedom because it's in our interest to do so, and because it is the right thing to do. Now that doesn't mean that we can solve every problem. My duty as president is to match the demands for American leadership to our strategic interests and to our ability to make a difference. America cannot and must not be the world's policeman. We cannot stop all war for all time but we can stop some wars. We cannot save all women and all children but we can save many of them. We can't do everything but we must do what we can. (...)The terrible war in Bosnia is such a case. (...)

When I took office, some were urging immediate intervention in the conflict. I decided that American ground troops should not fight a war in Bosnia because the United States could not force peace on Bosnia's warring ethnic groups, the Serbs, Croats and Muslims. Instead, America has worked with our European allies in searching for peace stopping the war from spreading and easing the suffering of the Bosnian people. We imposed tough economic sanctions on Serbia. We used our air power to conduct the longest humanitarian airlift in history and to enforce a no-fly zone that took the war out of the skies. We helped to make peace between two of the three warring parties -- the Muslims and the Croats.

But as the months of war turned into years, it became clear that Europe alone could not end the conflict. This summer, Bosnian Serb shelling once again turned Bosnia's playgrounds and marketplaces into killing fields.

In response, the United States led NATO's heavy and continuous air strikes, many of them flown by skilled and brave American pilots. Those air strikes, together with the renewed determination of our European partners, and the Bosnian and Croat gains on the battlefield, convinced the Serbs, finally, to start thinking about making peace.

At the same time, the United States initiated an intensive diplomatic effort that forged a Bosnia-wide cease-fire and got the parties to agree to the basic principles of peace. (...)

Finally, just three weeks ago, the Muslims, Croats and Serbs came to Dayton, Ohio, in America's heartland, to negotiate a settlement. (...) They agreed to put down their guns, to preserve Bosnia as a single state, to investigate and prosecute war criminals, to protect the human rights of all citizens, to try to build a peaceful, democratic future. And they asked for America's help as they implement this peace agreement. (...)

I refuse to send American troops to fight a war in Bosnia, but I believe we must help to secure the Bosnian peace. (...)Securing peace in Bosnia will also help to build a free and stable Europe. Bosnia lies at the very heart of Europe, next door to many of its fragile new democracies and some of our closest allies. Generations of Americans have understood that Europe's freedom and Europe's stability is vital to our own national security. That's why we fought two wars in Europe; that's why we launched the Marshall Plan to restore Europe; that's why we created NATO and waged the Cold War, and that's why we must help the nations of Europe to end their worst nightmare since World War II now.

The only force capable of getting this job done is NATO, the powerful military alliance of democracies that has guaranteed our security for half a century now. And as NATO's leader and the primary broker of the peace agreement, the United States must be an essential part of the mission. (...)

My fellow Americans, I ask you to think just for a moment about this century that is drawing to close and the new one that will soon begin. Because previous generations of Americans stood up for freedom and because we continue to do so, the American people are more secure and more prosperous. And all around the world, more people than ever before live in freedom, more people than ever before are treated with dignity, more people than ever before can hope to build a better life. That is what America's leadership is all about. (...)The people of Bosnia, our NATO allies, and people all around the world are now looking to America for leadership, so let us lead. That is our responsibility as Americans.²⁶⁴

I personally think that these words summed up the new line that the US were now pursuing and also the way in which the Bosnian war helped to draw this line. I agreed with de Benoist when he, talking about the American attack against Serbia in 1999 during the Kosovo war, says that something changed: after 1945 the war was considered legitimate just in case of external aggression or in order to punish an aggression by a third state; in the case of Kosovo, but also starting from the end of the Bosnian war, the offensive war in the name of a specific ideology was rehabilitated. The new interventionism through aggression was considered, as in the words of Clinton, the “right thing to do”, the reasons were “good reasons”. The “good cause” was the so called “interference right” in the name of human rights, freedom and democracy.²⁶⁵

So, the first consequence of the war in Bosnia was the war in Kosovo and the way in which the NATO attacks against Serbia were presented. According to many historians and politicians, this represented a crucial point for the evolution of international relations. As underlined by de Benoist, in the current world two are the main opposed views: on the one hand, the traditional international law

²⁶⁴“Bosnia Peace Settlement : President Clinton Address to the Nation on the Bosnia Peace Agreement (1995)”, *You Tube*, uploaded by The Film Archive on 6 May 2012, <http://www.youtube.com/watch?v=Bau6aw9VqDw> (last visualization: 23.01.2014).

²⁶⁵Alain de Benoist, *Cronache di guerra in Ditelo a Sparta. Serbia ed Europa contro l'aggressione della NATO*, a cura di Maurizio Carbona, Genova: Graphos, 1999, 53.

that, after the Westfalian Peace Agreement, was founded on the principle of sovereignty, according to which no one State can interfere in the inner affairs of another State ; on the other hand, the “interference right”, which arose from the human rights ideology, that allows the international community to trespass the traditional principle of sovereignty. The concept is that thanks to the “interference right” the international community could be able to punish the “evil part of the world”, which in principle cannot be considered a negative concept; the point is that the States that put themselves in charge for this role of “peace enforcer” or “freedom bearer” act just transferring the principles inner to their reality to the system of international relations, imposing their rules. What is more, the consequences of the “interference right” or better of the “humanitarian or good wars” are to damage entire populations, not only single leaders or organizations. The question posed by de Benoist is: who has on the planet the “right of interference”? On what basis can a State judge another State and decide to act against it through an aggressive intervention? Personally, I am not questioning if the “evil” exists and if it is right to “judge and punish” it, but what seems obvious to me is that the right of interference and the humanitarian wars that can arise from this is not only linked to what is “right to do”, but and especially to what is “convenient to do”, because of the many economic and political interests that are hidden, and sometimes not even that well. As sustained by Tito Livio, already cited by Macchiavelli and by de Benoist too, “the war is always right for those to which it is necessary”.²⁶⁶

In conclusion, I would like once again to highlight what the aims of my work have been: the analysis of the post- Cold War situation brought me to investigate the evolution of European integration and the role of the United States in this process; then, I focused my attention on the security policy debate in Europe and the role of NATO and the US in this context; taking into consideration the Yugoslav crisis and the Bosnian war, I explained how the not yet clear security policy question was settled at the end of 1994 and I eventually concluded my

²⁶⁶Alain de Benoist, *Cronache di guerra in Diteo a Sparta. Serbia ed Europa contro l'aggressione della NATO*, a cura di Maurizio Carbona, Genova: Graphos, 1999, 66.

dissertation describing the characteristic of the new world policy that came out and that is important to analyze and understand many other historical events that followed until today.

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