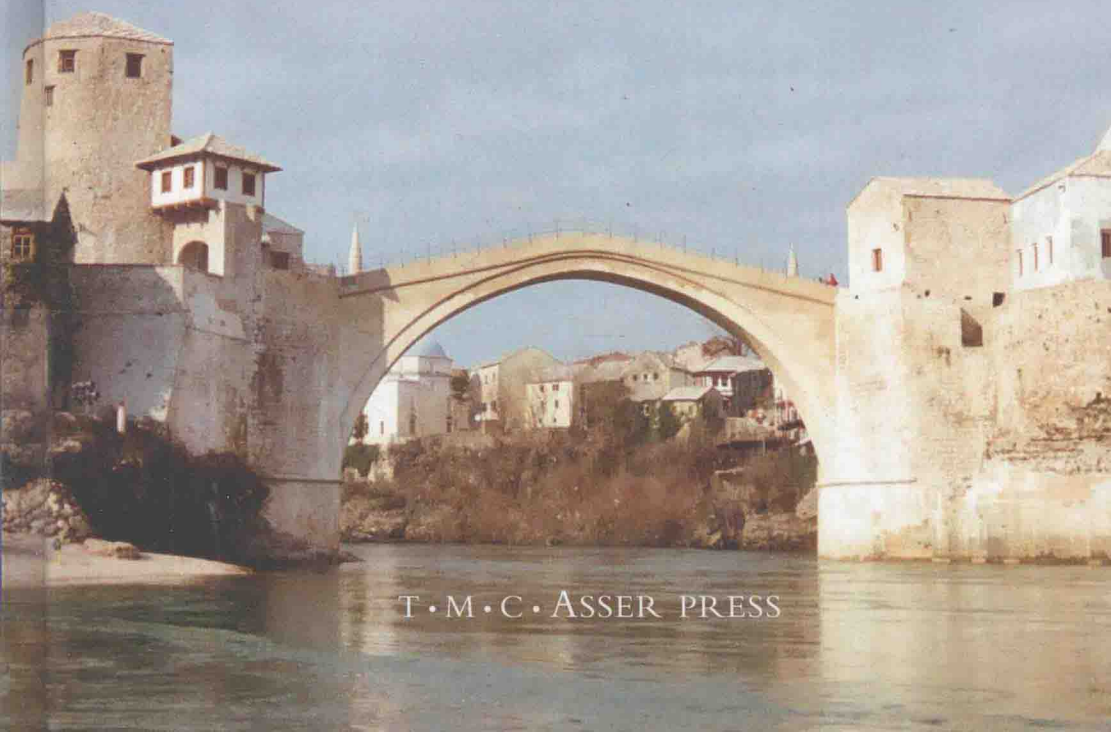


Steven Blockmans

Tough *Love*

The European Union's Relations
with the Western Balkans



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THE EUROPEAN UNION'S RELATIONS
WITH THE WESTERN BALKANS

Steven Blockmans

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PREFACE

The relations between the European Union and the Western Balkans form a theme with a deep historical background covered by many discussions and publications. It is striking to note that current legal and political academic literature has a tendency to deal with each Western Balkan country separately. In a region where all things seem related, this approach not only denies a more holistic understanding of the needs to effectively stabilise the Western Balkans but also obscures the international community's actions and ambitions in south-eastern Europe. It is my view that, pending the final status and constitutional settlements in the region, the European Union will have to take the lead in the international effort to see the defining processes through. It will have to adapt its policies and instruments to the new political, legal, economic and social environment and complement them with the expertise and tools of other international organisations in order to prevent the outbreak of fresh armed conflict and permanently stabilise the Western Balkans. Hence, it is useful to evaluate the international community's efforts at stabilisation, partnership and integration as applied to the Western Balkans. It is only by adopting a more interdisciplinary approach to studying the relations between the European security organisations and all the Western Balkan countries that one is able to offer insights into the linkages that exist between the different policies and the contractual relations that underpin them and to make suggestions how to better organise them. This book offers an academic analysis of the role and impact of the international community in the Western Balkans, primarily from an EU perspective.

This book is dedicated to all those who gave their time, insights and support during the production process. Much credit lies with my family and friends. The book is also a tribute to the memory of Professor Dr Hein Schermers, who was a fervent supporter of an all-encompassing approach to the theme. I benefited greatly from his advice in the preparatory stages of this study and thoroughly enjoyed discussing issues of 'South Slavia' with him. In the same vein, I would like to thank Professor Hanspeter Neuhold and Professor Christophe Hillion for their support. I would like to thank the colleagues at the T.M.C. Asser Institute for the opportunities to match my academic research with relevant project work in the Western Balkans. The research has greatly benefited from the insights gleaned from the commercial activities that I carried out in the region with people from the region. I would like to express my gratitude to the Director of the T.M.C. Asser Institute, Professor Frans Nelissen, for providing financial and logistical support for the production of this book. Special thanks go to Inge van Dun-van den Bosch and Daniel Stephens for editing and typesetting the manuscript.

Brussels, August 2007

Steven BLOCKMANS

ABBREVIATIONS

AAK	Aleanca për Ardhmërinë e Kosovës (Alliance for the Future of Kosovo)
ACTORD	Activation Order
AFDI	Annuaire Français de Droit International
AII	Adriatic-Ionian Initiative
AJIL	American Journal of International Law
ASIL	American Society of International Law
AU	African Union
Australian YIL	Australian Yearbook of International Law
BBC	British Broadcasting Corporation
BiH	Bosnia-Herzegovina
BSEC	Black Sea Economic Cooperation
Bull. EC	Bulletin of the European Communities
Bull. EU	Bulletin of the European Union
BYIL	British Yearbook of International Law
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CBD	Center for Balkan Development
CDA	Christen Democratisch Appèl
CDDRL	Center on Democracy, Development and the Rule of Law
CDL	European Commission for Democracy through Law
CDU	Christlich Demokratische Union Deutschlands
CEE	Communauté économique européenne
CEEC	Central and Eastern European Countries
CEFTA	Central European Free Trade Agreement
CEI	Central European Initiative
CEPS	Centre for European Policy Studies
CFE	Conventional Armed Forces in Europe
CFI	Court of First Instance
CFSP	Common Foreign and Security Policy
CIA	Central Intelligence Agency
CiO	Chairman-in-Office
CIS	Commonwealth of Independent States
CMLR	Common Market Law Reports
CML Rev.	Common Market Law Review
CoE	Council of Europe
COM	European Commission document
COPS	Comité politique et de sécurité
Cornell ILJ	Cornell International Law Journal
COWEB	EU Council on the Western Balkans
CPC	Conflict Prevention Centre
CPE	Coopération politique européenne
CRS	Congressional Research Service
CSCE	Conference on Security and Cooperation in Europe

CSO	Committee of Senior Officials
CSU	Christlich Soziale Union in Bayern
DAV	Direktie Atlantische Samenwerking en Veiligheidszaken (Atlantic Cooperation and Security Affairs Department of the Netherlands Ministry of Foreign Affairs)
DG	Directorate General
DG ECFIN	Directorate General for Economic and Financial Affairs
DG ELARG	Directorate General for Enlargement
DG RELEX	Directorate General for External Relations
DOS	Democratic Opposition of Serbia
DPS	Democratic Party of Socialists
DRC	Democratic Republic of Congo
D-SACEUR	Deputy Supreme Allied Commander Europe
DSRSG	Deputy Special Representative of the Secretary-General
EA	Europe Agreement
EAEC	European Atomic Energy Community
EAPC	Euro-Atlantic Partnership Council
EAR	European Agency for Reconstruction
EBRD	European Bank for Reconstruction and Development
EC	European Community/Communities
ECAA	European Common Aviation Area
ECHO	European Community Humanitarian Aid Office
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECJ	European Court of Justice
ECMM	European Community Monitoring Mission
ECOSOC	Economic and Social Council
ECOWAS	Economic Community of West African States
ECR	European Court Reports
ECSC	European Coal and Steel Community
ECU	European Currency Unit
EEC	European Economic Community
EFA Rev.	European Foreign Affairs Review
EIB	European Investment Bank
EIDHR	European Initiative for Democracy and Human Rights
EIPA	European Institute of Public Administration
EJIL	European Journal of International Law
EL Rev.	European Law Review
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EP	European Parliament
EPC	European Political Cooperation
ESDP	European Security and Defence Policy
ESF	European Security Forum
ESI	European Stability Initiative
ESS	European Security Strategy
ETS	European Treaties Series
EU	European Union

EUAM	European Union Administration of Mostar
EUF	European Union-led Forces
EUFOR	European Union Force in Bosnia and Herzegovina
EU OHQ	EU Operation Headquarters
EUI	European University Institute, Florence
EUISS	European Union Institute for Security Studies
EUMC	European Union Military Committee
EUMM	European Union Monitoring Mission
EUPAT	EU Police Advisory Team
EUPM	European Union Police Mission
EUPOL	European Union Police Mission
EUPT	European Union Planning Team for Kosovo
EUSR	European Union Special Representative
EVRM	Europees Verdrag voor de Rechten van de Mens en Fundamentele Vrijheden
FAIFE	IFLA Committee on Free Access to Information and Freedom of Expression
FAO	Food and Agriculture Organisation
FBiH	Federacije Bosne i Hercegovine (Federation of Bosnia-Herzegovina)
FIDE	Fédération Internationale du Droit Européen
Finnish YIL	Finnish Yearbook of International Law
FRY	Federal Republic of Yugoslavia
FYROM	Former Yugoslav Republic of Macedonia
G-7	Canada, France, Germany, Italy, Japan, the United Kingdom and the United States of America
G-8	G-7 plus Russia
GA	General Assembly
GAERC	General Affairs and External Relations Council
GATT	General Agreement on Tariffs and Trade
GDP	gross domestic product
GIS	Geographic Information System
GMT	Greenwich Mean Time
GSP	Generalised System of Preferences
GSZ	Ground Safety Zone
HCNM	High Commissioner on National Minorities
HDZ	Hrvatska Demokratska Zajednica (Croatian Democratic Union)
HFUM	Helsinki Follow-Up Meeting
HLPM	High-Level Plenary Meeting
HQ	headquarters
HR	High Representative
HRW	Human Rights Watch
ICB	International Commission for the Balkans
ICFY	International Conference on the Former Yugoslavia
ICG	International Crisis Group
ICJ	International Court of Justice
ICLQ	International and Comparative Law Quarterly

ICM	International Civilian Mission
ICO	International Civilian Office
ICR	International Civilian Representative
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the former Yugoslavia
IFLA	International Federation of Library Associations and Institutions
IFOR	Implementation Force
IGC	Intergovernmental Conference
IHT	International Herald Tribune
ILF	International Law FORUM du droit international
ILM	International Legal Materials
IMF	International Monetary Fund
IMP	International Military Presence
IOLR	International organizations law review
IPA	Instrument for Pre-Accession Assistance
IPTF	International Police Task Force (UN)
ISPA	Instrument for Structural Policies for Pre-Accession
ISS	Institute for Security Studies
IWPR	Institute for War & Peace Reporting
JAT	Jugoslovensko Aviontransport
JCMS	Journal of Common Market Studies
JDW	Jane's Defence Weekly
JHA	Justice and Home Affairs (EU)
JNA	Jugoslovenska narodna armija (Yugoslav People's Army)
JT	Journal des tribunaux (Belgium)
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
KSIP	Kosovo Standards Implementation Plan
KVAB	Koninklijke Vlaamse Academie van België voor Wetenschappen en Kunsten
KVM	Kosovo Verification Mission
LDK	Lidhja Demokratike e Kosovës (Democratic League of Kosovo)
LIEI	Legal Issues of European Integration
LJIL	Leiden Journal of International Law
LNTS	League of Nations Treaty Series
LSE	London School of Economics and Political Science
MAP	Membership Action Plan
MAPE	Multinational Advisory Police Element (UN - Albania)
MC	Ministerial Council
MEDA	Euro-Mediterranean Partnership
MEP	Member of the European Parliament
MINUK	Mission d'administration intérimaire des Nations Unies au Kosovo
MoU	Memorandum of Understanding
MTA	Military Technical Agreement

NAC	North Atlantic Council
NACC	North Atlantic Cooperation Council
NAT	North Atlantic Treaty
NATO	North Atlantic Treaty Organisation
NGO	non-governmental organisation
NHQSa	NATO Headquarters in Sarajevo
NJCM	Nederlands Juristen Comité voor de Mensenrechten
NLA	National Liberation Army
Nordic JIL	Nordic Journal of International Law
NPAA	National Programme for the Adoption of the <i>Acquis</i>
OAS	Organization of American States
OAU	Organization of African Unity
ODIHR	OSCE Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Cooperation and Development
OHR	Office of the High Representative
OJ	Official Journal of the European Communities/Union
OMIK	OSCE Mission in Kosovo
OMRI	Open Media Research Institute
OSCE	Organisation for Security and Cooperation in Europe
OSZE	Organisation für Sicherheit und Zusammenarbeit in Europa
OTAN	Organisation du Traité de l'Atlantique Nord
PACE	Parliamentary Assembly of the Council of Europe
PC	Permanent Council
PCA	Partnership and Cooperation Agreement
PDK	Partia Demokratike e Kosovës (Democratic Party of Kosovo)
PESC	Politique étrangère et de sécurité commune
PfP	Partnership for Peace
PHARE	Poland Hungary Assistance for the Reconstruction of the Economy
PIC	Peace Implementation Council
PISG	Provisional Institutions of Self-Government
PRST	presidential statement
PSC	Political and Security Committee
PSIO	Program for the study of international organization(s)
RBDI	Revue belge de droit international
RCC	Regional Cooperation Council
RdC	Recueil des cours
RGDIP	Revue Générale de Droit International Public
RNIS	Refugee Nutrition Information System
RRF	Rapid Reaction Force
RRM	Rapid Reaction Mechanism
RS	Republika Srpska
RSFY	République socialiste fédérale de Yougoslavie
RTDE	Revue Trimestrielle de Droit Européen
SAA	Stabilisation and Association Agreement
SAC	Stabilisation and Association Council
SaM	Serbia and Montenegro

SAO	Serbian Autonomous Oblast
SAP	Stabilisation and Association Process
SAPARD	Special Accession Programme for Agriculture and Rural Development
SC	Security Council
SDS	Serbian Democratic Party
SEC	European Commission documents which cannot be classified in any of the other series
SECI	Southeast European Cooperative Initiative
SEE	south-eastern Europe
SEECp	South-East Europe Cooperation Process
SEESP	South East European Studies Programme (Oxford University)
SEW	Sociaal Economische Wetgeving
SFOR	Stabilisation Force in Bosnia and Herzegovina
SFRY	Socialist Federal Republic of Yugoslavia
SG/HR	Secretary-General/High Representative
SHAPE	Supreme Headquarters Allied Powers Europe
SIPRI	Stockholm International Peace Research Institute
SNP	Socialist People's Party of Montenegro
SOFA	Status of Forces Agreement
SMSG	Special Representative of the Secretary-General
STM	SAP Tracking Mechanism
SWP	Stiftung Wissenschaft und Politik
TACIS	Technical Assistance to the Commonwealth of Independent States
TCE	Treaty establishing a Constitution for Europe
TEC	Treaty establishing the European Community
TEU	Treaty on European Union
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UN	United Nations
UNC	United Nations Charter
UNCRO	United Nations Confidence Restoration Operation
UNCTC	United Nations Centre on Transnational Corporations
UN Doc.	United Nations Documents
UNDP	United Nations Development Programme
UNDPI	United Nations Department of Public Information
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMOP	United Nations Mission of Observers in Prevlaka
UNO	United Nations Organization
UNPA	United Nations Protected Area
UNPF	United Nations Peace Forces
UNPREDEP	United Nations Preventive Deployment Force
UNPROFOR	United Nations Protection Force
UNPSG	United Nations Police Support Group
UNSC	United Nations Security Council

UNSCR	United Nations Security Council Resolution
UNSG	United Nations Secretary-General
UNTAES	United Nations Transitional Authority in Eastern Slovenia
UNTS	United Nations Treaty Series
UPFM	Unified Police Force Mostar
US	United States
USD	US Dollar
VCLT	Vienna Convention on the Law of Treaties
Virginia JIL	Virginia Journal of International Law
WEU	Western European Union
WFP	World Food Programme
WIIW	Wiener Institut für Internationale Wirtschaftsvergleiche (Vienna Institute for International Economic Studies)
WTO	World Trade Organisation
ZaöRV	Zeitschrift für ausländisches öffentliches Recht und Völkerrecht
ZEI	Zentrum für Europäische Integrationsforschung

MAPS*



* Sources: Joint World Bank - European Commission Office for South East Europe (map of Western Balkans); University of Texas Libraries (all other maps).



Albania



Bosnia and Herzegovina



Croatia



Macedonia



Montenegro



Serbia

FACTS AND FIGURES

Croatia – Geographical and political profile

Official name	Republic of Croatia (Republika Hrvatska)
Independence	25 June 1991
Area	56,542 km ²
Neighbouring countries	Bosnia and Herzegovina (932 km), Hungary (329 km), Serbia (241 km), Montenegro (25 km), Slovenia (670 km), coastline (5,835 km)
Population	4.5 million (2007, est.)
Density	78 inhabitants per km ²
Distribution	53.3% urban population, 46.7% rural population (2002)
Population profile	Croat (89.6%), Serb (4.5%), Bosniak (0.47%), Hungarian (0.37%), Czech (0.34%), Slovene (0.3%), Roma (0.21%) (2001 census)
Languages	Croatian (96.1%), Serbian (1%), other, including Italian, Hungarian, Czech, Slovak and German (2.9%) (2001 census)
Religions	Roman Catholic (87.8%), Orthodox (4.4%), Muslim (1.3%), Protestant (0.3%), others (6.2%)
Life expectancy	Average: 74.9 years, male: 71.3 years, female: 78.8 years (2007 est.)
Main political parties in Parliament (152 seats)	HDZ - Croatian Democratic Union (63), SDP - Social Democratic Party (34), HNS - Croatian People's Party (11), HSS - Croatian Peasants' Party (9)
President	Stjepan (Stipe) MESIC (HNS, since 18 February 2000)
Prime Minister	Ivo SANADER (HDZ, since 9 December 2003)

Croatia – Economic profile

GDP	Approx. €27.6 billion (2004)
GDP per capita	€6,200 in purchasing power standards (48.86% of EU-25 average) (2004)
Economic growth	5.3% in 2003; 3.8% in 2004; 4.3% in 2005; 4.6% in 2006
Inflation rate	3.4% (2006 est.)
Unemployment rate	17.2% (2006 official)
Population below poverty line	11% (2003)
Currency	Kuna (HRK)
Government budget balance	-3.9% of GDP
Current account balance	-7.7% of GDP (second quarter of 2006, four quarter moving average)
Foreign debt	82.5% of GDP (end 2005)

Croatia – Economic profile (cont'd)

Natural resources	oil, some coal, bauxite, low-grade iron ore, calcium, gypsum, natural asphalt, silica, mica, clays, salt, hydropower
Agricultural products	wheat, sugar beets, sunflower seed, barley, alfalfa, clover, olives, citrus, grapes, soybeans, potatoes, livestock, dairy products
Industries	chemicals and plastics, machinery, fabricated metal, electronics, pig iron and rolled steel products, aluminium, paper, wood products, construction materials, textiles, shipbuilding, petroleum (refining), food and beverages, tourism
Export products	transport equipment, textiles, chemicals, foodstuffs, fuels
Import products	machinery, transport and electrical equipment, chemicals, fuels and lubricants, foodstuffs
Most prominent trading partners	Export: Italy 21.8%, Bosnia and Herzegovina 14.7%, Germany 10.7%, Slovenia 8.1%, Austria 7.3% (2005) Import: Italy 15.9%, Germany 14.9%, Russia 9.1%, Slovenia 6.8%, Austria 5.8%, China 4.7%, France 4.2% (2005)
Trade with the EU	Exports to the EU: 64% of total (€3.92 billion) (2005) Imports from the EU: 70% of total (€9.78 billion) (2005) Trade deficit = €5.86 billion

Macedonia – Geographical and political profile

Official name	The former Yugoslav Republic of Macedonia
Independence	8 September 1991
Area	25,333 km ²
Neighbouring countries	Albania (151 km border), Serbia (221 km), Bulgaria (148 km), Greece (246 km), coastline (0 km)
Population	2.06 million (2007 est.)
Density	78.7 inhabitants per km ²
Population profile	Macedonian (64.2%), Albanian (25.2%), Turkish (3.9%), Roma (2.7%), Serb (1.8%), Bosniak (0.8%), Vlach (0.5%), other (0.9%) (2002 census)
Languages	Macedonia (66.5%), Albania (25.1%), Turkish (3.5%), Serbia (1.2%), other (3.7%)
Religions	Orthodox (64.8%), Muslim (33.3%), other (1.9%) (2002 census)
Life expectancy	Average: 74.2 years, male: 71.7 years, female: 76.9 years (2007 est.)
Main political parties in Parliament (120 seats)	VMRO-DPMNE (VMRO-Democratic Party for Macedonia National Unity) (45), SDSM (Social Democratic Union of Macedonia) (32), BDI/DUI (Democratic Union of Integration) (17), PDSH-DPA (Democratic Party of Albanians) (11)
President	Branko CRVENKOVSKI (SDSM, since 12 May 2004)
Prime Minister	Nikola GRUEVSKI (VMRO-DPMNE, since 26 August 2006)