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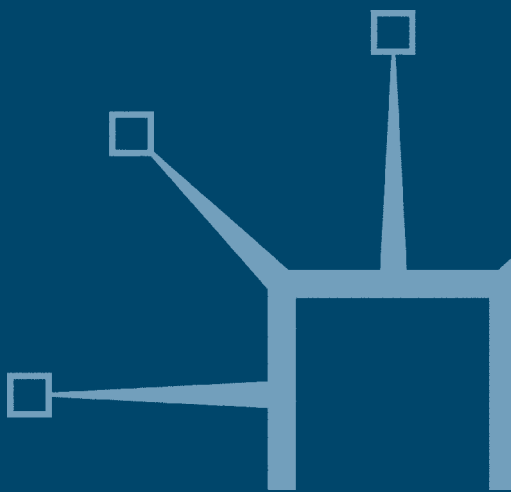
Transnational Terrorism, Organized Crime and Peace-Building

Human Security in the Western Balkans

Edited by

Wolfgang Benedek, Christopher Daase,
Vojin Dimitrijević and Petrus van Duyne



Transnational Terrorism, Organized Crime and Peace-Building

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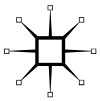

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1

The Human Security Approach to Terrorism and Organized Crime in Post-Conflict Situations

Wolfgang Benedek

1.1 Introduction

The human security approach, which will be described briefly below, can be usefully applied to the fight against terrorism and organized crime in post-conflict situations. The concept's focus is on the security needs of the individual, who is the main victim of terrorism and organized crime, although terrorism also threatens the security of the state. Therefore, in addressing these threats not only state security but the security of citizens in particular needs to be given attention. The basic message of the human security approach is that people matter and that the focus has to be on their vulnerabilities, which can also mean that state structures, like the police and the judiciary, need to be strengthened – albeit with a view to securing human rights and ensuring democratic governance. The state has the primary function of protection, but the protection needs to be provided in such a way that the security of the citizens is in the foreground. Post-conflict situations are often characterized by weak states, which still need to consolidate themselves and to reform the police and the judiciary in order to make sure that these are operating in the interest of the citizens. The distinction between the two main pillars of human security – freedom from fear and freedom from want – provides a useful methodological approach in order to analyse the vulnerabilities of citizens and the threats against them in post-conflict situations. For example, security sector reform is of crucial importance, because in post-war situations the security sector is often linked with organized crime and therefore rather a threat to citizens than a provider of protection. Generally, the state, by not providing adequate protection or by repressing (some) of its citizens, like critical civil society groups or media, violates its basic functions of providing human security for its people.

1.2 Scope and context of the human security approach

If we take the seven target areas of human security distinguished by the 1994 UNDP *Human Development Report* (economic security, food security,

health security, environmental security, personal security, regional security, and political security[1]) as a starting point and apply them to a post-conflict situation like the one in the Western Balkans, certain priority areas may be identified. They can usefully be divided between the two main pillars of human security: the freedom from fear and the freedom from want. During and immediately after conflicts the freedom from fear, the protection of the human person against violence and therefore its personal security, is in the foreground. Gradually, freedom from want, consisting of food security, health security, and economic security may gain in importance. Certainly, the two pillars are interlinked in practice, as there can be no economic security without personal security and vice versa.

This raises the issue of the meaning of 'personal security', which can be understood as protection of people from physical violence,[2] but also has a wider meaning, namely protecting the human person against all violations of its civil and political rights. For example, if the police, the judiciary, or the administration of a state does not function properly, this creates a problem of personal security. If crime is not prevented and criminals are not held accountable, the state does not fulfil its basic functions.

Post-conflict situations are often characterized by weak states, states that need to consolidate and to rebuild their state functions. The discussion on 'fragile states', which mainly is focused on the weaknesses of developing states,[3] is also of relevance in the post-conflict context.[4] This debate addresses the strengthening of the state in order to provide basic services for its people and protect them against threats – challenges similar to those that appear in post-conflict situations. With regard to the involvement of international actors, the OECD has developed *Principles for Good International Engagement in Fragile States and Situations*.[5] Parallels may also

[1] UNDP, Human Development Report 1994, New York 1994.

[2] See Wolfgang Benedek, 'The Role of the Concept of Human Security in the Struggle against Terrorism and Organized Crime', in Yotopoulos-Marangopoulos (ed.), *Droits de l'Homme et Politique Anticriminelle*, Bruylant, Athens/Brussels 2007, pp. 105–24, at p. 107.

[3] See Seth D. Kaplan, *Fixing Fragile States: A New Paradigm for Development*, Praeger, Greenwood 2008. See also OECD, *Whole of Government Approaches to Fragile States*, OECD 2006 and Tobias Debiel and Sasha Werthes, 'Fragile States and Peacebuilding', in Tobias Debiel, Dirk Messner, and Franz Nuscheler (eds), *Global Trends 2007, Vulnerability and Human Security in the 21st Century*, Development and Peace Foundation, Bonn 2007, pp. 33–50.

[4] See Denisa Kostovicova and Vesna Bojicic-Dzelilovic, 'Human Security in a Weak State in the Balkans', in this volume.

[5] See OECD, *Principles for Good International Engagement in Fragile States and Situations* (April 2007), available online at http://www.oecd.org/dataoecd/61/45/38368714.pdf, accessed 22 April 2009.

be drawn from the general legal discussion on preventing and rebuilding failed states.[6]

An early effort to employ the human security perspective in the Balkans was a special report commissioned by UNDP on *Human Security in South-East Europe*.[7] Its main focus was on human security in weak states, which was to be overcome mainly by strengthening all aspects of human security and human development. The then recently created Stability Pact for South-Eastern Europe was expected to make a major contribution.

The Stability Pact has indeed addressed issues of both economic and personal security in an effort to strengthen weak states through regional and inter-regional cooperation.[8] Several years later, UNESCO has published a report on promoting human security in Eastern Europe, which includes the topic of post-conflict and transition countries of the Balkans. It looks at the different ways in which citizens are affected by human insecurities based on the UNDP categories and beyond, again with a focus on regional approaches and the need to stabilize Southern and Eastern Europe.[9]

1.3 Human security needs in post-conflict situations

Both in the developmental and in the post-conflict context there are major needs for the transformation of power structures within states, which raise similar issues of preventing organized crime to take advantage of the emerging opportunities. In the Western Balkans, this transformation has

[6] See Kirsten Schmalenbach, 'Preventing and Rebuilding Failed States', in Thomas Giegerich and Andreas Zimmermann (eds), *A Wiser Century? – Judicial Dispute Settlement, Disarmament and the Law of War 100 Years after the Second Hague Peace Conference*, Walther-Schücking-Institute of International Law, University Kiel, Berlin 2009, pp. 231–256.

[7] Ivan Krastev, *Human Security in South-East Europe, Special Report commissioned by UNDP* (1999), available online at http://web.ceu.hu/cps/bluebird/eve/statebuilding/krastev_humansecurity.pdf, accessed 22 April 2009.

[8] For a brief overview of the work of the Stability Pact, see Stability Pact for South-Eastern Europe, *Eight Years of the Stability Pact for South-Eastern Europe – From Stabilisation to Integration*, available online at http://www.stabilitypact.org/about/spisanie.pdf. The aim of the Stability Pact was 'strengthening countries in South Eastern Europe in their efforts to foster peace, democracy, respect for human rights and economic prosperity, in order to achieve stability in the whole region' (Cologne Constituent Document of 10 June 1999, para. 9, available online at http://www.stabilitypact.org/constituent/990610-cologne.asp). See also the Sarajevo Summit Declaration of the participating and facilitating countries of the Stability Pact of 30 July 1999, available online at http://www.stabilitypact.org/constituent/990730-sarajevo.asp, which commits the Stability Pact process to 'concentrate on the areas of democracy and human rights, economic development and cooperation as well as security', at p. 8.

[9] Shahrbanou Tadjbakhsh and Odette Tomescu-Hatto (eds), *Promoting Human Security: Ethical, Normative and Educational Frameworks in Eastern Europe*, UNESCO (2007).

not only been related to economics, but also to ideology. In addition to the transition from conflict and war to a peace economy, the transition from a (socialist) planned to a (capitalist) market economy and from communism to liberal democracy has taken place. An additional particularity was the violent nature of the dissolution of the Federal Republic of Yugoslavia, or 'Former Yugoslavia', the name of which only survives in the Former Yugoslav Republic of Macedonia (FYROM) and the International Criminal Tribunal for the Former Yugoslavia (ICTY), but has disappeared otherwise. The creation of new states, associated with armed conflict, adds to the problems of consolidating state functions in a post-conflict situation, in which international peace missions are still partly operating.[10]

Furthermore, the involvement of the international community, channelling large funds into the region, but also assuring certain responsibilities in the post-conflict situation, made the Western Balkans a very particular case. This case is further characterized by the 'European perspective',[11] which was offered to the countries of the region in exchange for the acceptance of numerous conditions aimed mainly at enhancing human security, although this concept, which is described in more detail by another contributor to this volume,[12] was rarely mentioned explicitly.

The reform of the security sector[13] is of crucial importance. Not only the military and the secret services, but also the police forces have to be brought under democratic control and existing links with organized crime, or even terrorist groups, have to be severed decisively and completely. Of the same importance is the reform of the judiciary. Members of the judiciary who never enjoyed adequate training and were used to receiving political instructions need to become part of an independent body of judges and

[10] See Ulf Häußler, *Ensuring and Enforcing Human Security, the Practice of International Peace Missions*, Wolf Legal Publisher, Nijmegen 2007.

[11] See the *Declaration of the EU-Western Balkans Summit*, Thessaloniki, 21 June 2003, 10229/03, Presse 163, available online at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/misc/76291.pdf, accessed 22 April 2009. This refers to the endorsement, on 20 June 2003, by the European Council of the *Thessaloniki Agenda for the Western Balkans: Moving towards European Integration*, at p. 2. The European perspective for Western Balkans countries has since been confirmed numerous times; cf. only Communication from the Commission, *The Western Balkans on the Road to the EU: Consolidating Stability and Raising Prosperity*, COM (2006) 27 final of 27 January 2006, and Communication from the Commission, *Western Balkans: Enhancing the European Perspective*, COM (2008) 127 final of 5 March 2008.

[12] See the contribution of Svetlana Djurdjevic-Lukic and Vojin Dimitrijević, 'Human Security and Peace-building in the Western Balkans', in this volume.

[13] See, for example, Timothy Edmunds, *Security Sector Reform in Transforming Societies: Croatia and Serbia-Montenegro*, Manchester University Press, Manchester 2008 and *Stability Pact for South Eastern Europe, Security Sector Reform in South Eastern Europe: An Inventory of Initiatives*, available online at www.stabilitypact.org/wt3/SSRYork.asp, accessed 22 April 2009.

prosecutors who are able to deal with an increased workload and new laws based on international standards, such as the *European Convention of Human Rights*.

The reforms of basic state institutions would not be complete without a reform of the administration, which often lacks efficiency and professionalism and is affected by widespread corruption.[14] The services are often provided as a favour to, and not as a right of citizens. Accordingly, these reforms are necessary for realizing basic civil and political rights, and, more generally, a level of personal human security preconditioned upon being able to enjoy these human rights.

The reforms require a general transformation of the state towards a modern, post-national state serving all its citizens equally.[15] In post-conflict situations the state will, however, hardly be able to serve as a 'welfare state', although it has to provide crucial educational, health, and other social services. It will have to focus first on re-establishing and strengthening the rule of law as a precondition for providing all services in a non-discriminatory way based on laws and respective merit and not 'connections'. This is also a precondition for re-establishing the trust of citizens who, due to a lack of trust in state institutions, hitherto prefer informal structures when pursuing their legitimate interests.

In order to overcome vested interests there is also a need for strengthening democratic institutions, like national, regional, and local parliaments or assemblies. While the role of the international community – through election monitoring and technical assistance – is important in this process, it is civil society that has a crucial role to play. However, civil society in the Western Balkan states does not have a long tradition and often depends on attracting funding from the outside, while it is considered as part of the opposition by the national and local governments inside and accordingly hardly supported.[16] The humanitarian crisis during the conflict in the Western Balkans and the post-conflict needs, together with funding opportunities, have resulted in a fast growth of NGOs, which, however, only partly exercise a public role. Still, there has been a significant development of local brain trusts and think tanks, which provide a domestic analytical capacity and, together with international NGOs or on their own, are increasingly able to fulfil civil society functions in the public space. In so doing, they

[14] See, for example, David Chandler, 'Building Trust in Public Institutions? Good Governance and Anti-Corruption in Bosnia and Herzegovina', *Ethnopolitics* (2006), vol. 5, pp. 85–99, at p. 1.

[15] See Stefan Leibfried and Michael Zürn, *Von der Nationalen zur post-Nationalen Konstellation*, in Stefan Leibfried and Michael Zürn (eds), *Transformation des Staates?*, Suhrkamp, Frankfurt am Main 2006, pp. 19–65.

[16] See Wolfgang Benedek, 'General Conclusions', in Wolfgang Benedek (ed.), *Civil Society and Good Governance in Societies in Transition*, NWV and Belgrade Centre for Human Rights, Vienna/Belgrade 2006, pp. 231 et seq.

also promote human security concerns, like strengthening human rights and state services. What remains missing is a higher level of appreciation by the state for their role and closer cooperation.

1.4 Relevance of the human security approach to terrorism and organized crime

1.4.1 Threats caused by terrorism and organized crime

Threats from terrorism and organized crime are often considered a major concern of states in the Western Balkan region. The violence that accompanied the processes of state creation has had major implications for state-building and the solidification of state structures. In particular, the cooperation of state institutions with criminal elements during the war, which had been a result of the war economy, continued also after peace had been restored. Efforts to break these relations and prosecute elements of organized crime resulted in terrorist attacks on state institutions and representatives like the former Serbian Prime Minister Zoran Djindjić. There have also been some spillovers of Islamic terrorism in Bosnia–Herzegovina and Sandzak, which, however, appear mainly to have been isolated incidents.[17]

However, as a comprehensive report by the UN Office on Drugs and Crime in Vienna under the responsibility of Ted Leggett of 2008 showed, the threat of terrorism is not a major concern anymore. It is practically absent in the findings of the report, which focuses on crime in general. In this respect the report found a kind of normalization: the crime levels in the Western Balkans are not higher than in other regions or major cities, and may be lower. Proving common perceptions wrong, the report, which was based on statistics and interviews, concluded that there was less 'conventional' crime like burglary, robbery, or assault in the Balkans than in Western Europe.[18]

Also the number of murders and other forms of violence in the region is constantly decreasing.[19] The main reason given is that conflicts and transformation, which were responsible for higher levels in the past, have given way to stabilization and consolidation. It might also be surprising that registered

[17] See Lyubov G. Mincheva and Ted Robert Gurr, 'Unholy Alliances: Evidence on Linkages between Trans-State Terrorism and Crime Networks. The Case of Bosnia', in this volume. See also Juan Carlos Antunez, 'Wahhabism in BiH: Its Links with International Terrorism', ISEEF, 6 November 2007, available online at http://iseef.net/latest/wahhabism-in-bih-1.html, accessed 22 April 2009.

[18] United Nations Office on Drugs and Crime (UNODC), *Crime and its Impact on the Balkans and Affected Countries*, Vienna, March 2008, http://www.unodc.org/documents/data-and-analysis/Balkan_study.pdf, accessed 22 April 2009. See also *New York Times*, 'Balkans are no Longer a Hotbed of Crime', 29 May 2008, available online at http://www.nytimes.com/2008/05/29/world/europe/29iht-balkans.4.13321430.html, last accessed 22 April 2009.

[19] Ibid., p. 9.

and unregistered civilian firearms per 100 citizens are three times higher for Switzerland and Finland than for Kosovo and Bosnia and Herzegovina.[20]

However, the problem of organized crime and corruption remains, although drugs and human trafficking or smuggling of migrants appears to be on the decline, due to increased counter-measures, but also a declining demand.[21] The impact of crime on social, economic, and political progress, including democracy, and the rule of law and human rights is still significant.[22]

The data collected also show that the situation is quite similar in the different ex-Yugoslav states. For example, the share of respondents of a survey by Transparency International in 2007,[23] on the percentage of people who had paid a bribe to obtain state services resulted in 5 per cent for Bosnia–Herzegovina, 8 per cent for Croatia, 21 per cent for Serbia, 44 per cent for FYR Macedonia, 67 per cent for Kosovo and 71 per cent for Albania.

In 2006,[24] the same survey resulted in significantly lower numbers for Kosovo (12 per cent), Serbia (13 per cent) and Albania (66 per cent), although a World Bank study of 2005 had come to much higher figures.[25] These discrepancies raise an issue of the reliability of the data. Anyhow, to speak of Kosovo as a 'black hole' is not substantiated by facts as the situation in Serbia and in neighbouring countries is not much better.

The most recent findings of the Corruption Perception Index of Transparency International[26] show Slovenia on rank 26 of 180 states, Croatia on rank 62, FYR Macedonia on rank 72, Serbia, Albania and Montenegro equally on rank 85 and Bosnia and Herzegovina on rank 92. Kosovo does not figure in this index.

Accordingly, the expectations of corruption are similar yet high in most ex-Yugoslav countries, with the exception of Slovenia. Still, the trust in the state is low as a large percentage thinks that 'only kin can be trusted'.[27] Surprisingly, however, the dissatisfaction with the government (rating government 'bad') in 2004 is considerably lower in Kosovo (29 per cent)

[20] Ibid., p. 16.
[21] Ibid., pp. 45 et seq.
[22] Ibid., pp. 99 et seq.
[23] Transparency International, *Global Corruption Barometer 2007*, available online at http://www.transparency.org/news_room/latest_news/press_releases/2007/2007_12_06_gcb_2007_en, accessed 22 April 2009.
[24] Transparency International, *Global Corruption Barometer 2006*, available online at http://www.transparency.org/content/download/12169/115654/version/1/file/Global_Corruption_Barometer_2006_Report.pdf, accessed 22 April 2009.
[25] UNODC 2008, supra, p. 18.
[26] Transparency International, *Corruption Perception Index 2008*, available online at http://www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table, accessed 22 April 2009.
[27] This was 47 per cent for Serbia, 38 per cent for Montenegro and 72 per cent for Macedonia, see UNODC 2008, supra, p. 18.

than in Serbia (65 per cent), while its high level for Bosnia and Herzegovina (77 per cent) could be expected.[28] This shows that in the Western Balkans the relations between the state and its citizens are damaged.

These findings cannot be read to say that there is not a major problem of organized crime, as can be seen also from other contributions in this volume.[29] While economic progress obviously has led to a certain 'normalization', the fact remains that organized crime is still often linked with (persons in) state institutions and that because of the nature of the weak states in the Western Balkans it can have a disproportionate role and accordingly constitute a major threat to human security, to the security of the citizens, if not the state. The Western Balkan region thus remains vulnerable to organized crime.

The legacies of conflicts of the past, which have led to a certain degree of 'state capture' by organized crime still express themselves in a relatively low degree of political stability and a high level of economic crime made possible by the weak state. This means that organized crime does have an interest in the continuation of this situation, as it benefits from the weak state.[30] From this it follows that improving the human security of citizens requires an emphasis on the rule of law and good governance as a means for building trust and confidence.

1.4.2 Main elements of the human security approach

What are the main elements of human security? As an in-depth analysis of the concept of human security is given in the contribution of Svetlana Djurdjevic-Lukic and Vojin Dimitrijević,[31] this section will limit itself to introducing the main elements. According to the general definition of human security employed in the report of the Commission on Human Security of 2003, human security means 'to protect the vital core of all human lives in ways that enhance human freedoms and human fulfillment'. According to the Commission 'the vital core of life is a set of elementary rights and freedoms people enjoy,' but needs to be interpreted in a contextual and dynamic way.[32]

The main set of elementary rights and freedoms is contained in the UN *Bill of Rights*, consisting of the *Universal Declaration on Human Rights of 1948* and the two covenants, on civil and political as well as on economic, social and cultural rights of 1966. In the European context, the *European Convention of Human Rights* is the main instrument of reference.

[28] Ibid., p. 107.
[29] See Dejan Anastasijevic, 'Getting Better? A Map of Organized Crime in the Balkans', in this volume.
[30] UNODC 2008, supra, on pp. 99 and 107.
[31] See Svetlana Djurdjevic-Lukic and Vojin Dimitrijević, 'Human Security and Peace Building in the Western Balkans', in this volume.
[32] Commission on Human Security, *Human Security Now, Protecting and Empowering People*, New York 2003, on p. 4.

Therefore, the interaction between human security and human rights[33] is of particular relevance. Human rights can be seen as an objective of human security as well as a means of measuring the state of human security, both with regard to freedom from fear and freedom from want. Human rights can be used as indicators for the level of human security. However, the concepts of human security and human rights are not identical. While human rights focus on the protection of the dignity of the individual, of human dignity, human security constitutes a wider approach, addressing the threats to the seven dimensions of security outlined above.

The human security approach can be summarized in 10 points:

- First, as a holistic approach it is concerned with both conflict-related and development-related threats or vulnerabilities, with freedom from fear and freedom from want.
- Second, the interrelatedness and interdependence of all threats needs to be taken into account.
- Third, in order to be legitimate and effective, the human security approach needs to be participatory, involving all major stakeholders.
- Fourth, threats and vulnerabilities need to be addressed bottom-up, starting from the needs and perspectives of people affected.
- Fifth, the human security approach empowers people to deal themselves with threats and vulnerabilities, based on their human rights.
- Sixth, any human security framework has to respect the principle of non-discrimination and focus on the needs of marginalized and vulnerable groups.
- Seventh, the human security approach needs to include the concept of human rights and the related concepts of the rule of law, good governance, democracy, and accountability.
- Eight, there is a mutually reinforcing relationship between human security and human rights as well as human development.
- Ninth, a major concern of human security is the prevention of threats, like conflicts or poverty.
- Tenth, human security introduces a focus on the root causes of threats and vulnerabilities.

1.5 Conclusions

When analysing human security in a post-conflict situation or addressing related threats the ten elements identified may prove to be useful in

[33] See Wolfgang Benedek, 'Human Security and Human Rights Interaction', *International Social Science Journal*, vol. 59, no. s1, pp.7–17. See also Gerd Oberleitner, 'Porcupines in Love: The Intricate Convergence of Human Rights and Human Security', in *European Human Rights Law Review* (2005), no. 6, pp. 588–606.

establishing the state of human security and identifying priorities of action. For example, the holistic approach requires a combined strategy of addressing threats against physical or personal security with measures against social and economic vulnerability, which may be a root cause for violence or crime. In light of the interrelatedness and interdependence of different types of threats personal security as well as social and economic security must be addressed, as economic disparities can lead to conflict and violence.

In doing so, the needs of people affected by security threats in post-conflict situations should be taken as a starting point by, for example, addressing corruption in administration and the police. Involving all stakeholders means including minorities and marginalized groups, other economic actors, but, in particular, civil society associations and other citizens as well as state institutions and international actors. An inclusive approach and the respect for the rule of law should result in the empowerment of vulnerable groups, such as ethnic minorities, women and children, and economically disadvantaged groups, allowing them to make better use of their rights, for example the right to association.

A rights-based approach to human security focusing on human rights like the right to a fair trial, the right to property and privacy, freedom of expression and of association strengthens the democratic setting of the state on the basis of the rule of law, good governance, and accountability. Human rights can be used both as an objective as well as a yardstick for the achievement of human security. A high degree of human rights performance is indicative also for a high level of human security. Respect for the human dignity of each person, regardless of their background, has to be the starting point. The absence of protection and provision of human rights can be taken as an indicator for the lack of human security. In a similar way, human rights are a requirement for human development, which serves all citizens equally.

Particular mechanisms of human rights protection are required to address problems of human trafficking, whether of women or children,[34] but also the smuggling of refugees and migrants. The specific rights contained in international conventions for the protection of women and children need to be respected. The final aim is a culture of human rights, in which people know their rights and actually claim them, which often requires a change of

[34] Cf., for example, the *Report Submitted by the Special Rapporteur on Trafficking in Persons, Especially Women and Children*, Joy Ngozi Ezeilo, UN Doc. A/HRC/10/16 of 20 February 2009, available online at http://www2.ohchr.org/english/issues/trafficking/docs/HRC-10-16.pdf, accessed 22 April 2009, and Amel Fako, *The Role of External Actors in the Fight against Trafficking in Persons in Bosnia and Herzegovina*, Humsec Working Paper Series Issue 10, available online at http://www.humsec.eu/cms/fileadmin/user_upload/humsec/Workin_Paper_Series/WP_Fako.pdf, accessed 22 April 2009.

mentality.[35] Although states are often afraid of citizens using all their rights, active human rights-conscious citizens can contribute to the strengthening of weak or fragile states, because of their stronger commitment to the state and its role for human rights and security.

When addressing problems of terrorism and organized crime the root causes need to be taken into account while all measures need to be undertaken in full respect of human rights.[36] In the context of the post-conflict situation in the Balkans this means that the root causes of the conflicts, like ethno-national aspirations as well as discriminatory situations, need to be taken into account together with ongoing problems of treatment of minorities and other ethnic groups. The redistribution of economic growth, the access to state services, unequal living standards, lack of respect for other religions and cultures play a major role in creating threats and vulnerabilities. The concern with the root causes should help reconciliation efforts after conflicts.

Security in peoples' daily lives is a major factor for sustainable peacebuilding. The security of the human person and the security of the state are thus related. By providing for the rule of law, good governance, pluralist democracy, freedom of expression and of the media, and public accountability, the state creates the framework conditions for human security as personal security and beyond. Concern for the prevention of undesirable developments is also inherent in the *Early Warning Reports* of UNDP, started in the late 1990s for several Balkan countries.[37] These contribute to a political culture of conflict prevention and democratic citizenship on an equal level.[38]

The concept of human security shows that security means much more than the absence of violent conflicts and is indeed one of the main goods or services a legitimate government needs to deliver. The linkages that existed, and partly still exist, between the state and organized crime and, in

[35] See the contributions of Vojin Dimitrijević, 'The Culture of Human Rights', and of Wolfgang Benedek, 'For a Culture of Human Rights in the Balkans', in Mirjana Todorovic (ed.), *Culture of Human Rights*, Belgrade Centre of Human Rights, Belgrade 2002, pp. 122–8 and pp. 128–31.

[36] Cf. Wolfgang Benedek, 'Human Security and Prevention of Terrorism', in Wolfgang Benedek and Alice Yotopoulos-Marangopoulos (eds), *Anti-Terrorist Measures and Human Rights*, Martinus Nijhoff Publishers, Leiden/Boston 2004, pp. 171–84.

[37] See, for the UNDP, *Early Warning Reports on Kosovo*, http://www.kosovo.undp.org/?cid=2,114; and, for the latest report, UNDP, *Early Warning Reports on Kosovo*, December 2008, available online at http://www.ks.undp.org/repository/docs/Fast_Facts_23_EnglishFINAL.pdf, accessed 22 April 2009.

[38] See Maria Luisa Silva, 'Bottom Up Approach in Practicing Prevention and Human Security', in *Strengthening Regional Stability through Human Security*, Friedrich Ebert Foundation, Skopje 2008, available online at http://www.fes.org.mk/pdf/srsdtp.pdf, accessed 22 April 2009.

certain cases, groups with a terrorist potential, need to be addressed first in any security sector reform. They undermine not only the trust of the people in their state, but also the peace-building process in the often fragile post-conflict situations. Accordingly, effective measures against corruption and organized crime by the state and in form of international cooperation are necessary for the promotion of human security.

The role of the international community in the Western Balkans is to support states weakened by conflict and war in providing the services expected from modern democratic states to their citizens in an efficient and reliable way with the aim of achieving freedom from fear and freedom from want based on the participation and empowerment of their citizens. However, the international community, consisting of international organizations active on the ground through their missions or programs, international donors and their projects, often implemented by international and local NGOs or diplomatic representatives, should use human security criteria as a yardstick of support, which will increase the sustainability of their activities. The respect of human rights is a crucial element in this context.

In conclusion, the particular pattern of security threats and vulnerabilities in a post-conflict situation can hardly be grasped with a traditional approach to security. The multi-dimensional concept of human security appears well suited to address the security problems existing in post-conflict societies – with regard to a comprehensive analysis of human rights problems and with regard to the actions to be taken to remedy those problems.

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2

Human Security and Peace-Building in the Western Balkans

Svetlana Djurdjevic-Lukic with Vojin Dimitrijević

2.1 Introduction

The issue of security has preoccupied the theory and practice of international relations. It has very frequently amounted to an obsession for politicians in general and foreign policy decision makers in particular. For a long time the concept of security in the political discourse and the discourse of political science was the security of the state as an organization or an organism, or as a person in international law. Generally, security is the absence of danger. The goal of the security of the state, which has most of the time been labelled as 'national security', has been to create a situation were the state in the above sense would be free of any threats, or at least capable of countering these threats in time. The state-centric concept of national security has not been concerned with the circumstances of persons or groups inhabiting a particular state and ignorant of the possible threats to the existence, values and interests of the population in general or relevant parts thereof. There have been many instances where, in the name of national security, national political leaders and their partners from other states were willing to tolerate extreme human suffering, oppression, poverty, famine or other calamities in the name of the defence of national security. There have also been instances when states collapsed in the presence of very strong national armies and formidable security services.

When dealing with the topic under review, namely human security in the Western Balkans, it should be borne in mind that the countries in the region are former socialist countries, that is, that they were for many decades governed by a system inspired by the Leninist version of Marxism, strongly influenced by the Stalinist practice of the Soviet Union. In these states the notion of 'state security' has been widely used to denominate not the security of the state as an international actor but the security of the government or the political arrangement imposed by the socialist revolution and guarded by the communist party under its various names and guises. To be sure, a similar obsession with internal security prevailed during the

Cold War in some Western societies, usually as an internal aspect of national security, leading to uses and abuses of the need for security, remembered and actualized as 'national security states' or 'national security societies'.[1]

All socialist countries had extremely powerful institutions to protect the security of the state: armies, secret polices and the accompanying institutions and rules prepared to deal brutally with anyone who was perceived to endanger the security of the state, understood as the absence of threat or peril to the governing elite. As suggested already, the collapse of the Soviet Union and of the socialist regimes in many other countries closely allied with the USSR proved that state security was also vulnerable when the demands and needs of the majority of the population were not met.

The developments summarized above, together with other factors, contributed to recent changes of attitudes *vis-à-vis* the theme of security. In contrast to the state-centric notion of security new approaches to security have developed gradually, acquiring the name of human security. The centre of concern now is to take into account the human essence of a human community, such as the state, and to examine to what extent the organization of the state or, for that matter, of the international community, serves the real interest of human beings, or at least helps prevent the most conspicuous and acute threats to the latter.

The *Human Development Report*, published by the United Nations Development Programme (UNDP) in 1994 underlines that human security is universal, global and indivisible. Since then, human security has been considered to include freedom from fear, freedom from want and freedom to choose. It is a people-centred, multifaceted and holistic approach addressing diverse sources of insecurity of human beings.[2] However, as an 'umbrella concept' for dealing with all security considerations, it is a very wide, imprecise and elastic term. Efforts should be made to fill it with real content in any concrete situation.

Consequently, exploring the heuristic value of the concept of human security in the Western Balkans from the standpoint of organized crime and peace-building requires not only a methodological clarification of the concepts and terms used in this endeavour, but an assessment of the obstacles to implementation of what is commonly understood under 'human security'. Hence, this chapter will briefly outline the core ideas of the concept of human security and peace-building, and then examine problems related to the

[1] See for example Vojin Dimitrijević, *Strahovlada*, Belgrade 1985, pp. 184–95; Douglas T. Stuart, *Creating the National Security State. A History of the Law that Transformed America*, Princeton University Press, Princeton, NJ, 2008. Wolfgang Benedek, 'Die freien Länder werden zu Sicherheitsgesellschaften', *Neue Zürcher Zeitung*, 27 February 2006, p. 3.

[2] See Shahrbanou Tadjbakhsh and Anuradha M. Chenoy, *Human Security, Concepts and Implication*, Routledge, London/New York, 2007.

attempts to advance human security in the context of building peace in the Western Balkans. After a short introduction related to the intertwining nature of human security and peace-building, four specific hurdles in the process of building peace in the Western Balkans will be elaborated, as the authors consider these to be most important when assessing the situation from a wide human security perspective.

2.1.1 Human security and peace-building

The present era is characterized by security threats unconstrained by borders – from conflict, poverty, disease and economic instability, to climate change, nuclear proliferation and terrorism. These threats have to be addressed by taking into account both the patterns of interdependence in a globalized world, and human beings as individuals or members of various groups.

Simultaneously, in contrast to peacekeeping missions, typical for the Cold War era, as neutral international military forces aimed to separate the parties in conflict after a truce or comprehensive peace agreement, new forms of international interventions have been gaining in prominence, namely peace enforcement and peace-building.

An early definition of peace-building missions is that they seek 'to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict'.[3] Peace-building is

> a broad-based approach to crisis prevention and resolution [that] should comprise integrated and coordinated actions aimed at addressing any combination of political, military, humanitarian, human rights, environmental, economic, social, cultural and demographic factors so as to ensure that conflict was prevented or resolved.[4]

Unlike peace-enforcement, which consists mostly of military action, peace-building involves a broad range of actors, including various civilian international and national developmental and relief agencies, regional organizations, non-governmental organizations (NGOs) and international financial institutions (IFIs). Peace-building missions seek to consolidate existing peace, but this peace is usually very fragile, with a mixed bag of security threats for various community groups on the ground, and with multiple priorities to deal with. As it is clear form the definitions quoted above and from current practice, a vast multitude of activities is seen as a part of the peace-building process, from humanitarian assistance and repatriation

[3] Boutros Boutros-Ghali, *An Agenda For Peace: Preventive Diplomacy, Peacemaking, and Peace-keeping*, United Nations, New York 1992.

[4] UN Administrative Committee on Coordination, *Summary of Conclusions of the Administrative Committee on Coordination at its First Regular Session of 1997*, United Nations, p. 7.

of refugees, to disarmament, demobilization and reintegration of former combatants, to conducting elections and the establishment of rule of law. Hence, it is understood not only as a row of different field missions, but as a broader long-term process of translation of physical security from massive violence, achieved through the end of a conflict, into security in everyday life. Peace-building and human security are therefore intertwined.

> Human security as policy framework forms the backdrop against which peace-building efforts take place […] Peace-building must be rooted in a critical understanding of human security that links people's everyday experiences to global structures and whether they are included or excluded from the system.[5]

Nevertheless, not all peace-building efforts are framed in terms of human security as a desired end-state. The primary paradigm that guides most activities in the sphere of peace-building is liberal internationalism.

'This paradigm, however, has not been a particularly effective model for establishing stable peace. Paradoxically, the very process of political and economic liberalization has generated destabilizing side effects in war-shattered states, hindering the consolidation'.[6] While such a critique has not been universally accepted, it is important to acknowledge that the process is extremely complex and that it involves the occurrence of unforeseen problems. Judging from the human security prospective, since human security includes freedom from fear (absence of violence), freedom from want (basic economic preconditions), and freedom to choose (human and political rights), 'state and non-state peace-builders must be assessed against these three criteria in terms of their ability to promote or threaten human security'.[7]

2.1.2 Organized crime and terrorism

Organized crime and terrorism cross-cut all three main dimensions of human security: violence, human development and human rights. Hence, human security is an appropriate framework to address these problems. As both terrorism and organized crime are the main foci of several chapters in this book, here they will only very briefly be touched upon. Both terrorism and organized crime are global phenomena, also present in well-established democracies and in countries with no legacy of recent conflicts. However, it is not only a matter of size, but of the context, which provides for their

[5] Heidi Hudson, 'Human Security and Peace-building through a Gender Lens', DIIS Working Paper No. 37, 2006, pp. 4–5.
[6] Roland Paris, 'Peace-Building and the Limits of Liberal Internationalism', in *International Security* (1997), vol. 22, no. 2, pp. 54–89.
[7] Hudson, 'Human Security and Peace-building', p. 4.

multiplying negative effect in the peace-building process. Namely, organized crime has a different social impact on a post-conflict society, where a public security vacuum exists: criminal networks might insert themselves between citizens and the resources necessary for survival and decent life and foster insecurity, so as to provide a favourable environment for their own gains. In the process of peace-building even 'ordinary' criminal acts might be perceived as politically motivated, as the political-criminal nexus is pervasive in conflicts. Hence, for societies in the process of building peace, a new term is suggested – serious crime – with a distinct meaning related 'to the extent of a crime's ramifications within the society … a criminal act or acts that can have a profoundly destabilizing impact on a post-conflict society'.[8] It includes 'organized crime, ethnic or religious violence and terrorism of a variety that can upset the establishment of a viable post-conflict peace [and] requires a great deal of specialized know-how, political will, and time'[9] to tackle.

While terrorism in various countries has been dealt with according to specific historical, cultural and political heritage,[10] organized crime mostly relates to the improvement of legislative solutions and law enforcement. Yet, in post-conflict, post-authoritarian countries and countries with unresolved issues of statehood, as is the case in the Western Balkans, they do both (together with other serious criminal acts) represent an additional massive obstacle for the provision of security and peace solidification and have to be perceived in the human security perspective.

2.2 Problems of providing human security in the Western Balkans

Further clarification of the concept of human security and its improvement as a policy tool are constrained by two groups of factors: political impediments to grounding human security in multilateral institutions and practical international cooperation, and complex inherent problems. However, this chapter points out to specific hurdles in the process of peace-building in the Western Balkans from a wide human security perspective. Namely, for the insiders of the region, the concept of human security may seem short of delivering the results, or at least not visible and efficient enough in the long run. The authors have detected four specific obstacles that have delayed the process

[8] Collete Rausch (ed.), *Combating Serious Crimes in Postconflict Societies: A Handbook for Policymakers and Practitioners*, United States Institute of Peace, Washington, DC 2006, at p. 3.

[9] Ibid., p. xi.

[10] See Peter J. Katzenstein, 'Coping with Terrorism: Norms and Internal Security in Germany and Japan', in Judith Goldstein and Robert O. Keohane (eds), *Ideas and Foreign Policy*, Cornell University Press, Ithaca, NY/London 1993, pp. 265–96.

of building peace in the Western Balkans: the absence of the reference to human security in the foreign policy doctrines and the very short history of the adherence to the goal of human security against which its results should be judged; the prevalence of the state-building paradigm; problems related to simultaneous economic liberalization and difficulties in the realistic assessment of security priorities for individuals and communities.

2.2.1 The time-frame and formulation of foreign policies

In assessing the results of the human security approach in peace-building in the Western Balkans, one must reconsider the timeline of the formulation of the relevant concepts. There has been much criticism, but the bottom line is that the understanding of both human security and peace-building were simply not developed in the early post-Cold War years so that the conflicts in the Balkans were dealt with throughout the 1990s from the prospective of traditional diplomacy, peacekeeping and humanitarian assistance. The UN declarations on human and economic rights were indeed in place, but contained a strong emphasis on the inviolability of state sovereignty. New frameworks of providing security only came to emerge as a consequence of the failure of the concepts in place unable to understand and prevent humanitarian crises in Rwanda and Srebrenica.

Post-conflict peace-building, alongside preventive diplomacy, was in the focus of the 1995 UN Secretary General's position paper.[11] However, when it comes to the creation of structures for the institutionalization of peace, '[w]hat this might mean in practice was not addressed'.[12] Peace-building was further discussed by the Panel on UN Peace Operations: its so-called *Brahimi Report* stressed that the Security Council and the General Assembly's Special Committee on Peacekeeping Operations

> [...] have each recognized and acknowledged the key role of peace-building in complex peace operations. This will require that the United Nations system address what has hitherto been a fundamental deficiency in the way it has conceived of, funded and implemented peace-building strategies and activities. Thus, the Panel recommends [...] develop[ing] peace-building strategies and to implement programmes in support of those strategies.[13]

[11] Secretary General of the United Nations, *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, A/50/60 – S/1995/1, 3 January 1995, available online at http://www.un.org/Docs/SG/agsupp.htm. Accessed on 30 November 2008.

[12] Andrew Mack and Kathryn Furlong, 'UN and Conflict Prevention', in Richard M. Price and Mark W. Zacher (eds), *The United Nations And Global Security*, Palgrave Macmillan, Basingstoke 2004, pp. 59–74, at p. 61.

[13] *Report of the Panel on United Nations Peace Operations*, A/55/305 – S/2000/809, Identical letters dated 21 August 2000 from the Secretary-General to the President of

As already noted, the concept of human security was presented for the first time in the UNDP 1994 *Human Development Report*. A group of 14 like-minded states started the so-called *Lysøen Process* in 1998 and established a Human Security Network focused on landmines, small arms, child soldiers and similar concrete issues affecting civilians in conflict and post-conflict environment.[14] Alongside the adoption of Millennium Development Goals, which could be seen also as a human security agenda, the idea of an independent Commission for Human Security was launched at the 2000 UN Millennium Summit. This commission, backed primarily by the government of Japan, finished its report *Human Security Now: Protecting and Empowering People* in 2003. The UN Secretary General's High-Level Panel on Threats, Challenges, and Change, which in 2003 was charged with generating input on geopolitical and security issues for the preparations for the 2005 World Summit, produced in 2004 its report under the title *A More Secure World: Our Shared Responsibility*. The Secretary General's own agenda-setting report *In Larger Freedom: Towards Security, Development and Human Rights for All* amounted to an official adoption of idea and programme of human security is. In it Kofi Annan elaborated on the freedom from want, freedom from fear and freedom to live in dignity.[15] It included his recommendation for the establishment of an intergovernmental Peace-Building Commission, designed to fill an institutional gap in the United Nations, as well as of a Peace-Building Support Office.

> [O]ur record of success in mediating and implementing peace agreements is sadly blemished by some devastating failures. […] Roughly half of all countries that emerge from war lapse back into violence within five years. [I]f we are going to prevent conflict we must ensure that peace agreements are implemented in a sustained and sustainable manner. Yet at this very point there is a gaping hole in the United Nations institutional machinery: no part of the United Nations system effectively addresses the challenge of helping countries with the transition from war to lasting peace.[16]

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the General Assembly and the President of the Security Council, available online at http://www.un.org/peace/reports/peace_operations/. Accessed on 30 November 2008.

[14] The Network includes Austria, Canada, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Switzerland, Slovenia, Thailand and South Africa as an observer. The Network emerged from the landmines campaign and was formally launched at a Ministerial meeting in Norway in 1999. Conferences at foreign ministers level were held in Bergen (1999), Lucerne (2000), Petra (Jordan – 2001), Santiago de Chile (2002), Graz (2003), Bamako (2004), Ottawa (2005), Bangkok (2006), Ljubljana (2007) and Athens (2008).

[15] Report of the Secretary General of the United Nations for Decision by Heads of State and Government in September 2005, A/59/2005; available online at http://www.un.org/largerfreedom/. Accessed on 30 November 2008.

[16] Ibid., Addendum 2, para 1, 2.

The 2005 Summit marked the acceptance by all governments of the collective international responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and the agreement about a new standing police capacity for UN peacekeeping operations, as well as an agreement to strengthen the Secretary-General's capacity for mediation and good offices.[17] It can be inferred that from that point peace-building in the human security context has been an official element of the policies of United Nations.[18]

The European Union and its member states identified the need for viable crisis management structures also only well after the conflicts in the Balkans had started. The Common Foreign and Security Policy (CFSP) was for the first time included in the *Treaty of Maastricht*, coming into force in 1993. Additionally, in 1992 the so-called Petersberg tasks were agreed including 'humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking'.[19] Nevertheless, with the failure of its diplomatic initiatives, and with non-military crisis management being understood as emergency relief and humanitarian aid, EU was unprepared for peace-building for the most of the 1990s.

> By and large, throughout the 1990s the EU was present in the Balkans mainly through a participation of its individual members in interlocking cooperative initiatives in the Balkans. The state collapse in Albania in 1997 highlighted the EU's inability to make a 'quantum leap' and mount a concerted approach to a security crisis as one actor.[20]

Furthermore, 'the primary concern in the Balkan crises was the EU's lack of military capabilities; hence the main focus was on building a European military force, while the concern for civilian capabilities comes second'.[21] As late as in 2005, in the proposed EU Constitution 'the understanding of "peace" is heavily influenced by a traditional military-based notion of

[17] See UN General Assembly Resolution, *2005 World Summit Outcome*, UN Doc. A/RES/60/1, 24 October 2005, available online at http://unpan1.un.org/intradoc/groups/public/documents/UN/UNPAN021752.pdf. Accessed on 30 November 2008.
[18] There is also the view that '[t]he concept of human security was formally recognized in the UN in the context of the UN Security Council's first debate on AIDS, in January 2000'; see Caroline Thomas, 'Globalization and Human Security', in Anthony McGrewand Nana K. Poku (eds), *Globalization, Development and Human Security*, Polity Press, Cambridge, UK/Malden, MA 2007, pp. 107–31, at p. 115.
[19] Western European Union Council of Ministers, *Petersburg Declaration* of 19 June 1992, Bonn, II/4, p. 6, available online at http://www.weu.int/documents/920619peten.pdf.
[20] Denisa Kostovicova, 'Study Group on Europe's Security Capabilities: The Balkans Background Paper', Brussels meeting, 17–18 March 2004.
[21] Mary Kaldor, Mary Martin and Sabine Selchow, 'Human Security: A New Strategic Narrative for Europe', *International Affairs* (2007), vol. 83, no. 2, pp. 273–88.

defence and security. […] In contrast, very little is stated about civilian policies and conflict management'.[22]

It is realistic to assess that in regard to the Western Balkans the EU applied short-term crisis management instruments that do not eliminate threats to human security at least up to the creation of Stabilization and Association Process and the Stability Pact for South Eastern Europe in 1999. The EU's first independent peace missions started in 2003 in Macedonia,[23] a dozen years after the beginning of the crisis in the Balkans, with its critics stressing that 'the missions appeared to be more important to the EU than to Macedonia [as a] testing ground for the EU's fledgling security and defence policy'.[24] Without entering into a discussion about 'the enlightened self-interest' as a guiding principle in foreign policy formulation within the EU, the fact is that 'the EU's power is still mainly perceived in economic terms'[25] and that its engagement is primarily focused on stabilization, not on genuine, locally owned process of the establishment of freedom from fear, freedom from want and life in dignity.

Although both the EU Commission and Council have undertaken various measures that do support peace-building, and share some goals implied in that concept, human security itself is not mentioned in the 2003 *A Secure Europe in a Better World*. It 'depicts the mixed nature of EU Foreign policy motivation. On one hand, the objective is to "secure ourselves – secure Europe", while the second motivation is "to make world better"'.[26] There are

[22] 'While the word "peace" only appears eight times in the proposed Constitution, and conflict prevention only five times, defence/defence policy is mentioned 64 times and the military/combat forces 21 times. Reconciliation, disarmament and control of the arms trade are issues not mentioned and not present on EU's agenda at all, neither do the documents mention that EU is nuclear-based.' Jan Øberg, *Does the European Union Promote Peace? Analyses, Critique and Alternatives*, The Transnational Foundation for Peace and Future Research (2006), available online at http://www.nyagenda.dk/ee/images/uploads/oeberg_peace2.pdf. Accessed on 30 November 2008.

[23] In March 2003, the EU launched its first military peace-support mission abroad, European Union Military Operation in the Former Yugoslav Republic of Macedonia (EUFOR Concordia), which was replaced later by the EU Police Mission in the Former Yugoslav Republic of Macedonia (EUPOL Proxima).

[24] On the occasion of the launching the Concordia mission in Skopje, Lord George Robertson said that 'the EU is demonstrating that its project of a European Security and Defence Policy has come of age', while Germany's Foreign Minister Joschka Fischer declared the mission an 'improvement in the EU's capacity to act in terms of European security and defence policy'. Cf. Biljana Vankovska, 'The Human Security Doctrine for Europe: A View from Below', *International Peacekeeping* (2007), vol. 14, no. 2, pp. 264–81, at p. 276.

[25] Kostovicova, 'The Balkans Background Paper' (2004), p. 1.

[26] Rory Keane, 'EU Foreign Policy Motivation: A Mix of Human Security and Realist Elements', in Sandra J. MacLean, David R. Black and Timothy M. Show (eds), *A Decade of Human Security: Global Governance and New Multilateralism*, Ashgate, Aldershot, 2006, pp. 39–50, at p. 42.

ongoing attempts to integrate human security as 'an enduring and dynamic organizing frame for security action'[27] and the calls urging EU member states for a public declaration committing the EU to six principles of human security,[28] but it has not yet been broadly accepted to claim 'a qualitative change in conducting foreign and security policy'.[29]

The foreign and security policies of the United States have only recently included civilian peace-building in their remits with the establishment of the Office of Reconstruction and Stabilization (S/CRS) in the State Department:

> to lead, coordinate and institutionalize U.S. Government civilian capacity to prevent or prepare for post-conflict situations, and to help stabilize and reconstruct societies in transition from conflict or civil strife, so they can reach a sustainable path toward peace, democracy and a market economy.[30]

Similarly, the U.S. military is tasked to address and integrate 'stabilization, security, reconstruction and transition operations, which lead to sustainable peace while advancing U.S. interests'[31] across all Department of Defense activities. It was underlined in the Presidential Directive from December 2005, where activities relating to internal security, governance and participation, social and economic well-being, and justice and reconciliation were listed.[32] The U.S. interests are clearly the main motive for peace-building, human security is not mentioned, and the record of the U.S. peacekeeping has been described as follows:

> the primary concern has been to preserve the future war-fighting capabilities of the troops, rather then to do the best possible job of securing the societies

[27] Kaldor et al., *Human Security: A New Strategic Narrative for Europe* (2007), pp. 273–88. Prof. Kaldor chairs the Study Group on Europe's Capabilities, which produced *A Human Security Doctrine for Europe* or the so-called *Barcelona Report* (2004) on how the European security strategy could be developed on a human security basis.

[28] The Study Group on Europe's Capabilities, *The Madrid Report: A European Way of Security*, 8 November 2007, available online at www.lse.ac.uk/collections/pressAndInformationOffice/newsAndEvents/archives/2007/EuropeanWayofSecurity.htm (main points presented in abovementioned Kaldor et al., 2007). Accessed on 30 November 2008.

[29] Kaldor et al., *Human Security* (2007), p. 273.

[30] US Department of State, Office of the Coordinator for Reconstruction and Stabilization, available online at http://www.state.gov/s/crs/. Accessed on 30 November 2008.

[31] US Department of Defense Directive 3000.05, Military Support to Stability, Security, Transition, and Reconstruction Operations, 28 November 2005, para 3.2.

[32] US National Security Presidential Directive 44: Management of Interagency Efforts Concerning Reconstruction and Stabilization, Washington, DC, 7 December 2005. More in Svetlana Djurdjevic-Lukic, 'The Role of Military in the Establishment of Democratic and Effective Governance: U.S. Approach', *International Problems* (2008), vol. 60, no. 1, pp. 7–30.

> whose welfare is at stake. [The troops were] instructed to privilege their own safety over the achievement of mission goals.[33]

Hence, human security in the context of peace-building might traced back to 2005 in terms of the decisions of the United Nations, the same year its first elements were introduced in the foreign and security policies of the United States. Within the European Union endeavours are under way to include it as an organizing framework for CFSP and European Defence and Security Policy (EDSP); however, these are still inter-governmental policy areas within the Union.

2.2.2 Centrality of the state

The goal of the recent wars in the Balkans was mainly the establishment of respective nation-states. It was natural that, after the recognition of the new state, the focus be on state security, on the administrative and economic strengthening of the state, the professionalization of its military, and not primarily on addressing the grievances of vulnerable groups. 'For a long time, we have concentrated on the achievement of national security objectives. This is the way of treating security issues in a macro plan, by neglected the micro plan, which has to do with human security.'[34] Or, in another assessment from the Western Balkans:

> The logic of local elites is as follows: 'Let's first invest in defence reforms (mostly military professionalization and modernization); then we should join international peace missions in order to prove our military capabilities; once we are admitted to NATO the country's image will be radically improved and foreign investors will rush to launch economic projects in the country. And then we shall be able to meet human security priorities (that is, create more jobs, better social and health care, education and so on)'.[35]

Not only that 'a post-conflict society needs genuine peace-building and demilitarization, which can hardly be done when the military logic dominates over the strategies of defending national interests',[36] but there are several important ramifications of the continuing conceptualization of security in the Western Balkans in national rather then human terms. Such

[33] Kimberly Zisk Marten, *Enforcing the Peace: Learning from the Imperial Past*, Columbia University Press, New York 2004, at p. 97.
[34] Luan Hajdaraga, *Challenges of Human Security in the Period of Transition: Western Balkans' Case, Strengthening Regional Stability through Human Security*, Friedrich Ebert Stiftung, Skopje 2008, pp. 25–30, at p. 28.
[35] Vankovska, 'The Human Security Doctrine for Europe' (2007), p. 273.
[36] Ibid., p. 274.

centrality of the state in many cases includes strong centralization of a country, while local levels are very important for human security as these are spaces where threats for individuals and groups are present. The understanding of a UNDP representative on the ground is that human security is improved by encouraging the process of decentralization by which 'governance was brought to the most local level in many areas that have significant impact on human security, namely education, social care, local economic development, land management, fire fighting and basic health care'.[37]

Additionally, the state-centric approach toward security obstructs facing the past, the vetting of security forces and the trials of war criminals. The post-war period represents 'a continuing contest over interpretations of grievances, relative responsibilities and guilt, and the search for external support from one origin and source over others',[38] It hampers the reconciliation and trial of (alleged) criminals. Hence, there is not only the need to deal with the original causes (as perceived by various groups). 'Creating a sustainable peace requires addressing the reality created by that war.'[39]

While the purpose of the International Criminal Tribunal for the Former Yugoslavia (ICTY) was to go 'beyond imposition of "victor's justice" as was the case in the Nuremberg and Tokyo tribunals'[40] there are huge discrepancies in the perceptions of its work within various ethnic communities in the Western Balkans. While 'bringing Miloševic´, the former head of state [as well as the other highest dignitaries for the Serbs' side], before a UN-established international criminal tribunal is nothing less then a revolutionary development in the criminalization of war',[41] it has had a negative effect on reconciliation within Serbia in the sense of reinforcing the Serbs' sense of injustice, and it delayed stabilization as it was a motive for the assassination of the first democratically elected prime minister of Serbia, Zoran Djindjic´.

One of the reasons for the assassination of Djindjić was the widespread belief, fostered by his political opponents and the remaining structures of the regime of Slobodan Milošević, that he was ready to comply with the requests of the ICTY Prosecution Office and to surrender many 'patriots' who

[37] Maria Luisa Silva, 'Bottom Up Approach in Practicing Prevention and Human Security', in *Strengthening Regional Stability through Human Security*, Friedrich Ebert Stiftung, Skopje 2008, pp. 31–4, at p. 34 (the author is UNDP Resident Representative in Skopje, Macedonia).

[38] Susan L. Woodward, 'Do the Root Causes of Civil War Matter? On Using Knowledge to Improve Peacebuilding Interventions', *Journal of Intervention and Statebuilding* (2007), vol. 1, no. 2, pp. 143–70.

[39] Ibid., p. 155.

[40] Joanne Lee and Richard M. Price, 'International Tribunals and the Criminalization of International Violence', in, Richard M. Price and Mark W. Zacher (eds), *The United Nations and Global Security*, pp. 123–38.

[41] Ibid., p. 127.

had supported Milošević or had, following the latter, participated in the military adventures of the Serbian government in neighbouring countries. The campaign against Djindjić, sometimes amounting to publicly announced preparations for his murder, rested on the general disapproval of the ICTY in the Serbian population. Opinion polls conducted at regular intervals by the Belgrade Centre of Human Rights have consistently indicated that the ICTY has been regarded by the majority of the population as an unjust, anti-Serb court, established only to try and punish Serbs.[42] In fact the assassins of Djindjić and their accomplices came from the 'Unit for Special Operations' (JSO), the militarized section of the Service of State Security (UDB) of Serbia, which had remained untouched after the deposition of Milošević in 2000.[43]

A similar situation has existed in Croatia, where the ICTY has widely been regarded as anti-Croat with, *mutatis mutandis*, the same arguments as in Serbia.[44] In Kosovo muted but effective opposition to the trials of Kosovar Albanians before the ICTY has been observed by many: it has also been expressed in the intimidation and removal of witnesses of the prosecution and has resulted in acquittals or very mild sentences.[45]

Finally, such perceptions of security in national terms have adversely affected the fight against transnational threats. Namely, prolonged distrust

[42] Available online at http://www.bgcentar.org.yu. or in the printed reports of the Belgrade Centre for Human Rights on the human rights in Yugoslavia, Serbia and Montenegro, and Serbia, published since 1998 under corresponding tiles ranging from *Human Rights in Yugoslavia* to *Human Rights in Serbia*. Accessed on 30 November 2008.
[43] As a part of the campaign, a short time before Djindjić's assassination a forged report was published containing a list of many members of the Serbian security services who the Djindjić government allegedly intended to hand over to the ICTY. See Milos Vasic, *Atentat na Zorana*, Belgrade 2005. After a very long trial, obstructed by the defence, political parties and a part of the media, the direct perpetrators of the assassination of Djindjić, all members or former members of JSO, were sentenced in May 2007 by the first instance Special Chamber for Organized Crime in Belgrade to 40 years of imprisonment. The judgement was upheld in December 2008 by the Supreme Court of Serbia. Under the Serbian Penal Code defendants sentenced to the maximum penalty (which is now 40 years) are granted the right to appeal to the Supreme Court, which then acts as a court of third instance. The judgement in this case is still pending at the time of the writing. See: http://www.setimes.com/cocoon/setimes/xhtml/sr_Latn/newsbriefs/setimes/newsbriefs/2008/12/28/nb-05. Accessed on 30 December 2008.
[44] Surveys similar to those in Serbia have not been conducted in Croatia, but see Vojin Dimitrijević, 'The "Public Relations" Problems of International Criminal Courts: Some Lessons to be Drawn from the Reception of the ICTY in Serbia and Croatia', Paper presented at the conference *Achievements of the International Criminal Tribunal for the former Yugoslavia – The Hague Tribunal*, Ljubljana (23–4 September 2005. A version appeared as The 'Public Relations' Problems of International Criminal Courts', in *Justice in Transition*, Special Edition, September 2006, pp. 67–74. See also Karla Del Ponte (Carla) with Cak Sudetic (Chuck Sudetich), *Gospodja tuziteljka. Suocavanja s najtezim ratnim zlocinima i kulturom nekaznjivosti*, Profil, Belgrade 2008, pp. 237–64.
[45] Ibid., pp. 265–92.

in the Western Balkans has entailed reluctant cooperation in dealing with organized crime, or the wish to get all credits from joint actions. It is particularly relevant in the context of the main focus of this volume, as 'in our region, organized crime and criminal activities, which are conducted "under the nose" of incompetent and corrupted officials of politics and security, continues to be a phenomenon that affects human security'.[46]

2.2.3 Limitations of economic paradigms

Another hurdle in the process of building peace in the Western Balkans in the context of human security, frequently neglected, is the transition to a market economy. Not only is this region post-conflict but also, in addition to the criminalization of the regional economy due to conflicts and sanctions, the peace-building process has been running simultaneously with democratization and the transition to a market economy. Most international financial institutions and western governments assume that once physical violence ends the people will focus solely on development and the eradication of poverty, which will give quick results if there is the political will on the side of the incumbent government. However, there are structural economic and social problems and, under pressure for quick privatization, the transition has been frequently conducted under conditions of asymmetry of information, with an influx of questionable financial sources, and with the involvement of shadow networks, even warlords. Consequently, 'even if the society as a whole has enjoyed economic growth, some if its own members can feel very insecure and that they discriminated against in their access to benefits'.[47] Nevertheless, such insecurity is too often dismissed as an inevitable by-product of liberalization and economic privatization, and left to the invisible hand of the market, that is, unaddressed and neglected. On the contrary, a human security approach would mean that 'the economic and social well-being of the individual matter more than economic growth and macro-economic stabilization'.[48]

For the region is typical general economic growth, but without rise of employment ("jobless growth"). In the public opinion polls which were focused in detecting hierarchy of perceived threats for security and well-being, fear from unemployment was dominant. And 'when the perceived unequal distribution of jobs and wealth, access to resources and so on is along ethnic lines, then the general socio-economic problems translate into ethnically motivated injustices'.[49] Furthermore, while many externally proposed

[46] Hajdaraga, *Challenges of Human Security in the Period of Transition*, at p. 27.
[47] Marie Vlachova and Lea Biason, 'Violence against Women as a Challenge for Security Sector Governance', in , Heiner Hänggi and Theodor H. Winkler (eds), *Challenges of Security Sector Governance*, LIT Verlag, Münster 2003, chapter 7.
[48] Mary Kaldor, *Human Security: Reflections on Globalization and Intervention*, Polity Press, Cambridge, UK/Malden, MA 2007, p. 193.
[49] Vankovska, 'The Human Security Doctrine for Europe', at p. 274.

measures are focused on pro-business initiatives, 'economic growth should reach the extreme poor, otherwise its base is not built on secure foundations. This is especially important for ethnically mixed countries, where unbalanced economic development may get additional, political dimensions'.[50] Namely, 'absolute poverty […] in almost all of the Western Balkans is still relatively high, and is not showing significant tendencies of decreasing. A large concentration […] just above the poverty line additionally demonstrates the challenges faced by the entire region'.[51] As current poverty reductions strategies in the region still have not lead to impressive results, economists stress the need for the 'programs and activities that will lead to equitable and sustained economic growth that will also benefit the vulnerable groups',[52] that is, for new economic solutions that would alleviate the problems of such groups.

A related problem is that the external providers of security/developmental assistance have usually been convinced of substantial improvement, since their starting point was the midst of heavy armed conflicts, chaos and destruction in the 1990s. However, one must bear in mind the starting point for most citizens in the Western Balkans are memories of the wealthy 1980s, including not only the level of GDP, but a safety net in place, a decent level of free education and universal health coverage. As a result of the legacy of the social welfare system in the area of health and education, the countries rank better on *Human Development Index* than what would be suggested by their income level. The welfare system was a basis for a specific legitimacy of socialism in the former Yugoslavia, and democratic governments in the region risk losing legitimacy when forced, in the name of 'the invisible hand of market', to cut sharply their budgets for health, education and social services, which keep substantial portion of citizens above the poverty line. In this region, post-conflict reconstruction of the economy and the transition to a market economy are intertwined, and have to be understood as such, with all the associated ramifications for human security.

According to an overview of poverty in the Western Balkans, UNDP *Early Warning Reports* and different surveys indicate that at least one half of the population perceives their financial position as unsatisfactory or mostly unsatisfactory:

> [I]n Bosnia and Herzegovina the majority of the population considers themselves poor, in Serbia close to one half, in Montenegro and Croatia as much as 80%, Albania 90%, FYR Macedonia 28.7% declare that their

[50] Silva, *Bottom-Up Approach*, at p. 33.
[51] Gordana Matkovic, *Overview of Poverty and Social Exclusion in the Western Balkans*, UNDP (2006), available online at http://intra.rbec.undp.org/mdg_forum/overview.htm. Accessed on 30 November 2008.
[52] Ibid., Executive summary.

> monthly income is insufficient to meet their needs, with an additional 40.7% declaring that it mostly does not meet their needs.[53]

In addition to a widespread perception of uncertainty after the conflict and during transitional reforms, 'subjective poverty is magnified by the high expectations that living standards would increase in a relatively short period of time following democratic changes and entering transition, i.e. following the end of war and destruction'[54] and in the context of expected integration into the European Union.

In short, issues related to 'freedom from want' are both tangible and represent a social construction, and could not be resolved by relying on a single paradigm, be it post-conflict economy recovery or transition to a market economy.

2.2.4 Perceptions of security threats

An additional obstacle in the way of applying the idea of human security in the context of peace-building in the Western Balkans, which should be underlined in this contribution, is the perception of security threats. For a policy to be sound and efficient, it has to be based on precise mapping of insecurities for different groups in various spatial (village, city, province, country) and social contexts (ethnic and religious communities, refugees and internally displaced persons, persons with disabilities, social groups). '[A] careful and continuous analysis of the real and subjective reasons for the citizens' insecurity is needed so as to design a sensitized policy in relation to the attainment of human security.'[55] It is the essence of human the security approach; yet, it is seldom undertaken as it requires immense resources, knowledge and empathy to be comprehended. Furthermore,

> certainty, emotional tranquillity and safety may coexist in time and space with other people's interpretations of uncertainty, anxiety and danger [...] depending on the context. Security is not a property of a given space or territory but of a social group. 'Balkan security' is therefore a misnomer. The question is not security in region 'X', but security for whom.[56]

Remote central administrative authorities, let alone external actors, will fail to recognize the emotional form of insecurity that 'comes from anxiety ... results from a lack of control over our environment and produces emotional

[53] Ibid., p. 16 and footnote 10.
[54] Ibid., p. 16.
[55] Lidija Georgieva, 'Recognizing Human Dimension of Security: Challenges and Perspectives in the Concept in Macedonia', in *Strengthening Regional Stability through Human Security*, Friedrich Ebert Stiftung, Skopje 2008, pp. 49–69, at p. 60.
[56] Steven Sampson, 'From Kanun to Capacity-Building: The "Internationals", Civil Society Development and Security in the Balkans', in Peter Siani-Davies (ed.) *International Intervention in the Balkans since 1995*, Routledge, London/New York 2003, pp. 137–57.

rage, hatred and a desire for revenge (… leads to violence and even genocide, conceived as a form of self-defence)'.[57] When such issues are treated 'in a "cold", administrative and emotionally uninvolved manner, a failure to recognize and bridge such "gaps of concern" may in part account for the failings of intervention'.[58]

Even leaving aside the possible inability of actors, who perform security threats assessments to comprehend all levels of insecurity, the problem of mapping is difficult to resolve as citizens might have fluid notions about security priorities. A series of public opinion surveys related to security sector reform conducted in Serbia and Montenegro 2003–5 reveals some inconsistency in the answers, indicating slightly confusing perceptions of threats and of methods for providing security.[59] Even regarding a concrete, narrow issue, polls, focus groups, and interviews could provide a distorted picture as security priorities are dynamic, and citizens tend to provide what they see as socially acceptable answers according to circumstances. For example, UNDP Kosovo commissioned in 2003 a household survey, organized by *Index Kosova*, with 1,264 face-to-face interviews, as well as 12 focus groups, and *Small Arms Survey Baseline Assessment* from Small Arms Survey, for assessing the feasibility of collecting illegal weapons from the citizens of Kosovo. According to the results, inhabitants of Kosovo did not appear to be as attached to their weapons as commonly believed, as 47 per cent believed that there were 'too many guns in the society', and that weapons were not held for 'political security reasons' (this was quoted as the principal reason by only four per cent of the participants in the survey). The assessment stressed that more then 50 per cent respondents thought it 'very likely' or 'somewhat likely' that people in their neighbourhood would hand in their guns in exchange for investments in community.[60] Keeping in mind the skyrocketing unemployment, which was perceived as the main security threat, and the dire state of the local infrastructure, donors committed around 1 million dollars as a direct incentive for local communities that surrender substantial numbers of weapons for a project serving local priorities. However, the action failed as no single community surrendered a minimum of 300 illegal arms.[61]

[57] Ibid., p. 141.

[58] Stephanie Schwandner-Sievers, 'An Inconclusive Conclusion', in Davies (ed.), *International Intervention in the Balkans*, pp. 194–217.

[59] Jasmina Glišić, Miroslav Hadžić, Milorad Timotić and Jovanka Matić, *Javnost Srbije i Crne Gore o reformi Vojske I–VII*, Centar za civilno-vojne odnose, Belgrade 2003–5.

[60] Anna Khakee and Nicolas Florquin, 'Kosovo and the Gun: A Baseline Assessment of SALW in Kosovo', UNDP Kosovo and Small Arms Survey, Priština/Geneva June 2003.

[61] The incentive for the three most successful municipalities was $225,000. However, all municipalities combined surrendered only 155 pieces in total. Case study in Svetlana Djurdjevic-Lukic, 'Whose Security Matters?' paper presented at

In short, under multiple threats for human security, typical for the peace-building process in the Western Balkans, it is extremely difficult to assess 'which problems constitute the basic human security agenda in the local micro sphere'[62] and which should be prioritized.

2.3 Conclusion

Peace-building and human security are very new concepts, present in the security and foreign policy discourse only as of recently. The tragic events in the Western Balkans in the 1990s contributed to their formulation and topicality, but the fact that both concepts had not been in place to prevent such developments should be borne in mind. This also applies as well to judging the more recent practice of post-conflict external support for local societies. Except for the United Nations, other key international actors have not yet integrated these concepts into their foreign and security policies. Relying on analyses done in the Western Balkans, the present authors point to additional obstacles to enhancing human security in the region. The dominance of the state-building paradigm after the wars at the expense of regional and individual concerns and viewpoints weakens the fight against transnational threats, the necessary changes in security forces, and fosters continuing contests over the interpretations of grievances, relative responsibilities and guilt. When it comes to issues related to human development, in addition to the criminalization of regional economy due to conflicts and sanctions, the peace-building process has been running simultaneously with the transition from 'socialism' into 'capitalism', which includes hassle privatization and budgetary cuts. The post-conflict reconstruction of the economy and the transition to a market economy in the Western Balkans have to be viewed as intertwined, so that both tangible and socially constructed threats to human security are tackled. Perceptions do matter, and alongside the possible inability of actors who perform security threat assessments to comprehend all levels of insecurity, the problem of mapping local insecurities for individuals and communities is difficult to resolve as citizens have multiple or shifting priorities. While human security is a useful framework to strive toward freedom from fear, freedom from want and a life

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the conference *External Actors' Role in State (De)Construction*, Cornell University, Ithaca, NY November 2005.

[62] Georgieva, *Recognizing Human Dimension of Security* (2008), p. 64. This contribution presents some of insights from several round of discussion on local security threats in Macedonia. Macedonia passed the Law on Crisis Management, which includes the obligation of municipalities 'to assess risks and threats at the local level, for efficient prevention and early warning of a potential crisis situation'. See Marina Mitrevska, 'Crisis Management in the Republic of Macedonia', in Izstok Prezelj (ed.), *The Fight against Terrorism and Crisis Management in the Western Balkans*, IOS Press, Amsterdam 2008, pp. 165–72.

of dignity, it is important to bear in mind all these problems in its implementation, as the case of peace-building in the Western Balkans signals.

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