Contents

Friedrich-Ebert-Stiftung in Southeast Asia

Friedrich-Ebert-Stiftung has been present in Southeast Asia for more than 30 years. Its country offices in Bangkok, Jakarta, Manila and Hanoi have been active in implementing national cooperation programmes in partnership with parliaments, civil society groups and non-governmental organizations, academic institutions and 'think-tanks', government departments, political parties, women's groups, trade unions, business associations and the media.

In 1995, the Singapore office was transformed into an Office for Regional Cooperation in Southeast Asia. Its role is to support, in close cooperation with the country offices, ASEAN cooperation and integration, Asia-Europe dialogue and partnership, and country programmes in Cambodia and other ASEAN member states where there are no Friedrich-Ebert-Stiftung offices.

Its activities include dialogue programmes, international and regional conferences (e.g. on human rights, social policy, democratization, comprehensive security), Asia-Europe exchanges, civil education, scholarship programmes, research (social, economic and labour policies, foreign policy) as well as programmes with trade unions and media institutes.

Dialogue + Cooperation is a reflection of the work of the Office for Regional Cooperation in Southeast Asia of Friedrich-Ebert-Stiftung in Singapore: it deals with ASEAN cooperation as well as the Asia-Europe dialogue.

- *Dialogue + Cooperation* will tell you about our activities in Southeast Asia by publishing important contributions to our conferences and papers from our own work.
- *Dialogue + Cooperation* will contribute to the dialogue between Asia and Europe by systematically covering specific up-to-date topics which are of concern for the two regions.
- *Dialogue + Cooperation* will be an instrument for networking by offering you the opportunity to make a contribution and use it as a platform for communication.

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Editorial: Dialogue + Cooperation 3/2005

Dear Reader

We all know that the cost of preventing a conflict is much less than the cost of resolving conflict. While the international community, acting through the United Nations and regional or other inter-governmental organizations, has set up institutions and mechanisms to build and sustain peace in the decades since World War II, there remain serious constraints on efforts to prevent conflict and build peace. How can the experiences in our two regions contribute to better engagement of the actors, better utilization of existing mechanisms and further institution- and capacity-building for effective conflict prevention?

Those were the questions that the 4th Asia-Europe Roundtable (AER) sought to answer. Some 50 Asian and European experts from civil society, academia, politics and international institutions convened for the Roundtable in April 2005 in Berlin, Germany, to discuss actors, institutions and mechanisms in the sphere of conflict prevention. What emerged as the key message from this roundtable was that effective conflict prevention is ultimately a matter of political will since the actors, institutions and mechanisms for early warning are in most cases already in place.

The Asia-Europe Roundtable is a joint initiative of the Asia-Europe Foundation (ASEF), the Friedrich-Ebert-Stiftung (FES) and the Singapore Institute of International Affairs (SIIA). In August 2000, the three institutions co-organized the first Roundtable in Singapore, which was entitled 'Regions in Transition'. The second one was held in September 2001 in Warwick, United Kingdom, and was dedicated to 'Trans-national Problem-solving in a Global Era: Towards Multi-Level Governance?'. The third Roundtable in Hanoi, Vietnam, in October 2003 discussed the topic 'Peace and Reconciliation: Success Stories and Lessons from Asia and Europe'.

This edition of *Dialogue + Cooperation* includes several documents from the 4th Asia-Europe Roundtable. Two articles from other occasions complement the topics of the Roundtable. After a general introduction into the subject by Yasushi Akashi, Yeo Lay Hwee, Ian Zaur and Mette Ekeroth draw the conflict map of Asia. I would like to thank the three authors for their readiness to contribute to *Dialogue + Cooperation* with their revised version of a forthcoming publication of the Singapore Institute of International Affairs. Whereas Yeo Lay Hwee, Ian Zaur and Mette Ekeroth focus in their paper on the chances for peace in Aceh and Southern Thailand, Peter Kreutzer cautions us against too much optimism for peace in the Mindanao conflict of the Philippines. Paul Pasch in his paper on the North Korean nuclear crisis also takes a prudent position with regard to the positive results of the six-party talks. Here again I would like to thank the 'Internationale Politik und Gesellschaft'/ Friedrich-Ebert-Stiftung for giving permission to translate the article of Paul Pasch into English and re-print it in this issue of *Dialogue + Cooperation*.

With regard to the European theatre, Eric Lebédel and Bertrand Fort provide us with a comprehensive conflict map of Europe, tabling all crisis and potential conflicts in the post-Cold War period. Among others, they argue that the international community failed to foresee the mounting conflict in Yugoslavia. Heinz Vetschera on the other hand insists that

in the Yugoslavian case a lot of 'warning signals' had been registered and that 'the crisis in former Yugoslavia was not an unpredictable surprise'. In her article Rachele Schettini draws our attention to the phenomenon of illegal immigration into Europe and its potential for conflicts in the host countries. And finally, Bernt Berger, Mette Ekeroth and Sol Iglesias summarize in their report the proceedings of three thematic workshops, which were conducted in the framework of the 4th Asia-Europe Roundtable.

All papers and statements reflect the opinions of the individual authors. The Singapore Office of Friedrich-Ebert-Stiftung would like to express its sincere appreciation to all contributors to this edition.

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Actors, Tools and Mechanisms for Conflict Prevention at the Global Level*

Yasushi Akashi**

Conflict prevention is one of the highest priorities in the twenty-first century. It should comprise prevention of both internal and international conflicts. While the majority of conflicts today are non-traditional, internal conflicts, they often have spill-over effects on relations between countries. Internal conflicts are also usually far more bloody and produce greater casualties than inter-state conflicts. It was therefore natural that the United Nations (UN) Millennium Declaration (2000) should state that no effort should be spared to free peoples from the scourage of war, whether within or between states, which has claimed more than five million lives in the past decade. In the same Declaration, the General Assembly resolved to 'strengthen respect for the rule of law in international as in national affairs'.

There are broader as well as narrower definitions of conflict prevention. None of these definitions should be dismissed. We must strive towards developing effective means to deal with conflicts in the narrow, operational sense. At the same time, we should not forget the need to address medium to longer term socio-economic or political factors, which give rise to tensions and strains, leading to actual conflicts. They are so-called 'structural' or 'root causes' of conflicts. Adopting such an approach means that mechanisms and institutions have to be established and refined in order to prevent or reduce conflicts, particularly

armed conflicts, and to de-escalate or stop such conflicts once they occur.

Dag Hammarskjöld's definition of 'preventive diplomacy' in the late 1950s was aimed at preventing the spread of the Cold War conflicts to neutral areas by insulating these areas through the insertion of a 'UN presence' (examples are Lebanon in 1958, Laos in 1959 and the Congo in 1960). The UN presence was useful during the Cold War. However, the current situation demands much broader approaches, which go beyond the diplomatic dimension. At the same time, we should be careful not to expand the meaning too much to comprise almost any effort to resolve differences.

In its broader definition, conflict prevention borders the fields of good governance and the rule of law, promoting democracy and human rights, development, the eradication of poverty and the alienation of youth on the one hand, and on the other, a great number of tools of diplomacy such as facilitation, good offices, mediation, arbitration and adjudication, conflict monitoring and peace-keeping as well as coercive measures such as economic, financial and communication sanctions, extending, as the last resort, to military sanctions. Other actions in the security area such as disarmament and arms control, exchange of military information, transparency in military budgets, military doctrines and troop deployment, in arms

production as well as arms trade, including proliferation of weapons of mass destruction, are highly relevant. Efforts made in Europe from 1975 to 1995 are an excellent example in creating mutual confidence progressively through exchanges of information and transparency measures, thus preventing or forestalling the potential for war through misunderstanding, or by accident.

Few will dispute the usefulness of such clearly preventive measures as early warning and an early deployment of a peace-keeping force. But we must not forget that the UN Security Council has not always been responsive to the Secretary-General's proposals for prompt action by the Council, made either explicitly or implicitly under the authority given him by virtue of Article 99 of the UN Charter. For example, in cases involving Central African states – East Zaire, the Congo (Brazzaville) and Rwanda – and Kosovo, warnings by then Secretary-General Boutros-Ghali in 1994-1997 were not heeded by member governments. In comparison, softer, more discreet initiatives by the secretaries-general have encountered less opposition by Security Council members. Examples are several instances in the Middle East, during the Iran-Iraq war, in the Guyana-Venezuela border dispute and in the Falkland-Malvinas conflict.

The greatest obstacle to preventive action lies in the political inertia and the reticence of states concerned, particularly major powers, who are jealous of their sovereignty and prerogatives and are often placed under the pressure of choosing among competing priorities. Newly independent Asian states are also notably jealously protective with regard to policy choices in conflict prevention.

Early warnings are still inexact science. Like earthquake prediction, they cannot indicate precisely when, where, or with what degree of magnitude, or probability conflicts will occur. Early warnings cannot assure success, nor can they scientifically justify the cost involved. Experts are as yet unable to elucidate to the satisfaction of politicians the complex dynamics of unintended escalation of local conflicts into larger conflagrations. Much more study is needed on social psychology, individual and group behaviour and methods of political mobilization and propaganda. Inquiry into examples such as the incident in the village of Borovo Selo, which led to more serious clashes in the beginning of the Yugoslav ethnic conflict, may throw useful light on the issue. On the other hand, in the Rwanda genocide of 1994, a premeditated planning by the Hutu leadership was the primary causal factor in the outbreak of the tragedy.

The UN has been prominent in experimenting with preventive deployment of peace-keepers (Macedonia, 1992), advocating the need for rapid deployment (the Scandinavian initiatives and EU's Rapid Deployment Force, aimed at having 60,000 troops in six months), establishing fact-finding missions or sending special envoys to observe areas of high tension, and urging parties to resort to a variety of peaceful means provided for in Chapter VI of the Charter. The organization has also encouraged resorting to regional arrangements in Chapter VIII, particularly in the African context. Moreover, a whole panoply of pressures and sanctions, leading eventually to military sanctions, are available under Chapter VII, when measures and actions under Chapter VI or Chapter VIII fail. It is a matter of deep regret that the Security Council has at times paid only 'lip service' to Chapter VII, by making available insufficient resources or troops to implement robust mandates defined in Council resolutions.

The machinery of the UN is undoubtedly aided by increasingly active regional and

sub-regional means for preventive action and peaceful settlement of disputes and conflicts. The Organization for Security and Cooperation in Europe (OSCE) probably has the most elaborate means for preventive action, such as the office of the High Commissioner on National Minorities, but other regional bodies like the Organization of American States (OAS), the African Union (AU) and the Association of Southeast Asian Nations (ASEAN) are endowed with their own tools of conflict prevention. The ASEAN Regional Forum (ARF), which appeared to be painfully slow in moving from confidence-building measures to preventive diplomacy, has in the last few years become somewhat more lively in its deliberations, assisted by its second track, the Council on Security and Cooperation in the Asia-Pacific (CSCAP) (1993).

The number of actors in conflict prevention has multiplied. In addition to the UN and regional and sub-regional bodies, there are several active states such as Norway, Finland and South Africa, and an increasing number of international non-governmental organizations, such as the International Crisis Group and the Centre for Humanitarian Dialogue, which draw the attention of inter-governmental institutions and governments to potential conflict areas and suggest possible action to be taken. The informal discussions they organize stimulate

thinking on creative solutions for seemingly intractable problems. Eminent individuals such as Jimmy Carter, Nelson Mandela and Marti Ahtisaari have played extremely useful roles in mediating conflicts, although their seemingly individual actions are often the result of detailed discussions with governments and international organizations.

The unrelenting forces of globalization have impacted on nation-states, releasing new transnational economic, social and cultural forces. Unfortunately they have also kindled old fires of ultra-nationalism, prickly self-assertion, religious fundamentalism and xenophobic chauvinism.

In our age of contradictory cross-currents in the world, much can be gained by concerted moves by civil society actors towards effective conflict prevention. It is my belief that there is no magic formula for conflict prevention, even if we can agree on its high desirability. It is a fact that each conflict is unique and therefore demands a custom-made solution. However, this is a most opportune time for a comprehensive, in-depth and cross-cultural examination of how far we have come, where we stand and in what direction we are headed in our crucial common task of identifying danger spots and developing more effective means to remove these dangers.

Conflict Map of Southeast Asia

Yeo Lay Hwee, Ian Zaur and Mette Ekeroth

Introduction

As the world becomes more interdependent through globalization and regional integration, conflicts have also become fluid in their profound ability to impact upon each other. Understanding trends and patterns of the origins, *modus operandi*, nature, evolution and root causes of these conflicts becomes increasingly important and relevant to the study of conflict prevention itself.

Is conflict endemic in this region? Has the formation of ASEAN helped to mitigate the outbreak of conflicts in Southeast Asia? ASEAN as a regional organization has been both criticized and praised for what it has achieved or not achieved in the region. Supporters of ASEAN claim that Southeast Asia has remained relatively calm and peaceful because of it, while critics of ASEAN think that ASEAN has not made much of an impact on peace and development in the region.

This paper provides a brief overview of trends in the outbreak of violent conflict in the region. In terms of chronology, 1967 is chosen as the analytical starting date for all data to coincide with the year that ASEAN officially came into being with its original five members, namely Thailand, Singapore, Indonesia, the Philippines and Malaysia. Selecting this starting date also situates the analytical perspective in the post-colonial environment, making it possible to study relations between the states without the intervention of direct colonial pressures. The data is also inclusive of regional countries which were not part of ASEAN previously but had become members by 1999.

Historical Trends in Southeast Asian Conflicts

There are parallels that can be drawn when comparing trends in violent conflicts in ASEAN member countries with the rest of the world. Looking at the statistics compiled for three different types of war,[1] the numbers for Southeast Asia correlate with those of the rest of the world and present themselves as being representative, with only a slight difference in the categories of occurrences of inter-state and intra-state wars, which is made inconsequential by the small sample size of the ASEAN group.

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1. War is defined by Correlates of War as a conflict in which there were a minimum of 1,000 deaths from sustained combat. Inter-state war is between two states in the international system. Intra-state war is between two armed forces within a state's territorial boundary. Extra-state war is war between a state and a political entity outside of its territorial boundary.

Table 1: Occurrences of War among/within ASEAN states[2]

Occurrence of War by Type 1967-1999				
	ASEAN Members		World	
Type of War	**Count**	**Per cent**	**Count**	**Per cent**
Inter-state War	4	28.57	18	17.65
Intra-state War	9	64	77	75.49
Extra-state War	1	7.14	7	6.86
Total	14	100	102	100

Figure 1: Occurrence of War by Type 1967–1997
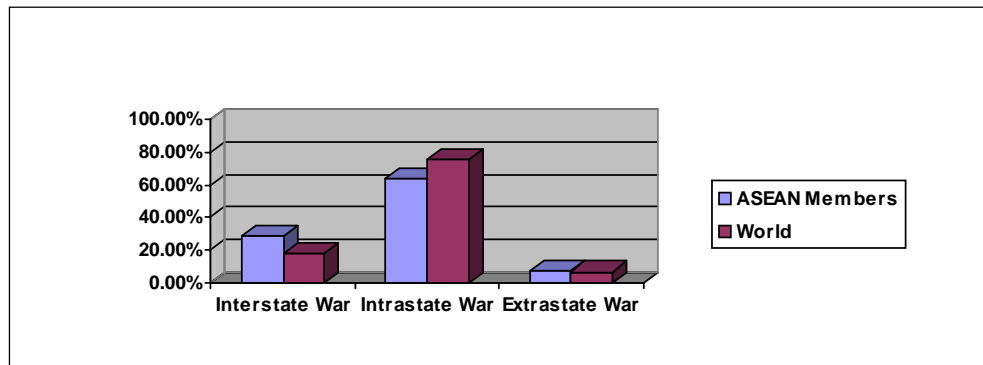
With the end of the Cold War, there was optimism about a new era of peace and understanding and a reduction in global conflicts. Unfortunately, the past 15 years have seen the reverse happen – a proliferation of intra-state conflicts, which have been more numerous and violent (average death tolls are almost 30 times as great in civil wars and 10 times as great in internal ethnic wars than in inter-state wars) and longer lasting than traditional inter-state conflict (by as much as an average of 5.3 years compared to two years for interstate conflict).

While this picture provides a historical glimpse of wars in the region in relation to the rest of the world and demonstrates that patterns of conflict in Southeast Asia are not significantly different from the rest of the world, what the same set of data does not tell us is the direction of violent conflicts within the region and their frequency. To track such indicators in measuring the occurrence of conflict between states, a measure that is more sensitive and that provides a better basis of analysis about the true state of affairs in the region is desirable. For this purpose, militarized international disputes (MID) can be used, providing a sample of conflicts in which one or more parties resorted to military means but with outcomes in most cases falling short of war.

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2. Meredith Reid Sarkees, 'The Correlates of War Data on War: An Update to 1997', *Conflict Management and Peace Science*, 18(1) (2000): 123-144.

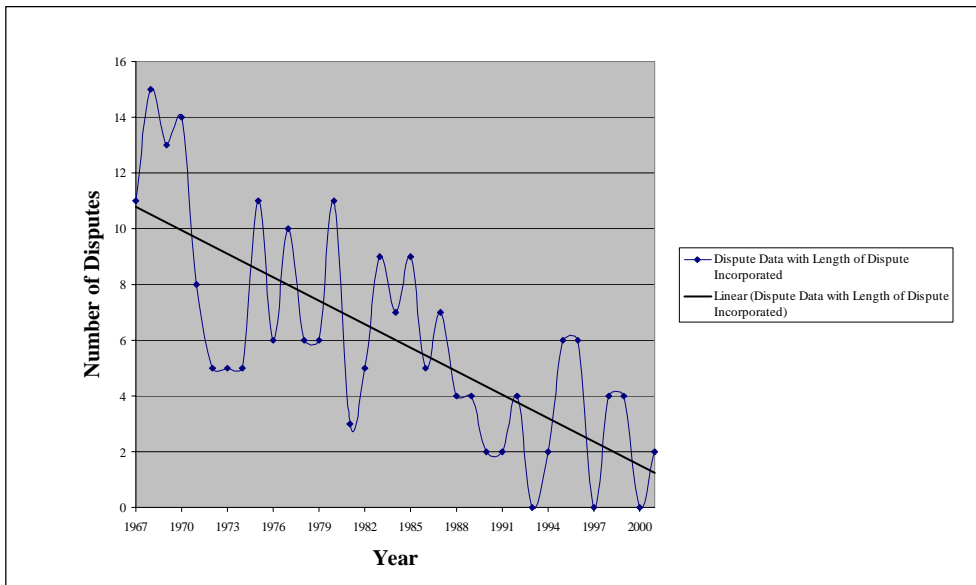Figure 2:   Militarized International Disputes since 1967

Figure 2[3] indicates prominently that the trend in MID between current ASEAN member countries has been decreasing quite rapidly since the inception of ASEAN in 1967.[4] This is significant as it parallels developments in the region when closer regional ties have been forged between states in the region. Even if there is simply a levelling-off of international disputes at the 2001 level, it marks a significant achievement in stabilizing the international security situation. This trend hopefully demonstrates and confirms an increasing unwillingness by states in the study to resort to military threats and actions in the region except in the most dire of situations.

This downward trend in total number of disputes is a good sign, but it does not provide any additional information on the levels of violence experienced in these conflicts, which may possibly be even more significant than the total number of militarized disputes, since it provides some insight into whether or not regional developments and membership inclusion into ASEAN has any mollifying effect on state behaviour in the event of international disputes. In this respect, the Correlates of War project rates MID according to the levels of conflict and the highest action taken by each party to the conflict. The level of conflict is based on a rating between one and five in the terms of the highest actual action taken by the parties concerned, such as the following selected categories:

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3. Faten Ghosn, Glenn Palmer and Stuart Bremer, 'The MID3 Data Set, 1993-2001: Procedures, Coding Rules, and Description', *Conflict Management and Peace Science*, 21 (2004): 133-154. This data incorporates only those militarized disputes that were between two or more states that are currently ASEAN members. The data also incorporates the length and number of disputants, so a conflict that lasted 1.5 to 2.49 years will be listed as a conflict in each of two years, allowing for length to be weighted into the analysis. Also, each participant in the dispute adds one dispute to the total, so a dispute with two participants would count as two disputes, whereas one dispute with five participants would count as five disputes, giving weight to the number of disputants involved in any instance.

4. T-stat: -6.274; R-square: .544

1. No militarized action
2. Threat to use force
3. Display of force
4. Use of force
5. War

The rating for the highest action correlates directly with the rating listed above and consists of a range from 0 to 21, with 0 connoting no militarized action taken and 20 and 21 representing beginning and joining an interstate war, respectively. Looking at this data for current ASEAN member states provides the following snapshot of hostility levels. Again, only disputes in which the parties include ASEAN states have been included. This data is divided into the following three sections:

1. ASEAN member state dispute with non-ASEAN member refers to the behaviour of the ASEAN member state in reaction to a dispute with a non-ASEAN state in the region prior to the former's membership in ASEAN;
2. Non-ASEAN member state includes disputes where a state is in conflict with any other state in the region prior to either joining ASEAN; and
3. Conflict between ASEAN states is a conflict where all parties to the conflict are members of ASEAN at the time of the conflict.

Table 2[5]: Highest Action in Dispute Averages

Group	Hostility Level (Avg.) (1-5)	Highest Action in Dispute (Avg.) (0-21)
ASEAN member state dispute with non-ASEAN member (N = 61)	2.95	9.8
Non-ASEAN member state (N = 59)	3.76	14.68
Conflict between ASEAN states (N = 20)	2.8	8.65

Figure 3: Hostility Level Averages
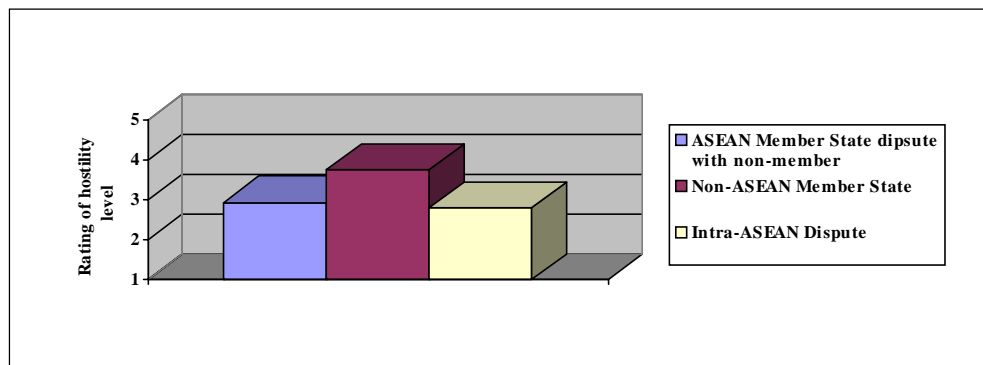
5. Faten Ghosn, Glenn Palmer and Stuart Bremer, 'The MID3 Data Set, 1993–2001: Procedures, Coding Rules, and Description', *Conflict Management and Peace Science*, 21 (2004): 133-154.

Figure 4: Highest Action Taken (Average)
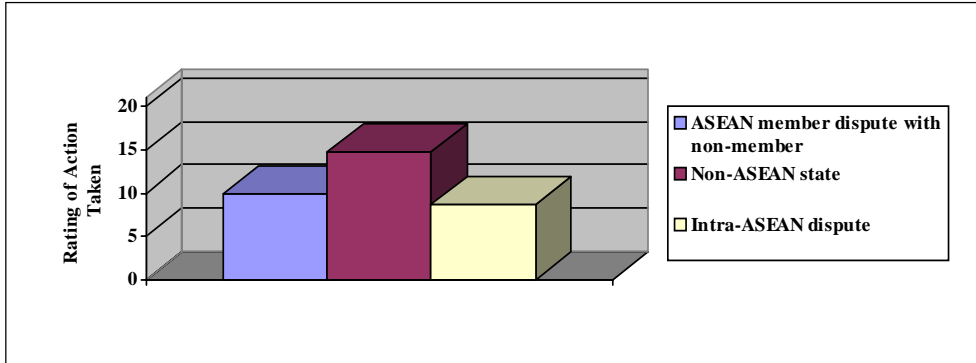
While the overall trend in the region is downward in terms of the number of militarized international disputes, it also becomes clear that the level of hostility in any given dispute is somehow lessened by the inclusion of states into the ASEAN group. In disputes involving a non-ASEAN state and any other in the region, the level of hostility and the militarized action taken are significantly higher, by 16 per cent in the overall hostility ranking and 23 per cent when a more sensitive ranking of actions taken is used, than those states which were members of ASEAN at the time of the dispute. Additionally, if both states are members of ASEAN, hostility levels are further reduced in comparison with a scenario in which only one state is an ASEAN member, though by a significantly lower margin than the initial reduction in hostility between members and non-members.

This data seems to give room for quiet optimism about the future of violent international disputes in the region. While the correlation between levels of conflict and ASEAN membership is not proven, the trends in the region indicated by the data suggest that there are few arguments against continuing on the path demonstrated by this data. This could be significant in contributing to ways for countries within ASEAN to work together, both in solving international disputes and in addressing intranational ones, which are far more common in the region. With a reduced prevalence rate, as well as decreased violence levels when conflict arises between states, perhaps more efforts can be diverted to combating intra-state violent conflicts. Reduced external threats should hopefully make states more willing to cooperate in internal security matters to enhance regional security. This new focus will eventually necessitate a different approach to the idea of sovereignty and what providing security entails for a state government.

From Inter-state to Intra-state Conflicts

Merely focusing on international disputes between states risks taking too narrow a view on what constitutes security and simultaneously limits the range of actions that can be implemented for the wellbeing of the populace. In fact, the state as a focal point is comparatively less vigorous today. Since the end of the Cold War, discourse on security has changed significantly. The state is increasingly losing its monopoly as the dominant aggregator and moderator between global economic/political

dynamics (e.g. global flows of funds, illegal movement of narcotics, people smuggling, weapons of mass destruction, nuclear materials, terrorist funds, etc.) and local settings. Its role as the sole protector and provider of security for the populace is under siege.

The state is no longer the sole reference point for security studies. More human-centric approaches have been added to the field under labels such as human, comprehensive, cooperative or non-traditional security. A single dominant security concept (such as national security) therefore does not satisfy the full range of security needs of people.[6] The state itself is increasingly under siege with its decreasing capabilities in managing global issues such as pandemic diseases, speculative capital, the illegal movement of drugs, weapons and people, and navigating through dense information communication technology (ICT) networks. Because of the fluidity of global changes, approaches to security options have to be diversified, multi-platform and pegged at many different levels of society.

The United Nations (UN) is also sensitive to these new developments and articulated its views in the report of the International Commission on Intervention and State Sovereignty, entitled 'The Responsibility to Protect'. The report was a nascent step towards redefining sovereignty away from the negative connotation of exclusive jurisdiction to the positive signifier of responsibility. However, there are divergences in theoretical enunciations and practical implementation, especially in idea proliferation in the international sphere. Redefinitions need to be first embraced by the international community for them to reach out beyond academic weight, which is a task that still requires further effort.

While states are not yet willing to relinquish traditional sovereignty to an inchoate international ideal, there is rising consensus on the idea that a state must assume responsibility for the overall security of its people beyond simply securing international borders, extending to non-traditional security features like economic, food, health, environmental, personal (physical), community and political securities.[7] If any of these features, which are directly connected to an individual's livelihood, are not there, individuals cannot be defined as having secure lives, even if there are no obvious traditional security threats to the integrity of the state.

Such a human-centric approach towards security inevitably draws our attention to some of the ongoing ethnic and religious conflicts within some ASEAN member states. However, ASEAN countries have continued to invoke the principle of sovereignty and non-interference in order to keep these issues within the confines of internal domestic matters that are solely handled by national governments. Most recently this was reflected in the way the Thai government responded to the crisis in South Thailand.

Yet, there was also room for optimism as ASEAN countries democratized and accepted the broader precepts and views of human security and state sovereignty. The 2005 peace deal struck between the Aceh separatists (GAM) and the Indonesian government after decades of conflict offered some hope that ASEAN countries will become more open to quiet diplomatic efforts and mediation in preventing violent conflicts and seeking solutions to some long-standing intra-state conflicts. The following two case studies illustrate the opportunities and challenges that the region faced in confronting intra-state conflicts.

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6. Jon Barnett, 'Environmental Security for People', in *The Meaning of Environmental Security: Ecological Politics and Policy in the New Security Era* (London and New York: Zed Books, 2001), Chapter 9, pp. 122-38, references.

7. United Nations Development Programme, *1994 Human Development Report* (New York: Oxford University Press, 1994).

The Case of Aceh[8]

Violent conflict has been a way of life in Aceh for most of its existence, in spite of the acknowledged role that the region played in the struggle for independence from the Dutch. The Acehnese have been resisting the central government in Jakarta since the mid-1950s. This struggle against the government has been the central theme of life for multiple generations of Acehnese, making the negotiation and resolution processes extremely complicated and delicate, as demonstrated by the breakdown of talks in 2003. This culminated in the imposition of a state of emergency on the region and harsh measures aimed at punishing the residents of the area. With the breakdown in the Aceh peace process in mid-August 2005, it is important and relevant to explore what caused the collapse of relations two years ago and what lessons can be learned from that.

During the Indonesian Revolution (1945-1949), the Acehnese played a significant role in the struggle against the Dutch and the province was initially declared a Daerah Model (model area). This status was reversed shortly thereafter when Aceh was included in the territory of North Sumatra. As a reaction against this change in provincial status Daud Beureueh led a rebellion against the central government in 1953. Following several violent counter-insurgency operations, the Indonesian government granted Aceh the status of a Daerah Istimewa (special region), with considerable autonomy in cultural, educational and religious matters in 1959.

The promises of autonomy were not perceived to have been fulfilled by some, and in 1976, Hassan Di Tiro declared Aceh's independence and founded the group that was to become Gerakan Aceh Merdeka (Free Aceh Movement or GAM). Resentment and bitterness against the government in Jakarta had been spurred by continued impoverishment of the region and collective memories of the brutality of measures brought in by Tentara Nasional Indonesia (the Indonesian military or TNI) during the Beureueh counter-insurgency campaign. By the early 1980s, however, most of the members of GAM had been forced into exile by the military.

In 1989, members of GAM returned to Aceh and TNI conducted operations to root them out. It was during this time that support for GAM found a major foothold within the population as the exploitation and terrorization of the region by military forces continued throughout the 1990s, beginning with the declaration of a military operations area (Daerah Operasi Militer or DOM) in 1989/1990. This status was to remain in effect until the Suharto government collapsed in 1998, but by that time the region had become consumed by demands for independence.

Upon assuming power, President Abdurrahman Wahid (Gus Dur) attempted to demilitarize the conflict and negotiated with GAM, facilitated by the Henry Dunant Center for Humanitarian Dialogue. These peace talks led to the signing of the 'Joint Understanding on a Humanitarian Pause' agreement between the two parties in May 2000. The skeleton agreement provided few details in terms of actual implementation and the violence on the ground flared when operations against GAM were reinitiated less than a year after the signing of the agreement under intense pressure from the military. Hopes for settlement were struck another blow when six members of a negotiation team representing GAM were

8. The information for this case has been gathered from International Crisis Group (www.crisisgroup.org) and Anthony Smith, 'Aceh: Self-Determination Conflict Profile', *Foreign Policy in Focus* (http://selfdetermine.irc-online.org/conflicts/aceh.html), accessed 1 August 2005.

arrested by the military, signalling that the civilian president had lost control of the situation.

In spite of the collapse of the humanitarian pause, a Cessation of Hostilities Agreement (COHA) was signed on 9 December 2002 and talks continued between the two sides even as violence proceeded unabated. Lauded as a 'golden opportunity to move on to a life of peace' by President Megawati, who had succeeded President Gus Dur, it would last less than half a year. Serious problems were becoming evident as early as February 2003. A central tenet of the agreement was the two-month 'trust-building' period immediately after its signing, but vagaries in definition and what was expected during that period and the four months to follow, which assisted in reaching the COHA, were to tear it apart. The three most contentious issues from the start were what was meant by 'placement' of weapons and the 'relocation' of military forces, and the 'reformulation' of the role of Brimob, a counter-insurgency group widely seen to be extremely abusive to the Acehnese population, into a traditional police group. However, these were by no means the only areas where interpretation was left open in the push to reach some sort of agreement.

When negotiations between GAM and the Indonesian government collapsed in May 2003, a state of military emergency was declared in Aceh. Military actions increased in the region following the collapse of the COHA and draconian measures were put into place. These included forced loyalty oaths, forced displacement of villagers and arrest of not only GAM fighters but also suspected 'sympathizers'. This increased the legitimacy of GAM in the eyes of the general population and some believe that it has made the conflict even more intractable. The conflict in Aceh is one that is fuelled by both economics and sociocultural and political grievances, and all inter-related issues must be justly addressed if there is

to be real peace in the region. In the rush for agreement in 2002, contentious issues were not adequately tackled, and as a result the agreement was short-lived.

It took a huge natural disaster to provide the impetus for these elements to be brought to the negotiating table by the parties involved. The 26 December 2004 tsunami hit Aceh harder than any of the other affected areas. As many as 200,000 lives were lost and more than 500,000 people were displaced. Significant material damage was also done to the whole infrastructure of Aceh, totalling an estimated 41.4 trillion Rupiah (US$4.3 billion), equivalent to 97 per cent of Aceh's GDP. The fishing industry, which is vital to the province suffered the loss of 60 per cent of its workforce and an estimated 80 per cent decline in output. Similarly, huge areas of farmland were eroded and left bare by the salt water.

With such devastation, and the huge challenges of rehabilitation and reconstruction, it was not surprising that both GAM and the Indonesian government realized that they could not afford to reject the attempts by the international community to bring peace to the province. As tragic as it was, the tsunami played a vital role in bringing the current conflict to its present position of a peace agreement. With the opening up of space that was required due to the sheer magnitude of the disaster, international engagement was accepted by both sides to an extent that was unimaginable before. The context within Aceh seemed to have been altered on that fateful day. It was no longer only a struggle that could be portrayed as being between the rebels and the government. The entire population was now part of the picture. This expansion of the pie, so to speak, opened new levels of opportunity for cooperation and goodwill that were not present previously.

With more level heads in the Aceh peace process, it was decided that some amount of real autonomy in the form of control over a substantial percentage of oil revenues was essential to have a real, positive impact on development in the region. Other issues that were tackled were human rights abuses and impunity by the Indonesian police and military to address the resentment for the central government, which runs very deep at the local level. Most importantly, there was a reconciliation of a long and difficult process occurring at all levels within society for penetrative effectiveness.

The first round of negotiations between GAM and the Indonesian government, facilitated by the Crisis Management Initiative (CMI) headed by former Finnish President Martti Ahtisaari, was held in Helsinki on 28 January 2005. After several rounds of talks, the peace agreement was finally signed in Helsinki on 15 August 2005. The political will of the government and GAM to keep the process moving has led both to take risks. And these risks appear to have paid off.

According to the ICG report released on 13 December 2005, 'GAM guerrillas have turned in the required number of weapons. The Indonesia military has withdrawn troops on schedule. The threat of militia violence has not materialized. Amnestied prisoners have returned home without incident.'

The invitation by the Indonesian president to the European Union (EU) and ASEAN to send peace observers to Aceh to monitor the implementation of the peace agreement was welcomed by the international community. In September, the international Aceh Monitoring Mission (AMM) led by the EU's Peter Feith, entered Aceh, and was able to help quickly, professionally resolving a few violent incidents between GAM and the Indonesian armed forces. While there

are still challenges, the peace process has gathered pace and has active support from the highest levels of the Indonesian government.

The peace process now has two key hurdles to overcome. The first of these involves the re-integration of former GAM members into civilian life. While many combatants have returned spontaneously to their communities, most are unemployed. Disagreement between GAM leaders and the government over delivery of cash payments to facilitate re-integration is holding up more comprehensive programmes to establish new livelihoods. It also appears to be creating some friction within GAM itself. If the problem is not resolved, the danger in the long term is that bored or jobless ex-combatants will turn to crime or seek to resume fighting.

The second hurdle is the legal process of incorporating the provisions of the peace agreement into a new law that must be adopted by the Indonesian parliament. The transformation of GAM from an armed movement to a political one hinges on this law, particularly its provisions on local political parties and the mechanics of local elections. The question is whether parliament will accept the Acehnese draft without serious revisions.

The implementation of disarmament and relocation of troops by both sides is also of vital importance, and moves to this end must be carried out by both sides simultaneously. Any perceptions that one side or the other is taking advantage of the new agreement to better place their units for military action must be avoided. There must also be some mechanism in place to deal with violations of the agreement that is able to impose punishment.

Overall, the implementation of the Helsinki peace agreement is going far better than anticipated. According to the assessment of

ICG, this is due to several factors. 'One is the careful crafting of the agreement itself. Because it provides a clear time line for decommissioning and quantifies precisely how many weapons must be gathered and how many troops may remain in Aceh, it is not open to the drastically different interpretations that bedevilled its 2002 predecessor'.

The timing was also right as both parties were genuinely interested in reaching a settlement in view of the devastation caused by the tsunami. There is widespread recognition that this is the best chance Aceh is likely to have for peace-building. The debate on allowing foreigners into Aceh had already taken place months before the peace agreement because of the catastrophe caused by the tsunami, which may have made inviting the AMM less controversial within Indonesia.

So far the process has gone quite smoothly, and barring any unforeseen circumstances, both parties now remain committed to the peace process.

The Case of Southern Thailand

2004 saw a dramatic increase in violence[9] causing more than 600 deaths in the Southern Thai provinces of Pattani, Songkla, Narathiwat and Yala, beginning with the building of 21 schools and raids on military facilities on 4 January. The violence took on new dimensions when three bombs, seemingly aimed at foreigners and tourists, went off on 3 April at the Hat Yai Airport, a Carrefour store and a parking lot at the Green World Hotel. While this attack was minor in terms of personal damage compared to the deaths of at least 85 detained ethnic Malay men and boys demonstrating against the imprisonment of six alleged arms suppliers on 25 October 2004, it has spurred debate on the nature of the resistance in the Southern Thai provinces. However, observers maintain that even in the light of the recent change in tactics used by the rebel groups, the violence remains a result of political grievances and not a Jihad.

Historically, the provinces have been either completely independent from, or just loosely affiliated with, the predecessors of the current Thai kingdom as well as with the neighbouring Malay sultanates. Their independence ended, however, with the annexation by the Kingdom of Siam in 1909 as part of a treaty with the British. With the establishment of the current Thai territory, the Muslim ethnic Malays in the southern provinces became part of a nation of predominantly Theravada Buddhists. The roughly 6 million ethnic Malays speak a local dialect of Bahasa Melayu and are part of an estimated 5 per cent non-Theravada Buddhist minority in Thailand. Throughout most of the twentieth century, Bangkok policies have attempted to assimilate the Muslim minority in the southern provinces by, for example, forcing all children to attend state primary schools and learn Thai, demanding that government employees take Thai names, banning the use of Bahasa Melayu in government offices and forbidding people to wear the customary Muslim-Malay clothing in public.

Since the late 1950s, movements resisting Thai dominance and assimilation policies have emerged in the southern provinces. The organizations behind the violent resistance in 2004 operate under the umbrella of Bersatu or United Front for

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9. 'According to Ministry of Interior statistics, insurgency-related incidents rose from 50 in 2001 to 75 in 2002, 119 in 2003 and then, in a dramatic escalation, over 1,000 in 2004', Crisis Group, 2005, p. 16.

the Independence of Pattani. The individual groupings – the Pattani United Liberation Organization (PULO), Mai ('New' PULO), the original PULO, the Barisan Revoluso Nasional Melayu Pattani (BRN), the Barisan National Pember-Besan Pattani (BNPP), and the Mujahadeen Pattani – all have their headquarters in Malaysia; some of them even participate in Malaysian state politics. The estimated number of fighters associated with these organizations is fairly insignificant (60 to 300 per grouping) and cannot, as such, account for the popular resistance currently being expressed in the provinces. While the militant insurgency groups might have been fairly marginal in the Muslim community previously, they now receive wide popular support for their resistance against the central government.

The 1,300 detained demonstrators in Tak Bai included many women who had been protesting at the burial of the unidentified detainees of the 25 October incident. This is testament to the discontentment among the average ethnic Malay who has been subjected to martial law, curfews, assimilation policies and decades of cultural, social and political marginalization. These protestors have previously been able to use other channels of communication to express their unhappiness, but are left with no choice but to take to the streets under Prime Minister Thaksin, whose heavy-handed policies have exacerbated the cleavage between the Thai government and the general Muslim population in the South.

While the historic grievances might explain the general resistance towards the central government in Bangkok, they do not account for the dramatic increase in violence in the southern provinces from early 2004. Similarly, the economic disparities between the Thai population and the Muslim communities in the South point to structural imbalances, but do not explain what triggered the recent violent resistance. The stable situation that the accommodating policies of the Prem government succeeded in creating throughout the 1980s and early 1990s has now been reversed, and violence is the order of the day. This remarkable shift is not due to structural imbalances per se, but rather to the change in policies brought about by the new government under Prime Minister Thaksin Shinawatra.

The decision to impose central control over Pattani, Songkla, Narathiwat and Yala and dismantle the dialogue bodies established to increase communication between the provinces and Bangkok seems to have contributed to the sudden rise in resistance. In an attempt to centralize power and limit the influence of the opposing Democrat Party, which has overwhelming support in Southern Thailand,[10] Prime Minister Thaksin appointed his loyalists to gatekeeper positions in the provinces and dismantled the Southern Border Provinces Administrative Centre (SBPAC) and the joint civilian-military-police taskforce CPM 43 on 1 May 2002. Even though Thaksin established a Southern Border Provinces Peace-building Command in April 2004, representation of Muslims in the coordinating bodies has decreased significantly and the intelligence capacities in the southern provinces have been weakened considerably.

The bloody campaign against drugs and the decline of the rule of law in the provinces have similarly contributed to the general Muslim population's resentment. The deployment of corrupt and incompetent police and military officials to the area as well as the intense, uncurbed inter-agency rivalry between law-enforcement agencies have resulted in unlawful detentions,

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10. The Democratic Party won 52 seats out of a total 54 southern constituencies in the election on 6 February 2005.

torture, disappearances and innumerable extra-judicial killings. The failure to investigate such instances properly and bring the perpetrators to trial has further exacerbated apprehension in the community. Between February and August 2003, more than 2,200 people were killed during the offensive campaign against drugs and more than 51,000 were arrested. Arbitrary violence carried out by the law-enforcement agencies has created fear in the Muslim community. Furthermore, the police seem to be harassing and even executing Muslims who provide information to the military in an attempt to become the prime law-enforcement agency in the South. This inter-agency rivalry as well as the dismantling of the previous intelligence-gathering body, CPM 43, has effectively undermined the law-enforcement capacity to deal with the increased violence in the provinces.

Even though the violence in Southern Thailand has deep historical roots, Prime Minister Thaksin has been using the rhetoric of the global war on terror as a legitimizing banner under which to deploy these heavy-handed measures. While there is no evidence of involvement of Jihadist groups such as Jemaah Islamiyah in the violence in the provinces, Thaksin has used terrorism as smokescreen to dilute international criticism of his handling of the problem. Failing to understand the political grievances and the ethno-religious and cultural sensitivities of the matter at hand, Thaksin has shown little understanding of or empathy with the Muslim minority in his country. Following the deaths of 85 detainees during Ramadan, he showed remarkably little understanding of Islamic customs when he suggested that their deaths had been due to their fasting rather than the heavy-handed treatment meted out to them by the soldiers. The Bangkok administration, and especially Prime Minister Thaksin, need to display a greater appreciation of and respect for the Muslim community in the South and their religious and cultural customs if the government is to prevent the Jihadist terrorism, which they claim to be fighting already, from taking a hold of the area.

Many warning signals on the escalation of the conflict were present in the case of Southern Thailand. The population in Pattani, Songkla, Narathiwat and Yala are mainly ethnic Malay Muslims and in the past the provinces had equally close ties to the sultanates in Northern Malaysia as they had with previous Thai kingdoms. Relations between Thailand and Malaysia today have been complicated by the fact that all the Bersatu organizations are run from Malaysian headquarters. Effective control of movements of arms and people across the shared border can, furthermore, only be established through cooperation between Malaysia and Thailand.

The southern parts of Thailand have generally been more impoverished than the rest of the country and the initiated development projects have only benefited the local population marginally. Assimilation has been the dominant policy towards the area since the annexation and the ethnic, religious, cultural and linguistic traits of the Malay-Muslims have been undermined, marginalized or completely forbidden by the central governments. In terms of governance, only the Prem government has pursued a policy of accommodation and dialogue with avenues for local people to voice their concerns. Prime Minister Thaksin's abolition of these dialogue measures has contributed to the collapse of the fragile stability established through the 1980s and early 1990s.

Considering the substantive issues that seem to be essential to peaceful co-existence, it is clear that there is still a long way to go in the case of Southern Thailand. Structural economic and political imbalances persist, the rule of law and good governance are

far from realized, law-enforcement agencies are likely contributing to the problems instead of solving them and there seems to be a lack of political will to change the policies toward the provinces. Perhaps the most discouraging fact is the massive support Prime Minister Thaksin received in the February 2005 elections, since this has been taken as an indication of popular support for his heavy-handed measures by the majority of the Theravada Buddhist population. This lack of domestic pressure means that any effective push for change would most likely have to be initiated from the outside. The international community, both governmental and non-governmental, should give prominence to the problem and should not allow Prime Minister Thaksin to use the cover of 'the global war on terror'. With ASEAN forced to deal with the Myanmar issue in the near future, it is perhaps time for ASEAN to honour its commitment to the ASEAN Security Community and put the Southern Thailand issue on its agenda as well.

Concluding Remarks

Since its inception in 1967, ASEAN has not make any explicit reference to security cooperation. Yet, it was exactly the fear of regional stability and the need to maintain a relatively stable regional environment for domestic developments that provided the *raison d'être* for the establishment of ASEAN.

In its first three decades, the ASEAN way of confidence- and consensus-building, and emphasis on state sovereignty and the principle of non-interference in each other's affairs seems to have contributed to the relative peace and stability in the region. However, with growing interdependence and facing new challenges posed by globalization, ASEAN has begun to re-examine its *modus operandi*. The lack of institutionalized security cooperation within ASEAN has impeded its ability to address new security challenges, particularly those posed by spillover from internal conflicts within individual ASEAN member states.

However, in the last few years, there has been an increasing awareness of the need to promote efforts to prevent conflict, both inter-state and intra-state, within the Association. Such awareness has been demonstrated by the acceptance of the ASEAN Security Community, one of the three pillars of creating an ASEAN Community by 2020. Yet challenges remain, for an institutionalized mechanism for security and political cooperation in preventing and containing any outbreak of conflict has yet to be created. These two case studies on Aceh and Southern Thailand highlight the challenges, but the Aceh example also reflects the possibilities and opportunities available for greater regional involvement in maintaining peace and security.

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The Mindanao Conflict: Ripe for Resolution?

Peter Kreuzer*

Introduction

The declaration of martial law by the Philippines' President Marcos in 1972 triggered a violent rebellion against the Philippine state, which still has an impact on political life in the Southern Philippines today.

In 1996, for a short time, it seemed to have been resolved, when the government of the Republic of the Philippines and the Moro National Liberation Front (MNLF) signed a 'Final Peace Agreement', which was facilitated by the good offices of the Organization of Islamic Conference (OIC).

However, within a few months, the formerly less prominent Moro Islamic Liberation Front (MILF) took the place of its former companion and competitor organization MNLF.

The following years were characterized by recurrent military offensives against camps of and territories controlled by the MILF and counter-moves by the armed forces of the MILF, the BIAF (Bangsamoro

Islamic Armed Forces), which tried to regain lost ground by shifting to new areas. Since 2000 they also changed the strategy from rather conventional positional warfare to guerilla warfare. Parallel to the violence, the MILF and the Philippine government tried to negotiate cease-fires and devise formulas for the eventual resolution of the conflict. Meanwhile, both sides seem to realize that a military solution is not feasible and they find themselves in a stalemate that is painful to both of them.

Against this backdrop, Benedicto Bacani, a prominent analyst of the Mindanao conflict, argued in early 2005 that the conflict has become ripe for resolution.[1] He posits that we are currently witnessing a window of opportunity, which has to be seized by determined action through negotiation.[2] In brief, his argument regarding ripeness runs as follows:

- a general acceptance that neither side can win by military means;
- a widely shared understanding that the

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1. The concept of ripeness has been developed by William Zartman in order to flesh out an analytical tool for differentiating between situations where chances for negotiated resolutions are high and others where they are comparatively low. 'The concept of a ripe moment centres on the parties' perception of a mutually hurting stalemate (MHS)', but should not be reduced to it (William Zartman, 'The Timing of Peace Initiatives: Hurting Stalemate and Ripe Moments', in John Darby and Roger Mac Ginty (eds), *Contemporary Peacemaking: Conflict, Violence and Peace Processes* (Houndmills, Basingstoke/ New York: Palgrave, Macmillan, 2003), p. 19). The key to the idea of ripeness is that it is defined in the eyes of the relevant beholder – and that is the parties to the conflict, not the external observer. If the parties do not recognize '"clear evidence" … that they are at an impasse, an MHS has not (yet) occurred, and if they do perceive themselves to be in such a situation, no matter how flimsy the "evidence", the MHS is present'. (Zartman, op. cit., p. 20).
2. Benedicto Bacani, 'The Mindanao Peace Talks: Another Opportunity to Resolve the Moro Conflict in the Philippines', United States Institute of Peace, Special Report No. 131, January 2005, p. 7.

economy will not take off as long as this costly war is waged in the south and investors shy away because of serious concerns over the security situation;

- the danger of the MILF and the Southern Philippines becoming a safe haven for international Islamic militants if the conflict is not resolved and the state of lawlessness continues in certain areas of Muslim-Mindanao;
- the emergence of supposedly more moderate new leaders in the MILF;
- a reframing of the MILF agenda so that substantive grievances can be discussed independently of and before the question of the future political structure for Muslim-Mindanao;
- the growing international attention, which puts pressure on both parties to the conflict.

This article discusses how apt it is to talk of a ripe moment making a negotiated solution to the conflict possible. It also debates the requirements that any solution has to meet in order to optimize the chances of successful implementation. It is argued that negotiating a peace agreement is only a small first step towards sustainable conflict-resolution. Moreover, even though not all of the manifold pitfalls of implementation can be avoided, knowing what they are can help to forestall at least some of them in the agreement.

In addition, the article illustrates the local dynamics of violence, arguing that remedies to the macro conflict between rebels and the state hinge on solutions that are able to defuse the local dynamics driving and escalating violence.

Negotiating and Implementing Solutions to the Conflict between Rebels and the State in the Mindanao Conflict

Even though 1972 martial law marked the beginning of the violent rebellion, it was not the starting point of the conflict between the Muslims and the Philippines.[3] It can be argued that the conflict even precedes 1946 when the Philippines gained sovereignty. Already under American colonial rule Muslim elites attempted to signal their wish for the establishment of a Muslim political entity independent from the Philippines. However, when the Philippines attained sovereignty, the Muslim regions of Mindanao were included into the territory of the Christian-dominated Philippines. In the following decades up to the violent rebellion of 1972, Muslim leaders lobbied repeatedly for a referendum on secession. However, up to the early 1970s, the traditional elites dominating local politics never contemplated a war of independence.

The war is the result of several developments spanning several decades:

- a fundamental demographic and socio-economic marginalization of Muslims in their home territories (since the early twentieth century);
- the stabilization of a new collective identity as Moros in a 'hostile' Christian land, surmounting the separate traditional tribal identities (Maguindanao, Tausug, Maranao, etc.) since the early decades of the twentieth century;
- the development of Islamic and nationalistic counter-elites, who questioned the legitimacy of the traditional Muslim politicians to rule the Moro lands and who were willing to use radical means to reach their political aims (since the 1950s);

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3. For a study of the macro-dynamics of the conflict see Peter Kreuzer, 'Die Rebellion der Muslime im Süden der Philippinen', HSFK-Report No. 7/2003 (www.prif.org).

- the escalation of the political contestation between the two dominating political parties, the Nacionalistas and the Liberalistas, in the course of which the level of political violence rose dramatically (since the mid-1960s).

The closure of all political arenas for legitimate political protest by the declaration of martial law in 1972 was only the last trigger for unleashing the uprising.

The MNLF–OIC–GRP Triangle and the Fallacies of Unilateral Implementation

Outstanding in the early years of the Mindanao conflict is the continuous commitment of the international Islamic community in the guise of the OIC. After fierce fighting from 1972 to 1975 did not see one side emerge victorious, the OIC succeeded in bringing the opponents to the negotiating table. In December 1976, the so-called Tripoli Agreement was signed, which called for the establishment of an autonomous zone covering 13 provinces and nine cities. However, both sides fell out over the issue of a plebiscite, and in the end President Marcos implemented his skewed understanding of the agreement. In the following years, the OIC tried repeatedly to persuade Marcos to honour the agreement, but to no avail. There were no further negotiations until the end of the Marcos era.

After the 1970s, the political clout of the OIC diminished significantly as the threat of using oil as a political weapon, possibly crucial in bringing the Philippines to the negotiating table in 1975, evaporated with the growth of the internal divisions within the organization.

From then on, the initiative for accepting or rejecting foreign facilitation lay with the Philippine state. When the Aquino government once again chose to opt for a unilateral strategy of setting up an

Autonomous Region in Muslim Mindanao (ARMM) in 1989, there was no diplomatic option for persuading the government to return to a dialogue with the MNLF. The initiative of Aquino's successor as president, Fidel Ramos, which eventually led to the signing of the Final Peace Treaty in Manila on 2 September 1996, also grew out of a unilateral move by the Philippine state. The OIC, initially led by Libya and later Indonesia, no longer had the prominent role it had enjoyed in the mid-1970s as power mediator.

In the months and years following the 1996 peace deal, there was a development similar in many respects to the post-Tripoli years. As before, implementation was completely in the hands of the Philippine government. Neither the OIC nor the MNLF had a say in this process. And, as before, the implementation process was used by political actors to minimize potential gains for the MNLF. Political actors, this time mostly local politicians representing Christian settler interests in Mindanao, were able to significantly reframe the arrangements to the disadvantage of Muslim autonomy regulations. Forced by widespread opposition in Congress, President Ramos promulgated Executive Order 371, according to which the new structures were set up:[4] all institutions of the administration of the ARMM were to

4. For a detailed discussion of the Peace Agreement of 1996 and the following implementation see Kenneth E. Bauzon, 'The Philippines: The 1996 Peace Agreement for the Southern Philippines: An Assessment', in *Ethnic Studies Report*, XVII(2), July 1999.

be under the control of the president. The coordinating institution, the Southern Philippines Council for Peace and Development (SPCPD), was ignored by practically all political actors. At the same time, the financial autonomy envisaged in the Peace Treaty was significantly reduced so that Congress, the national ministries and the agencies actually controlled most of the fiscal resources.

Whereas in the process of peace-making the MNLF was dealt with as if it was the only legitimate representative of the Moros, this did not work well once it entered the realm of electoral politics because the MNLF was then in direct competition with traditional, local Muslim political leaders. For a time, most of the latter left the important political positions within the ARMM to MNLF cadres because they accepted that the MNLF leadership had to be accommodated with posts of political power. However, after the MNLF had effectively been emasculated as a coherent fighting force with a political cause in the years that followed, the traditional leaders showed their strength at the polls and eventually succeeded in driving the MNLF out of virtually all the positions of political power that had been promised to them in the 1996 peace deal.

Several lessons can be drawn from this cursory analysis of international involvement in conflict resolution:

- international facilitation and pressure were crucial for the success of the negotiations in 1976. However, international involvement has also been crucial for the development and the long duration of the conflict. In the negotiations in the 1990s, the role of the OIC was drastically diminished to that of a facilitator.
- In both the 1976 and the 1996 treaty

there seems to have been no notion of a positive-sum outcome. Both parties worked on the basis of a zero-sum analysis. Compromise was seen as a necessary evil, not as an aim of negotiation. Therefore in both cases, compromises were not 'sacred', but could be undermined when required in order to maximize their own interests. Compromise was also reached in a 'mutual concession process'.[5] Discussing the underlying grievances was largely avoided. Therefore, we find hardly any shared definition of the grievances, or of the principles of justice by which they were to be tackled. They were basically evaded.

- The real tests for the peace agreements were the implementation phases. The Philippines reverted in both instances to unilateral patterns of action, aimed at minimizing changes to existing constellations of power on the local and national level. This shows that implementation was interpreted from a zero-sum perspective. Whereas some kind of symmetry could be developed in the international negotiation arena, sharp asymmetry ruled once this arena was left for the national arena of implementation.
- The disruptive power of spoiler groups has to be taken into account in the peace negotiations. Spoilers act on all levels of Philippine politics. The implementation process of the 1996 Treaty shows the extraordinarily disruptive power that can be used by comparatively small numbers of legislators. It also shows that much resistance to far-reaching compromises is to be expected from the Christian settler elites who dominate politics in the areas adjacent to the ARMM.
- The history of the ARMM and the other institutions set up to ameliorate the MNLF shows that there is fierce

5. Zartman, 2002, p. 350.

competition within the 'Muslim camp'. Up to now, the leading Muslim families have proved to be the strongest players in local politics. If they can pursue their interests at the cost of the rebel groups, then the danger of a renewal of rebel fighting cannot be discounted. 'Winning' the negotiations, then losing out against traditional politicians in the political contest might be a recipe for a return to violence in the medium term.

From the MILF–GRP Binary Equation to the Triangulation of Conflict Management

As neither the OIC nor the Philippine state accepted the MILF as the legitimate representative of the Moro people, the splinter group had to rely on a completely different strategy for organizational survival and for pursuing their political aims. The organizational weakness of the MNLF showed that the leadership of an armed guerilla organization should not reside permanently in the diaspora. The strong connection to the OIC and various individual Islamic states considered essential for success by the MNLF leadership was also seen as a gift of doubtful benefit because eventually the MNLF became dependent on its foreign supporters and had to adapt its own strategies to their interests, which did not always coincide with the original interests of the MNLF leadership. Therefore, the MILF opted for a strategy which concentrated much more on quasi-autarchy and local means of organizational survival. The first years of purely bilateral negotiations, which took place exclusively on Mindanaoan soil, resulted in more than 30 agreements of various sorts. Even though no progress was made with respect to the political agenda of the MILF, several agreements were signed which were supposed to help implement the 1997 Agreement on the Cessation of Hostilities (AGCH). However, the cease-fire was frequently broken with both sides usually blaming the opposing side for the outbreak of violence. Finally the large-scale military offensive of 2000, which aimed at re-establishing government control in all of the territories held by the MILF, resulted in the suspension of the peace process.

The MILF set three conditions which had to be met before it would return to the negotiation table: (1) the talks should be mediated by the OIC or by an OIC member country; (2) both parties should comply with the terms of past agreements; and (3) the talks should be held on foreign soil.

All three conditions were accepted by the Arroyo government. Malaysia brokered the first rounds of exploratory talks, which led to the resumption of formal peace talks in Tripoli and the signing of the so-called second Tripoli Agreement. Several rather detailed agreements, which spelled out concrete guidelines for various aspects of the Tripoli Agreement, were concluded in the following year. The diplomatic platform was once again superseded by violence when the government launched a major offensive in February 2003, which resulted in the fall of the so-called Buliok complex – the new headquarters of the MILF. Since then, formal talks have been suspended. However, several rounds of informal talks have been held in Malaysia in order to re-open the negotiation platform. In 2004 the multinational International Monitoring Team (IMT), tasked with overseeing the truce, was successfully deployed in Mindanao. The IMT succeeded in establishing a working regime of truth, making it hard for parties involved in small-scale skirmishes to fabricate their own versions of incidents, which had in the past often resulted in widening circles of violence. The deployment of the IMT was followed by the Ad Hoc Joint Action Group charged with the task of stopping criminal activity in the region.

In October 2005, there was a significant breakthrough in the negotiations in Malaysia. The Philippine government reportedly agreed in principle 'to allow a Bangsamoro government to draft its own charter, impose its own tax system, form and maintain legal and financial institutions necessary for the development of an expanded, progressive Muslim Mindanao region'.[6] If this agreement in principle were to translate into a detailed peace treaty, it would effectively provide a new basis for the implementation of a peace agreement. Whereas past agreements effectively excluded the MNLF from the implementation process, this new development might open the way for an implementation process that is to a significant extent controlled by the Moros themselves.[7]

However, this move does not seem to be possible under the present constitution. The readiness of the Philippine government to discuss options that lie beyond the current constitution has to be lauded. However, it is more than possible that the situation might be a repeat of 1996/97 when certain politicians used the threat of going to court over the question of the constitutionality of the agreement of that time and succeeded in significantly watering down the eventual legislation.

Most problematic is that there seems to be no plan for the political integration of the various groups comprising the Moros: the traditional Datu elite, the remnants of the MNLF and the MILF. There will also be no easy answer to the question of which entity should be called the 'Bangsamoro judirical entity'.[8] Can this be a revamped and territorialy enlarged ARMM? The danger is that parts of the MNLF which

loose out in the new deal between the government and the MILF might turn to renewed politically legitimated violence or outright banditry. The new ARMM governor elected in August 2005, Datu Zaldy Ampatuan, clearly represents neither the MNLF nor the MILF, but the principle of Datu politics. This is a danger but at the same time an advantage. The advantage is that he might be able to garner support for the deal with the MILF among the other prominent political families, but there is a danger that Ampatuan and the clans will choose to aim at the subversion of the MILF in the wake of a future peace treaty. This points to a further complication for any future vision of Muslim politics: the question of political organization. Up to now only the Datus have had a working formula. The MNLF has to some extent failed politically because it has never transformed itself from an armed movement into a political party advancing specific political interests. Up to now, the MILF has not shown any interest in entering the 'official' political arena of Moro politics. Once a Bangsamoro government is in place in the context of a zone of enhanced autonomy (or whatever it might officially be called), much will depend on who will be represented in the regional parliament and government. If the MILF does not participate, the Datu politicians will continue to run the show. However, if it participates, it runs the risk of being outmanoeuvred at the polls and then its already rather shaky legitimacy of speaking for the Bangsamoro people will be severely shattered. On the other hand, a kind of neutral guardian role for the MILF would drain the emerging political institutions of their democratic legitimacy.

6. 'Philippines grants MILF own gov't, charter: An agreement in principle', *Philippine Daily Inquirer*, 12 October 2005, p. 1.

7. For a short discussion of the October 'breakthrough' see Benedicto Bacani, 'Should the ARMM Dance the Cha-Cha?', fourth paper in the 'ARMM in Transition Series' of the Institute for Autonomy and Governance, University of Cotabato, October 2005.

8. For details relating to the disputes see references listed in note 9.

Several lessons can be drawn from the previous negotiations between the MILF and the GRP:

■ Neither a bilateral nor an international arena is a safeguard against relapses into high levels of violence. Independently from the structure of the negotiation arena, military offensives brought negotiations to an end several times.
■ The internationalization of monitoring is a very important step because it enables the establishment of a regime of truth. Purely bilateral mechanisms as well as mechanisms comprising civil society actors are either too weak or are worn out between the fronts.
■ Regimes of truth, once established, help in de-escalating violence because opportunistic reframing of incidents in the language of the macro-political conflict is no longer possible. Therefore, a significant number of incidents, which earlier could have been used in order to escalate violence, are now defined as local incidents of a 'non-political' nature – mostly clan wars, to which one or both parties to the conflict resorted.

Coming Down to the Local Dimension of the Conflict

So far I have treated the conflict as if only a few collective actors were involved, such as the military, the MILF and the MNLF. Such a characterization is sufficient for analysing the macro level of the conflict. However, an in-depth analysis of the options for negotiating peace in Mindanao has to account for the myriad of local actors, which are often in a position to veto any decisions made at the negotiation table.

This micro-dimension of the conflict is important, because any solution will have to pass the test of practicability at exactly this level of local and regional politics. Therefore, a few words on the local agents of violence, the lines of conflict below the seemingly clear-cut lines of guerilla versus state and the most important characteristics of local politics are necessary in order to ground the macro in the micro level.[9]

Agents of violence are not only the MILF and the security apparatus of the state, but a host of other actors, which might at best be described as private armies, loyal to local political warlords and strongmen. In addition, there are the para-military Civilian Armed Forces Geographic Units (CAFGUs) and also Civilian Volunteer Organizations (CVOs), which very often function as private security for local politicians and which are used for various extra-legal purposes. They also stand out when it comes to violent quarrels, which frequently also involve MILF troops and sometimes even the Armed Forces.

Even though seen from above, the MILF leadership and the Armed Forces seem to be the most important actors in this region, local politics is dominated by an ordered juxtaposition of various political clans and local political strongmen. Clan structures penetrate formal institutions and remake them into means for furthering clan interests. Consequently any political institutionalization beyond the limits of the clan can only be temporary and fragile because clan interests are the ultimate yardstick for political action. Whereas power is highly centralized within the clan, it is fragmented beyond it.

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9. For a much more detailed study of the micro level of the conflict see Peter Kreuzer, 'Political Clans and Violence in the Southern Philippines', PRIF-Report No. 71, 2005 (www.prif.org).

These clans and strongmen compete for political power, for resources and for political as well as economic rents accruing to them from the various efforts at pacifying and developing this region. Their competition is determined by the democratic set-up of Philippine politics. However, they are able to reframe democracy in a way that maintains their own rule by democratic procedures. Many of these clans are involved in mutual, often violent feuds. The various shades of inter-clan violence often spill over into the realm of political conflict between the Philippine state and the Muslim guerillas.

In order to be respected as political leaders, clan leaders have to convey the image of warlords. Most of them have their own small private armies, ranging in number from a few dozen to several hundred armed men, which can be mobilized to safeguard or forward the interests of the warlord.

The threat or actual use of physical violence is a common means for securing or enhancing the local powerbase. Traditionally, social and political violence is structured by the logic of the blood-feud, whereby any violent act by an individual will automatically involve the whole clans of the perpetrator and victim of violence. This threat serves to deter and avoid violent behaviour. However, once violence has been unleashed it tends to escalate, in particular since many of the traditional, culture-bound mechanisms for resolution have been rendered partially worthless in the course of modern social change. Therefore, we find an increase in social violence.

The MNLF and the MILF are both enemy and ally of the clans. Both aim at a partial disempowerment of various Muslim clans and a reform of the local order, whereby the level of social justice and equality should be raised. While the MNLF has largely lost this social revolutionary dimension it is still visible in the MILF. At the same time, the MILF is dependent on representatives of the traditional Datu families, who work for them in the negotiation panel and political organizations (BDA), and help economically by supporting members of the BIAF.

Since some clans can command a sufficient number of MILF guns, whereas others have control over local CAFGUs or are allied with local military commanders, local wars easily spill over into the larger political sphere if the fighting clans mobilize their resources of violence. Such clashes have in the past been repeatedly instrumentalized in order to undermine any political convergence that might have been reached at the negotiation level.

This enmeshment of various forms, actors and aims of violence contains the danger of escalation and spill-over from one form, agency and aim to another.

From an international perspective, the violence in Mindanao and the Sulu archipelago matters only because it has important political repercussions. This perspective differs significantly from the perspective of the local populace, for whom there is no real difference between the various forms violence takes. Therefore, from an international perspective, the 'job is done' once the guerillas are demobilized and integrated in the democratic arena of legitimate political competition. However, from a local perspective, betterment hinges to a large extent on the eradication of a multitude of forms of social violence, of which warfare is only one. The peace agreement of 1996 stands as a warning sign in this respect. It was concluded after a lull in violence that had lasted for several years, and resulted in a sudden upsurge of violence. Directly in its aftermath intensive skirmishes between the newly prominent MILF and the Philippine Armed Forces

broke out. At the same time MNLF units under their former leaders continued to control their former strongholds militarily, sometimes fighting with adjacent forces over control over resources (people as well as territory).

The MNLF as an organization has, in the meantime, been largely politically marginalized. It has been squeezed between (a) the traditional political elites, which had only temporarily given up positions of power in order to accommodate the MNLF elite; (b) the MILF; (c) conservative Christian politicians, who control many of the adjacent areas of the ARMM; and (d) politicians at the national level, who actually do their best to disempower the institutions set up or reframed in 1996. MNLF leaders who still command political power, for example, Muslimin Sema, the mayor of Cotabato City, or Hatimil Hassan, who regained his seat in the RLA in the last elections in August 2005, do this basically on a personal basis and not on account of the strength of the MNLF, which has clearly lost out to the traditional politicians. The loss of autonomous bases of political power had made most MNLF representatives highly dependent on the support of Malacañang. All governors of the ARMM had relied on the support of the central government. Whereas Nur Misuari still had significant autonomous bases of power, the same could not be said of his successor Parouk Hussin. The last elections were effectively over when Malacañang choose to support Zaldy

Ampatuan and not a represenative of the MNLF. By its very action Malacañang effectively dealt a political deathblow to the already largely defunct MNLF. Lingering destruction of the MNLF, however, can be in no one's interest, because certain interests will no longer be represented in the political arena and might seek other fora, and because the destruction of the capacity to organize effectively does not destroy the weapons, which, in the medium and long term might be put to use by much more anomic forces than before.

If these local determinants of violence are not taken into consideration, then even a successful agreement with the MILF will not be able to inhibit violence. The question of Muslim secessionism might not be solved however the various interacting dynamics of violence work to reframe the complex local system of violence. There may be the same amount of everyday political violence resulting from political competition in the electoral political arena, there may be hardly any changes with respect to criminal violence, but chances are high that anomic violence may be strengthened by members of the MILF combining with disgruntled MNLF members in small bands. This could, in effect, lead to heightened levels of violence, as the macro structure, which up to now guarantees a rather 'rational' use of violence for specific aims, is taken away once the BIAF loses its enemy in the wake of a peace agreement.[10]

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10. El Salvador might be mentioned as an alarming example in this respect. Here the levels of violence more than doubled in the years after the end of the civil war compared even to the height of civil war violence. Up to now (that is 13 years after the peace agreement) these extremely high levels have not diminished below the civil war level. Whereas violence was formerly deemed as political and was therefore the focus of international attention, now violence is criminal and anomic so nobody cares.

Conclusion: Where Do We Stand Now?

It is tempting to argue, as Benedicto Bacani does, that the Mindanao conflict is ripe for resolution because it 'has matured to the point where both sides see more advantages to ending it than to continuing the warfare'.[11] However, I would advise some scepticism, which is grounded in both the concept of ripeness and the conditions pertaining to the current conflict situation.

After attracting much criticism, Zartman reframed his initially very simple definition of ripeness, not by making it more complex, but by opening it up and making it less predictive. He argues that not only are there 'a number of discrete components of a ripe moment', but that even if they are in place, this only means that the 'necessary but not sufficient elements for the initiation of negotiations', which 'enable but do not ensure a positive result', are present. We have to accept that even in situations of a hurting stalemate, one or both of the adversaries might 'consider it better to forgo the creation of the good if the other party cannot be kept from sharing in it, when the goal of denial to the other is stronger than the goal of obtaining the good for oneself (no handshake when it means recognition).'[12] So ripeness is very rich in preconditions.

Even if we accept that all or most elements of a ripe moment are in place in the Southern Philippines, it can still be argued that this is nothing new. Similar points of development have been reached several times before. However, violence has time and again returned to the region and negotiations have been terminated only to be rekindled a few months or years later. There clearly is an easy way back to violence.

However, the failure to seize earlier opportunities does not imply that history has to repeat itself indefinitely. The current situation is different from the former ones in several respects. We do have a prolonged span of 'cold peace', during which sporadic skirmishes have been successfully contained. We have a international monitoring group in place, which successfully built up a regime of truth. It has thus become much more difficult for any of the opposing sides to blame the other if a claim is not validated by the monitoring group. We also have seemingly wide-ranging agreements in principle on crucial variables of any future peace deals: ancestors domain and governance.

It has to be remembered that these are first steps only, because the conflict is clearly an intractable one. Optimism has often accompanied each small move at the negotiation table, only to be crushed by the next outbreak of violence. It might be that we currently really do have some reasons for optimism; however, this optimism has to be a heavily guarded one.

The avenue towards integration via political institutions will be bumpy at best, for one because there seems to be no idea of what the MILF's future political role might be and similarly neither the government nor the MILF have come up with an idea on how the future government of a new ARMM might evolve from the old one. The current ARMM belongs to the Datu politicians, as it did from its inception in 1989 to the peace deal of 1996. Isn't there a very real danger of history simply repeating itself in the future, with the MILF taking the place of the MNLF?

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11. Benedicto Bacani, 'The Mindanao Peace Talks: Another Opportunity to Resolve the Moro Conflict in the Philippines', United States Institute of Peace, Special Report No. 131, January 2005, p. 7.

12. Quotations: Zartman in Victor A. Kremenyuk (ed.), *International Negotiation* (San Francisco: Jossey-Bass, 2002), pp. 351, 353.

One last point hardly ever mentioned in analyses of the efforts at conflict resolution in the case of Mindanao is the central importance of dealing adequately with the local dynamics of the conflict. The multitude of agents of violence will not dissolve after a negotiated settlement. Integrating a few MILF troops into the Armed Forces or the PNP does not change the political structures, which make the region highly violence prone. As developmental aid hardly ever does any good in cases characterized by lawlessness and private armies and warlords competing with each other, strategies for dealing with these problems have to be included in any deal, which aims at reducing the overall-level of violence.

The North Korean Nuclear Crisis: Last Exit Beijing*

Paul Pasch**

With United States President George W. Bush's denunciation of North Korea as an 'outpost of tyranny' and the ensuing admission by the North Korean government that it possesses operational nuclear weapons, the spring of 2005 marked a new critical point in the North Korean nuclear crisis. At the same time, North Korea withdrew from the Beijing six-party talks, which began in 2003 and were attended by Japan, Russia, China, North Korea, South Korea[1] and the USA.

Over 50 years after the end of the Korean War, the USA and North Korea continue to view each other as a threat. North Korea is afraid that it will be obliterated by American nuclear bombs. In actual fact, at the height of the Korean War, the Americans did consider using 26 nuclear bombs against North Korea (Oberdorfer 1997: 252). No peace treaty has ever been signed, and the cease-fire agreement of 1953 is still in force – even today, some 37,000 American soldiers are deployed in South Korea and were armed with nuclear weapons at least until the end of the 1980s. In the light of the recent US military intervention in Afghanistan and Iraq, the North Korean regime sees itself as the next target. With its back up against the wall, it is attempting to fend off a forced regime change by the military and is engaging in games of nuclear poker. For the USA, the threat is a less direct one – it is primarily its strategic interests that are at risk. However, this is not a question of securing oil reserves, as is the case in the Middle East and the Caucasus, or of introducing democracy and a free market economy. Rather it is that North Korea's nuclear power challenges the nuclear supremacy of the USA in the Pacific and constitutes an obstacle to achieving peace and stability in Northern Asia.

American foreign policy in the latest nuclear crisis appears to be every bit as intricate as that of the much reviled regime[2] in Pyongyang. The Bush administration has long preferred to respond to the North Korean nuclear issue with confrontation rather than constructive dialogue. Shortly after the first Bush administration came to power in mid-January 2001, North Korea was isolated politically and economically and was declared to be part of the 'axis of evil' in February 2002.[3] The USA is not

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1. For the sake of readability, the names 'North Korea' and 'South Korea' are used in this text, rather than the politically correct designations of the Democratic People's Republic of Korea (DPRK) and the Republic of Korea (ROK), respectively.

2. In the case of totalitarian North Korea, it is important to distinguish between regime and government. While the government is appointed by parliament to head the administration, all decision-making processes are controlled by the regime. It is assumed that the regime consists of Kim Jong-il, his family and a number of high-ranking officers from the army and intelligence services. Cf. Frank, 2003, pp. 305-322, among others.

3. See President George W. Bush, State of the Union Address, 29 January 2002 (www.whitehouse.gov/stateoftheunion).

interested in restoring normal relations with North Korea. Instead, it is demanding that North Korea verifiably abandon all programmes for manufacturing nuclear weapons, dismantle all long-range missiles and end the conventional supremacy over South Korea. On several occasions, Secretary of State Condoleezza Rice has emphasized that the new Bush administration will stick to the same policies.

Now that Pakistan has joined the post-September 11 alliance against international terrorism, and Libya and Iran invited the International Atomic Energy Agency

(IAEA) to inspect their nuclear facilities at the end of 2003, communist North Korea appears to be the most dangerous of the world's rogue states. Alongside the ongoing military confrontation between the Israelis and the Palestinians, the North Korean situation can be said to represent one of the most difficult challenges in international politics.

The Beijing six-party talks had initially kindled hopes of a peaceful solution to the conflict, but these were dampened by the advent of the third nuclear crisis. But how did it all come to this?

The First Nuclear Crisis

The first Korean nuclear crisis emerged in the early 1990s. Although Pyongyang had signed the Non-Proliferation Treaty in 1985, the North Korean leadership showed no signs of abandoning plans to develop their own nuclear weapons programme. At least this was according to reports from the American intelligence services, which had tracked down a plutonium processing facility in Yongbyon. Several rounds of negotiations followed.

In 1992, North Korea agreed to allow its nuclear facilities to be visited by inspectors from the IAEA. Just a few months later, there was severe discord about the extent of these inspections. In March 1993, North Korea announced its intention to withdraw from the Non-Proliferation Treaty. Although the regime declared a few weeks

later that it was willing to postpone this action, there was a serious crisis on the Korean peninsula. According to the former secretary of defence in the Clinton administration, William Perry, the escalation which followed was the only development during his term in office that put the USA 'in serious danger of being involved in a major war' (Perry, 2000, p. 121). Following a number of interventions, including a visit to Pyongyang by former US President Jimmy Carter, a settlement was finally reached. In the Agreed Framework signed in October 1994,[4] Pyongyang agreed to freeze its nuclear programme. In return, the USA undertook to provide aid supplies and fuel oil and to build two light-water reactors with a view to improving the North Korean energy supply.

From Détente to the Second Nuclear Crisis

Following the settlement of the first nuclear crisis, all parties demonstrated increased willingness to work together. At the beginning of 1998, the election of Kim

Dae-jung as the president of South Korea marked the beginning of a new policy, which promised more flexibility and willingness to talk with the arch-enemy

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4. www.armscontrol.org/documents/af.asp

across the border. This new approach was supported by the Clinton administration by means of a North Korean policy that was not only based on military deterrence but also included negotiations with North Korea.

This subtle political outlook in Washington and Seoul quickly bore fruit, for example the lifting of general trade sanctions against North Korea and of restrictions on travel and investment. Pyongyang reacted with small gestures, for instance by toning down its aggressive rhetoric and permitting visits from family members living in the south. This policy of détente reached its pinnacle with the summit meeting of the two heads of state, Kim Dae-jung and Kim Jong-il, in 2000. The significance of this meeting cannot be overemphasized, as it made a major contribution to easing tensions on the Korean peninsula.

With the change of government in the USA in January 2001 and the ensuing political and economic isolation of North Korea, the paradigms and potentially explosive behaviour from the Cold War era came to the fore once again. This led to a second nuclear crisis in autumn 2002. At a bilateral consultation, the North Korean hosts surprised the American delegation by revealing secret plans for enriching uranium. Following this, the government expelled the inspectors from the IAEA, withdrew from the Non-Proliferation Treaty and reconnected the Yongbyon nuclear reactor. This crisis took on alarming proportions as, for the very first time, the threat of a nuclear strike by North Korea was a real one, one with which Pyongyang threatened to turn Seoul into a 'sea of fire'.

Washington and Pyongyang were both equally responsible for this crisis. North Korea violated the agreements it had signed and refused to discontinue its nuclear programme in return for energy aid. The US invasion of Afghanistan, the impending

attack on Iraq, the nuclear supremacy of the USA in the Pacific and the new national security doctrine announced in June 2002 – all of these actions will have been perceived by the North Korean regime as a clear threat to its own security.

Both the USA and North Korea have done much to stoke the fires of mutual fear and to justify an aggressive military outlook. In this respect, the decision-makers in Washington completely disregarded the highly significant concessions made by Pyongyang prior to the second crisis. North Korea had begun to open its borders; representatives from foreign aid organizations were allowed into the country; cooperation with Russia was increased; efforts were made to improve relations with Japan; and diplomatic relations were established with a dozen Western states. Above all, however, progress was made with regard to rapprochement with South Korea, primarily concerning economic relations, cultural exchange programmes and family visits on both sides of the border. These positive developments were neither acknowledged by US foreign policy nor seen as a basis for further negotiations. Instead of this, Washington focused solely on the potential nuclear threat posed by North Korea.

Pyongyang, on the other hand, evidently assumed that Washington would only consent to serious dialogue if North Korea threatened to withdraw from the Non-Proliferation Treaty. This crisis-oriented negotiation style had already been employed in the first nuclear crisis. Based on this approach, the North Korean negotiators resolutely attempted to wrest the best possible concessions from their American counterparts by means of threats, bluffs and blackmailing manoeuvres.

For the most part, these concessions came in the form of humanitarian aid by the international community of states, a factor

which has become an important part of economic provisioning and is used to safeguard political power. In this respect, the North Korean economic situation can certainly be said to offer a starting point for a constructive solution to the nuclear question and other issues, since the safeguarding of political power is also the central objective of so-called public sector reform.

Reformist Policy or Economic Collapse?

As early as the 1990s, the North Korean government was forced to admit problems with economic provisioning. The breakdown of the planned economy combined with a series of natural disasters led to widespread famine throughout North Korea in 1996 and 1998, during which two million people are estimated to have perished.

The propagated system of economic self-sufficiency was a non-starter. Although a sizeable heavy industry was established in the early years of economic development with enormous assistance from the Soviet Union and the German Democratic Republic, self-sufficient agriculture was out of the question because of a severe lack of arable land, among other things. In addition to this, the services sector was neglected. During the heyday of the Council for Mutual Economic Assistance – the economic union of socialist countries – North Korea's deficits were offset by barter trade with its fellow states. However, at the end of the Cold War these traditional trading partners began to demand hard currency for their products – something that was in very short supply in the North Korean treasury. The result was a 5-10 per cent decline in economic activity per year, culminating in a virtual standstill in industrial production at the turn of the millennium. Only the armaments industry is performing well, with North Korean medium-range missiles being exported to the Middle East. Libya, Syria, Egypt, Yemen, Iran and Pakistan are all in possession of No-dong missiles.

State-managed agricultural production is also in a wretched state. Whereas the average amount of grain required to feed the population is 600 grams per person per day, the actual amount produced is only 200 grams. The government has attempted to resolve this shortfall by demanding a second harvest, but this is not feasible due to a lack of fertilizer and seed, the weather conditions and the insufficient length of the agricultural season. In view of this, food continues to be in very short supply. According to official figures, some 6.5 million people (almost 30 per cent of the population) are dependent on food aid from the United Nations World Food Programme.

With the introduction of agricultural markets, the price reform of summer 2002 and the introduction of private sector structures, changes are emerging. By introducing free-market incentives, the North Korean reformers aim to bring about an increase in agricultural and industrial production, thereby improving the provisioning situation. Unlike the reforms in China (after 1978), Vietnam (after 1986) and Central and Eastern Europe (after 1990), however, the reforms in North Korea do not herald the start of a changed policy or a strategic transformation process. Rather there are distinct parallels with attempted reforms in the 1960s and 1970s in Central and Eastern Europe (cf. Gey, 2004 and Hilpert, 2003). This means, for example, that real estate and cooperative property are not privatized.

All that is permitted is the private cultivation of 100-square-metre gardens, which are actually smaller than those in the former Soviet Union, for example.

Under no circumstances can the events in North Korea be described as anything resembling political openness and economic transformation. The regime is first and foremost interested in maintaining power and is afraid that autonomous economic decision-making centres will emerge and that there will be an increase in unmonitored communication between its citizens and foreigners. On the other hand, in order to safeguard its own existence, the regime has been forced to allow certain steps towards liberalization that would be virtually impossible to reverse at a later stage.

Since North Korea's priority is to maintain the system and power of the regime, it is evident that the regime will not implement social or economic changes of its own accord – changes with the potential to destabilize the system. An extensive privatization of the economy seems unlikely,

since collective ownership of land and means of production, for example, and the collective production methods associated with these, are also instruments for the ideological acquiescence and monitoring of agricultural and industrial workers. Even direct contact between the North Korean population and its southern counterparts or other foreigners is permitted very reluctantly by the government in order to minimize the danger of 'cultural and ideological infiltration' of the political system.

In view of this, the legalization of the private agricultural markets and increasing border trade with China should not be attributed to a reform concept introduced by the government, but rather should be seen as their acceptance of realities which ultimately stem from the population's will to survive. It can be presumed that the regime permitted the liberalizations to meet the dire need that existed and to allow its own elite certain scope for personal enrichment.

The Beijing Six-party Talks

Against this economic backdrop, it is clear why North Korea has repeatedly attempted to provoke the USA into agreeing to bilateral talks. The North Korean negotiation position is clear: it will abandon its nuclear potential in return for security guarantees and economic and financial aid. However, until North Korea discontinues its nuclear programme completely, verifiably and irreversibly, the USA refuses to take part in bilateral negotiations.

In order to step up the political pressure on North Korea and isolate the regime in Pyongyang, the Bush administration proposed multilateral negotiations – a clever diplomatic move. Following initial hesitations, South Korea, Japan and

eventually Russia pledged their support. Owing to its special relationship with Pyongyang, host country China assumed a leading role in the proceedings. In spite of the threatening gestures currently being made by North Korea, the other participant states are anxious to continue the multilateral dialogue process.

In this respect, South Korea plays a particular role. From a South Korean perspective, the landslide victory of the Uri party – which has close ties with president Roh Moo-hyun – in the 2004 parliamentary elections has given the six-party talks a new dimension. Since the president of South Korea attained a parliamentary majority, he has focused more and more attention on

rapprochement with the northern neighbours. However, brief successes at the negotiation table are constantly accompanied by setbacks. For example, the telephone connections established between both countries' marine headquarters in June 2004 were cut off again and North Korea has been dragging its heels considerably with regard to the much-trumpeted removal of the propagandist loudspeakers at the military demarcation line. On a number of occasions, North Korea even threatened to carry out nuclear tests.

Nonetheless, the South Korean government is determined to bring about gradual rapprochement with North Korea. At present, a regime change in the North is not a priority for the South Koreans, particularly since they feel unable to shoulder the immense costs of a sudden reunification. The basis for the rapprochement between the two sides is the South-North Joint Declaration by Kim Dae-jung and Kim Jong-il of 15 June 2000.[5] Accordingly, mutual recognition by the governments of North and South Korea would be the prerequisite for stable security agreements and for the establishment of a confederation of two independent Korean states in the medium term – which is aspired to by both parties – as a preliminary stage to the long-term goal of reunification. Although South Korea backs up its political efforts with 'economic diplomacy' and extensive aid, the government is pursuing an ad-hoc policy rather than any coherent strategy. Since North Korea remains an unpredictable negotiation partner, South Korea prefers the gradual bilateral rapprochement to be flanked by the multilateral six-party talks.

Although China has no wish for the North Korean regime to be overthrown, it will not tolerate its threat of using nuclear weapons, not least since South Korea, Taiwan and Japan could use this as a pretext for stocking up on nuclear weapons of their own. So far, Beijing has shown relatively strong support for North Korea's demand for extensive security guarantees and is pressing for a corresponding concession on the part of the USA. However, it is possible that Beijing will use the six-party talks as a platform for the Taiwan question at some point. For this reason, China is playing for time, because as long as it and the USA take opposing views on the North Korean nuclear crisis and the Taiwan question, China will stock up on weapons with the long-term goal of jeopardizing the US nuclear supremacy in the region.

Furthermore, if North Korea collapsed, China's border would be flooded with hundreds of thousands of hungry North Koreans – a problem it is already experiencing, albeit at a much lower level. As North Korea's largest source of humanitarian support and energy supplies, China is in a strong bargaining position. It has already used its influence to bring several rounds of six-party talks to fruition. Beijing's increasingly proactive role marks a significant departure in Chinese foreign policy regarding Pyongyang, which used to be confined to behind-the-scenes negotiations.

Russia and Japan play a relatively minor role in the six-party talks. From a Japanese perspective, North Korea represents one of the greatest threats to peace and stability in Northeast Asia and the Pacific, especially since North Korea test-fired a suspected Teapodong missile over Japan's main island of Honshu in 1998. In spite of its economic capacity, however, Japan has very few foreign policy options with regard to the North Korean question, predominantly for historical reasons. Accordingly, it can

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5. 'South-North Joint Declaration, June 15, 2000', in *Promoting Peace and Cooperation*, Ministry of Unification, Republic of Korea, Seoul, 2003.

be assumed that Japan will continue to support the strategy of complete denuclearization pursued by the USA.

Russia is opposed to the idea of a nuclear North Korea, but it also has historic and business ties with Pyongyang which it would be loath to jeopardize. Although Russia was admitted into the ranks of world powers a decade and a half after the end of the Cold War, it remains without any significant influence. Nonetheless, the personal relationship between President Putin and North Korean leader Kim Jong-il should not be underestimated. Although Russia is hardly in a position to offer North Korea military and economic support, it will endeavour to use its influence to strengthen its own position in Northeast Asia.

The Third Nuclear Crisis

On 10 February 2005, the North Korean foreign ministry declared that the country was in possession of nuclear weapons for the purposes of self-defence and that it would not continue to participate in the six-party talks. What motive was behind this new escalation?

Clearly, the North Korean regime got the impression that the Bush administration could use its strategy of forming regional alliances to take further steps against it. Once US Secretary of State Condoleezza Rice had described North Korea as an 'outpost of tyranny', the hard-line stance expected from George W. Bush's second term was confirmed beyond any doubt. For over 10 years, the USA had endeavoured to prevent North Korea from manufacturing nuclear weapons – there would be no change as far as this policy was concerned.

It remains unclear whether North Korea is actually in possession of nuclear weapons. Although North Korea has made veiled references to its nuclear weapons on several occasions in recent years, no nuclear tests have ever taken place. The intention of the regime in officially declaring its possession of nuclear weapons appears to be to force the Bush administration to focus the attention of further negotiations on curbing the existing nuclear weapon potential, thereby drawing attention away from its uranium technology exports.

The success of this move – ultimately playing the ball into Bush's court – also depends on the outlook of Beijing. The Chinese government is very unhappy that in spite of its efforts in instigating negotiations North Korea is continuing to pursue both its uranium programme and its export interests. At present, while the North Korean uranium programme primarily serves its export interests, the weapons-grade plutonium programme is aimed at the security and negotiation interests of North Korea *vis-à-vis* the USA. Given the stable deterrent situation on the peninsula, US intervention to counteract the plutonium-based nuclear weapon potential would also be unlikely from a Chinese point of view. In spite of this, the admission by the North Koreans also impinges on the security interests of the Chinese, who would like a Korean peninsula free of nuclear weapons.

From a North Korean perspective, after the US interventions in Afghanistan and Iraq, the threat of a US attack has become more real since the Bush administration came into power, and its nuclear potential serves to improve its bargaining position. International intelligence services believe that North Korea is in possession of the necessary weapons-grade material. There continues to be a question mark over the

technical quality of the warheads and the precision of the delivery systems.[6] It seems unlikely, however, that North Korea would carry out a nuclear test outside a military crisis situation. Nevertheless the political and material risks are incalculable and such a move would provoke extremely strong reactions.

The North Korean regime is already treading on thin ice with its escalation strategy, since there is a danger that the country may overestimate its strategic buffer position for the Chinese government and underestimate the chances of further rapprochement of the Chinese and American positions on the Korean peninsula. The diplomatic efforts of the Chinese government following the visit to Asia by Secretary of State Condoleezza Rice in spring 2005 led to the resumption of the Beijing six-party talks in the summer of 2005. In order to ensure the continuation of the negotiations, China is evidently expected, if necessary, to assert its influence on the North Korean regime by reducing supplies of food or oil. Should North Korea fail to relent, the USA will threaten action by the United Nations Security Council.

For the USA, North Korea remains first and foremost a proliferation problem. Since the Bush administration will not accept any approach to solving the North Korean nuclear crisis other than the multilateral one, the six-party talks represent the sole option for containing the crisis by peaceful means. Only if North Korea is persuaded to reverse its withdrawal from the Non-Proliferation Treaty, to discontinue all

nuclear projects with military potential and to permit the IAEA to carry out inspections, can security guarantees be given in this regional context.

As long as the focus of US foreign policy is on the Middle East, a pragmatic solution may well prove to be more effective than sanctions and military measures. For the most part it will depend upon whether China succeeds in mediating between the North Korean and US positions – while the Bush administration insists upon an unconditional and complete dismantling of North Korean nuclear capacities, the North Korean regime focuses on the Agreed Framework of 1994, in which the USA, South Korea and Japan agreed to supply oil to North Korea and to build facilities for producing nuclear energy for peaceful purposes in order to help meet North Korean energy requirements.

It is likely that the USA will have no choice but to offer North Korea concessions in return for the fulfilment of US demands. In this respect, increased pressure from Beijing and Seoul would seem to be of the essence. In the medium term, the North Korean regime must relent, even if only to preserve its own power. Access to the funds of the World Bank and the Asian Development Bank can only be ensured by engaging in constructive dialogue. A contractual agreement with North Korea would not only give the country the economic aid that it so desperately needs, but would also remove the threat of a military first strike by the USA. The window for a negotiated solution to the nuclear crisis is still open.

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6. See www.globalsecurity.org

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The Conflict Map of Europe: From Mars to Venus?

Eric Lebédel and Bertrand Fort*

One year before the NATO air strike on Kosovo, Ismail Kadare, an internationally renowned Albanian novelist, wrote in the first chapter of his book, *Elegy for Kosovo*:[1]

> There were times when the peninsula seemed truly large, with enough space for everyone: for different languages and faiths, for a dozen peoples, states, kingdoms, and principalities – even for three empires, two of which, the Serbian and the Bulgarian, were now in ruins, with the result that the third, the Byzantine Empire, was to its disgrace and that of all Christianity declared a Turkish vassal.

> But times changed, and with them the ideas of the local people changed, and the peninsula began to seem quite constricting. This feeling of constriction was spawned more by the ancient memories of the people than by their lands and languages rubbing against each other. In their solitude the people hatched nightmares until one day they felt they could no longer bear it.

Those feelings of exiguity and reminiscence obviously allude to sentiments specifically felt in the Balkans (which was then understood not to be a part of Europe) rather than in Europe as a whole. Did that mean, however, that such feelings were not felt elsewhere in Europe or the world – the United States or Asia, for example? Can Europe really stay independent of 'trouble' in its own backyard without even the threat of a spill-over? These are some current key questions that need to be addressed very carefully.

This paper focuses more on crises than on conflicts, in particular those with potential spill-over effects or international repercussions. In the context of the state, a crisis is defined as tension between two or more peoples of different identities within the same country, between neighbouring countries or between a dominant country and its 'satellite' country or countries. A crisis does not necessarily lead to conflict as long as it can be contained in a relatively non-violent state. Unfortunately, similar to a conflict, a crisis more often than not has a domino effect on neighbouring countries and/or involves actors outside the borders of a state, causing tensions to escalate on a regional scale. There is a need for Europe to look within and outside its borders to prevent such spill-over effects and reduce the international repercussions of crises.

Europe, in this case, has to be understood in its broader continental sense. In this paper the definition of Europe is not limited to the European Union (EU) but corresponds to an area covering the Atlantic to the Urals (or in other words,

1. Ismail Kadare, *Elegy for Kosovo* (New York: Arcade Publishing, 2000) (first English language edition). First published in French (translated) as *Trois chants funèbres pour le Kosovo* (Librairie Arthème Fayard, 1998).

the area that does not cover the space between Vladivostok to Vancouver). It includes some countries that were formerly part of the Soviet Union or its satellite countries such as Ukraine and Georgia (Caucasus countries), but not Kyrgyzstan or other countries, which are now considered as part of Central Asia.

The conflicts of these last two decades in Europe can be mapped in a historical perspective. The year 1990 is the breaking point in the history of modern crises and conflicts in Europe. It may actually be regarded as a catalyst of crises and conflicts of the past two decades as well as the bearer

of many fears and speculations. Indeed, many crises were predicted at the time, most of which were not to occur. Fifteen years later, looking back, some conflicts and crises that were not foreseen in 1990 did occur. Meanwhile, the EU continued to reinforce its capacities in crisis management and in the process of doing so, deepened its integration process. As in 1990, it will be difficult or arrogant to attempt to predict what will happen in the next five years. However, lessons can be drawn from previous experiences in managing previous conflicts and, although crises cannot be foreseen, some future challenges and threats may already be identified.

1990: Chronicle of Foretold Crises (cf. Map 1)

The year 1990 was a turning point in many respects in Europe. The fall of the Berlin Wall followed by the dismantling of communism in Eastern Europe and the Soviet Union symbolized a great victory for democracy. Yet, it also corresponded to a real security threat. For decades, a fragile security balance relied on strong control exerted by two competing blocs spearheaded by the United States and the Soviet Union respectively. Particularly within this last bloc, any real or potential dissensions, including nationalistic ones,

were reduced to silence in the name of the prominent ideology. The sudden collapse of one of these blocs provided for a whole range of new possibilities in terms of security combinations on the international level as well as on the regional level. Many experts, academics, journalists and diplomats took the opportunity to advance their own hypotheses on the outcomes of the collapse of communism. They foresaw many crises in countries or areas, which in the end did not occur. It is what may be called foretold conflicts that did not happen.

Foretold Conflicts that Did Not Happen

Before 1989, the Soviet Union's control over Eastern Europe relied heavily on the Brezhnev Doctrine, which stated that 'When forces that are hostile to socialism try to turn the development of some socialist country towards capitalism, it becomes not only a problem of the country concerned, but a common problem and concern of all socialist countries.'[2] This intervention was a clear warning to all

communist countries, especially those in Eastern Europe, that they were to remain under the strict monitoring and leadership of the Soviet Union. It was this doctrine that justified *a posteriori* the 1968 invasion of Czechoslovakia

After Mikail Gorbachov came to power, however, he implemented various breakthrough reforms towards more

2. Excerpt from Leonid Brezhnev's speech on the Fifth Congress of the Polish United Workers' Party on 13 November 1968.

Map 1: Potential Conflicts circa 1990

transparency and a reconfiguration of the political and administrative system.

For member constituencies of the Warsaw Pact, this was translated into a new doctrine publicized on 25 October 1989 by the Soviet foreign ministry spokesman, Gennadi Gerasimov, which stated that Eastern European countries were now free to go their own way. Soviet foreign minister Eduard Chevarnadze later called it the 'Sinatra Doctrine'.[3]

Indeed, it seemed to be nothing more than a small semantic step. However, with the Soviet intervention in Czechoslovakia still a fresh memory, it was very unclear to the countries of Eastern Europe how the Soviet Union would respond to their proclamations of 'independence'. Poland was the first country to benefit from the

Sinatra Doctrine when the election of a non-communist candidate, Lech Walesa, in June 1989, did not lead to any reprisals – a huge and promising development.

After their 'independences', the Eastern European states did not dissolve into a 'grey area' as it was first feared. They shifted smoothly out of the dissolved Warsaw Pact and quickly linked themselves to the Euro-Atlantic area through the Conference for Security and Cooperation in Europe (CSCE), which was later to become the Organization for Security and Cooperation in Europe (OSCE), and through various degrees of partnership with the North Atlantic Treaty Organization (NATO) and the EU, among others.

The loosening of the hegemony of the Soviet Union on Eastern Europe occurred

3. Referring to the song 'I Did It My Way' by American singer Frank Sinatra.

peacefully, but many observers predicted more violent developments in the relationship between Russia and the other former member constituencies of the Soviet Union. For it was relatively easy for the communist system to accept the loss of its influence in Eastern Europe, but the member states of the Soviet Union did not have the same status as they were considered to be pillars holding the Soviet Union together. It was rightly believed that a break up of any of the Soviet Union's member countries in the context of the time would result in the collapse of the Soviet Union itself. Yet, temptations were strong for the border republics of the Soviet Union to follow the path of their Eastern European neighbours.

It was proven, however, that while tensions ran high, the Baltic countries, namely Estonia, Latvia and Lithuania, were able to leave the weakened Soviet Union without bloodshed in 1991. Russia resolved to allow Crimea, which had been incorporated into Ukraine since 1954, to remain as part of Ukrainian territory when Ukraine left the Federation. Many Russians were unhappy with this decision and the presence of the Black Sea Fleet in the area created concerns about a potential armed conflict. The defeat of the radical nationalists in Ukraine, however, eased the relations between Russia and Ukraine, and Russia turned a blind eye to the Crimean issue thereafter. Similarly, great fears about the fate of nuclear missiles left in three newly independent states, Ukraine, Belarus and Kazakhstan vanished in 1992 when these states completely dismantled their nuclear capabilities.

The third concern about the new freedom in the countries of Eastern Europe – now to be called Central Europe – was regarding the borders of these countries as well as their national minorities. The beginning of the Cold War froze any discussions of the map of Europe that resulted from World War II. Potential border issues as well as the presence of many national minorities belonging to bordering countries in nearly every Eastern European country were left pending. Observers highlighted potentially difficult situations between a reunified Germany and Poland, the Czech Republic and Slovakia, the Czech Republic and Hungary, Romania and Hungary, and Romania and Ukraine. The new transparency of former member countries of the Soviet Union also allowed for the discovery of more allegedly destabilizing minorities such as the Crimean Tatars, Ruthenians, Bukovins, Trakia and Gagauz among many others. Against all expectations, these predicted conflicts remained at the stage of mere predictions. The last fear that did not materialize was the 'shrinking of the Greater'. 'Greater' applied to the concepts of Greater Russia, Greater Romania, Greater Albania, Greater Serbia and so forth. No 'shrinking' occurred in the direct aftermath of 1990. As a general rule, countries maintained their borders as they were before their integration into the communist block. However, this needs to be qualified, as it was the concept of the 'Greater' that eventually played a strong role in conflicts occurring at the end of the 1990s and the beginning of the 2000s.

Foretold Crises that Were Resolved

To give some credit to the academics, some predicted crises did occur but were resolved before they escalated.

In Czechoslovakia, two separate national

identity groups, the Czechs and the Slovaks, had shared power and territory in a federal system. After the Czech Velvet Revolution, the establishment of democracy led to the reinvention of the political and

administrative system. The question of the reorganization of the state into a confederation, meaning a tighter federation or two different and separate countries, raised great debate among Czechs and Slovaks. The two groups were highly divided on the issue and it might have easily degenerated into a civil war, especially as the Slovak parliament abruptly decided to adopt the Declaration of Independence of the Slovak Nation on 17 July 1992 during negotiations. However, Czechoslovakia went quietly from a Velvet Revolution to a 'Velvet Divorce'. The parliaments decided peacefully on the dissolution of Czechoslovakia into two independent countries, Slovakia and the Czech Republic on the 1 January 1993.

The Gabcikovo Dam issue between Hungary and Czechoslovakia was an even more prominent threat to the peace of the region. In 1977, Hungary and Czechoslovakia had signed a treaty concerning the construction and operation of the Gabcikovo-Nagymaros Dam on the Danube, one of the big projects initiated by the Soviet Union to improve the energy supply and flood control in the two countries and complete the Danube-Rhine main canal. From 1981, the Hungarian government had attempted to slow down the construction of the dam for economic reasons and as a response to environmental lobbying. In 1989, it suspended work altogether. After unsuccessful negotiations, Czechoslovakia retaliated by unilaterally implementing a new variant of the canal. The crisis escalated when Hungary terminated the treaty altogether in 1992. Slovakia started river diversion to the new variant, which resulted in the water level dropping two metres lower than its lowest

level. Right wing conservative and nationalist governments in Hungary and Slovakia did little to resolve the issue and in fact intensified tensions by also bringing up cross-border issues and the issue of mingling minorities. Practically, if the Danube, a natural frontier, was deviated, it was quite conceivable that one country or the other would claim this deviation as the new border. Furthermore, national minorities of Hungary and Slovakia lived close to the border. A conflict on the border would almost certainly stimulate separatist appetites.

The resolution of the crisis was a long process but allowed for the non-escalation of the bilateral dispute. The EU initiated a mediation process, including thorough negotiations from 1992. Subsequently, the two parties agreed to settle the case before the International Court of Justice (ICJ) in The Hague. The ICJ pronounced its ruling in September 1997, which was found unsatisfactory by both sides. Although the case is not yet resolved, tensions eased dramatically while the countries were awaiting the ruling and have not subsequently flared up.

Experts predicted that the end of the Cold War would also result in border issues, left frozen by the Cold War, which would lead to potential conflicts. This was accentuated by the fact that on each side of most Central European country borders live national minorities from neighbouring countries. The border issues were resolved along the line of the Oder-Neisse settlement between Germany and Poland. Bilateral and multilateral agreements confirmed the borders established during post-World War II conferences in Paris, Yalta and Potsdam.

Unpredicted Conflicts that Did Not Happen

Obviously, this is only a rhetorical title. However, it makes some sense to mention the academics, who, contrary to the general trend at the time of predicting many great crises, predicated that Europe was entering a peaceful era.

Francis Fukuyama initiated the debate by publishing an article entitled 'The End of History' in the journal *The National Interest* in the summer of 1989, followed in 1992 by a book called *The End of History and the Last Man*.[4] According to Fukuyama, the collapse of communism and the entry of the ex-Eastern bloc into the realm of liberal democracy was evidence that liberal democracy was the 'end point of mankind's ideological evolution' and the 'final form of human government', and as such constituted the 'end of history'. Whereas some forms of governments such as dictatorship or autocracy might still exist, Fukuyama argued that history will progress with the ubiquitous spread of liberal democracy – the best form of government

– and that the victory of liberal democracy can only lead to a peaceful world. The fall of the communist world is thus another substantial step in the path towards the end of history and the end of conflicts.

In 1990, all hypotheses and combinations of crises, conflicts and peace were open. What actually happened differs greatly from most forecasts and the prediction of most international observers. The post-Cold War situation in Central Europe was very quiet and stable. No civil war, no loss of nuclear weapons and no border or minority conflicts took place. The worst nightmares in terms of international security hatched before they resulted in any human or physical damages.

2005: What Happened?

In 2005, it is time to evaluate the processes and the events of the post-Cold War era. Although not predicted, conflicts did happen. It is important to underline three major developments for the European continent. Central Europe was spared but not the Balkans, nor Eastern Europe. War broke out in the Balkans and left some remaining challenges. In Caucasus,

Moldova and Cyprus, existing conflicts are still frozen even if current talks between Turkey and the EU could assist in or even accelerate the process of finding a solution, as far as Cyprus is concerned. Meanwhile, the EU is actively engaged in a process aimed at stabilizing the region through deepening and enlarging.

Unpredicted Crises that Did Happen: The Balkans

To begin with, many experts, and officials, misunderstood or neglected the few warnings that there was a potentially explosive situation in the Balkans. Many were too obsessed with developments in Central Europe, the Baltic countries and the ex-Soviet Union Federation.

Belonging neither to the Eastern nor to the Western bloc, Yugoslavia did not attract much of the attention of observers when the Eastern bloc fell apart, even though the Balkan region was simultaneously

undergoing profound political transformations. Ethnic tensions had been growing since 1980, when Marshall Tito, who had held the country together under a tightly controlled political regime, died. The new Serbian leader, Slobodan Milosevic played on Serbian nationalism and revived the idea of a 'Greater Serbia' as he tried to implement the idea of 'one vote, one person' in the federation, rather than the former 'one vote, one state'. It obviously triggered discontent in the other federal states, notably Slovenia and Croatia, which

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4.   Francis Fukuyama, *The End of History and the Last Man* (London: Penguin Books, 1992).

had smaller populations than Serbia. The dismantling of communism in Yugoslavia following the trend in the rest of Eastern Europe escalated the dissension. The establishment of democracy allowed for the election of independence-oriented governments in Croatia and Slovenia, whereas the governments of Serbia and Montenegro were strongly in favour of the unity of the Yugoslav Federation. The initial failure of international actors to foresee the nascent conflicts in these events resulted in a violent explosion in what was then the Federal Republic of Yugoslavia.

Slobodan Milosevic's stand on the unity of Serbs, associated with the increasing involvement of the army in politics and the irredentist states' stance, led irremediably to an armed conflict between the Federal Republic of Yugoslavia, led by Serbia, and Slovenia and Croatia, which both proclaimed their independence in the summer of 1991. They were quickly recognized by the EU countries and the United States, and obtained seats in the United Nations (UN) in 1992. The fast-dissolving Federation of Yugoslavia withdrew its troops only to open a new front in Bosnia and Herzegovina, which declared its independence in early 1992 after a referendum boycotted by most of the Serb people. From 1992 to 1995, in the midst of Europe, war was raging again. Sarajevo, the Bosnian and Herzegovinan capital city, was under siege until the Paris agreement of December 1995.[5] It took three years for the international community to respond and manage this unexpected, although not unpredictable, conflict.

The end of the Yugoslavian war and the creation of a new Federation of Yugoslavia composed of Serbia and Montenegro did not unfortunately mean the end of the troubles in the Balkans. The fights of the Yugoslav army and police with the separatist Kosovo Liberation Army at the end of the 1990s pushed many ethnic Albanians living in Kosovo to flee to the newly formed Macedonia and some to Albania. Negotiations opened in Rambouillet between the Contact group and the Federation of Yugoslavia but failed to put an end to political unrest and civilian killings. NATO followed with 78 days of air strikes, which ended with the adoption of UN resolution 1244. Under this resolution, Yugoslavia had to progressively withdraw its military, paramilitary and police forces from Kosovo. An international civil administration, the UN Interim Administrative Mission in Kosovo (UNMIK) has administered the province of Kosovo pending a more definitive decision on its status. An international security force, the 'Kosovo Force' (KFOR), emanating from NATO, has been in charge of establishing a safe environment for all people in Kosovo. Kosovo still faces many uncertainties.

It is important to not see the Balkans only as an explosive region. There have been success stories of crisis resolution in the Balkans, although these are not well known because they did not make the headlines in the same way as the Yugoslavian war or the NATO Kosovo air strike. Sadly, successful preventive diplomacy does not get the publicity it deserves.

The first success story worth mentioning is South Serbia, notably the region of Presevo. Negotiations, in which the EU and NATO were strongly involved, succeeded in terminating a year-long conflict between ethnic Albanians and Serbian forces. In May 2001, the rebels agreed to lay down arms and accept Serbian control over the area, given some reassurances by the EU, NATO and OSCE.

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5. The Paris Agreement is generally called Dayton Agreement. It was indeed discussed in a conference held in November 1995 in Dayton and sponsored by the United States, but formally signed in Paris on 14 December 1995.

The Former Yugoslav Republic of Macedonia (FYROM) was a second success story. It was spared by the Yugoslav wars, although it had also declared its independence. However, the unstable situation in Kosovo threatened to degenerate into a serious conflict in Macedonia. The arrival of many ethnic Albanian refugees in an area where the ethnic Albanians already comprised a large minority had the effect of increasing Albanian rebel attacks in Macedonia. As in South Serbia, the negotiations – backed by NATO, the EU and the OSCE working closely together – between the Macedonian government and the rebels, paid off. An agreement signed in Ohrid in August 2001, which gave ethnic Albanians more representation in parliament, a police force and education, assisted in defusing the conflict.

Frozen Conflicts

The second major development on the European continent was the existence of 'frozen conflicts'. These conflicts did not necessarily appear after the end of the Cold War. The case of Cyprus, for instance, dates from 1974. But their perspective changed with the dissolution of the Eastern bloc. These conflicts, present or old, are often at a dead-end, although they could be solved easily. They are sometimes not actually 'frozen' but simmering. The end of the Cold War revealed the need for a solution to these issues for the stability of Europe.

The frozen conflicts of the Caucasus region are issues of sovereignty and ethnic tension. The dissolution of the Soviet Union allowed Georgia, Armenia and Azerbaijan to break free from the Russian Federation, while other parts remained in Russia, such as Chechnya, Ingushetia or Dagestan. A few provinces took the opportunity to claim independence in the early 1990s, but were never recognized in the international arena, such as the Nagorno-Karabakh region in Azerbaijan. The dominant ethnic Armenian minority has been running a *de facto* republic since 1991, while Azerbaijan and Armenia are still arguing over its sovereignty. The situation is similar in Georgia with the secessionist Republic of South Ossetia and Abkhazia ruling *de facto* republics. These conflicts have reached stalemates.

Moldova follows the same pattern. Its 1991 declaration of independence included Transnistria in its territory. Russia agreed to withdraw its troops from the newly formed republic but kept them stationed in Transnistria, assisting separatists in their armed fight against the government of Moldova. The cease-fire of 1992 did not put an end to the conflict and the talks on the status of Transnistria are still ongoing. In all these regions, the discussions do not appear promising while violence escalates very easily between the actors, backed by various neighbouring countries.

The case of Cyprus is more specific. It is not linked to the end of the Cold War. The coup d'état of 1974 backed by the Greek junta alienated the Turkish minority. Turkey responded by invading the island and has since been controlling a *de facto* one-third of the island. The Turkish minority proclaimed their part of their island as the 'Turkish Republic of Northern Cyprus'. Relations between Greece and Turkey have suffered greatly from the tensions in Cyprus but no solution seems close. A UN sponsored plan of reunification was rejected in a referendum by the Greek majority in April 2004. At this stage, the entry of Cyprus in the EU has not provided a resolution to the ongoing strife, nor has substantial progress been made in peace talks.

The Deepening and Enlarging of the EU

The deepening and enlarging of the EU was a positive move that has counterbalanced the two previous trends. It contributed tremendously to the stability in Europe and the avoidance of crises.

Directly after the fall of the Berlin Wall, Chancellor Helmut Kohl of Germany advocated a 'European Germany rather than a German Europe', an indication that Germany had definitely turned its back on its World War II past and embedded its future within a regional framework. The 'two-plus-four' agreement between the Federal Republic of Germany and the German Democratic Republic, and the post-World War II occupying powers of France, Great Britain, Russia and the United States paved the way for German reunification. The four occupying countries withdrew the bulk of their troops, Germany agreed on a limitation of its military capacities and accepted the Oder-Neisse line as its border with Poland, thus giving up all claims on the territories beyond this line. The threat of a new Great Germany became a thing of the past. In support of this evolution, the EU succeeded the European Community after the ratification of the Treaty of Maastricht in 1992-1993.

The members of the OSCE process wisely followed the Helsinki Charter principles adopted in 1975 regarding borders and state sovereignty. The 10 principles covered *inter alia* respect for sovereignty, the inviolability of borders, the territorial integrity of states, the peaceful settlement of disputes, refraining from the use of force or threat of force and the fulfilment of international legal commitments in good faith. The question of borders, such as the Oder-Neisse line after the fall of communism, was solved according to this accord.

The European Community took up the challenge of the settlement of borders very soon after the fall of communism in Europe. The first events of the Yugoslav wars with the proclamation of independence by Croatia and Slovenia pushed the European Commission to establish a commission in 1991, chaired by Robert Badinter, to investigate the issue of border settlements in the former Yugoslav Federation. This commission is significant in that it drew some guidelines in terms of state and border recognition by the European Community. The establishment of a 'Stability Pact' proposed by the then French Prime Minister Edouard Balladur under the auspices of the OSCE and the EU reinforced this process. This Stability Pact was implemented in the form of a conference of European nations to discuss and sign bilateral treaties between potential conflicting states. Any aid would be dependent on the proper implementation of signed bilateral treaties, monitored by the existing security institutions. The network of bilateral agreements for future EU members solved border issues and granted them the right to eventually access the union.

The opening of the EU to 13 new countries from Central Europe in less than 10 years was a major impetus to stability in the region. The various criteria, including resolution of border issues, good treatment of minorities and good relations with neighbouring countries, were aimed at ensuring that the enlarged EU would be a conflict-free area. Built on the idea of peace after World War II, the EU, by enlarging, is extending in a larger area its guarantees for peace. The newcoming members, Bulgaria and Romania in 2007, and maybe Turkey later on, will most certainly fall under the same process.

The deepening of the EU is also indicative of its strong will to contribute efficiently to the field of security. From the Maastricht Treaty in 1992 to Amsterdam in 1999, EU capacities in terms of defence and security have increased dramatically. The framing of the Common Foreign and Security Policy in the Maastricht Treaty created the first opportunities for the EU to design its own common defence policy. In 1998, the French and the British government decided to increase the number of joint operation of European armies. In 1999, the European Security and Defence Policy materialized as the security pillar of the Amsterdam Treaty (December 2003). It has designed a viable European security strategy with the first EU operations abroad already taking place. The creation of a High Representative for the Common Foreign and Security Policy during the 1999 European Council is a strong symbol of this new direction for the EU.

2010: Lessons and Threats

The post-Cold War era was not as troubled as foreseen, at least in the European continent. There were many positive developments, mainly related to the actions of the EU but also to other Atlantic and regional institutions such as the OSCE and NATO. However, some threats of violent conflict remain on the European continent. It is therefore legitimate to wonder whether lessons have been learnt from previous experiences and implemented, or whether they will be learnt and implemented.

Lessons Learnt?

It is almost certain that previous experiences will play a role in the field of preventive diplomacy since Europeans have now come to realize that they can launch early deployments. The deterrent effect of troops is enough to manage a potential conflict. The adaptation of military devices enables the deployment of smaller-sized contingents. In Yugoslavia, the IFOR (the Yugoslav peace implementation force) was initially composed of 60,000 soldiers whereas the 'essential harvest' mission in the FYROM had only 3,000 soldiers, reduced to 450 soldiers one month later and eventually shifted to a 150-man police force. This evolution of military instruments is also noticeable in NATO with its Response Force (NRF), and in the EU with the battle groups (1,500 soldiers).

Indicators and early warning monitoring tools have also improved. The EU has consolidated and increased the coordination of its intelligence and country analysis network. Four agencies gather intelligence between the member constituencies of the EU: the Joint Situation Centre, the Intelligence Division of the European Military Staff, the EU Satellite Centre and Europol. These institutions strengthened the readiness and the capacity of reaction of the EU to internal and external crises.

The complimentary roles of reinforced European and Euro-Atlantic institutions have been reaffirmed in many instances. The most complete of these institutions is perhaps the OSCE, which was first meant to merely be the CSCE when it started in 1975. Gathering 55 states from Europe, Central Asia and North America, it is a very interesting platform to deal with security issues in Europe. It tackles security problems in a very pragmatic and targeted way, working on the conditions allowing a secure environment rather than addressing the conflicts directly, through its branch institutions such as the Conflict Prevention

Centre (CPC), the Office for Democratic Institutions and Human Rights (ODIHR) and the High Commissioner on National Minorities, among others.

NATO, on the other hand, is more action-focused. It is clearly an instrument of crisis management with operational capacities more than an instrument of crisis prevention. Its military capacity perhaps provides it with more bargaining power than any other players in Europe. The EU also has an increasing role in military aspects of conflict management in Europe. In the field of conflict prevention and negotiation, its action is open but the interventions of its force are essentially focused on humanitarian situations, peace-making and peacekeeping activities (the 'Petersberg missions' defined in 1992). The Council of Europe also has some influence in conflict prevention in Europe through advancing the concept of human rights in a broader Europe. These institutions are increasingly consulting each other and working together in times of crises, such as in Macedonia, although this has not always been the case. Their isolated and uncoordinated involvement during the wars in the former Yugoslav Federation has been strongly criticized. Since then, there is not only more coordination on the field but also more coordination between the headquarters of the various regional organizations.

Among these regional organizations, the EU has a special role to fulfil. The EU is aware of this 'special destiny'. It has been trying to combine all tools in conflict prevention and crisis management towards a common and inclusive European strategy. The various EU treaties have reinforced the idea of advancing 'three pillars' to ensure peace in Europe through a deeper cooperation. The first pillar is economic, social and environment policy, the second pillar is the Common Foreign and Security Policy (CFSP), and the third pillar is police and judicial cooperation in criminal matters.

This evident internal role is supplemented by an awareness of external responsibilities and more pragmatically, the importance of securing a 'buffer zone' at the borders. The EU 'backyard' goes from Serbia, Montenegro, Macedonia or Ukraine to much further afield where the EU leads operations or actions in places such as the Democratic Republic of Congo ('Artemis' operation), Bosnia ('Althea' operation), Georgia ('Eujust' and 'Themis' operations), Iraq ('Lex' operation), Darfur, Aceh and the Middle East. The EU covers all phases, up to post-conflict rehabilitation and reconstruction.

Military forces are present in every step of crisis management. They may be stationed preventively in a country where tensions are rife; they may be used as a tool in negotiations; they may have a more active role in peacekeeping and peace-making activities or they may participate in post-conflict reconstruction. The scope of responsibilities of the military has been considerably broadened. The classical peacekeeping activities defined in Chapter VI of the UN Charter are being replaced in several instances by the strong mandate under the Chapter VII of the UN Charter on peace-enforcing measures, from economic sanctions to a military response. Along with these new prerogatives, new rules of engagement have been implemented. Peacekeeping or peace-enforcing forces undergo special training so as not to react as attackers but as defenders of civilians. They are nowadays also strongly involved in ensuring the well-being of civil society and the stability of post-conflict societies. In Kosovo, or during the mission tagged 'essential harvest' in the FYROM, the military was responsible for monitoring the whole process of disarmament, demobilization and reintegration of the rebel forces into society.

Some lessons have been learnt too in the interpretation of history. The last success

stories of conflict prevention and crisis management prove that the weight of history can be lightened and that there is no fatality. The escalation of the conflict following the assassination of Archduke Franz Ferdinand and Duchess Sophie von Chotkova in Sarajevo on 28 June 1914 does not necessarily mean that the Balkans will always be a troubled area and that it has the potential to degenerate on a much broader scale. There is no '28 June syndrome' in that sense. Conflicts have to be analysed in today's light and should not necessarily focus too much on alleged historically determined conflicts based on an 'eternal' ethnic, civil or religious hatred. Moreover, increasing cooperation between regional organizations has proven that regional cooperation is not a monopoly of organized crime but can also be successfully implemented with positive outcomes by peace-driven organizations. Some essential paradoxes have thus been resolved on the eve of 2010. However, this does not put an end to challenges and threats on the 'old continent'.

Challenges and Threats

Much caution has to be exercised before offering an over-optimistic view of the situation in the Balkans, for instance. The regional organizations and the countries involved still have to work together to consolidate peace. Important events could take place in 2006 in Kosovo as difficult discussions will be held on the final status of the UN-administered province. Serbia and Montenegro might also face some difficulties and tensions. If Kosovo obtains independence, the Albanian majority community of the Presevo Valley might take it as a precedent and claim autonomy or independence. The autonomous province of Vojvodin also has to be monitored carefully. No major incidents have been reported in this particularly multi-ethnic region so far, but the multi-ethnicity of this province and a possible increased centralization of Serbia could lead to conflicts. Should Montenegro decide to follow the decisions of other former Yugoslav countries and secede from the new federation, the Sanjak (or Sandzak) region could suffer. This region, composed of a majority of Muslim Bosnians and a minority of Serbians and Montenegrins is situated in between the UN-administered region of Kosovo, Serbia and Montenegro. Currently a 'buffer zone', it appears a perfect conflict ground. Thanks to the lessons learnt on crisis management, there is some hope that these new predicted conflicts will follow the same path as the post-Cold War predicted conflicts.

Looking ahead to 2010, territorial and minority challenges still remain. In now peaceful territories, such as post-war Bosnia and Serbia, the borders are not yet completely secured. Some serious fault lines still separate various countries on the European continent.

The EU is creating a new divide. Indeed, the EU is defining not only its political aims but also its borders and space. Not only is it building internally what some observers call a 'Fortress Europe' with a tight immigration policy, but it is also choosing its member constituencies very carefully. If it has agreed to evaluate Turkey's candidacy, it has also refused to consider Morocco's application to enter this very selective 'club'. The choices of countries and borders will certainly result in excessive feelings of rejection, isolation, humiliation or 'double standards'. However, the EU could overturn them through strategic partnerships with its new neighbours, including Russia.

When looking at future threats, it is difficult to not mention the new challenges that Europe and the rest of the world will have

Map 2: Conflicts in the World in 2005

CONFLITS DANS LE MONDE EN 2005

to deal with. It is widely accepted now that factors other that the conventional bones of contention – nationalities, borders or minorities for instance – will appear. What Europe would have to learn to face and manage in 2010 will go along the lines of demography, health, environment and terrorism.

From the first map of conflicts predicted in 1990 (Map 1) to the current map (Map 2, above), the evolution gives an obvious reason for hope in Europe. It also recalls that a certain amount of humility should be observed considering the excessive or wrong perceptions and predictions of a conflicting Europe following the end of the Cold War. Although regional security organizations should be prepared to face potential new conflicts, these should not be overestimated as there are many existing good practices on the European continent. There is evidence to suggest that conflict prevention and crisis management will evolve very positively in the next decade.

Are the experiences and lessons learnt and

implemented in Europe transferable to Asia and vice versa? It is a difficult question to answer. Although reasons for conflicts might be quite similar – border issues for instance are an especially thorny question in Asia – solutions are not automatically applicable on another continent with different contexts and mindsets. Important lessons that Europe and Asia learnt in terms of conflict prevention can, however, be studied by both continents as a source of inspiration. In both cases, it is crucial to insist on the essential roles of early crisis management and coordination of efforts of international and regional organizations in peacekeeping and peace-making.

Diplomacy, military intervention, peacekeeping and peace-making activities are immediate words that come to mind when discussing conflicts. However, internal solutions to potential crises and conflicts should not be neglected. State-building is a strong catalyst to the maintenance of peace. It is the reason why organizations such as the Council of Europe or other international judicial and human rights

organizations as well as civil society should be supported and promoted to advance the ideals of peace. Hopefully, the increased concerns over peace-keeping and the recent evolution in crisis management could lead to a gradual metamorphosis from Mars, the symbolic god of war in ancient Rome to Venus, the goddess of love.

Early Warning in the Yugoslav Crisis and the Development of Instruments – A European Perspective

Heinz Vetschera

Introduction

The Yugoslav crisis[1] has impacted on European security in several ways. On the one hand, it appears that most European[2] states were taken by surprise when the crisis broke out, despite numerous early warning signals before and during the emerging crisis.[3] It further appears that the reactions to the crisis by most of the European actors were not always adequate, to say the least. On the other hand, it became clear that instruments were lacking to cope with the crisis, which subsequently led to the development of instruments to cope with similar crises in the future.

This paper addresses the conceptual side of early warning as a pre-requisite for conflict prevention. It then outlines how many 'signals' had been 'readable' before the outbreak of the Yugoslav crisis. It further outlines which instruments for early warning and conflict prevention have been created since then, in particular in the framework of the Organization for Security and Co-operation in Europe (OSCE), with an emphasis on the first half of the nineties when war raged in former Yugosalvia. Finally, it examines the chances and limits these instruments have in preventing similar developments in the future.

'Signals' and the Yugoslav Crisis[4]

Early Warning and 'Signals'

Early warning has a long history in the context of national security, especially with regard to surprise attacks.[5] However, it might be problematic to extrapolate early

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1. In this paper, the term 'Yugoslav crisis' has been used for the developments leading to the break-up of the former Socialist Federative Republic of Yugoslavia (SFRY), i.e. the secession of Slovenia and Croatia. Further developments that led to the Bosnian war and the conflicts in Kosovo and Macedonia have not been covered, but should also be seen as rooted in the developments recorded in this paper.
2. The term 'European' in this context also includes the United States of America as a key player in European security affairs.
3. See for a deeper analysis Heinz Vetschera and Andrea Smutek-Riemer, 'Early Warning – The Case of Yugoslavia', Paper presented at the XVI World Congress of the International Political Science Association, Berlin, 1994. The following section on signals in the Yugoslav crisis has been mostly based on this study.
4. See Vetschera & Smutek-Riemer, 1994, op. cit.
5. See for example Roberta Wohlstetter, *Pearl Harbour: Warning and Decision* (Stanford: Stanford University Press, 1962); Thomas C. Schelling, *Arms and Influence* (New Haven/London: Yale University Press, 1966) (see chapter 'The Dynamics of Mutual Alarm', pp. 221-259); Julian Critchley, *Warning and Response* (London: Cooper, 1978); Richard Betts, *Surprise Attack* (Washington: The Brookings Institution, 1982) (see chapters 'Why Surprise Succeeds, I: Operational Causes', pp. 87-118 and 'Why Surprise Succeeds, II: The Fog of Peace'; pp. 119-149).

warning from this rather narrow special case. Rather, we might use the broader concept of 'signals' as it has been developed in the larger sphere of economics and social sciences.

Early warning by 'signals' is based upon five assumptions, which are loosely related to each other:

- Crises do not happen 'over night' but announce their arrival in advance. They 'radiate' signals even at an early stage;

- Understanding signals depends on the level of knowledge on the part of the recipient;
- A higher level of knowledge allows for early recognition of signals, and its appropriate interpretation;
- Signals become more concrete closer to the outbreak of a crisis. Correspondingly, however, reaction time shrinks;
- Reaction time (between the perception of the signals and the system crash) is the main bottleneck for early warning.

Categories of Signals

Early warning theory normally focuses on 'weak signals'. For analytical purposes, the concept has been widened 'downwards' and 'upwards', establishing four categories of signals.

- 'Fade' signals are weaker than weak. Information can be read only by specialists;
- 'Weak' signals provide vague, yet already somewhat structured information. Reading them needs less specialized knowledge;
- 'Strong' signals provide relatively complete and better structured information that can be read by a generally informed person with a basic knowledge in politics;

- 'Hyper' signals provide complete and well-structured information readable by everybody. While further development is clearly foreseeable, there is only a short reaction time left.[6]

These categories allow considering latent (fade and weak signals) as well as manifest (strong and hyper signals) phases of a developing situation. They would cover a time-span from the 'first crack' signs to the final outbreak of the crisis. Weaker than weak signals offer the chance to react to a future crisis even when it is still remote. Signals for the manifest phase of a crisis are still relevant for last-minute action to avert a crisis.[7]

Table 1: The Four Categories of Signals

Characteristics	Completeness			Structure			Reaction time		
Intensity	1	2	3	1	2	3	1	2	3
Fade signals	x			x			x		
Weak signals	x				x		x		
Strong signals		x			x			x	
Hyper signals			x			x			x

6. 'Hyper signals' are comparable to the red signal on a railroad track. It signals the last warning before a collision happens. In the framework of this study, the term 'hyper signals' has been used for steps in the development where a lack of counteraction has finally lead to unavoidable further escalation.

7. To continue the analogy, it would mean to use the 'emergency break'.

The parameters for the different categories of 'signals' (Degree of completeness; Degree of structure; Reaction time) are defined as follows:

	1	**2**	**3**
COMPLETENESS	incomplete, fragmented, puzzle-like	relatively complete, image recognizable in its basic components	almost complete, development can be extrapolated, based upon experience
STRUCTURE	unstructured, unconnected	loosely structured, tendencies recognizable with more or less expertise on the subject	well structured, tendencies clearly visible, developments may be extrapolated
REACTION TIME	long (more than 3 years)	medium (1-3 years)	Short (1 year and less)[8]

Warning Signals before the Yugoslav Crisis

Contrary to common belief, the crisis in former Yugoslavia was not an unpredictable surprise.[9] 'Fade' and 'weak' signals could be seen even during early developments from Tito's death in 1980 until 1986. 'Strong' signals became ever more visible in developments until the first free elections in 1990. From then onwards they were obvious ('hyper' signals). The signals derived from actions taken by the different main actors are shown below.

8. The time scale may vary to a certain degree and should not be seen too rigid. For example, some 'weak' signals referred to in this paper emerged within less than the period indicated before the actual outbreak of the crisis. The main issue for the present categories has thus to be seen in the quality of information received rather than in the reaction time available.
9. For a detailed presentation see Vetschera & Smutek-Riemer, 1994, pp. 9-20. The study covers the period from the Kosovo uprising in 1981 to the outbreak of armed conflict in 1991.

General Development	Serbian Actions	Croatian/ Slovenian Actions	YPA Leadership Actions
Fade Signals			
Economic crisis and decay The general decay of political power since Tito's death; shifting of the centres of power from the federal level to the republics Emerging of a 'new nationalism' despite the 'elastic framework' of the 1974 constitution	Nationalistic reactions to developments in Kosovo (migration and reports on the events) Ascendance of Milosevic by utilizing Serbian nationalism (rallies by Kosovo refugees) Purge of liberal elements from the Serbian communist party organization by Milosevic	Increasing dissatisfaction because of a stagnating economic and political development	Self-understanding of the Army as guardian of the unity and the existing political system Criticism of the lack of 'Yugoslavism' and of the growing 'nationalism' Army leaders take a dogmatic position at the 13th Party Congress
Weak Signals			
Violent suppression of Albanian students' protests in 1981 and subsequent repression in Kosovo, at that time still by the federal authorities Manifestation of the decay of political power and the loss of confidence in the political leadership in opinion polls as early as 1986	The 'Petition 2011' of Serbian emigrants and its support in Belgrade Shifting from a defensive towards an offensive orientation within Serbian nationalism The Serbian Academy's 'Memorandum'	Demands for increased autonomy Re-emerging of anti-centralist/ nationalist tendencies Manifestations of Slovenian nationalism as a consequence of the 'Mladina affair' in 1988	Rumours about an intended military take-over as early as 1986 Army leaders oppose the beginning process of democratization ('Mladina affair' in Slovenia) Breakdown of communism in Eastern Europe is seen as threatening the 'socialist system' in Yugoslavia

	Weak Signals (cont.)		
Warnings of Yugoslavia's possible fate as a 'second Lebanon'	Decline of liberal element in Serbian (nationalist) opposition	Demands for inscriptions on barracks, etc. in Slovenian	Representatives of the army leadership underline the necessity to 'safeguard the socialist system'
Party & leadership blamed for deterioration, no will to cooperate	Broadening of Milosevic's power base in Serbia, Vojvodina and Montenegro by extra-parliamentary means (installation of obedient leaderships in Vojvodina, change in the Montenegrin party and state leadership)	Opposition to the Federal Army (conscription etc.), especially in Slovenia	Re-establishing of the League of Communists within the Army after its dissolution at the 14th party congress
Differing reactions to the development in Eastern Europe		Kucan demands political pluralism within the Communist Party	
Decay of the Communist Party, leading to its disintegration in 1990		Proposal to replace the federal state structure by a loose confederation	
No consensus on elections on the federal level	Increased reference to the threat of a 'genocide'	Demand to subordinate defence matters to the republics rather than the Federation	
Emerging of nationalist parties	Massive repression in Kosovo, abrogation of autonomy, elimination of Albanian party leadership, direct control and wide-spread use of force		
Manifest interests of some groups (YPA) and republics to maintain one-party system, with clearly voiced opposition by other groups and republics	Establishment of a 'Serbian Group' in the collective presidency		
Differentiation by the results of the 1990 elections ('Western' orientation of Slovenia and Croatia; 'Eastern' orientation of Serbia and Montenegro)	Growing strength of non-communist opposition in Serbia, advocating Serbian nationalism. The Milosevic regime, too, had to adopt a nationalist position to stay in power		

General Development	Serbian Actions	Croatian/ Slovenian Actions	YPA Leadership Actions
		Strong Signals		
'Economic warfare' between Serbia, Slovenia and Croatia Declining ability for a dialogue between different groups and republics Increasingly violent rhetoric	Several violations of the constitution by the Milosevic regime Growing popularity of the 'Greater Serbia' idea; memorial rallies in 1989 in Kosovo as well as in the Krajina Milosevic speaks of 'armed battles' for Serbia Rejection of the plans for a confederacy and explicit demand for border changes in case of Serbia's secession from the federation Referendum in Krajina to join Serbia First use of armed force in Belgrade to crush protests of the Serbian opposition Krajina Serbs announce declaration of independence	Manifest anti-Serbian statements in the Croatian election campaign Potential discrimination against minorities within the new Croatian constitution Abrogation of federal laws by the Slovenian parliament and the referendum on independence, yet with cautioning that this would not necessarily mean secession Opposition to surrender the territorial defence forces' arms and to disarm paramilitary/ police forces Blockade of barracks in Slovenia	Task is defined as protecting the old constitutional order but not the 'recent changes' Rumours about request to intervene in Slovenia, December 1990 Attempts by the YPA to disarm the territorial defence forces of Slovenia and Croatia apparently in anticipation of the declarations of independence, to reduce possible resistance against the pending intervention Abandoning of a neutral position in the conflict between Croatia and Serbian paramilitary forces (passive tolerance of actions and increasingly active support by logistics, etc.) Violent actions against civilian resistance of Slovenes during the confrontation before blocked barracks

General Development	Serbian Actions	Croatian/ Slovenian Actions	YPA Leadership Actions
Hyper Signals			
Increasing violence of ethnic conflicts in Croatia (Borovo Selo massacre)	Organization of paramilitary forces by Serbs in the Krajina and beginning of guerrilla war	The announcement of secession in Slovenia and the referendum on independence in Croatia	Frequent statements on a possible state of emergency and a military take-over
	Serbian prevention of rotation in the collective federal presidency to prevent Mesic's nomination		Command post exercises in preparation for intervention shortly before the declaration of independence of Slovenia and Croatia

Main Factors

As derived from the above chart, during the growing crisis many signals emanated from increasingly grave violations of the normative (constitutional and legal) order. The legal order functions as an instrument of social control[10] independently of the democratic legitimacy of the legal order. Increasing deviation could thus be seen as indicating a potential crisis.

Vice versa, a coherent normative framework could be regarded a system of 'tripwires', triggering warning signals already at an early stage. It would concern both foreign policy (including the military component) and the domestic order. However, as the Yugoslav and other crises since then have demonstrated, adverse developments in the 'domestic' sphere may have a direct bearing on international security, too. Regulating matters previously regarded as 'domestic' on the international level might thus have an immediate impact on international security:

- First, it would standardize patterns of behaviour;
- Then, it would make the conduct of states more predictable;
- Finally, any violation of the set norms and principles would act as a warning signal, indicating possible future developments for the worse.

10. See Talcot Parsons, 'The Law and Social Control', in W.E. Evan (ed.), *Law and Sociology* (New York: Free Press, 1962), pp. 56-72; in German also Niklas Luhmann, *Rechtssoziologie* (Reinbeck: Rowohlt, 1972).

The Institutional Framework – the OSCE

Since the early 1990s, instruments for early warning and early reaction to crisis situations were developed in various frameworks, both on the global level within the United Nations,[11] and on the regional level. In Europe, the most developed instruments can be found within the Organization for Security and Cooperation in Europe (OSCE). To a certain degree, the process that developed out of the original Conference on Security and Cooperation in Europe (CSCE) and finally led to the present OSCE was closely linked, throughout its history, to the crisis-prone developments in Central and Eastern Europe.[12] This is particularly true in the development of instruments for early warning and conflict prevention.

It is even possible to speak of a dialectical process in which events in one area influence the other. The CSCE process and in particular the 1975 Helsinki Final Act gave a frame of reference for human rights activists and other dissidents throughout the former Eastern bloc and contributed to the breakdown of communist rule in 1989. Conversely, the present shape of the OSCE with its specific institutions, norms and principles, instruments and operations was developed mainly to address the issues that had emerged after the breakdown of communist rule in that area.

This concerns in general terms the OSCE's 'norm-setting' function with respect to democracy, human rights and basic freedoms, minority rights, and also in the military field, both with respect to military relations between states and the situation of the military within states. It concerns in particular the instruments especially developed to address crisis-prone situations, which has led to a broad array of measures both in the political and in the military field.

Characteristics of the OSCE

The OSCE is both the broadest and the newest European security institution,[13] including not only all European states[14] but also extra-European participants,[15] with a broad range of tasks addressing military, economic and political stability. At the Helsinki Summit Meeting in 1972, the participating states declared it a 'Regional Arrangement' in accordance with Chapter VIII of the United Nations Charter. As it derives from these provisions, regional arrangements serve to enhance regional stability and security and should help to avoid drawing external powers into a dispute. The same provisions also give a clear preference to peaceful and preventive means, where early warning and crisis management have their appropriate place.

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11. On a conceptual basis, the 'Agenda for Peace' would offer a valid framework of measures for early warning and crisis management.
12. The term 'Eastern Europe' will be used in this study to include also the whole territory of the former Soviet Union, including its non-European parts in the Caucasus and Central Asia.
13. The term 'security institution' will be used in a wide sense, beyond the traditional limitation to alliances.
14. For a long time, the only non-participating European state was Albania, whose then leadership rejected participation in what it perceived as a Soviet-American ploy to jointly dominate Europe.
15. Namely the USA and Canada as well as the non-European successor states of the former Soviet Union.

The Norm-Setting Function of the OSCE

From the very beginning, the main function of the CSCE/OSCE has been to establish norms and principles common for all participating states.[16] Since the end of the Cold War, the CSCE/OSCE has become the major pan-European norm-setting institution with regard to all areas relevant for European security, and provides a dense set of normative instruments in all fields where social, political or military conflicts might arise. It not only gives a framework for early warning and conflict prevention in conceptual terms, but has, in many cases, explicitly made the points of reference for the instruments of early warning and conflict prevention that are developed parallel to them.

The OSCE's Instruments for Early Warning and Conflict Prevention

The OSCE's security policy instruments are of a cooperative, preventive nature. Most of them refer to the normative framework, that is, they are applied whenever agreed norms and principles are concerned. Measures concern conflict prevention in the general political field and in the politico-military field.

Measures in the General Political Field
Measures in the general political field concern, first, traditional state-to-state relations, and also increasingly issues traditionally regarded as domestic affairs, for example matters of human or minority rights. However, by agreeing on the pertinent norms and principles, states have also agreed that they are a matter of concern for all states.

Peaceful Settlement of Disputes: the mechanism was adopted in 1991 and envisages a third-party function by qualified persons to reconcile differing positions. In 1992 the then CSCE participating states adopted a legally binding Convention on Conciliation and Arbitration, also establishing the framework for a Court on Conciliation and Arbitration.

Political and Humanitarian Emergency Mechanisms: (1) The (non-military) Berlin Emergency Mechanism – the mechanism of emergency meetings of the then Committee of Senior Officials (CSO)[17] was created at the June 1991 Berlin Council in the shadow of the emerging Yugoslav crisis. The mechanism was first activated at the beginning of the Yugoslav crisis on 3 July 1991,[18] and subsequently both with respect to the wars in former Yugoslavia and the situation in Nagorno Karabakh. The importance of the mechanism has, however, been overtaken by the establishment of the OSCE's Permanent Council (PC) which meets weekly and could now be convoked within an even shorter timeframe. (2) The Humanitarian Emergency Mechanism – the humanitarian mechanism was been developed in stages from 1989 to 1991 and has been activated several times in the context of the Yugoslav crisis as well as with regard to Estonia and Moldova.

The High Commissioner on National Minorities (HCNM): this office was established by the 1992 Helsinki Summit Decisions. The

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16. The normative system within the OSCE is – with few exceptions – politically rather than legally binding. While this differentiation may be of some importance in a strictly legalistic perspective, it has no bearing for the purposes of this paper.
17. The CSO was established by the 1990 CSCE Paris Charter as a representative body consisting of high-ranking diplomats of all participating states, meeting as a rule every two to three months in Prague. The term was replaced by 'Senior Council' in the 1994 Budapest Decisions.
18. CSCE/CSO/1 EM, Journal 1.

incumbent is explicitly entitled to issue an early warning to the OSCE when the situation requires it.

Missions of Preventive Diplomacy and Crisis Management: these have become a typical instrument in the OSCE framework. They have been developed since 1992 to prevent an escalation at an early stage before a possible conflict, or the resumption of hostilities after a conflict has ended. Establishing a permanent presence in a given area also offers a better chance of picking up early warnings, as 'weak signals' can be detected much earlier on the spot than by remote monitoring from the outside.

Missions have been a major instrument of early warning and conflict prevention. Small-scale missions are usually composed of a high percentage of experts in a particular area who can detect potential 'signals' at an early stage and are able to act to defuse potential crisis situations before they escalate. In large-scale missions, the larger number of participants allows for a better area coverage, as well as gives the opportunity to detect 'signals' and act accordingly before major escalations occur.

Measures of Early Warning and Conflict Prevention in the Military Field
Conflict prevention in the military field has been a major task even at the earliest stages. The very first military confidence-building measures (CBMs) were introduced in 1975 by the Helsinki Final Act explicitly 'to reduce the dangers of armed conflict ...'.

While these measures had been shaped primarily in accordance with the existing perception of a threat of a major East-West-conflict, their further development has established a solid framework of measures of military relevance.

Confidence- and Security-building Measures: the document on CBMs in the 1975 Helsinki Final Act, which introduced the instrument, took a relatively narrow approach towards conflict prevention in the military field.[19] First, it defined 'conflict' in relatively narrow terms, namely as 'armed conflict'. Secondly, it focused primarily on the 'misunderstanding or miscalculation of activities'. Thirdly, its parameters were more symbolic than of military relevance. The measures were subsequently developed further, first by a specific Conference on Confidence- and Security-building Measures and Disarmament (CDE), which, in 1986, adopted the Stockholm Document. It introduced *inter alia* for the first time on-site inspections when 'compliance with the agreed confidence- and security-building measures is in doubt'.[20]

Negotiations were then continued within the Negotiations on Confidence- and Security-building Measures (NCSBMs) in Vienna, which, in 1990, adopted the Vienna Document 1990.[21] It introduced measures of communications and consultations (including emergency mechanisms[22] and a communications computer network linking all capitals[23]), with the explicit purpose of early warning and conflict prevention. The NCSBMs were concluded with adopting the

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19. The pertinent provision reads: 'Recognize the need to contribute to reducing the dangers of armed conflict and of misunderstanding or miscalculation of military activities which could give rise to apprehension, particularly in a situation where participating States lack clear and timely information about the nature of such activities.'

20. Par. 66.

21. 'Vienna Document 1990 on the Negotiations on Confidence- and Security-building Measures Convened in Accordance with the Relevant Provisions of the Concluding Document of the Vienna Meeting of the Conference on Security and Co-operation in Europe', Vienna, 17 November 1990.

22. 'Risk Reduction', then measure II, in 1999 re-scheduled as measure III. See below.

23. 'Communications', then measure IX, in 1999 moved to a separate Document.

Vienna Document 1992.[24] It amended the previous Documents and introduced as a crisis-stability measure the invitation to visit to dispel concerns about military activities. The further development of instruments for conflict prevention and early warning has since then been continued in the Forum for Security Co-operation (FSC), the CSCE/OSCE's permanent body for politico-military issues established in 1992. The FSC adopted in November 1993 *inter alia* a Document on Stabilizing Measures for Localized Crisis Situations, which should directly address the issue of crisis stability and conflict prevention.[25]

The FSC also continued its work on CSBMs, mostly by introducing incremental changes. It adopted improved versions of the Vienna Document in 1994[26] and 1999.[27]

The Code of Conduct on Politico-Military Aspects of Security (CoC): this Code had been negotiated within the FSC and was then enshrined in the 1994 Budapest Decisions.[28] It is a comprehensive document regulating the military and defence policies of participating states, both in peacetime and in the case of armed conflict.

The CoC establishes a solid normative framework to control the conduct of states with regard to their security policy, both internally and externally. It emphasizes democratic control over states' armed forces, and reflects the fact that military conduct in peacetime mostly anticipates military conduct in armed conflict. Correspondingly, regulations for the military in both cases have to be based upon identical

principles, for example, sufficiency and military necessity rather than excessive accumulating or exercising of military power, and also respect for the human rights of members of a state's own forces as well as the victims of armed conflict. Its normative framework was *inter alia* used to achieve the cessation of hostilities in the first Chechen war (1995).

The Functions in Early Warning and Conflict Prevention: both the CSBM regime and the CoC contribute to conflict prevention in two ways. First, they oblige states to avoid destabilizing actions. Second, they have an implicit, and sometimes even explicit, function in early warning.

(1) Stability through Compliance – the primary function in conflict prevention is to maintain military stability. Thus, as long as states comply with agreed provisions, there is a certain security that conflicts can be kept remote. When states do provide, for example, the required openness and transparency that effectively exclude the concealment of preparations for a surprise attack, it can reasonably be assumed that such attacks are not likely to happen. The same is true for other commitments, for example, the democratic control of armed forces. Verification serves to reinforce stability, as it gives an additional incentive for states not to transgress their obligations and thereby risk coming under scrutiny and criticism in the case of non-compliance with the regime.

While regulations as such cannot by themselves prevent armed conflict, as they

24. 'Vienna Document 1992 on the Negotiations on Confidence- and Security-building Measures Convened in Accordance with the Relevant Provisions of the Concluding Document of the Vienna Meeting of the Conference on Security and Co-operation in Europe', Vienna, 4 March 1992.
25. See below.
26. 'Vienna Document 1994 on the Negotiations on Confidence- and Security-building Measures', Vienna, 1994.
27. 'Vienna Document 1999 on the Negotiations on Confidence- and Security-building Measures'. It was formally adopted at the 1999 Istanbul Summit of the OSCE.
28. 'CSCE Budapest Document 1994 – Towards a Genuine Partnership in a New Era', Budapest, 6 December 1994, chapter IV.

can always be broken, they nevertheless give a certain amount of stability as long as compliance has been assured.

(2) Early Warning by Non-Compliance – regulations created to maintain stability as their first objective gain an additional role as 'trip-wires' against escalation into conflict, as non-compliance, which may always happen, functions as a signal. When the very objective of the norms is maintaining military stability, non-compliance with the norms might indicate potential future non-compliance with their objective, too. Non-compliance thus gains the function of early warning, as it would have to occur well before the actual outbreak of armed conflict. It would indicate a manifestation of the increasing danger of conflict well before it actually broke out, and should give a chance to react in time.[29]

Specific Measures for Early Warning: some of the existing CSBMs have explicitly been designed with a stronger emphasis on 'early warning' than on the 'regulative' effect, in particular within the Vienna Document's chapter 'risk reduction'.[30] It pertains to:

- the mechanism for consultation and cooperation as regards unusual military activities;
- cooperation as regards hazardous incidents of a military nature; and
- voluntary hosting of visits to dispel concerns about military activities.

The Mechanism for Consultation and Cooperation as regards Unusual Military Activities (UMA) was introduced by the Vienna Document 1990, and adapted to the new structures of the OSCE by the Vienna Document 1999.[31]

The consultation mechanism has been activated on three occasions during the Yugoslav crisis. On the first occasion it was triggered by Austria and led to multilateral consultations on the military situation in Yugoslavia on 1 July 1991.[32] As a result, the participating states agreed on a declaration which urged the end of hostilities. On the second occasion it was triggered by the frequent incursions of the then Yugoslav air force into Hungarian airspace, and led to bilateral consultations between Hungary and Yugoslavia on 1 September 1991. To avoid further escalation, both sides agreed on a no-fly zone on both sides of the border. In both cases, the consultations did not achieve a decrease of the scope of violence within (then) Yugoslavia, but led to de-escalation at the borders with neighbouring states, thereby serving their primary purpose. On the third occasion, in April 1992, it was triggered by Yugoslavia' request for an explanation of military activities in Hungary, but this did not lead to any further steps being taken.

The other military emergency mechanism concerns 'cooperation as regards hazardous incidents of a military nature'.[33] Participating states 'cooperate by reporting and clarifying hazardous incidents of a military nature ... in order to prevent possible misunderstandings and mitigate the effects on another participating State'. Crisis communications should preferably be transmitted through the CSBM communications network. There has not

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29. In the above classification, they would have to be regarded as 'strong signals'.
30. Vienna Document 1999, Chapter III. In the earlier versions, it was Chapter II but was moved downwards by inserting a new chapter on 'Defence Planning'.
31. Vienna Document 1999, para. 16.
32. For details see Heinz Vetschera, 'Die KSZE- Krisenmechanismen und ihr Einsatz in der Jugoslawien-Krise' (The CSCE Crisis Mechanisms and Their Use in the Yugoslav Crisis), in *Österreichische Militärische Zeitschrift* (*ÖMZ*; Austrian Military Journal), XXIX(5) (1991), pp. 405-411.
33. Vienna Document 1999, para. 17.

yet been any activation of this mechanism by the participating states.

The third measure on 'voluntary hosting of visits to dispel concerns about military activities'[34] was introduced in 1992. It is intended to give states a chance to convince themselves that possible concerns about military activities are without foundation. This measure, too, has not yet been activated.

In a similar way, the whole 1993 document on 'Stabilizing Measures for Localized Crisis Situations' has been shaped to directly contribute to conflict prevention. The measures contained in it are of a non-obligatory character, intended to facilitate decision-making in the appropriate OSCE bodies and the search for specific measures for temporary application, including *inter alia* measures of transparency; measures of constraint, for example, introduction of a cease-fire, establishment of demilitarized zones by the parties involved, de-activation of certain weapons systems and treatment of irregular forces; measures to reinforce confidence; and measures for monitoring of compliance and evaluation. It has, however, not been applied in any of the armed conflicts.

Conclusions

In comparison to the situation in 1991, when the Yugoslav crisis broke out in full, it appears that the international community has gone a long way in creating instruments in the fields of general political stability – both within and between states – and military stability. Indeed, many of the instruments created since then, particularly in the OSCE framework, give the impression that they have been almost 'tailor-made' for the challenges European security sees itself confronted with at present and in the most likely future.

First, they provide an increasingly 'tighter' normative framework with 'dual capabilities'. This should, on the one hand, guide the conduct of states away from destabilizing developments, be it in the general political or military field. On the other hand, in the case of a violation, norms serve as a 'tripwire' and point of reference for the reaction by other states. Second, the OSCE participating states have created all the mechanisms and instruments that could be brought to bear to prevent further escalation. Thus, in terms of a strictly 'mechanistic' view, during the 1990s enough devices would have been developed to prevent any repetition of earlier events.

Unfortunately, such an optimistic view may be quite mistaken. As with all international instruments, the said mechanisms and actions are no automatisms but have to be activated by states. Thus, it depends both on the ability and the political will of states (or rather their political elites) to make appropriate use of the instruments available.

The experience of the Yugoslav crisis might serve as a vivid example of there being no shortage of available signals, which were, nevertheless, mostly ignored.[35]

Although it is not yet possible to draw definite conclusions about decision-making in this particular case,[36] some tentative explanations appear to be appropriate.

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34. Vienna Document 1999, para. 18.
35. See in this context also Betts, 1982 (chapter entitled 'Interpretation and Reaction'), pp. 120-127.
36. It still appears to be too early to have the material available on this particular question. In contrast, Wohlstetter conducted the analysis of Pearl Harbour 21 years after the event.

Reasons may be found in the following factors:

1. Inadequate alertness to the growing crisis in general
   ⇒ General lack of knowledge
   ⇒ Distraction by focusing on other trouble-spots
   ⇒ Negligence of the 'permanent crisis' in Yugoslavia

2. Misinterpretation of available signals
   There are some indications that available signals were not completely ignored, but that they were misinterpreted due to the following factors:

⇒ Continuation of earlier stereotypes
⇒ Misleading analogies[37]
⇒ Mistaken extrapolations
⇒ Mirror imaging
⇒ Possible domestic factors

Similar factors cannot, unfortunately, be excluded in future scenarios either.

It may be concluded from the above that the availability of signals and a normative, institutional and operative framework may be a necessary condition for early warning and conflict prevention. It is, unfortunately, not a sufficient one as it cannot replace the capabilities and the political will of states and their political elites to make appropriate use of whatever instruments might be available to them.

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37. Cf. Betts, 1982, p. 120: 'Officials, who rely more on impressions from experience, are especially prone to analogical thinking'.

Migration from Africa to Europe

Rachele Schettini*

Migration in the Twenty-first Century

Current migration, which brings tens of thousands of human beings from the African continent into the world's richest countries – the United States and Europe, is showing no sign of decreasing. The phenomenon has been defined by sociologists as the new diaspora or the global diaspora, the second diaspora after the forced one to America, which took place in the sixteenth century.

The risk of conflicts that this immigration can lead to is inherent in the same concept of diaspora, which also includes the persistence of a strong and active link with the place of origin, making it difficult for the immigrants to adapt to and feel a part of the host country.

The current trend is that this phenomenon is strengthening rather than changing, since chronic poverty, particularly in some areas of sub-Saharan Africa, linked with local conflicts, has resulted in a brain drain in recent years. An ever-increasing number of intellectual migrants are leaving their motherland, which consequently becomes even poorer, both economically and in terms of hope for the future.

The consequence of this is that the migratory flow from African countries must be dealt with in a variety of ways. These range from action being taken in the countries of origin to create stable conditions in order to stop the diaspora and encourage people to return to these lands,

to action taken in the host countries with a focus on immigration policies and limiting the risk of conflicts.

Since my paper deals with the conflict risk analysis and the individualization of possible solutions, our attention will be concentrated on a peculiar aspect of immigration in Europe and in particular in Italy, where the research centre which I represent has its offices.

The Italian coastlines are almost always the first piece of Western land with which the masses of illegal and desperate immigrants coming from across the Mediterranean, come into contact. The majority of embarkations are from the Tunisian and Libyan coasts. The boats that set sail for the illegal trafficking of human beings or smuggling of migrants are arranged by local or international organizations.

In recent times, in the sea carts, as the precarious means of sea transport have been called, there has been an ever larger presence of foreigners, who, once unloaded, declare that they are Iraqis seeking asylum.

For the most part, it is later discovered that they are actually of Egyptian origin and therefore we have to consider the meaning of the illegal flow of such citizens who normally try to emigrate by following the normal channels of visas, or work or study permits.

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Trafficking in Human Beings

Ten years have passed since the Fourth World-wide Conference on Beijing's Women, which focused states' attention on combatting the trafficking, especially of women and minors, but despite interventions on a European level, women and minors are still being trafficked.

For the trafficking of women – often under-aged girls from Nigeria or other neighbouring countries who are destined for prostitution in rich European markets – the path is different from that of smuggling or illegal immigration.

The organizations committing these crimes have help bases in the departure and arrival countries of the victims of human trade. This allows them to arrange different routes for small groups bearing false documents. They often fly from Nigeria to France, and then travel by train to the final destination that may be Italy or another European country.

It is increasingly evident that foreign organized crime, which controls the trafficking of human beings, is imbedded in the endogenous criminality in the country where the victims are forced into prostitution. The high yield of the trafficking and money laundering in the trafficking of drugs or arms poses a threat to the safety of citizens.

Italian legislation approaches this phenomenon, which first became an issue in the latter years of last century, through article 18 of law number 286 of 1998. This legislation introduced a residence permit for the purpose of social protection and a special residency title with protection measures for the foreigner who is drawn away from the physical and psychological conditioning of the organization of which he/she is part.

However, the condition of subjugation to the exploiters made the law insufficient for encouraging victims to make a statement against these people to the police. The need for integration became apparent, and in 1999, with executory decree no. 394, public and private collaboration was introduced to combat criminality for the first time in the history of the Italian legal system.

The statement is not made by the victim but by the voluntary organization which takes on the responsibility of the case, after having gained the trust of the exploited foreigner and after having evaluated this person's true desire to leave the state of subserviency, better called slavery.

From the analysis of cases evaluated in our research centre, it has emerged that since 2000, the number of exploitation cases that the aforementioned standards deal with is growing, in part thanks to the media coverage that it receives and the implementation of a free-phone number (Tel: 800 290 290) which gives direct access to an association ready to take action to distance the victim from the criminals. The same clients have done everything in their power to maintain phone contact and have offered to help with the disassociation.

What are the weak points?

The authorization to remain in national territory and to receive economic assistance is only for a period of six months, which can be extended by another six. In this period of time, the victims are not always able, even with help from the voluntary organization, to find a place of employment. Furthermore, victims rarely opt to return to their country of origin with the help of a support group, out of fear, especially for Nigerians, of being rejected, segregated or subject to further violence there.

At the end of the programme, there is a risk of the victim being drawn back into the previous situation and if this happens then there is no chance of being able to prosecute the exploiters since there is a shortage of witness evidence.

Even though, under pressure from the European Parliamentary Resolution of 18 May 2000 ('Fight against the trade of women'), the Italian penal system was modified, and law 229 of 2003, the crime of slavery, was reformed and the trade of human beings made criminal, it is still extremely difficult to punish the criminals and break up criminal rings without help from the victims.

From the cases dealt with by our association is has been revealed that once trust has been earned, if victims of human trade feel that they have been guaranteed safety, they are willing to describe and allow identification of the criminals, even to the judiciary authorities.

Once they are free from psychological conditioning, the girls manage to lose their fears of tribal rites, such as voodoo, which are often used as a type of blackmail. Nevertheless, in recent months, less attention has been paid to this phenomenon in Italy while the risk of public tolerance is accentuated.

To avoid jeopardizing the results achieved so far, we believe that on a European level it is necessary to act on two fronts.

The first front is internal: EU countries should standardize their national immigration policies, without awaiting communitisation of freedom, safety and justice, as provided for by the treaty which founded the European Constitution, as the approval time is very long.

At the same time, public-private synergy must be consolidated. New methods should be researched which allow the victims taken away from criminal organizations to be followed until their social inclusion is complete. It is also necessary to lead information campaigns which can reach the trafficked girls, even through their clients.

The second front is in the countries of origin – Nigeria, Benin, Burkina Faso, Cameroon, and Ghana – where, through international cooperation, the information campaign can be intensified in an attempt to stop young girls from falling into the trap of false promises of employment, often forced to take out loans with the criminals to pay for travel costs.

In the meantime, conditions should be created to help repatriation, with programmes organized through non-governmental organizations.

The international community is working to stop the brain drain from Nigeria, and is also trying to send back to Africa the intellectuals who have already left, even for brief periods, to allow the transfer of knowledge to the local young generation. It might be an idea to link programmes of social reintegration of the victims of human trade to these professionals who are returning to their home land, as they have access to the knowledge networks that are active in various African countries, including Nigeria.

If we do not have efficient and innovative interventions in the countries of origin, nobody should be fooled into thinking that the risks to Western countries are removed with the mere expulsion of these victims. The criminal organizations still exist and are ready to recruit other victims, or even use the same victims, especially if these are rejected by their own society for the shame of prostitution.

Trafficked Minors

Human trade and exploitation not only affects women, but also minors, especially those recruited in Maghreb. There are criminal organizations, particularly in Morocco and Tunisia, which profit considerably from this filthy trade, putting 14- to 17-year-olds on to the streets of Italy – minors who cannot be expelled under Italian laws, and who have no choice but to beg, clean windscreen wipers at road crossings or push drugs.

Recruited minors get to Italy by sea on illegal boats, where they blend with their own kidnappers, among other desperate men and women; or they come through channels that seem legal, bearing fake documents according to which they depend on legal foreigners in Italy.

In our study at the Centre, we have seen that minors are often given to criminal organizations by their own parents, who are cunningly deceived into believing that their children will have a better future in Italy, and give the racketeers money to provide for the minor during his/her initial period in Italy.

They become slaves as soon as they avoid Italian police controls or when the maximum stay period permitted by the Italian law in the immigrant detention centres times out. These centres are not always efficient at repatriating the illegals because it is difficult to identify them.

The implementation of Article 18 of the Immigration Law has brought some results in the matter of sexually exploited victims from sub-Saharan countries, but it has failed to have the same effect on minors, who, like them, are traded and exploited.

There are many reasons for this, all to do with the difficulties minors have escaping

the psychological conditioning, the Islamic culture, typical of North African countries, where exploiters and victims are put together, and an objective feeling of mistrust towards the authorities and the voluntary organizations of the country in which they live as slaves.

Under these circumstances, solutions are harder to identify and to implement. In our opinion, the elements to consider, once again, rest in the cooperation between state and private institutions.

So far, apart from the initiatives of some associations, little has been done to prevent this trafficking.

Another danger inherent in the presence of illegal minors from Maghreb is that they may be recruited by silent terrorist groups spread all over Italy. The utter social exclusion they live in together with their emotional vulnerability may make them easy to prey on.

Immigration Law No. 189 of 2002 sets forth that non-accompanied minors can be placed in a special labour programme, with the cooperation of state and private entities. Since minors from Maghreb are now coming of age, action should be aimed at helping them return to their country of origin, where economic conditions and openness to democracy have developed in the meantime. Getting these young people trained with specific skills (agricultural modernization, water resources, etc.) to go back home would be a key factor at this stage of slow socio-economic recovery in Northern Africa.

All this could be better achieved if it was made part of specific bilateral agreements between European countries and the countries where migrant minors come from.

Further contributions might come from Euro-Mediterranean partnership agreements, which were started in Barcelona in 1995 and have continued since then through other conferences and think-tanks which envisage social and human development plans.

The Terrorism Risk

The major risk of conflicts is linked with the Islamic terrorism threat in European countries. This threat is hidden among illegal and legal immigrants, quite often the latter, because their regular presence in the territory blocks or lessens police controls.

Investigations after the 11 September attacks revealed that Italy served as a logistic base for fundamentalist groups (the Egyptian Jamaa and the Salafist Group for Preaching and Combat), who support mujahidins in Bosnia, Chechnya, Algeria and Afghanistan. These investigations also proved that key roles in these groups were played by legal Algerian, Tunisian and Egyptian migrants.

In the last few years, legal investigations have also revealed a large number of cells hidden in cities in the north of Italy and in Naples, which are close to Al Qaeda and are committed to recruiting guerrillas to send to Iraq.

The most current risk in Europe is the phenomenon of those guerrillas returning to their home countries, trained, indoctrinated and, often, more desperate.

Pinning them down is not easy because weapons are rarely found, financial transactions are increasingly untraceable and the law does not allow criminal proceedings to take place based on tapped telephone conversations, the meaning of which is often ambiguous, and which are unsupported by objective evidence. Asset freezing is no longer rewarding due to changes in money flow transmission strategies.

In spite of the efforts of the European Union, especially after 2001, and the important Council framework decision No. 475 of 2002, which has made judicial and police cooperation simpler, a pan-European criminal legislation which clearly defines an international terrorist organization is still lacking. The lack of harmonization in penal laws at the European level means it is difficult to define without ambiguity the criminal actions linked with the phenomenon of international terrorism, especially because civil law countries apply the concept of 'criminal association' whereas common law countries have 'conspiracy'.

On top of that, since the investigations are international, it is quite hard for European judicial systems of common law and civil law to fulfil the charges.

Moreover European countries are unilaterally adopting extremely different rules aimed at the prevention of international terrorism; some of them are issuing special or emergency laws, while others are firmly opposed to such initiatives. It has opened at international level a debate on the law of security.

Can we rest assured, since there have been no terrorist attacks in Europe after the Madrid bombings? The answer, of course, is no, because it is a given that terrorists have penetrated into the European social fabric, and extremist groups' actions are closely linked to the developments in the geo-political situations in Islamic countries, especially the Middle East. This is also proven by how important fighting Islamic

terrorism has become in EU policy, and by the fact that other countries are being given more assistance to do this.

One might wonder if there is a specific strategy behind the boat arrivals in Italy of Egyptian, Moroccan, Tunisian and Algerian migrants from the Libyan coast to let other fundamentalists in among people made desperate by hunger, famine and war. In recent years, political instability and economic uncertainties in the countries in the Horn of Africa and sub-Saharan Africa have helped the Islamic drive among locals as well as the concentration, organization and training of subversive Islamic groups in these areas.

The utmost responsibility must be placed on Europe to start a massive global prevention action to take on the global Jihadist threat. Preventing conflicts and outbreaks associated with terrorist cells in the territory cannot be left to police and judicial authorities alone, even though they have takem a significant step by establishing Europol, and in future, Eurojust. There must be a global policy between institutions and civil society to strive for the safety of people, goods and services.

Islamic fundamentalism that aspires to become terrorism has to be isolated, and it is necessary to identify ways to attract Muslim foreigners to live peacefully together.

The association I represent, Europa 2010, is committed to making a strong social contribution to integration as the most prominent part of its programmes. A 'European Observatory on Integration' has been created with the purpose of identifying, analysing and assessing those elements in the relationship between migrants and European citizens that can result in conflicts or that may constitute alarm signals.

Observing and studying cases is two-fold: not only are foreigners being observed, but also the society these foreigners come to. This helps raise awareness of a problem which is not limited to the authorities dealing with security.

If we do not act on two fronts there is the risk of repeating the same mistakes determined by a unilateral evaluation that focuses only on the behaviour of immigrants and on their resistance to social-cultural integration into the Western reality.

In our opinion, it is also necessary to act in the society that hosts, albeit unwillingly, the immigrants, since it is forced to undergo the immigration and priority process, and with this aim to promote reciprocal knowledge.

The Observatory in which sociologists, psychologists, university lecturers and experts voluntarily work, has a sharp and critical eye on multicultural society and tries to be aware of any signs of intolerance, discrimination or indifference from one side and isolation, cultural closure or radicalization from the other. The results of the Observatory's study will be made public and can also constitute a valid contribution towards the work of the institutions.

The civil societies of countries such as Italy, which have, in the space of a few years, been subject to a strong immigration impact, are not prepared to accept the profound transformation that is already in progress.

The contrast between the attitude of citizens and the multi-ethnic reality which breaks out with its demands of welcome and integration can in itself lead to situations of conflict if this discrepancy is not resolved. An accentuation of this contract could well be used by radical

Islamic propaganda and help the search for followers.

Europe 2010 favours cultural dialogue with the Islamic world, which constitutes the most suitable method for the reciprocal knowledge and acceptance of the other. With this target in mind, a Masters degree course in 'Peace Building Management – To Build Peace in the World' was set up by the San Bonaventura Papal Theology Faculty in Rome. Still in progress, it has seen a vast and heterogeneous participation by professional figures who are already involved in security and defence, workers and voluntary workers, young graduates and foreign students, all coming from Africa.

Our association has funded study grants to allow foreign students with limited economic resources to follow the Masters course and realize peace projects in their own lands in sub-Saharan Africa.

The coursework, which lasts six months, prepares students for work in multi-ethnic and multicultural societies. It encourages and creates inter-religious dialogue, in particular with the Islamic world. It provides the specific knowledge necessary to face even conflict risks, but above all, enables each of those to contribute to prevention.

The experience will be repeated in the next few years to increase the number of participants and to promote the pilot project.

Our association is called Europe 2010, because this date constitutes an important target for the future of Europe – a maximum time limit by which to realize integration, meaningful dialogue and comprehension, a natural insertion of heterogeneous cultures into Western culture without trauma, the construction of societies that are filled with diversity and that are therefore not easily permeable to destructive violence and terrorism.

Report on Proceedings of the 4th Asia–Europe Roundtable

Bernt Berger, Mette Ekerroth and Sol Iglesias*

General Observations on Conflict Prevention

While traditional international conflicts continue to emerge between states, the majority of conflicts today are internal – as well as bloodier, more cruel and of longer duration than inter-state conflicts – and thus require immediate attention. A number of comprehensive data-sets on conflict and political violence in Asia show that intra-state conflicts have far outnumbered inter-state conflicts since the end of World War II. Moreover, intra-state armed conflicts tend to last longer than inter-state wars by as much as an average of 5.3 years as compared to two years. Similarly, when compared to inter-state wars the average death toll of civil wars is almost 30 times higher and the average death toll of internal ethnic wars 10 times higher.

Broadly speaking, conflict prevention is a matter of proper timing and good governance. In the long term, conflict prevention consists of good governance, promotion of democracy and human rights, economic development, and the eradication of poverty. In the short to medium term, conflict prevention mainly consists of technical and astute political skills such as the facilitation of good offices, mediation, arbitration, adjudication in the sense of judicial settlement, monitoring and peace-keeping, and sanctions (economic, communications or diplomatic sanctions, and, as a last resort, military sanctions). Moreover, conflict prevention encompasses all levels from the global to the regional and from the national and to even local spheres of governance.

One key aspect of conflict prevention is 'early warning'. However, the process of identifying, interpreting and acting upon signs of crisis is far from straightforward. First, while critical developments may easily be identified, political will is necessary for action to follow. Moreover, notwithstanding the lack of certainty, information on crisis indicators needs to be conveyed comprehensively to the actors and individuals with the agency to induce change. Second, some actors may use early warnings as a political tool to fuel discord and to 'construct' the conditions legitimizing an intervention. Ironically, research has even indicated the correlation between verbal statements and the escalation, rather than de-escalation, of conflict.

An innovation in early warning mechanisms would be to institutionalize the currently informal role of civil society in monitoring sensitive developments at the micro-level. Nevertheless, in some cases, non-governmental organizations (NGOs) may be constrained in reacting to even an imminent crisis, let alone early indicators, due to the agendas of their foreign or international donors. Ultimately, the political economy of funding dictates the NGOs' involvement in conflict prevention.

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Conflict Prevention Capacity in Asia and Europe and Suggestions for Additional Tools and Mechanisms

Europe

Owing to the number and diversity of actors, approaches and interests in the European theatre, the main challenge consists not in developing additional tools or mechanisms for conflict prevention but in improving the coordination between those already in place. The European Union (EU), Organization for Security and Cooperation in Europe (OSCE), North Atlantic Treaty Organization (NATO), the Council of Europe[1] and sub-regional organizations can be considered as the prominent inter-governmental institutions for conflict prevention.

Other actors include the Group of Eight (G-8),[2] as a contact group, and various *ad hoc* coalitions established in connection to specific cases. NGOs, the media and civil society act as distinct players in the complex dynamics of European non-state actors.

The listed actors deploy various approaches to conflict prevention ranging from a comprehensive understanding of security to a military perspective. Some have a strictly regional focus while others, such as the EU, are broadening their scope beyond the European continent. The approaches to conflict prevention and the actors involved vary according to the nature and causes of the conflicts. Structural problems and root causes, for instance, are being addressed through aid, development and capacity-building programmes by the EU and civil society organizations, while actual, violent conflicts are the focus of institutions with military capabilities such as NATO (although the EU is also evolving such capacities, for example, as deployed in Macedonia).

Coordinating mechanisms need to be established to enhance conflict prevention mechanisms in Europe and to avoid duplicating or conflicting initiatives. Coordination is necessary among states, among NGOs, between states and NGOs and between the four major European conflict-prevention institutions. As such, the establishment of a permanent consultative mechanism between NGOs and state agencies under the European Commission, which is envisaged as resembling the mechanism existing under the British Department for International Development (DFID), is suggested.

Asia

In the Asian theatre,[3] the Association of Southeast Asian Nations (ASEAN), ASEAN+3, ASEAN Regional Forum (ARF) and Asia-Pacific Economic Cooperation APEC (with its focus widening beyond economics since 11 September 2001) can be considered as the principal fora for managing inter-governmental conflicts. There is still room for additional conflict prevention mechanisms, especially when

1. The Council of Europe groups together 46 countries, including 21 countries from Central and Eastern Europe. It is distinct from the 25-nation European Union, but no country has ever joined the Union without first belonging to the Council of Europe.
2. The G8 (Group of 8) is an informal group of eight countries: Canada, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States of America.
3. In delineating the two regions, workshop participants agreed that Asia would be understood as Northeast and Southeast Asia while Europe is understood as ranging from the Atlantic to the Caucasus.

keeping in mind that European institutions and mechanisms cannot be directly transferred to the Asian context due to differences in, for example, political inter-state *modus operandi* and political space for civil society in the various countries.

Other conflict prevention factors in the region include the various US bilateral alliances as well as the Five-Power Defence Arrangement.[4] Global institutions such as the UN and its agencies, the World Bank and the Asian Development Bank exercise influence too. The respective national militaries were mentioned as conflict prevention (as well as potentially conflict-causing) institutions in their own right, especially when taking into account that the military in the region seems to be beyond the control of the states at times. Important non-state actors include the private sector, academics – through track-two diplomacy in, for example, the Council for Security Cooperation in the Asia Pacific (CSCAP) and the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS) – and civil society organizations with varying degrees of influence in different countries.

Generally, the mechanisms in the Asian region can be considered less institutionalized, less autonomous and more limited in scope than the ones in the European context. The political *modus operandi* of cooperative and comprehensive security through the 'ASEAN way' of informality, leader-centred confidence-building, non-interference and non-intervention largely excludes intra-state conflicts and bilateral disputes from the scope of the regional inter-governmental mechanisms.

Based on the above analysis, the workshop resulted in the following recommendations:

■ Governments should establish advisory bodies comprising policy-makers, academics, as well as military and NGO representatives in order to facilitate the involvement of NGOs in conflict prevention initiatives and to utilize their networks and localized knowledge.

■ Joint commissions at the national level between these groups could further foster and enhance a sense of shared responsibility.

■ Regional and inter-regional cross-religious dialogues could be enhanced and employed more effectively to improve dialogue, understanding and involvement across different religious communities.

■ Governments are encouraged to participate in the UN mechanism on the control of light weapons, and to adhere to the arms registry to improve transparency on this area.

■ To soften the restrictive understanding of the principle of non-interference, an ASEAN+3 roundtable, with a format similar to the Asia-Europe Roundtable, could be established to examine cross-boundary issues and also promote the handling of these issues at the track-one level. Tracks for defence officials could be added to the already established tracks of ASEAN and ARF to institutionalize dialogue on conflict prevention between these key actors.

■ Referring to the somewhat ambivalent role of some regional militaries in terms of conflict prevention, regional defence colleges could be set up to promote the professionalization of and dialogue among national militaries.

■ The ARF and ASEAN+3 units within the ASEAN Secretariat are seen as potential conflict-prevention institutions and should be strengthened accordingly.

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4. The Five-Power Defence Arrangement (FPDA) is a little-known security consultation mechanism comprising Australia, Malaysia, New Zealand, Singapore and the United Kingdom.

- Finally, in the light of current disputes between Japan and China and between Japan and Korea, the establishment of a Commission on History Text Books seems especially pertinent in the Northeast Asian context to prevent potential conflicts like those seen in the Balkans.

Asia and Europe

Recommendations for both Asia and Europe:

- Established networks to tap the know-how of experts and eminent persons, for example, the military, the police and the judiciary, should be utilized to a greater extent. ARF Eminent and Experts Persons (EEPs) should be activated, and their roles determined in brainstorming sessions.
- Hitherto 'under-utilized' legal instruments such as the European Court of Justice and the ASEAN Dispute Settlement Mechanism were mentioned in terms of their conflict-prevention potential.
- Arbitration and mediation by third parties could be employed to a greater extent in several cases across the regions. The capacity, coherence in missions and financial independence of NGOs in both Asia and Europe could be strengthened to make them more effective in their conflict prevention efforts.
- The mandate of the OSCE High Commissioner on National Minorities (HCNM) is generally viewed as an effective mechanism with considerable autonomy, legitimacy, manoeuvrability and high-level political access at his disposal. This mandate allows the HCNM to be engaged as an external party in internal conflicts involving national minorities through advice, dialogue facilitation, mediation and 'quiet' diplomacy, and provision of a formal early warning to the OSCE Permanent Council. However, the HCNM mechanism is less likely to be replicated in Asia, due to concerns over national sovereignty – especially ASEAN's practice of non-interference in the domestic affairs of other states. In the ARF, the EEPs could play a similar role.

Early Warning Indicators for Potential Crisis and Appropriate Responses

Early warning indicators must be properly identified and interpreted, especially those indicating situations that could eventually lead to violence. While there are a number of incidences and situations that indicate rising tension and discord, disputes may still be resolved through dialogue and negotiation. This should be urgently pursued before the situation deteriorates to a full-blown conflict with increasing violence.

Furthermore, a distinction needs to be made between latent instability versus signals of impending violent conflict. Essentially structural problems within a given country such as endemic poverty and economic inequality, ethnic and long-standing religious differences may never lead to violent conflict without the presence of triggering mechanisms. Calling for attention though are sudden changes in previous patterns in a given situation.

Warning Signs to Monitor

Warning signals can be categorized into the following dimensions:

- Territorial: border tensions or disputes over territorial separation of peoples, usually stemming from the historical and contentious drawing of boundaries;
- Ethno-religious: tensions arising from cultural differences between groups, usually traceable to historical domination of one group over another or to a long-standing rivalry;
- Governance: problems in the administration of basic services, particularly of justice and the police/military apparatus;
- Economic: tensions over glaring disparities and competition for resources;
- Political: competition over access to power;
- External: factors, actors and incidences external to the localized conflicts (from neighbouring countries, at the regional or national level).

These dimensions have distinct indicators although there is some overlap. This could be an advantage in recognizing a potential conflict: if observers overlook an indicator in one category, a related one may be identified in another category instead. Again, political will and the capacity to read and act upon early warning signs are essential. Common indicators which herald impending crises could be:

- Escalation of violent incidents
- Deterioration of the rule of law, particularly grievances caused through injustice perpetrated by the judiciary and police or military
- Abrupt aggravation of obvious economic disparities, intensified competition over resources
- Heightened refugee movements across borders
- Contestation over the use of cultural symbols in public space
- Frustration over events that had raised expectations, but ended in disappointment
- Centrifugal responses to centralist moves of the government to consolidate power and close off political access
- Rise in nationalist sentiment of a dominant group in its action/inaction and rhetoric, particularly its portrayal in the media
- Increased tension with bordering countries.

The following table is the output of the workshop participants' exercise in mapping warning signs for one European and one Asian case: Kosovo since 1981 and Southern Thailand since 2001. Signs identified for Kosovo leading to the crisis in 1999 come from a 'hindsight' perspective. For Southern Thailand, however, signs indicate the possible escalation of a conflict that, if not properly managed, could lead to a much bigger crisis.

Matrix 1: Early Warning Signals in Kosovo and Southern Thailand[5]

Dimensions of signals	Warning signals		Common indicators
	Kosovo	**Southern Thailand**	
Territorial	• 1981 claim for autonomy/ republic • 1990 claim for independence • Exodus of Serbs • Influx of Krajna refugees • Lack of any clear legal status • Massive immigration of Serbs to Belgrade	• Sign of latent instability: colonial boundaries, artificial separation of ethnic-religious community • Fleeing of people as refugees	• Sign of latent instability: historic territorial division of ethnic groups • Heightened refugee movements across borders
Ethno-religious	• Sign of latent instability: rapid growth of large Albanian population, which increasingly became self-aware and politically conscious as a group • Use of Serbian language (e.g. in textbooks and change in languages for roadsigns)	• Sign of latent instability: 75-80 per cent of population are Malay-Muslims with a different language, religion, sense of identity, educational system • Perceived undermining of locally respected teachers in religious schools (*pondok*) • Influx of Buddhist cultural symbols	• Perceived pervasiveness of cultural symbols of dominant group in public space (e.g. education system, use of language)
Governance	• Judiciary in hands of Serbs • Perceived rise in use of Serbian nationalist propaganda	• Abolishment of Center for Border Management which had arguably been effective in addressing issues specific to the Muslim areas for the past 25 years • Sudden centralization of power by government and appointment of police/ military officials highly distrusted by locals • Abductions and torture of locals attributed to police/ military • Escalated attacks (e.g. killings of Buddhists by rebels coupled with harsh police action; in the latest incident 72 locals were killed in mass arrest during 2004 Ramadhan)	• Escalation of incidents of police and/or military repression • Deterioration of rule of law, particularly perpetrated by the judiciary and police/military
Economy	• Early 1980s decline and rising unemployment • Takeover by Serbs • Breakdown of the market • Shadow economy (Albanian takeover) funding for Kosovar cause • Distinctive and obvious disparities	• Large scale development projects in area without local benefits • Long-standing disparity in economic benefits • Change of attitude with change of political leadership	• Sign of latent instability: long-standing disparity in economic benefits • Abrupt distinctive and obvious economic disparity between dominant group and dominated group

5. This information was gathered from participants of the workshop on Early Warning Signs. The organizers of the conference do not claim ownership nor responsibility for its contents.

Dimensions of signals	Warning signals		Common indicators
	Kosovo	**Southern Thailand**	
Political	• 1981 student protest on food price rise developed into demand for independence, which became violent, with 24 killed by police • Imposition of Martial Law and repressive rule • 1986 rhetoric carried message that violence was needed to solve political problems; Milosevic in Kosovo rose on a Serbian-nationalist, anti-Albanian agenda • 1989 Autonomy of Kosovo lifted • 1990 dissolution of Yugoslav Communist Party • Albanians pushed out of administration 1996 Dayton talks created expectation that Kosovo independence would be addressed; eventually led to frustration • Domestic political pressure on Milosevic to demonstrate Serbian nationalism led to repression and killing of 500 Albanians	• Prime minister appointed new minister of interior for the South that created high expectations for positive change but eventually led to disappointment when meaningful change did not occur • Rhetoric from central government officials seen as expression of a 'Thai nationalism', exclusive of Southern Thailand's Muslims • Hard-line policy toward Southern Thailand seen as authoritarian leadership and closing off of political participation	• Events raise expectations for positive change but eventual lack of expected outcome sparks deep frustration • Government further centralizes access to power • Rise in nationalist sentiment of dominant group in its action/inaction and rhetoric, particularly its portrayal in the media
External	• 1997 – Albania pyramids collapse spillover • Conflicting messages from the international community	• Possible involvement from foreign militants • Interstate tensions between Malaysia and Thailand; exclusion of Southern Thailand issue from ASEAN Summit agenda • Cross border movement of people and arms	• Increased tension with bordering countries

Responding to the Signs: Some Recommendations

Similar warning signs may be observed from different conflicts, but each situation is likely to warrant different responses. Appropriate responses to possible crises may be different in the two regions because of the differences in political contexts, available actors, institutions and mechanisms. Based on these differences, the following recommendations are made:

■ The use of existing national-level mechanisms such as human rights commissions, local institutions and other stakeholders that need to be involved in the solution of the problems, which could help to mitigate the situation.

■ Regional organizations can be involved, but not in all circumstances. For instance, the promise of prosperity and stability that comes with entry into the EU could be an incentive to seek peaceful solutions to tensions in countries that are candidates for accession into the EU.

■ Where issues of national sovereignty and non-interference restrict official access to the parties to a conflict, non-state and non-official conduits could be used by civil society actors involved in a possible solution to the escalating conflict. This is illustrated by the case of Southern Thailand, where it is probably too early (and would not be welcomed by the government) for an international mediator or an official fact-finding mission. However, there is scope for technical assistance and capacity-building for community associations at the grassroots level, aimed at enabling them to be part of a comprehensive solution. NGOs from neighbouring countries, for example, the Philippines, could lead in such an inititive.

■ Decisive action from the international community, on the claim or grievance in contention, could eventually be necessary to prevent further escalation. In the case of Kosovo, one of the fundamental problems is the question of its legal status. It is recommended that the EU comes to a unified position on Kosovo to finally define its legal status as part of an overall strategy for Southeastern Europe.

Capacity- and Institution-building for Regional and Inter-regional responses

Methodology and Framework for Conflict Prevention

First, the location of regional and inter-regional mechanisms for crisis prevention needs to be defined, and the point when the mechanisms should come into play to monitor potential conflict beyond regular political interactions need to be determined. Mechanisms for conflict prevention must be located at a level where actors have the capacity to defuse the situation and prevent its deterioration into crisis.

Following the analysis of the problem concerned, appropriate actors need to determine whether or not an issue or potential conflict merits early warning or action. This can happen either on the basis of principles or through accurate assessments of potential local and regional implications. For instance, the principled approach is based on normative guidelines such as the violation of human rights. Alternatively, all relevant sectors and political developments need to be monitored in a mechanism that includes relevant sectors of civil society and the public sector. Consultation with experts and

the various stakeholders is useful in order to avoid mere reactiveness to evolving problems especially after public awareness may have been raised through media coverage.

Recommendations

A clearly established multi-stakeholders' consultation mechanism at the Asia-Europe inter-regional level could be feasible in order to formulate common cross-regional concerns.

A mechanism with a regional scope must reflect the regional opportunities and address the constraints. In the face of the current low-level of institutionalization and the unlikelihood of a common regional legal framework in the near future, the first feasible step is the implementation of a consultation mechanism. This mechanism might be implemented through the mandate of a high commissioner for conflict-related issues.

A regional mechanism could be made adaptable and hence applicable for a variety of problems. Moreover, it could serve to create and maintain a certain level of transparency:

Politically, the great advantage would flow from the fact that this would function as a trans-national facility where issues of common concern could be addressed on a regional level.

- Practically, such a mechanism could serve as an early warning facility
- It could be a channel for NGOs to address actual issues, and a link between civil society and states at the inter-state level
- It could provide a framework for fact-finding commissions and for EEPs, to help develop measures and long-term strategies.

In the long term, such informal measures might become institutionalized. Laws can be regionally mainstreamed at the state level. In the case of migration law, this would include civil and participation rights.

Programme of Activities

18 April 2005 (Monday)

Opening Session: Welcome Remarks and Dinner Keynote Speech
Master of Ceremonies: Mr Axel Schmidt
Head of Office, Office for Regional Cooperation in Southeast Asia, Friedrich-Ebert-Stiftung

18h30-19h00   *Welcome Remarks by Conference Host, Friedrich-Ebert-Stiftung*
Dr Ernst-J. Kerbusch
Director, Division of International Cooperation

Introductory Remarks from the Asia-Europe Foundation
Mr Hendrik Kloninger
Deputy Executive Director

Introductory Remarks from the Singapore Institute of International Affairs
Dr Yeo Lay Hwee
Executive Director

19h00 -19h30   *Keynote Address*
Dr Surin Pitsuwan
Member of Parliament, Thailand

Dr Rolf Muetzenich
Member of the German Federal Parliament /Chair of the
Disarmament & Arms Control Sub-Committee

19 April 2005 (Tuesday)

Session 1: Actors, Tools and Mechanisms for Conflict Prevention
Chair: Dr Surin Pitsuwan

09h00-09h25   *Actors, Tools and Mechanisms for Conflict Prevention at the Global Level*
Speaker: Mr Yasushi Akashi
Chairman, the Japan Center for Conflict Prevention

Discussant: Dr Miguel Santos Neves
Head of Asia Unit, Institute for Strategic and International Studies,
Lisbon, Portugal (Instituto de Estudios Estratégicos e
Internacionais – IEEI)

09h25-09h50   *Actors, Tools and Mechanisms in Conflict Prevention Available in the
European Theatre*
Speaker: Ms Martina Huber
Analysis and Policy Adviser, OSCE Secretariat, Conflict Prevention
Centre (Germany)

Discussant: Mr Djuanda, SIP
Regional Secretary for Geopolitical Observation, Maritime Council
for Indonesia and Counsellor for Geostrategic Affairs, Office of
the President, Republic of Indonesia

09h50-10h15   *The Asian Theatre: Conflict Management in East Asia*
Speaker: Mr M.C. Abad
Head of ASEAN Regional Forum Unit, ASEAN Secretariat
(Philippines)

Discussant: Prof Peter Wallensteen
Dag Hammarskjold Professor of Peace & Conflict Research
(Sweden)

10h15-11 h00   Open Discussion

Session 2A: Overview and Case Studies of Conflict in Asia
Chair: Mr Axel Schmidt, FES

11 h15-11 h40   *Conflict Map of Eas t Asia*
Speaker: Dr Muthiah Alagappa
Director, East-West Center, Washington (Malaysia)

Discussant: Mr Kevin Villanueva
Programme Manager, Network on Humanitarian Development
Studies (Spain)

11 h40-12h05   *The Mindanao Conflict*
Speaker: Dr Peter Kreuzer
Peace Research Institute, Frankfurt (Germany)

Discussant: Dr Renato Cruz de Castro
Professor, De La Salle University (Philippines)

12h05-12h30   *Competition for Resources in the South China Sea*
Speaker: Professor Lee Lai To
Head, Department of Political Science, National University of
Singapore

Discussant: Dr Khong Cho-oon
Chief Political Analyst PXG, Shell International Ltd (UK)

12h30 -13h15   Open Discussion

Session 2B: Overview and Case Studies of Conflict in Europe
Chair: Mr Bertrand Fort, Director, Intellectual Exchange, Asia-Europe Foundation

14h15-14h40   *Conflict Map of Europe*
Speaker: Mr Éric Lebedel
Director for International Affairs, General Secretariat for National
Defense, France

Discussant: Ms Le Linh Lan
Director, Center for European and American Studies, Vietnam
Institute for International Relations, Ministry of Foreign Affairs

14h40-15h05   *Early Warning in the Yugoslav Crisis and the Development of Instruments – A European Perspective*
Speaker: Dr Heinz Vetschera
Senior Lecturer, Institute for Strategy and Security Policy, National
Defense Academy, Vienna, Austria

Discussant: Professor Johan Saravanamuttu
Dean, Social Transformation Research and Director, Centre for
International Studies, Universiti Sains Malaysia

15h05-15h30   *Migration from Africa to Europe*
Speaker: Dr Rachele Schettini
President, the Onlus Europa 2010 (Italy)

Discussant: Dr Riwanto Tirtosudarmo
Senior Researcher, The Research Centre for Society and Culture,
Indonesian Institute of Sciences

15h30-16h15   Open Discussion
16h15 -16h30   Break

Session 3: Conflict Prevention in Asia and Europe: Gaps, Weaknesses and Solutions

16h30-17h30   *Workshop 1: Assessment of Current Conflict Prevention Capacity in Asia and Europe and Suggestions for Additional Tools and Mechanisms*
Moderator: Dr Mark Tamthai
Deputy Chair, the Strategic Nonviolence Committee, Thailand
Rapporteur: Ms Mette Ekeroth
Researcher, Singapore Institute of International Affairs

Workshop 2: Early Warning Indicators of Potential Crisis and Appropriate Responses
Moderator: Mr Plamen Tonchev
Head of Asia Unit, IIER, (Greece)
Rapporteur: Ms Sol Iglesias
Project manager, ASEF

Workshop 3: Capacity- and Institution-building for Regional Level and Inter-regional Responses
Moderator: Dr Yeo Lay Hwee
Executive Director, Singapore Institute of International Affairs
Rapporteur: Mr Bernt Berger
Research Fellow, Centre for European Peace and Security Studies

19h00   Dinner Hosted by the German Ministry of Foreign Affairs

20 April 2005, Wednesday

09h00-11 h00   *Continuation of Session 3 Workshop Discussions*
11 h00-11 h15   Break
11 h15 -12h15   Summary and write-up of workshop reports
12h15 -13h15   Lunch
                    Remarks by Asia-Europe Foundation Governor for Germany
                    Dr Helmut Haussmann

Session 4: Concluding Session
Chair: Mr Norbert von Hofmann
Former Head of Office, FES Office for Regional Cooperation in Southeast Asia

13h15-14h00   Presentations by rapporteurs of the three workshops
14h00-15h30   Open Discussion
15h30 -15h45   Break
15h45-16h30   Drafting and adoption of list of recommendations