



## Europeanisation & Conflict Resolution Testing an Analytical Framework

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European Union citizens have come to believe that they stand for civilised conflict resolution. This belief seems at times to be something like the Holy Ghost, always present and pervasive in our souls, surely goodness itself, but difficult to put your hands on. The doctrine flows freely in official texts of the European Union, from the European Security Strategy documents produced by High Representative Javier Solana through to the European Neighbourhood Policy documents coming from the European Commission. But the logic and mechanics of conflict resolution are rarely explicit when it comes to confronting the so-called 'frozen', ethno-secessionist conflicts of the south east European periphery.

Of course this belief is founded in real historical experiences that have become part of the public awareness. The biggest case of all has been the reconciliation of Germany with its neighbours, structured into what has become the European Union. But several model cases of resolution of local ethno-political conflicts have also become part of the political culture of various communities, ranging from the Aland Islands solution agreed between Swedes and Finns in 1921, the devolution of Belgium into a bi-communal federal state over the last several decades, the solution found after the second world war to the South Tyrol problem on the Italian-Austrian frontier, and the semi-resolution of the Northern Ireland conflict in the last few years. All these cases settle down in the fuzzy ideology of contemporary Europe, which has something to do with post-modern, multi-tier and multi-national integration and governance based on common political values and the rule of law.

A cautious note has however also to be introduced immediately, given that the recent conflicts of Europe's south eastern periphery have not readily dissolved themselves with the mediating efforts of the norm-setting organisations – the UN, OSCE and Council of Europe, as well as the EU. The currency of the term 'frozen conflict' testifies to this. As a result, the diplomatic circuit has often been producing little more than repetitive streams of pious declarations on these frozen conflicts, year after year.

A group of us therefore decided recently to look systematically into four unresolved ethno-secessionist conflicts in Europe's south eastern periphery, to see whether the European Union was pursuing any identifiable logic in its search for solutions.<sup>1</sup> These cases were chosen so as to be at different distances politically and geographically from core Europe. The four cases, to which I add here a fifth, were:

- *Cyprus*, where our recent study was shadowing the negotiation of the Annan Plan, and which resulted in the Yes-No referendum result in April 2004, and thence the accession of Greek Cyprus alone in May;
- *Serbia and Montenegro*, which in 2003 formed a thin but maybe unsustainable union as a result of heavy mediating pressures from the EU, with the incentive of full membership in the long run;
- *Moldova and Transnistria*, which has become a chronic case of unproductive mediation sponsored by the OSCE, while Moldova's interest in European integration has increased in recent years, and with Moldova becoming a first partner for of the EU's new European Neighbourhood Policy;
- *Georgia and Abkhazia*, where the de facto secession of Abkhazia is deeply entrenched and protected by Russia, while the new regime in Tbilisi now openly adopts a Europeanisation discourse; and



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This paper is a chapter in *Developing a Culture of Conflict Prevention*, A. Mellbourn (ed.), 2004 Edition of the Anna Lindt Programme on Conflict Prevention, published by the Madariaga European Foundation and the Bank of Sweden Tercentary Foundation, and Gidlunds.

<sup>1</sup> B. Coppieters, M. Emerson, M. Huysseune, T. Kovziridze, G. Noutcheva, N. Tocci and M. Vahl, *Europeanisation and Conflict Resolution: Case Studies from the European Periphery*, Academia Press in association with the Centre for European Policy Studies (CEPS), Brussels, and Brussels Free University (VUB), Ghent, 2004.

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- *Turkey and its Kurds*, for whom the normalisation of post-conflict relations now takes place in the context of the EU's political conditions for the possible opening and conduct of negotiations for accession as full member state.

### The analytical tool kit

It would be good to have a robust body of theory to structure work under the heading of Europeanisation and conflict resolution, but unfortunately that is asking too much for the time being. However we can try to assemble more modestly an analytical tool kit, at least to provide a standard conceptual framework and some language. We now set in their skeletal outlines four parts to the tool kit, which need to be integrated in practice.

*Conflict models.* Most of the ethno-secessionist conflicts of Europe's south eastern periphery can be placed within the framework of a stylised process. Initially there were a number of empires (Ottoman, British, Soviet, Yugoslav) keeping the order in ethnically complex states. Sometimes the empire actually created conditions for future conflict with divide and rule methods, or by transferring populations, or drawing political frontiers that were bound to cause trouble later. Upon the collapse of the empires, the frustrated grievances of ethnic communities exploded in conflict, especially because of the non-existent democratic culture that the newly independent states inherited. The conflict parties prove unable to negotiate a political settlement. Initially this is because of the bitterness of the conflict, or because one party has achieved its objective through gains of territory or de facto secession, and the other party lacks the means to reverse this. The recent post-communist context has also meant privatisation of property, providing ample opportunities for the new leaderships to build up new economic interests, consolidating the status quo. Given the impasse between the conflict parties, external parties enter the process, either as neutral mediators, or as powerful external actors. At some point the external actors may offer significant incentives and heavily mediate a settlement. Further, they may in some cases impose a solution, unless of course there is more than one of them who cannot agree between themselves, in which case the mediation remains ineffective. Assuming a political settlement has been heavily mediated or imposed, the process has then to turn to the task of transformation of the perceived interests of the former conflict parties, without which the settlement may prove unsustainable. At this point Europeanisation may be the key, at least in the wider European neighbourhood.

*Europeanisation process.* The term Europeanisation has gained currency in political science literature over the past decade or so, as scholars tried to understand the politico-economic-societal transformation involved in European integration, and especially in the cases of states acceding to the European Union after exiting from fascist or communist regimes. Europeanisation may be seen as working through three kinds of mechanism, which interact synergetically:

- legal obligations in political and economic domains flowing from Council of Europe membership and the requirements for accession to the EU
- objective changes in economic structures and the interests of individuals as a result of integration with Europe
- subjective changes in the beliefs, expectations and identity of the individual, feeding political will to adopt European norms of business, politics and civil society.

Here we define Europeanisation for the particular context of conflict settlement and resolution as:

a mechanism and a process at the same time which is activated and encouraged by European institutions by linking the final outcome of the conflict with the degree of integration or association of conflict parties with European structures. This link is made operational by means of specific conditionality and socialisation mechanisms, which are built into the process of Europeanisation.<sup>2</sup>

*European multi-tier governance.* The particularity of European multi-tier governance is that it has introduced the practice of three-tier federalism, with the EU tier as the third tier to add to the federal state and the federated entities. This three-tier federalism is most relevant for present purposes in the several cases of ethno-federations such as Belgium, Spain and the United Kingdom, as opposed to the ethnically homogenous federations such as Austria and Germany. The range of interesting three-tier solutions extends also to such cases as the Aland Islands.

There are several features of these cases that warrant recognition as model mechanisms, all good for the tool kit. The Belgian case is notable for the very high degree of devolution of powers to the two communities, and as a result the need to have developed a coordination mechanism between them and the federal government. This leads into the model type of the thin common state, which may serve as a single state in international law, but which in an extreme case becomes a coordination mechanism for the federal government to be mandated for negotiations in EU and international fora. The common state becomes a compromise between federation and confederation. The cases of Spain and the UK are examples of the asymmetric federation, in which entities such as Catalonia and Scotland retain much more autonomy than other regions, and view their direct relations with the EU as satisfying part of their demands for partial independence. The case of Northern Ireland sees the third EU tier of governance as transforming the traditional ideas of irredentist secession with a vision of both the UK to Ireland sharing sovereignty in the EU's post-modern structures. The Aland Islands case is also a classic solution for autonomy of a minority community, which in an alternative political setting, such as in contemporary south east Europe, might have seen a war of irredentist secession (e.g. Nagorno Karabakh). The overall

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<sup>2</sup> Quotation from G. Noutcheva, N. Tocci, T. Kovziridze et al., "Europeanisation and Conflict Resolution: Theories and Paradigms", Chapter 2 of B. Coppieters et al., *ibid.*

conclusion is that the European Union has a rich experience of creative multi-tier governance solutions for actual or potential ethno-secessionist conflicts.

*European mediation and conditionality models.* Our study of the case examples has led us to identify three model types for how the EU uses its doctrine, incentives and conditionality in relation to unresolved conflicts in its periphery, for each of which there is both a logic of intended outcomes and a hazard of unintended effects. These are set out in Table 1.

Table 1. EU conditionality and socialisation models<sup>3</sup>

	<b>Model I – Common state solution</b>	<b>Model II – Sequential route to the common state</b>	<b>Model III – Two state solution</b>
<b>EU policy</b>	EU favours one common state.	EU favours one of the conflict parties, viewing the other as the ‘unreasonable’ party.	EU reluctantly accepts secession, and treats both entities equally.
<b>Intended effects</b>	Settlement reached, secession avoided, transformation to follow.	The ‘other’ party is isolated, weakened and returns to the negotiating table. Settlement and transformation follow.	Conflict resolved with velvet divorce, transformation follows.
<b>Unintended effects</b>	Creation of dysfunctional state. Empowerment of ‘wrong’ political parties.	Excluded party becomes more entrenched as failing state, and/or is annexed by another external power. Or, the favoured party becomes ‘unreasonable’.	Domino effect, destabilising other regions, favouring the proliferation of micro-states.

The standard doctrine is to try to discourage ethno-political secession in general, and especially where it cannot be agreed peacefully between the parties in accordance with constitutional procedures. Model I therefore sees the EU mediating in favour of a common state solution, which may be successful, but with risks of forcing the birth of a dysfunctional state. Where over a long period the parties fail to agree, the EU may come to regard one party as being unreasonable, and therefore switch from a position of neutrality to one of favouring the other party. Under this Model II, the unreasonable party is isolated and weakened, and in due course becomes more realistic, returning to negotiate a fair common state solution. Here the possible unintended effects are several: relapse of the penalised party into a failed state condition, or its virtual annexation by another external power, or even for the favoured party to turn unreasonable when the excluded party itself becomes reasonable. Finally, in the case of Model III, the EU reluctantly concludes that it must recognise secession and treat both parties equally, and here the risks of unintended

effects lie with the possible destabilisation of other regions or the proliferation of micro-states.

### Applications

When the EU candidacy of Cyprus was launched, the EU’s discourse set off down the track of Model I, arguing for conflict settlement and re-unification before accession. The incentive of accession was supposed to support the UN’s role as mediator. When the last round of negotiations leading up to the Annan plan got seriously into the substance of a possible agreement, the UN mediator indeed took on board the future context of EU membership. It detailed a three-tier constitution, drawing explicit inspiration from the Belgian model. But meanwhile at their Helsinki summit in December 1999 the EU switched from Model I to Model II, given that Greece threatened to hold the whole enlargement hostage to the accession of Cyprus, re-unified or divided. Turkish Cyprus was indeed threatened with a disastrous outlook, also because President Denktas cast himself so readily in the role of the ‘unreasonable’ party. The story then initially took the expected course of the isolated party appreciating its weak position, and the elections in December 2003 shifted the political balance in northern Cyprus towards the Annan plan. This was then reinforced by Ankara’s decision, in the interests of its own EU accession strategy, to tip the balance decisively in favour of the Annan plan, proposing the formula of letting Annan ‘fill in the blanks’ where there might remain differences between the principal parties.

However the story then took its extra twist, when the new Greek Cypriot government, with its accession to the EU secured, hardened its own position on the Annan plan. The favoured party had become the ‘unreasonable’ one. The EU was so disappointed at this, after the resulting No-Yes vote in the referendum in April, that it resolved immediately to end the isolation of Turkish Cyprus. The Commission proposed a de-blockading of trade with Northern Cyprus, aid programmes and an office in the north, etc. Turkish Cyprus seemed thus to be heading into a new institutional category, that of a sub-state entity that is virtually EU territory, most of whose population are EU citizens with Republic of Cyprus passports. In so doing, the EU would have been managing its second shift in strategy from Model II to something approaching Model III. However, the Republic of Cyprus, as new member state, has so far blocked acceptance of this package of measures in the Council, which if sustained would mean that the EU had moved back to a hard-line Model II.

In the case of Serbia and Montenegro, the EU again strongly favoured a Model I common state solution, and Javier Solana was such a forceful mediator that the new Union is known in the region as ‘Solania’. Settlement was achieved but the transformation is not happening, and a secession option after three years had to be included in the pact at the insistence of Montenegro. Unfortunately the full set of unintended effects is on display: the dysfunctional state and empowerment of the ‘wrong’ political parties. The thin common state resembles the coordination model, which should be capable of functioning. The problem is that the EU tier of governance is not yet there to hold it

<sup>3</sup> This is a modified version of the matrix devised by Gergana Noutcheva, Research Fellow at CEPS, and presented in G. Noutcheva, N. Tocci and T. Kovziridze, et al., *ibid.*

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together. The discord over the level of tariff protection illustrates why. Montenegro favours lower external protection than Serbia. With EU accession the issue would be simply eliminated as the common external tariff prevails. But with accession not yet on the horizon, the divergence of interests has been real.

Regarding the party politics of the Union, its strongest supporters turn out to be the Serb nationalists (e.g. former Milosevic party people), whose ideology is furthest away from European thinking. Finally the Serbia and Montenegro case study has also revealed a difference in the inclinations of the EU institutions between the Javier Solana and the foreign ministers' Council versus the Commission. Foreign ministers strive to mediate a settlement. The Commission has to manage the transformation and sustainability of the settlement. While Javier Solana and Chris Patten are respected for their sincere efforts to cooperate, their institutions have naturally different perspectives, and the Union of Serbia and Montenegro seems to be viewed more sceptically by the Commission. Serbia and Montenegro may separate after the initial three-year period, but still the EU foreign ministers are very cautious about a switch to Model III, as the fears of destabilising again Bosnia, Macedonia and Kosovo remain vivid. Both Serbia and Montenegro are however very attentive to avoiding being branded the unreasonable party (as in Model II), since they fear being penalised by the EU relative to the other party.

In the case of Moldova and Transnistria also the EU has for years sustained the discourse favouring a common state solution (classic Model I), but offering very little by way of incentives. But in the last year the game has moved somewhat. On the one hand the EU has cautiously raised the level of its incentive for the Europeanisation of Moldova, by including it as a first candidate for the new European Neighbourhood Policy. On the other hand it is now branding the Transnistria as the unreasonable party, backing this up with a visa ban on its leadership, all of whom happen to be Russian citizens. So the EU is switching into Model II, but not strongly enough for the government of Moldova, which wants its 'European option' to be recognised with a 'perspective of EU membership'. It is doubtful that Model II will work as the EU hopes it will. Transnistria's reliance on Russia is intensified, while Russia itself refuses Moldova's requests that the EU join the OSCE mediating group. The EU's refusal to grant a membership perspective to Moldova may have further unintended but predictable consequences in a few years after Romanian accession to the EU. Most Moldovans can easily obtain Romanian citizenship and therefore future EU citizenship, which means that without a membership perspective the already disastrous emigration trend will intensify. Then there could also be a return in due course to the idea of re-unification with Romania as the only track into the EU, following the German DDR re-unification model. This is absolutely not desired by the EU. However the agreement signed by President Snegur of Moldova and President Yeltsin of Russia in July 1992 recognised the right of the population of Transnistria to determine their future in case Moldova were to unite with Romania, i.e. possibly legitimise the secession of Transnistria and

maybe its absorption by Russia. The conclusion would seem to be if the EU pursues a half-hearted Model II strategy, it could end up with perverse and negative results.

Also in the case of Georgia and Abkhazia, the EU has been sustaining a Model I common state discourse, but bringing limited incentives into play, and having no role as such in the UN-sponsored mediation efforts. France, Germany and the UK do have a role, while France has a role in the OSCE Minsk Group for the Nagorno Karabakh case. But the EU has not yet seen fit to Europeanise these mediation efforts, which undermines the credibility of the EU as a conflict resolution partner. The new Saakashvili regime in Tbilisi opens up fresh possibilities. Saakashvili has had a success in forcing the Ajaran quasi-separatist leader Abashidze to retire to Russia without bloodshed. Also the new Georgian leadership openly declares its ambitions to obtain an EU membership perspective. The EU has offered its new Neighbourhood Policy, but without any mention of a membership perspective, even for the very long-run. In recent years both Abkhazia and Southern Ossetia have been integrating increasingly with Russia, with their populations obtaining Russian citizenship. Whether a stronger EU incentive would make a real difference is doubtful, unless Russia became convinced that a re-unification of Georgia with some federative arrangement was in its interests. If the EU proceeds at the end of 2004 to open accession negotiations with Turkey, then there would be new possibilities to act together more effectively in the Caucasus, and possibly to bring Russia to take interest in a cooperative deal of this type, for example by opening up and developing the entire east Black Sea coastline.

Finally, a word on Turkey and its Kurds. The conflict between Turkey and the PKK Marxist separatist Kurds raged for 15 years, but by 1999 Turkey had virtually won the war, employing harsh and much criticised military tactics. Since then the Kurdish leadership has abandoned the objective of secession, and pursues the objective of conventional minority rights. Political settlement was achieved by Turkey's victory in war, and now the societal transformation has to take place to make peace sustainable. This is what seems to be happening now, following the acceptance by the EU of Turkey's candidacy in Helsinki in December 1999, just after the end of the war. Since then, and especially after the AK party became the government in 2002, the EU's conditionality machine has been working on full power. The EU is playing a major part now in the transformation of Turkey's political norms and institutions, all the way down to the issue of minority rights for the Kurds. Here the second phase of the EU's Model I seems to be working, but after the war had been fought and won without the EU in the first phase.

The overall conclusion from this short survey of five cases is that the EU has a long way to go before becoming a master in the art of conflict resolution. Its heart may be in the right place. But its 'actorness' is still weak, except when there are foreseeable prospects of accession negotiations. The hazards of perverse and unintended consequences are frequently visible where the EU pushes for civilised solutions, but with only half-hearted deployment of incentives and instruments of action.