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19 March 1998 A4-0106/98

REPORT

on a post-SFOR strategy in Bosnia and Herzegovina containing a proposal for a
European Parliament recommendation to the Council

Committee on Foreign Affairs, Security and Defence Policy

Rapporteur: Mrs Katerina Daskalaki

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C O N T E N T S

Page

Procedural page	3
A. DRAFT RECOMMENDATION	4
B. EXPLANATORY STATEMENT	7
Annex: Draft recommendation B4-1103/97	10

At the sitting of 13 January 1998 the President of Parliament announced that he had referred the proposal for a recommendation to the Council by Mrs Lalumière on behalf of the ARE group on a post-SFOR strategy in Bosnia and Herzegovina (B4-1103/97) to the Committee on Foreign Affairs, Security and Defence Policy.

At its meeting of 4 February 1998 the committee considered the proposal for a recommendation and decided to draw up a report.

The Committee on Foreign Affairs, Security and Defence Policy had appointed Mrs Daskalaki rapporteur at its meeting of 4 February 1998.

At its meetings of 25 February, 3 March and 17 March 1998 the committee considered the draft report.

At the last meeting it adopted the draft recommendation unanimously with 1 abstention.

The following took part in the vote: Spencer, chairman; Carrère d'Encausse, second vice-chairman (replacing the rapporteur Daskalaki); Aelvoet, André-Léonard, Avgerinos, Barón Crespo, Bernard-Reymond, Bertens, Burenstam Linder, Caligaris (for La Malfa), Carnero González, Cars, Dillen, Donner, Ephremidis (for Alavanos), Fernandez-Albor, Galeote Quecedo, Gomolka, Graziani, Habsburg, Kristoffersen, Lambrias, Newens, Oostlander, Piha, Poettering, Roubatis, Sakellariou, Salafranca Sánchez-Neyra, Tatarella, Terrón i Cusí (for Candal), Theorin, Tindemans, Truscott and Väyrynen.

The report was tabled on 19 March 1998.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

A
PROPOSAL FOR A RECOMMENDATION

European Parliament recommendation to the Council on a post-SFOR strategy in Bosnia and Herzegovina

The European Parliament,

- having regard to the proposal for a recommendation to the Council by Mrs Lalumière on behalf of the ARE Group on a post-SFOR strategy in Bosnia-Herzegovina (B4-1103/97),
 - having regard to Article J.7, second paragraph, of the EU Treaty,
 - having regard to Rule 46 (3) of its Rules of Procedure,
 - having regard to the conclusions of the Peace Implementation Conference on Bosnia-Herzegovina which took place in Bonn 9/10 December 1997,
 - having regard to the final communiqué of the meeting of NATO Defence Ministers of 2nd December 1997 and of NATO Foreign Affairs Ministers on 16 December 1997,
 - having regard to the new provisions of the Amsterdam Treaty with regard to the EU's security policy (Article J. 7 former J. 4),
 - having regard to the report of the Committee on Foreign Affairs, Security and Defence Policy (A4-0106/98),
- A. whereas the Bonn Peace Implementation Conference of 9/10 December 1997 concluded that there is no alternative to the Peace Agreement for Bosnia-Herzegovina and for sustainable peace in the entire region,
- B. noting that considerable progress has been made in implementing peace and stability in Bosnia-Herzegovina but that a huge effort is still needed to achieve the ultimate goal of making peace self-sustainable, and that further progress is required to build functioning governmental and administrative structures, to further democratisation, to ensure the adequate protection of human rights, a police force that operates effectively and openly and the rule of law, and to establish a proper management of the economy - including the fight against corruption and revenue evasion -, and to complete successfully the return of refugees and displaced persons,
- C. convinced that further assistance by the EU and the International Community must remain conditional upon compliance with the Peace Agreement and subsequent obligations,
- D. recognising that the presence of IFOR and later SFOR has been the greatest single contribution to sub-regional security since the signing of the Peace Agreement and will continue to be so in the short to medium term, if the pace of implementation of the civilian aspects of the Dayton Agreement is still so slow,

- E. stating that the civil implementation has been seriously endangered by the "public security gap", owing to the high degree of separation of roles between the military and the civilian parts of the Bosnian peace operation,
 - F. wishing to improve the consistency, quality, impact and visibility of the EU engagement in Bosnia-Herzegovina,
 - G. welcoming the emerging consensus on the need for the presence of a military peace-keeping force to continue beyond June 1998 indicated by NATO's plans to consider options for a multinational follow-on force to SFOR beyond June 1998,
 - H. whereas the provisions of the new Amsterdam Treaty make a common European security action for Bosnia-Herzegovina possible by applying Article J.7, second paragraph, on the Petersberg tasks and Article J.13 on the rule of constructive abstentions
1. Presents to the Council the following recommendation:
- (a) to decide in the spirit of the provisions of the new Amsterdam Treaty, which refers to peace keeping and peace making tasks in crisis management, on a joint action for an active EU participation in a multinational follow-on force to SFOR beyond June 1998,
 - (b) to take such a decision and to ask WEU to coordinate the military efforts of EU Member States within a NATO led post-SFOR operation,
 - (c) to take such a decision in the perspective to make the European commitment to peace building and reconstruction in Bosnia-Herzegovina, on the basis of the Dayton Agreement, more consistent and visible,
 - (d) to take into account that the mandate for any follow-on force should provide appropriate support to civil implementation while being readily available and effective enough to respond quickly to events on the ground in and across Bosnia-Herzegovina, and furthermore should include a substantial expansion of the number of UN-IPTF (police) personnel, also with the objective to train local police forces,
 - (e) to ensure the continuity and to make better use of the mandate for the European Community Monitoring Mission (ECMM) which plays an important role below the military level for the civil implementation efforts and which is the only organisational force on the ground showing an EU visibility; asks the Commission and the Council in this respect to make an overall evaluation of the role and the experience of the ECMM so far and to report to the EP,
 - (f) to continue its ban on arms transfers to the former Yugoslavia and to appeal for a policy of moderation on the part of arms exporting countries and to urge the respective governments, especially the US, to reconsider their intentions of rearming the Bosnian factions; any armament that would encourage further military action must be avoided at all cost,

(g) immediately to persuade all decision-makers in Bosnia-Herzegovina to stop the production of mines in Bosnia-Herzegovina and their export from Bosnia-Herzegovina forthwith,

2. Instructs its President to forward this recommendation to the Council and Commission.

B
EXPLANATORY STATEMENT

1. Two years after the signing of the Dayton Peace Agreement it appears clear that the implementation of most of the civilian and constitutional provisions is taking longer than expected.

While many military tasks seem to be successfully completed, many civilian objectives have been delayed, such as the functioning of the political institutions, the freedom of movement, and the return of refugees.

However, at the beginning of 1998 there are positive signs that reconstruction might develop more intense and effectively.

The new powers of the High Representative to use his authority fully in cases of non-compliance with the Peace Agreement, the newly constituted government in the Republic Srpska under Prime Minister Dodik, and the proposal for amending the EU regulation on reconstruction aid for Ex-Yugoslavia give hope that the reconstruction process and repatriation might accelerate in 1998 leading to successful parliamentary elections in September 1998 in Bosnia-Herzegovina.

Nevertheless, peace, and the institutions of civil society to uphold it, remains fragile. The war has left a legacy of bitterness and distrust, and the Peace Implementation Conference of December 1997 in Bonn highlighted the following matters of concerns:

- The majority of common institutions are operating insufficiently. Permanent facilities have not been established.
- Illegal structures of government in the Federation have not been dissolved or integrated.
- Serious problems of local administration, notably in Mostar, continue to exist. The implementation of municipal elections still encounters resistance in several municipalities.
- Lack of strong multi-ethnic political parties and a structured civil society.
- Lack of legislation on de-mining and the continuing manufacture of mines.
- Human rights are still not adequately protected. Citizenship is not legally defined. Property and housing legislation block the return of refugees and displaced persons to their pre-war homes. The police are still sometimes used to obstruct the implementation of election results, do not deal effectively with politically or ethnically motivated crimes, are responsible for documented cases of abuse of persons in custody, and more generally are not sufficiently obliged by the political leadership to advance the goals of the Peace Agreement. Human rights violations remain endemic, despite improvement in some areas.
- Neither entity has taken the necessary steps to ensure that its laws are compatible with the European Convention on Human Rights. In both the Federation and Republic Srpska, the fair trial standards set forth in the Convention are clearly and routinely violated.

- Comprehensive plans to facilitate returns have not been implemented.
- Bosnia-Herzegovina has failed to finance its common institutions or service its external debt on time, implement common policies on foreign trade, apply a common customs tariff, issue common bank notes, achieve transparency and good governance in the use of public funds, and establish effective institutions to curb corruption and revenue evasion. The lack of an economic policy framework is preventing an IMF Standby Arrangement and World Bank adjustment lending and renders the country vulnerable to financial crisis.
- Full normalisation of Bosnia-Herzegovina's relations with its immediate neighbours has not taken place.

2. It is in any case essential to continue to provide the secure environment necessary for the increased assistance for the civil implementation of the Peace Agreement. The Peace Implementation Council recognised and supported the emerging consensus on the need for a military presence to continue beyond June 1998, considering it indispensable for the maintenance of a stable security environment, and in particular, for helping to create secure conditions for the conduct by the High Representative, as well as by the UN, OSCE and other international organizations, of tasks associated with the Peace Agreement.

3. Meanwhile after its ministerial meetings in December 1997 NATO is considering options for a multinational follow-on force to SFOR beyond June 1998. Such a NATO led follow-on force should provide appropriate support to civil implementation while being readily available and effective enough to respond quickly to events on the ground in and across Bosnia-Herzegovina.

This is to be welcomed. However, it would be desirable if the huge political and financial engagement of the EU in Bosnia-Herzegovina as well as the military engagement of its Member States were connected in one consistent and visible EU common action.

4. For many months Europeans appeared to be caught in a dilemma. American political pressure has been a decisive factor in bringing about the peace agreement and it will probably still remain an indispensable factor in convincing the former parties to the conflict to stick to implementation. Moreover, NATO and US resources will still be required to support any post-SFOR force in order to share burdens and risks. US participation is thus a condition sine qua non for many European decision makers who insist on their "one out, all out" decision.

On the other hand, Europe has a stake in the future of Bosnia anyway, and it cannot simply withdraw from the country, even if the US leaves.

With NATO's decision of December 1997 to continue a post-SFOR presence in one form or another the dilemma has not yet been resolved.

Therefore it is advisable from your rapporteur's point of view that EU Member States now decide on a **joint action** for an active EU participation in a multinational follow-on force to SFOR.

This would also increase the EU's credibility in its reconstruction efforts and even more strengthen the authority of the High Representative.

It would be up to WEU to coordinate the military efforts of EU Member States within a NATO-led operation; this would be a milestone in building up a genuine European CFSP.

5. A strengthened European engagement within a post-SFOR operation through WEU coordination might also improve the civil-military cooperation in Bosnia-Herzegovina. Despite the prevailing policy of avoiding mission creep into political roles, IFOR/SFOR opened up to an extended number of tasks related to the support of civil implementation (technical expertise and assistance in telecommunications and engineering, air transportation, cooperation with the IPTF, management of small projects on housing, education, local economy and infrastructure, information campaigns on democracy). Since the PIC Sintra meeting on 30 May 1997, SFOR has assumed a more robust role in supporting the OHR, by suspending media networks inciting violence and by disarming and retraining Pale's paramilitary forces. It has, moreover, chosen political sides by running a public information campaign to support RS president Biljana Plavsic against the radicals in Pale.

The more the civil implementation and reconstruction process evolves the less pure military presence will be needed rather than more international police assistance (IPTF or WEU) also for training local police forces to advance the goals for the Peace Agreement.

In this context also ECMM (European Community Monitoring Mission) should gain a new prominent role as it is the only organized force on the ground showing throughout B.-H. an EU visibility. Therefore a renewal of its mandate by Council seems to be necessary.

6. Finally, a common European post-SFOR operation in Bosnia-Herzegovina should be closely linked with the compliance of all parties of the conflict to the arms control agreement. As of April 1997, 14 countries had pledged at least \$ 376 million in cash, equipment, training, and technical support for the programme for the Federation's military forces. (To compare: the European Commission committed \$ 430,21 million for Bosnia's Priority Reconstruction and Recovery Program in 1996).

Therefore it is important that the EU continues its ban on arms transfers to the former Yugoslavia, appeals for a policy of moderation on the part of arms exporting countries, and urges the respective governments, especially the USA, to reconsider their intention of rearming the Bosnian factions.

In particular, the large influx of weapons under the US military assistance programme for the Federation forces (train and equip) could encourage military aspirations.

Furthermore, the production of mines in Bosnia and Herzegovina and its export should be stopped.

Recommendation on a post-SFOR strategy in Bosnia-Herzegovina

The European Parliament,

- having regard to Article J.7, second paragraph, of the EU Treaty,
 - having regard to the conclusions of the Peace Implementation Conference on Bosnia-Herzegovina which took place in Bonn on 9/10 December 1997,
 - having regard to the final communiqué of the meeting of NATO Defence Ministers of 2 December 1997 and of NATO Foreign Affairs Ministers on 16 December 1997,
 - having regard to the new provisions of the Amsterdam Treaty with regard to the EU's security policy (Art. J.7 former J.4),
- A. whereas the Bonn Peace Implementation Conference of 9/10 December 1997 concluded that there is no alternative to the Peace Agreement for Bosnia-Herzegovina and for sustainable peace in the entire region,
- B. noting that considerable progress has been made in implementing peace and stability in Bosnia and Herzegovina but that still a huge effort is needed to achieve the ultimate goal of making peace self-sustainable, and that progress is needed to build functioning governmental and administrative structures, to further democratization, to ensure the adequate protection of human rights, police reform and the rule of law, and to establish a proper management of the economy - including the fight against corruption and revenue evasion - , and to complete successfully the return of refugees and displaced persons,
- C. convinced that further assistance by the EU and the International Community must remain conditional upon compliance with the Peace Agreement and subsequent obligations,
- D. reiterates its conviction that until all persons indicted for war crimes are brought before the International Criminal Tribunal for the Former Yugoslavia, the prerequisites for reconciliation and the rule of law in Bosnia-Herzegovina remain seriously impaired,
- E. recognizing that the presence of IFOR and SFOR has been the greatest single contributor to sub-regional security since the signing of the Peace Agreement and will continue to be in the short to medium term,
- F. stating that the civil implementation has been seriously endangered by the 'public security gap' due to the high degree of separation of roles between the military and the civilian parts of the Bosnian peace operation,
- G. wishing to improve the consistency, quality, impact and visibility of the EU engagement in Bosnia-Herzegovina,

- H. welcoming the emerging consensus on the need for a military presence to continue beyond June 1998 as it seems to be indicated by NATO's plans to consider options for a multinational follow-on force to SFOR beyond June 1998,
- J. emphasizing that the provisions of the new Amsterdam Treaty on the Petersberg tasks make a common European security action for Bosnia-Herzegovina possible,
- 1. Puts to the Council the following recommendations:
 - (a) to decide in the spirit of the provisions of the new Amsterdam Treaty, which refers to peace keeping and peace making tasks in crisis management, on a joint action for an EU military engagement in a multinational follow-on force to SFOR beyond June 1998,
 - (b) to ask the WEU to coordinate the military efforts of EU Member States within a NATO led post-SFOR operation,
 - (c) to take such a decision in the perspective to make the European commitment to peace building and reconstruction in Bosnia-Herzegovina more consistent and visible,
 - (d) to take into account that the mandate for any follow-on force should provide appropriate support to civil implementation while being readily available and effective enough to respond quickly to events on the ground in and across Bosnia-Herzegovina, and furthermore should include a substantial expansion of the number of UN-IPTF (police) personnel,
 - (e) to continue its ban on arms transfers to the former Yugoslavia and to appeal for a policy of moderation on the part of arms exporting countries and to urge the respective governments, especially the US, to reconsider their intentions of rearming the Bosnian factions,
- 2. Instructs its President to forward this recommendation to the Council and Commission.