COHERENCE AND EFFECTIVENESS OF EU FOREIGN
POLICY: THE CASES OF BOSNIA AND
HERZEGOVINA, AND KOSOVO

A Ph.D. Dissertation
by
DENİZ MUTLUER

Department of
International Relations
İhsan Doğramacı Bilkent University
Ankara
November 2018

To my family

COHERENCE AND EFFECTIVENESS OF EU FOREIGN POLICY:
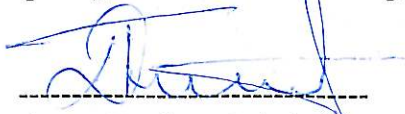THE CASES OF BOSNIA AND HERZEGOVINA, AND KOSOVO

The Graduate School of Economics and Social Sciences
of
İhsan Doğramacı Bilkent University

by
DENİZ MUTLUER
In Partial Fulfilment of the Requirements for the Degree of
DOCTOR OF PHILOSOPHY

in

THE DEPARTMENT OF
INTERNATIONAL RELATIONS
İHSAN DOĞRAMACI BILKENT UNIVERSITY
ANKARA
November 2018

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Doctor of Philosophy in International Relations.

Assoc. Prof. Dr. Dimitris Tsarouhas
Supervisor

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Doctor of Philosophy in International Relations.
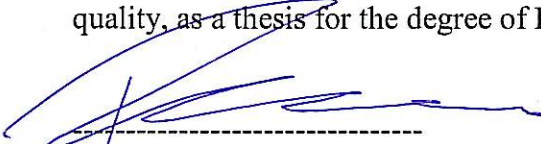
Assoc. Prof. Dr. Sevilay Kahraman
Examining Committee Member

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Doctor of Philosophy in International Relations.

Asst. Prof. Dr. Onur Işçi
Examining Committee Member

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Doctor of Philosophy in International Relations.

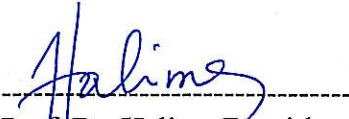Asst. Prof. Dr. Berk Esen
Examining Committee Member

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Doctor of Philosophy in International Relations.

Assoc. Prof. Dr. Zeynep Arkan
Examining Committee Member

Approval of the Graduate School of Economics and Social Sciences

Prof. Dr. Halime Demirkan
Director

ABSTRACT

COHERENCE AND EFFECTIVENESS OF EU FOREIGN POLICY: THE CASES OF BOSNIA AND HERZEGOVINA, AND KOSOVO

Mutluer, Deniz

Ph.D. Department of International Relations

Supervisor: Assoc. Prof. Dr. Dimitris Tsarouhas

November 2018

This thesis aims to analyse the coherence and effectiveness of the European Union (EU) foreign policy by focusing on two crucial cases that shaped the emergence of the Common Foreign and Security Policy (CFSP) of the Union: Bosnia and Herzegovina, and Kosovo. Has the EU foreign policy been coherent and effective in Bosnia and Kosovo? The concept of "coherence" has high explanatory power to analyse the relationship between the EU institutions, the EU member states, and the EU foreign policy instruments. Accordingly, this research examines the coherence of EU foreign policy instruments used in Bosnia and Kosovo by developing a new analytical concept: "perceived coherence" which focuses on the degree of receptivity amongst local agents regarding the coherence of EU policy instruments applied in their country, namely the EU accession process, the CSDP missions and mediation. After analysing the coherence of the EU foreign policy in Bosnia and Kosovo, this study focuses on the factors that come into play between coherence and effectiveness.

Keywords: EU foreign policy, policy coherence, policy effectiveness, Bosnia and Herzegovina, Kosovo.

ÖZET

AVRUPA BIRLİĞİ DIŞ POLİTİKASININ TUTARLILIĞI VE ETKİNLİĞİ: BOSNA HERSEK VE KOSOVA VAKA INCELEMELERİ

Mutluer, Deniz

Doktora, Uluslararası İlişkiler Bölümü

Tez Yöneticisi: Doç. Dr. Dimitris Tsarouhas

Kasım 2018

Bu tez, Avrupa Birliği'nin (AB) dış politikasının tutarlılığını ve etkinliğini, AB'nin Ortak Dış ve Güvenlik Politikası'nın (ODGP) doğmasında kritik bir rol oynayan, Bosna Hersek ve Kosova vakalarını ele alarak incelemektedir. AB dış politikası, Bosna Hersek ve Kosova'da tutarlı ve etkili oldu mu? "Tutarlılık" kavramı, AB kurumları, AB üye ülkeleri ve AB dış politika araçları arasındaki ilişkiyi incelemek için en uygun kavramların başında gelmektedir. Bu araştırma, Bosna Hersek ile Kosova'da kullanılan AB dış politika araçlarını, yeni bir kavram olan "algılanan tutarlılık" kavramını kullanarak analiz etmektedir. Algılanan tutarlılık kavramı, AB'nin üçüncü ülkelerde uyguladığı dış politika araçlarını, yerel aktörlerin bakış açısıyla ele almaktadır. Bu tez ayrıca, tutarlılık ve etkinlik arasında "doğrusal" bir ilişki olup olmadığını inceleyerek, tutarlılık ve etkinlik süreci arasında ortaya çıkan faktörler üzerine odaklanmaktadır.

Anahtar Kelimeler: AB dış politikası, politika tutarlılığı, politika etkinliği, Bosna Hersek, Kosova.

ACKNOWLEDGMENTS

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

CHAPTER I

INTRODUCTION

From its inception onwards, European Foreign Policy (EFP) has been shaped by institutional reforms aiming to improve the coherence and effectiveness of the Union's external policies. Notably, the Treaty on the European Union (TEU) states that "the Union shall have an institutional framework which shall […] ensure the consistency, effectiveness and continuity of its policies and actions".[1] With the changes of the Lisbon Treaty and the creation of new institutional actors such as the External Action Service (EEAS) and the appointment of the High Representative and Vice President (HR/VP), the EU decision and policy makers aimed to transform the Union into a more coherent and effective foreign policy actor.[2] This dissertation seeks to analyse the coherence and effectiveness of the EU foreign policy by focusing on two crucial cases that shaped the emergence of a Common Foreign and Security Policy of the Union: Bosnia and Herzegovina (hereafter Bosnia or BiH), and Kosovo. Has the EU foreign policy been coherent and effective in Bosnia and Kosovo?

By developing the new analytical concept of "perceived coherence", which focuses on the degree receptivity amongst local agents regarding the coherence of EU foreign policy instruments applied in their country, this thesis analyses the link between the

---

[1] See Treaty on the European Union (TEU, Art. 13(1))
[2] See Treaty on the European Union (TEU Art. 27)

internal[3] and perceived coherence of the Union's foreign policy in Bosnia and Kosovo. After having analysed the impact of the internal coherence of the EU on the perceived coherence of local actors in Bosnia and Kosovo, this study will focus on the effectiveness of the EU foreign policy in these two cases, by analysing the factors that come into play between coherence and effectiveness. While analysing the internal and perceived coherence of the EU, this research will also focus on whether the "new" EU institutional actors introduced with the Lisbon Treaty, such as the European External Action Service (EEAS) and the High Representative and Vice President of the Commission (HR/VP) have improved the foreign policy coherence of the Union in its relations with Bosnia and Kosovo.

This thesis argues that the EU foreign policy instruments of the EU used in Bosnia Kosovo, has been perceived as incoherent by the local agents, namely by the local political elites and civil society organizations. As a consequence, the EU foreign policy remains ineffective. This research contends that the EU should focus more on the local dynamics affecting the effective implementation of its foreign policy instruments rather than focusing solely on improving its own institutional architecture.

The first section of this introductory chapter will focus on the theoretical framework that is used to analyse the foreign policy coherence and effectiveness of the EU foreign policy in Bosnia and Kosovo. The second part will focus on the methodology by denoting the research questions, the methods and sources used, and the limitations of the study.

1.1 Theoretical framework

1.1.1 Defining coherence

How can we define "coherence"? How can coherence be evaluated? What is the relationship between coherence and effectiveness? The first part of this chapter focuses on these questions.

---

[3] Internal coherence denotes the coherence between the EU institutions, EU policies and EU member states.

Coherence is an ambiguous concept to analyse. Abellan and Medina (2002: 3) defined coherence as the act of staying together and remaining united in ideas. In a similar fashion Antonio Missiroli (2001: 182) contended that coherence is the degree of synergy for an actor. Legal EU scholars such as Hillion (2008: 17) defined the concept as the lack of legal contradictions between various policies and the "quest for synergy" between the EU policies. Bretherton and Vogler (2006: 30) defined coherence as "the level of internal coordination of EU policies" and consistency as "the degree of congruence between the external policies of the Member States and of the EU". The definition of coherence of Bretherton and Vogler (2006) remains limited to explain the complexities of the Union's foreign policy architecture and the involvement of third-party actors. The definition of coherence by Marangoni (2012) is the closest one in the literature covering all the aspects of the dynamics of EU foreign policy. Marangoni (2012: 5) defines coherence as "the perceived absence of contradictions between policies, instruments, institutions and levels of decision". Based on the definition of Marangoni (2012), this research, defines coherence as the level of congruence and consistency between the EU actors and EU member states, between the EU institutions, between the EU foreign policy instruments and between the EU and the local stakeholders in Bosnia and Kosovo.

The concept of coherence serves multiple purposes for this study. First of all, this concept will constitute a framework to analyse the relations between all the main foreign policy actors, policies used in the external relations of the Union. Secondly, by using the concept of coherence, this study investigates the operationalisation of the EU foreign policy in Bosnia and Kosovo. By focusing on the EU foreign policy instruments of enlargement and the CSDP missions by the EU in Bosnia and Kosovo, this research depicts the coherence level between the EU institutions and actors both in Brussels and in the third countries, between EU policy instruments, between EU member states and EU, and finally between the EU agents and the local stakeholders which are the "receivers" and "implementers" of the EU accession reforms.

1.1.2 Types of coherence

To examine the coherence of the Union's foreign policy, it is necessary to define different "types" of coherence. There are several frameworks in the existing literature

to analyse coherence. Gebhard (2011; 107) defined four types of coherence: vertical, horizontal, internal and external coherence. Vertical coherence focuses on the degree of "consensus" and complementarity between the EU and EU member states level (Gebhard, 2011: 107). Horizontal coherence is related with the concertation between "the CFSP and the [other][4] external policies" of the Union (Gebhard, 2011: 107). Finally, external coherence refers to the coherence between the Union and third-party actors and it focuses on the external representation of the EU as an actor (Gebhard, 2011: 107).

Similarly, Nuttall (2005) also suggests four layers of coherence being horizontal, vertical, institutional and external. Horizontal coherence focuses on the coherence between different Union policies and focuses on the consistency between different EU policies such as the external trade policy, the ENP, enlargement, and the CSDP. Vertical coherence focuses on the coherence between member states and the Union and focuses on the levels of complementarity between the foreign policies of Union and the EU member states. (Nuttall, 2005). Institutional coherence analyses the coherence between the EU institutions, and finally "external coherence is related to the way the EU presents itself to third par- ties or within a multilateral system" (Gebhard 2017: 112).

Elgström and Chaban (2015), in addition to Nuttall' s and Gebhard's four dimensions of coherence, add the "chronological coherence" focusing on the consistency of the policies and "implementation coherence" based on the coherence "between words and deeds". On the other hand, Mayer (2013) suggests five types of coherence. Like Nuttall (2005), Mayer's first two types are vertical and horizontal coherence. The third dimension of Mayer (2013) is the "narrative coherence" which contains similarities with the implementation coherence of Elgström and Chaban (2015). The fourth type is strategic coherence states that "general direction and purpose of all EU external policies must be free of contradictions" (Mayer, 2013). The fifth dimension is the "external engagement coherence" and this type of coherence is about conducting consistent external policies with international partners (Mayer, 2013).

---

[4] Such as the international development strategy of the EU

In order to analyse the coherence level of peace operations of the UN, the EU and NATO, De Coning and Friis (2011) defined four levels of coherence: "intra-agency coherence" focusing on the "consistency among the policies and actions of an individual agency". The "whole of government coherence" focuses on the "consistency among the policies and actions of the different government agencies of a country", "inter-agency-coherence" which denotes "the consistency among the policies pursued by the various international actors in a given country context" and finally the "international-local coherence" analysing the "consistency between and among the policies of the internal and external actors". It can be argued that the categorizations made by De Coning and Friis (2011) and Mayer (2013) focus on the external-local dimension of coherence. However, these works fail to analyse how the internal coherence of an international actor (EU, NATO, or the UN) shapes the perceived coherence of the local agents that play a crucial role in in the implementation of the policies/reforms.

In light of the existing literature, to analyse the types of coherence of the Union's external action in Bosnia and Kosovo, we will use the framework proposed by Simon Nuttall (2005) which is composed of four dimensions/types of coherence: horizontal, vertical, institutional and external. However instead of analysing the concept of "external coherence", which adopts a top-down approach and overlooks the local dimension, we will introduce the concept of "perceived coherence". The latter analyses the degree of coherence perceived by the local stakeholders "receiving" the EU foreign policy applied in their country. The way political elites perceive the coherence of the foreign policy instruments and the institutional actors of the EU will be a determining factor shaping the effectiveness of the EU in Bosnia and Kosovo. In other words, the implementation of the EU's foreign policy instruments such as the EU accession process in Bosnia and Kosovo does not only depend on the internal coherence of EU (institutional, vertical, horizontal) but also on the perceived coherence of the local agents.

Non-state actors such as the civil society organisations have a determining impact on the implementation of the Union's foreign policy. Non-state actors have become "agents of foreign policy" (Böttger & Falkenhain, 2011: 10). There is a two-way process between the EU and the "receivers" of its foreign policy tools. In the cases of

the EU's relations with Bosnia and Kosovo, the Union's relationship with Bosnian and Kosovar civil society and NGOs will play an important part in this research. The "perceived coherence" of the EUFP will be the fourth testing criterion of the foreign policy coherence of the Union in this research. Accordingly, we will focus on the perceived coherence and the "image" of the Union's external action in Bosnia and Kosovo with the help of semi-structured interviews conducted with influential civil society organizations and NGO in these two countries considered.

In Bosnia, Kosovo and other states and regions of the World, the EU interacts not only with local governments and administrations but also NGOs, media, civil society, and other interest groups. As Lucarelli and Fioramonti (2010: 1) argue, "if the EU wants to have a chance to implement efficient policies, it cannot avoid taking into serious consideration expectations, images and perceptions in the rest of the world". Accordingly, in our analysis, we will focus on all of these actors the EU interacts in its foreign policy.

Perceived coherence is also related to the concept of "legitimacy". The latter can be defined as: "a broad degree of acceptance by those directly affected by governance" (Armstrong & Gilson, 2011: 3). Perceived coherence and the legitimacy of the Union's foreign policy in the eyes of local governments and civil society will be decisive for the success of EU's policies in the region considered (Elgström and Chaban, 2015). The image of the Union can be positive, such as a "family as something that can provide people with a higher ideal, something to be 'proud of'; and negative, like ambivalence and confusion" (Panighello, 2010: 100). This perceived image would, in turn, impact the perceived coherence of the EU's foreign policy applied in third parties.

1.1.3 Degrees of coherence

In addition to the types of coherence, we also need to define a framework to examine the degree of coherence within these types. This framework will measure the operationalization of the EU foreign policy coherence based on three measurement scale: low coherence, partial coherence and high coherence. Accordingly, in this research, we will focus on how the interaction between the EU institutions and the EU member states shape both the EU foreign policy and national foreign policies of

member states. Low coherence denotes that there are high levels of contradictions and inconsistencies between the foreign policy actors and instruments of the EU. Medium coherence means that despite some problems of cohesion and discrepancy regarding the operationalization of the EU foreign policy, the EU manages to operationalize it foreign policy instruments relatively coherently and consistently. Finally, high coherence denotes that the EU actors have managed to assure being fully coherent by assuring the "symbiosis" between its foreign policy instruments.

The following Table 1 demonstrates the framework that will be applied to examine the foreign policy coherence of the EU in Bosnia and Kosovo.

	Degree of Coherence		
	Low	Partial	High
Vertical			
Horizontal			
Institutional			
Perceived			

(Type of Coherence)

Table 1 Framework for analysing EU Foreign Policy Coherence

1.1.4 Coherence-effectiveness relationship

One of the most critical discussions in the literature on the concept of coherence is the latter's relationship with the concept of "effectiveness" (Gauttier, 2004; Bertea, 2005; Nuttall, 2005; Gebhard 2011; Thomas, 2012). State actors, international institutions and non-formal actors perceive the achievement of coherence as a key element to become an effective international actor. Accordingly, states, international organisations created "a range of concepts, models and tools aimed at enhancing overall coherence" (De Coning & Friis, 2011: 246). Increasing coherence is generally accepted as a factor in increasing the effectiveness of the Union's policies (De Coning

& Friis, 2011: 253). Many scholars argue that there is a positive correlation between coherence and effectiveness (Gauttier, 2004; Bertea, 2005; Nuttall: 2005; De Baere, 2008; Thaler, 2015: 6). Proponents of this view argue that achieving coherence is a "requirement towards more effectiveness in EU foreign policy" (Thaler, 2015: 29). According to Gauttier (2004: 36) "coherence and the absence of contradiction are crucial to effectiveness" De Baere (2008) contends that the effectiveness of the Union's foreign policy depends on its coherence.

On the other hand, another wave of EU scholars argued that there is no proven positive relationship between coherence and effectiveness (Thomas, 2012; Elsig, 2013; Niemann & Bretherton 2013; Müller & Falkner, 2014). According to Neumann and Bretherton (2013: 267) when we evaluate effectiveness, we cannot prove" a linear relationship between increased coherence and greater effectiveness in terms of goal attainment". Similarly, Carbone (2013) argued that aiming to increase coherence can lead to third-party resistance and have a negative impact on reduced effectiveness. According to Novak (2014: 68) "the obsession with consensus" in not necessarily a beneficial strategy.

By adopting the view that there is no direct correlation between coherence and effectiveness, this research argues that there are intervening factors between the internal coherence of the Union and the effectiveness of the EU foreign policy.

1.1.5 How to define and measure effectiveness of the EU's Foreign Policy?

It is not easy to analyse the effectiveness of the Union's foreign policy in general, let alone in the cases of Bosnia and Kosovo. As Niemann & Bretherton (2013: 267) stated, "effectiveness is notoriously difficult to investigate and assess". Most of the literature on effectiveness analyses the latter as an actor's ability to reach the objectives set about a specific issue (Laatikainen & Smith, 2006; Thomas, 2012; Niemann & Bretherton 2013, Van Schaik, 2013). Thomas (2012: 460) defined effectiveness as "the Union's ability to shape world affairs following the objectives it adopts on particular issues". To examine the relationship between coherence and effectiveness, we will first need to define how we should evaluate foreign policy effectiveness, more specifically how

we will qualify the EU to be effective or not in the cases of Bosnia and Kosovo. In order to analyse the effectiveness of the EU foreign policy in Bosnia and Kosovo, we will focus on the issue of "progress" and "improvement" rather than achieving a specific goal. Bosnia and Kosovo are both potential candidate countries. Our analysis or more specific measurement of effectiveness should not be based on the end results but on the improvement made during the process. For instance, in our cases of Bosnia and Kosovo, the main foreign policy instrument used by the EU is the EU accession process. In other words, the "ultimate end" is the accession of these two states into the EU. However, as we cannot expect Bosnia and Kosovo to be an EU member in the near future, it would be irrelevant to measure the effectiveness of the EU's policy in these two countries considered on the base of their EU accession.

By analysing the effectiveness of the cases analysed, being constitutional and police reforms and Operation Althea for Bosnia and EULEX and Belgrade-Kosovo dialogue in the case of Kosovo, we will measure the progress made. As this aim is a long process, we will analyse the effectiveness of the EU in Bosnia and Kosovo by using a "measurement of progress". In other words, we will not focus on "goal achievement" but on the improving made regarding achieving the considered goal. In order to do this, we will use the framework of Gordon Crawford (1997) In order to make an accurate analysis of the EU's foreign policy, Crawford (1997) has used a "four- point scale to measure the improvement levels towards effectiveness. These levels are:
0- no improvement or negative trend, 1 - possible improvement but unclear, 2 -modest improvement 3 - significant improvement

By modifying the scale used by Crawford (1997), I will analyse the effectiveness of the EU in Bosnia and Kosovo according to a "3 level effectiveness scale", which is:
 0- No (low) improvement or negative trend would be considered as "no effectiveness where none of the objectives are realized.
 1- Medium improvement would medium level effectiveness where and finally
 2- Significant (high) improvement would be total effectiveness.

After having made the quantitative analyses of the effectiveness of the EU's foreign policy in Bosnia, we will use the measurement scale to visualize the degrees of effectiveness of the Union's foreign policy in Bosnia.

1.1.6 Contribution to the existing literature

There is also a growing literature on the foreign policy coherence of the EU (Gauttier, 2004; Nuttall, 2005; Hillion 2008; Portela & Raube, 2012, Mayer, 2013: Kostanyan, 2014; Oproi, 2015). Coherence has generally been argued as a crucial element for the success of EU's external policies by most of the academics. The concept became a prominent one to analyse the EU's external policies "not because of its successes, more due to the impact of its failures" (Quinn, 2012: 45 as cited in Mahncke & Gstöhl, 2012 Eds.). As Portela and Raube (2009: 2) argued, "few notions in European foreign policy are characterised by such a high degree of complexity as the concept of coherence". Coherence has been used to analyse different types of policies of the Union such as development, climate and security. (De Jong & Schunz, 2012; Thomas, 2012; Furness & Ganzle, 2017). De Jong and Schunz (2012) analysed the impact of the Lisbon Treaty on the coherence of energy and climate policies of the Union. By using "a systematic analysis of EU and Member State actions in the areas of EU external energy and climate policies, both prior and immediately after the Treaty's arrival", De Jong and Schutz (2012: 195) evaluated "whether Lisbon is able to live up to the initial expectations". De Jong and Schutz (2012: 195) argued that coherence of the Union's action in the fields of energy and climate remained limited after the institutional changes were made with the Treaty of Lisbon. Similarly, Furness and Ganzle (2015) focused on the relationship between development and security policies of the Union outside of the Union. and argued that "the coherence of security and development policies remains challenged" after the creation of the EEAS.

The studies mentioned above on the foreign policy coherence of the Union, focus on either the legal or the political science perspective (Oproiu, 2015: 845). The legal perspectives focus on the place of coherence in the EU Treaties. (Tietje, 1997; Wessel, 2000) On the other hand, political science-based studies use case studies to test mainly these three dimensions of coherence or generally the "incoherence" of the Union. (Carbone, 2012; Portela & Raube, 2012) Unfortunately, scholars have overlooked the sociological dimension of the coherence. Existing scholarly works fail to cover some of the major dimensions defining or shaping the coherence of the Union's foreign

policy being namely: the interaction between different actors involved in the process and the ways the local agents perceive the Union's policies, actors and member states. One of the purposes of this study is to analyse the "local" dimension to the study of coherence, which is the "perceived coherence" of the Union by the parties concerned which would be Bosnia and Kosovo for our case. By focusing on the relationship between the governing elites, the civil society and the EU in Bosnia and Kosovo, this research contributes to the existing literature on the role of the local stakeholders/actors regarding the operationalization of the EU foreign policy in third countries.

The perception of locals will be a decisive factor for the success of EU policies in Bosnia and Kosovo. The perception of the political elites and the civil society is one of the most crucial factors regarding the implementation of the EU accession process. The perceived coherence analyses if the political elites and the CSOs perceive the EU foreign policy instruments as coherent or not. This research depicts the intervening variables that come into play between the internal coherence (institutional, horizontal, vertical) of the Union and the perceived coherence and the effective operationalisation of EU foreign policy instruments applied in Bosnia and Kosovo. In other words, one of the main contributions of this research would be to analyse the coherence of the Union's foreign policy by focusing on the interaction of the EU with third parties (both state and non-state actors) and the way the latter reacts the Union's external action. The "perceived coherence" of the Union and its foreign policy is an important coherence dimension to analyse and "the failure to investigate external images not only results in a gap in the literature that deserves to be filled but might also have/have had important practical repercussions" (Lucarelli & Fioramonti, 2010: 3).

Apart from the theoretical contributions to the existing academic works, this research aims to contribute to the empirical literature on the EU foreign policy in Bosnia and Kosovo. Academic literature focusing on the EU foreign policy in Bosnia or Kosovo usually focuses mostly on only one of these cases rather than making a comparative analysis (Juncos, 2007; Shepherd, 2009; Brljavac, 2011; Greiçevci, 2011). Accordingly, this research aims to contribute to the existing research on the EU foreign policy on Bosnia and Kosovo by making a comparative analysis of these two cases. By using the comparative case study method, this study aims to compare the coherence

and effectiveness of the EU foreign policy instruments used in Bosnia and Kosovo by tracing the similarities and differences of the EU foreign policy coherence in two potential candidate countries of the Western Balkan region.

1.2 Methodology

1.2.1 Research Questions

According to the framework of analysis described above, research questions of this study will be as follows:

1) How coherent have the EU foreign policy instruments of enlargement, CSDP missions and diplomacy been in Bosnia and Kosovo?
2) How effective has the EUFP been in Bosnia and Kosovo?
3) How have the changes made after the Lisbon Treaty, more specifically appointment of the HR/VP and the creation of for the EEAS impacted the foreign policy coherence of the EU in its action over Bosnia and Kosovo?
4) Has there a trade-off between coherence and effectiveness in EU foreign policy domain in the cases of Bosnia and Kosovo?
5) Under what circumstances is such a trade-off manifested?

1.2.2 Usage of the comparative case study method

In order to study the EU foreign policy coherence and effectiveness in Bosnia and Kosovo, we will use comparative case study method. Cases studies can be qualitative or quantitative (Kaarbo & Beasley, 1999: 373). Case studies can serve multiple purposes. Case studies can be used to develop or build new theories, refine theories or to test existing theories (Kaarbo & Beasley, 1999). A single case study can be defined as "an in-depth, multifaceted investigation, using qualitative research methods, of a single social phenomenon" (Orum, Feagin & Sjoberg, Eds. 1991: 2). Rather than focusing on one case, comparative case studies focus on the question "how much we

might achieve through comparison?" (Bartlett & Vavrus, 2017: 6). According to Goodrick (2014: 1) "comparative case studies involve the analysis and synthesis of the similarities, differences and patterns across two or more cases that share a common focus or goal" (Goodrick, 2014: 1). Tellis (1997, as cited in Zainal, 2007: 5) argues that "a common criticism of case study method is its dependency on a single case exploration making it difficult to reach a generalizing conclusion". Therefore, in order to overcome this disadvantage of single case studies, we will apply a comparative case study method to analyse the coherence and effectiveness of EU foreign policy in Bosnia and Kosovo.

In this research, we will adopt the comparative case study research method of Alexander George (1979), defined as a "method of structured, focused comparison". George's (1979; 61-62, as cited in Kaarbo & Beasley, 1999: 377) method is "focused because it deals selectively with only certain aspects of the historical case [. . .] and structured because it employs general questions to guide the data collection analysis in that historical case". While studying the coherence and effectiveness of the EU foreign policy in Bosnia and Kosovo, we will focus on the enlargement and CFSP dimensions of the Union's foreign policy by focusing on a similar set of research questions to collect information. By adding the new analytical concept of "perceived coherence" to the existing frameworks analysing the EU foreign policy coherence in the literature, this research aims to refine the analysis of coherence of the Union and also contribute to the literature based on the EU foreign policy in Kosovo and Bosnia.

1.2.3 Reasons for case selection

The EU's "experience" in foreign policy issues and more specifically in security and defence related policies were limited until the emergence of the crisis in the Balkans in the early 1990s and the signing of the Maastricht Treaty in 1992. The changing dynamics of the international system after the end of the Cold War and the changing structure of the Union with the adoption pillar system with the introduction of the CFSP pillar gave the necessary incentive and needed for the EU to become a foreign policy actor in Bosnia from the early 1990s. It was the famous "hour of Europe" as Jacques Poos, the former head of the Union's Foreign Affairs Council and the former

foreign minister of Luxembourg had argued.[5] However, the EU has generally seen to be too divided to act and play a role in a peace plan after the conflict in former Yugoslavia (Burg & Shoup, 1999). Scholars have generally seen the crisis in the former Yugoslavia as "the first test for the embryonic CFSP" (Juncos, 2005: 88). With cases of Bosnia and Kosovo "the EU reinforced its military and political presence in the Balkans due to the strategic importance of the region and its geographical proximity with the EU" (Juncos, 2005: 88). The cases of Bosnia and Kosovo have been a catalyst "for the EU decision-makers to create the ESDP and to appoint for the first time the High representative of the CFSP" (Greiçevci, 2011: 300).

The cases of Bosnia and Kosovo are ideal to make a comparative case study analysis to examine the coherence of EU policies, institutions, member states. The EU's foreign policy in Kosovo and Bosnia is multinational and "it has ranged from strict conditionality" to peacekeeping and police missions and "bolstering the rule of law and border security" (Kirchner, 2013: 43). Bosnia and Kosovo are potential EU candidates and two CSDP missions. EUFOR Althea in Bosnia and EULEX the rule of mission in Kosovo are still operational. Apart from the historical importance of the cases of Bosnia and Kosovo for the emergence of EU as a foreign policy actor, in January 2018, the Western Balkans has been announced as one of the priorities of the European Council of the Bulgarian Presidency. The increasing importance of the Western Balkan region for the EU and in turn of the relations of the EU with Bosnia and Kosovo, make these two cases ideal for analysing the coherence and the effectiveness of the foreign policy instruments of enlargement and the CFSP.

Regarding the horizontal coherence there is on the one hand the European Commission controlled enlargement instruments and on the other the CSDP tools based on "high politics" controlled by the Council and implemented by the delegation and member states. Concerning the institutional coherence, the European Commission in Brussels, the delegation in Bosnia under the EEAS are all involved in the EU's enlargement process. In a similar vein, the CSDP which is an intergovernmental policy of the Council supports the technical accession process controlled by the European Commission.

---

[5] See New York Times, 29 June 1991.

These two cases are comparable/similar but also different in many ways. To be more specific, the cases are similar because:

- Bosnia and Kosovo are both potential candidate countries.
- Both countries are "post-conflict" zones and are subjected to ongoing state-building experience.
- Both countries are composed of multi-ethnic societies.
- Both countries have hosted or still hosting CSDP missions (EU Police Mission and military mission EUFOR Althea in Bosnia, and EU rule of law mission EULEX in Kosovo).

However, the non-recognition of Kosovo by five EU member states constitutes a crucial difference between these two cases analysed. The contested independence/statehood[6] of Kosovo does not only impact the vertical coherence between the EU and its member states but also the coherence between the EU institutions and different policy instruments. Accordingly, comparing the cases of Bosnia and Kosovo would be fruitful to see if the how the vertical coherence between the EU and the member states affects the institutional and horizontal coherence of the EU. Kosovo is also an ideal case to analyse the impact of the creation of the European External Action Service (EEAS) and the High Representative and Vice President of the Commission (HR/VP) as the latter acted as the mediator of the normalization process between Kosovo and Serbia.

The "time range" of the relations of Brussels with Bosnia and Kosovo coincides perfectly with the apparition and the evolution of the CFSP. The analysis of post-Lisbon coherence in the EU foreign policy is crucial to understand "how EU instruments and policies with an external dimension are coordinated in order to enhance dialogue with third countries, apply conditionality and foster transformation in candidate and potential candidate countries" (Oproiu, 2015: 845). Accordingly, the two cases chosen are ideal for studying the coordination pre- and post-Lisbon coherence of the EU foreign policy as it involves all of the actors and institutions of EU foreign policy architecture.

---

[6] Greece, the Greek Cypriot Administration, Romania, Slovakia and Spain do not recognise Kosovo.

1.2.4 Methods and sources to be used

This research uses the triangulation method which can be defined as the usage of "multiple methods […] in studying the same phenomenon for the purpose of increasing study credibility" (Hussein, 2009: 2). Accordingly, this research combines different qualitative research methods such as "document analysis" and interviews for data collection and for analysing the four types of coherence described previously. Document analysis is "a systematic procedure for reviewing or evaluating documents, both printed and electronic (computer-based and internet-transmitted) material" (Bowen, 2009: 27). The method of "document analysis requires that data be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge" (Strauss & Corbin, 2008 as cited in Bowen, 2009: 27).

During the analysis, both primary sources (formal documents and reports of the European Council, the European Commission, the EEAS, and the EU Parliament) and secondary sources (academic journals and books) have been used in this research. For the analysis of the vertical, horizontal and institutional coherence of the Union, the relationships between the EU institutions namely the European Commission, the European Parliament and the EU Council has been an important focal point for this study. Accordingly, European Commission and Parliament reports and the European Council declarations on the cases of Bosnia and Kosovo constituted the main primary sources of this research.

Apart from primary sources such as the official EU documents and secondary academic literature, semi-structured interviews have been of crucial importance for this research. Accordingly, around 40 semi-structured interviews have been conducted with EU officers, Kosovar and Bosnian politicians and diplomats, Kosovar and Bosnian civil society organization members, policy experts and scholars. Interviews were conducted both in Brussels and the Western Balkan region. Interviews provided different angles of analysis for this study. Secondly, by relying on multiple sources of analysis, interviews have reduced the impact of biases and aimed to increase the credibility of the research. In order to minimize the biased views as much as possible, interviews from both "within" and "outside" of the EU, being the EU officials from

the Commission, the EEAS, the Council and the EP and local administration and civil society members in Bosnia and Kosovo have been conducted. Some of the interviewees have been left as anonymous at their request.

1.2.5 Limitations of the study

Case study method has also some disadvantages and limitations to be considered. Case studies have been criticized for failing to provide "scientific generalization" (Zainal, 2008). Notably, Yin (1994: 21) asks the question "How can you generalise from a single case?" In Bosnia and Kosovo, the Union uses similar foreign policy instruments which are enlargement and CSDP missions. Both countries suffer from ethnic nationalism and weak state institutions. At the same time, the cases have unique characteristics that shape the coherence and the effectiveness of the Union's foreign policy. For instance, the non-recognition of Kosovo's independence by five EU member states, make Kosovo a peculiar case to analyse. By choosing "comparable but also different" cases, such as Kosovo and Bosnia, this thesis aims to contribute to both the theoretical aspect of the literature of the "coherence" concept but also create a framework which is useable in future studies focusing on the EU foreign policy instruments of enlargement and CSDP missions.

One of the essential factors to be considered in this study has been the Bosnian and Kosovar public opinion, however because of the language barriers and the problems to access Bosnian and Kosovar resources, limitations occurred to make a comprehensive examination of the perceived coherence of the EU foreign policy in these two states. To overcome language barriers, the help of Bosnian and Kosovar colleagues and experts has been used for interviews as needed.

CHAPTER II

ANALYSING EUROPEAN FOREIGN POLICY: A LITERATURE REVIEW

2.1 Introduction

Before focusing on the empirical analysis of the cases and the coherence and effectiveness of the EU foreign policy in the considered cases of Bosnia and Kosovo, we need to analyse the evolution of the European foreign policy by focusing on the literature regarding the EFP by focusing both on formal and informal actors and processes of the EFP. Accordingly, this chapter will provide a comprehensive review of the literature on EU foreign policy.

The EFP is a complex process. The main reason of the complexity of the EFP structure can be explained with the involvement of multiple actors in the policy-making process such as the member states, the EU institutions and the actors shaping the informal governance of the EU such as the civil society organizations (CSOs) and non-governmental organizations (NGOs). There has been a long debate concerning the question "who runs the Common Foreign and Security Policy (CFSP) of the Union?". Some EU scholars argue that EU is an international organization run by the member states (Merlingen, 2012: 41). On the other hand, other scholars contend that the EU is a sui generis form of organization that is run by a system of networks rather than inter-state politics. Before focusing on the empirical analysis of the cases, we need to analyse the evolution of the European Foreign Policy (EFP) by focusing on the

literature regarding the EFP by focusing both on formal and informal actors and processes of the EFP. In order analyse the foreign policy coherence in Bosnia and Kosovo, we need to grasp the dynamics between the EU institutional actors and the local agents taking part in the operationalization of the EU policy. Accordingly, the analysis of the literature on formal and governance will play a guiding role for the future chapters of this study.

Certainly, national governments and the Union's institutions are the main actors determining the guidance and the functioning of foreign, security and defence issues (Merlingen, 2012: 41). However, the main actors "need agents who deal with day to day management issues" (Merlingen, 2012: 41). Accordingly, the foreign and security policy of the Union is a "multiactor and multilevel policy system" that comprises national governments, EU institutions and non-governmental actors (Merlingen, 2012: 41). Domestic public opinion, NGOs and "epistemic communities" (Haas, 1992) involving transnational networks of professional experts are all parts of the general EU foreign policy system and should be taken into consideration when we analyse the foreign policy coherence of the Union. According to Smith, (2009: 5) approaches to the study of the European foreign policy should be diversified and it is impossible to define such a complex process involving EU member states, EU institutions and numerous "policy problems or issues areas" by a "single rigid definition". "Monolithic theoretical approaches" based on tradition foreign policy studies are not suitable to analyse the complexities of the European foreign policy (Smith, 2009: 5).

By considering the above-mentioned complexity of the operationalization of the EFP, this chapter will be divided into two main parts to analyse the existing literature on EU foreign policy. Accordingly, in the first section I will focus on the formal governance of the EFP and review the existing literature and different waves of EFP studies and investigate how EU scholars have seen the Union becoming a global foreign policy actor and how they have studied the main constituents of EFP, which are namely: the issues, formal actors and processes of EFP. In the second part of this chapter, I will focus on the literature concerning the informal governance of the Union and study the interactions between EU's institutional and private actors such as the CSOs.

2.2 Literature on the Formal Governance in the EU Foreign Policy

Studies focusing on the EFP "present a number of challenges and opportunities to political scientists" (Smith, 2009: 1.) The literature on EU foreign policy generally uses the term "European foreign policy" as it is almost impossible to "distinguish EU foreign policy from European foreign policy" (Smith, 2009: 1). EFP can be defined as "European policies that is directed at the external environment aiming to influence that environment and the behaviour of other international actors within it" (Keukeleire & Delreux, 2014: 1). In this part, I will focus on the literature analysing the EU as a global actor and will scrutinise how EU scholars have studied the evolution, issues, actors and processes of EU foreign policy.

When we analyse the literature of the EFP, we can see that the issues discussed by the scholars are not independent of the chronology of the main foreign policy developments within the Union. In other words, the main subjects of analysis of the EU academics have been the developments taking place in the EFP structure. Every major reform of the EFP has been a source of analysis for the scholars. According to Michael E. Smith (2009: 6) we can categorize European foreign policy research field into three periods. The first period is between the 1950s and 1960s and is based on "traditional International Relations/Foreign Policy Analysis speculating regarding the potential for European Foreign Policy" (Smith, 2009: 6). The second period comprises the 1970s and early 1980s and focuses on the creation of the European Political Cooperation (EPC) (Smith, 2009: 6). The last period starts with the Single European Act (SEA) in 1987 and ends with the inception of the formal European Foreign Policy with the Treaty on the European Union (1992). In addition to these three periods, the fourth period analysis of the EFP should "logically" start with the impact of the Lisbon Treaty on the institutional structure of the Union's foreign policy and notably the creation of new institutional bodies such as the European External Action Service (EEAS) and the High Representative and Vice President of the Commission (HR/VP).

2.2.1 Literature on the Evolution of European Foreign Policy

Early periods of the EFP have generally been analysed with a focus on integration theories studying "the foreign policy implications stemming from European economic integration" (Smith, 2009: 7). During this period, Ernst Haas (1958; 1961; 1964) focused on regional integration with his theory of neo-functionalism and the concept of "spillover". Haas (1958: 16) focused mainly on the economic dimension of integration and the latter's impact on the foreign policy of the Union by suggesting that integration leads to different types of spillovers by bringing "loyalties, expectations and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states". Accordingly, neo-functionalism explained the process of integration with the concepts of "functional spillover" between issue areas and "political spillover" involving the supranational actor" (Caporaso, Cowles & Risse-Kaplan, 2001). On the other hand, scholars coming from the realist background were not optimistic about the potential emergence of a common EFP (Smith, 2009: 8). Hoffman (1965) stated that European states were not keen to delegate their sovereignty to a supranational body and did not foresee the emergence of a common EFP. Therefore, EU member states would keep their independence and would rely on North Atlantic Treaty Organization (NATO) for their security and foreign policy related issues.

One of the most important attempts to act as a united voice in foreign policy issues was the Hague Summit of 1969. The summit coincided with the détente period of the Cold War and the end of the Charles de Gaulle's rule that meant the removal an obstacle to the formation of new European initiative (Keukeleire & Delreux, 2014: 43). As a result of the Hague Summit, the Luxembourg Report was signed, and the EPC has begun. The EPC had two objectives:

> To ensure greater mutual understanding with respect to the major issues of international politics, by exchanging information and consulting regularly 2) to increase their solidarity by working for a harmonization of views, concertation of attitudes and joint action when it appears feasible and desirable (Davignon Report, 1970: 3).

The Hague Summit was a crucial step for the EFP as it has created for the first time, regular meetings between the foreign ministers of the EC's member states and regular

consultations concerning foreign policy issues (Bindi, 2010: 19). In the 1970s with the creation of the European Political Cooperation (EPC) in 1970, EU scholars became more optimistic about the possibility of a common foreign policy for the European Community (EC). The EPC was an important development for the EC to act as a common voice in foreign policy issues and became a "tool" to improve the coherence of the EC's foreign relations.

The Copenhagen Report of 1973 indicated that the EPC created an institutional framework which focuses on the problems of international politics. The report defined the main quasi-institutional bodies of the EFP such as the Political Committee preparing the ministerial meetings, the Group of Correspondents, the system of European Telex (COREU) and the subcommittees and working groups dealing with the Commission on Security and Cooperation in Europe and geographic regions such as the Middle East, Asia and the Mediterranean (Bindi, 2010: 19). The EPC aimed to support the actions of "the institutions of the Community which are based on the juridical commitments undertaken by the member states in the Treaty of Rome".[7] The EPC arrangement remained totally intergovernmental and no transfer of competences to EC institutions took place however, "interaction between EPC and the EC in both institutional and policy matters was unavoidable" as the EPC relied on the EC concerning its declarations and main initiatives (Keukeleire & Delreux, 2014: 44). It is possible to argue that the institutionalization of EFP has started with the creation of the EPC in 1970. The security policy of the Union has remained intergovernmental however the Commission has created its external relations in many fields such as trade, development and humanitarian affairs (Keukeleire & Delreux, 2014: 46).

Since the 1970s and the creation of the EPC, there have been constant efforts on the to link the EFP process to the main institutions of the EC (Nuttall, 1992 as cited in Tonra & Christiansen, 2004: 5). During this period, EPC practitioners were also the ones studying the EFP by focusing on the issues of "social networking" and "soft law" (Von der Gablents, 1979; de Schotheete de Tervarent, 1980 as cited in Smith, 2009: 10). One of the important issues discussed at the 1970s has been the "coordination reflex" or the habit of the member states to consult each other concerning the foreign policy

---

[7] The Copenhagen Report, July 23, 1973, Part I.

issue before making their own foreign policy decisions (de Schoutheere de Tervarent, 1980). The academic works studying the tendency of the member states consulting each other on foreign policy issues became the basis for future works focusing on socialization and institutionalization of EFP (Smith, 2004a).

The coordination of the EU member states in international organizations was another subject of analysis during the 1970s. A series of studies have been conducted concerning the voting behaviour of EU member states in the UN General Assembly (Hurwitz, 1975, 1976; Lindemann, 1976). These works concluded that EU member states voted as a bloc around 60 percent of the time. Scholars have also focused on regional issues such as the role of the Union in the Middle-East peace process (Allen & Pijpers, 1984) and in the Euro-Arab Dialogue (Allen, 1978). Allen and Pijpers (1984) argued that the limited institutional structure of the EFP at that time managed to produce common views but the EC lacked an institutional leadership and policy instruments. The record of the EPC has not been very positive as it remained ineffective to formulate concrete policy issues in the cases of Middle-East, Afghanistan and Poland (Allen & Pijpers, 1984: 46).

In the early 1980s, academics have continued to study the impacts of the EPC on national foreign policies of member states. In his book entitled *National Foreign Policies and European Political Cooperation*, Christopher Hill (1983) focused on the relationship between national foreign policies and the EPC. Another important work investigating the EPC procedures and policies is the book *European Political Cooperation: Towards a Foreign Policy for Western Europe* written by Allen, Rummel and Wessels (1982). During this period, the main works focusing on European integration, such as the periodic editions of "Policy-making in the European Community" containing chapters on EPC/European Foreign Policy in a regular manner (Wallace, 1983; Lodge, 1989 as cited in Smith, 2009: 15). One of the main contributions of the EFP literature in the 1980s has been the study of the role of the EC institutions such as the role of the Commission (Nuttall, 1988) and the role of the Presidency (de Schoutheere de Tervarent, 1988) in EFP.

2.2.2 The Emergence of the Common Foreign and Security Policy

Structural developments in the international system after the 1990s such as the war in Yugoslavia, the emergence of a multipolar world have forced the EU to speak with a common voice. According to Tonra and Christiansen (2004: 2), after the 1990s, a rapid expansion has occurred "in the policy-scope and institutional capacity of EU foreign policy-making and a consequent raising of expectations" regarding what the EU would be capable to accomplish in the Common Foreign and Security Policy (CSFP). Wars in Bosnia and Kosovo have been analysed as perfect examples of this phenomenon (Lucarelli, 2000; Papadimitriou, 2001). One of the most cited works on EFP after the Maastricht Treaty has been Christopher Hill's (1993) article entitled "The Capability-Expectations Gap, or Conceptualizing Europe's International Role" in which he analysed the gap between the aims and the resources of the Union in foreign policy issues. Hill (1993) emphasized in his "famous" work that the EU had lacked the necessary capabilities to become a decisive international actor. Hill (1993) argued that the relationship between the means and ends of the Union's foreign policy was problematic and that the Union lacked a clear strategy in its external action. Hill (1993: 23) defined the "capability-expectation gap" by using three determinants: "the ability to agree, resource availability and the available instruments of the EC" and argued that the capability expectation gap is problematic for the Union to achieve its foreign policy objectives because "it could lead to debates over false possibilities both within the EU and between the Union and external supplicants", and it would "likely to produce a disproportionate degree of disillusion and resentment when hopes were inevitably dashed". He contended that if the Union aims to close the gap considered, its foreign policy should be based on actions rather than aspirations (Hill, 1993: 23). Accordingly, the EU would need to install the necessary institutional and decision-making mechanisms to realize its foreign policy goals (Hill, 1993: 23).

Another important EFP subject analysed by the scholars after the 1990s has been the decision-making process within the area of the CFSP (Regelsberger, de Schoutheete & Wessels, 1997; Holland, 1997, Lewis, 2000). These studies were important for the EFP studies because they have provided an analytical insight "to the way in which business is conducted within CFSP and how the process has developed" (Tonra &

Christiansen, 2004: 3). As the EU decision-making process is determined between the axis of intergovernmentalism and supranationalism, the EU foreign policy studies are also divided between these intergovernmental/supranational views (Tonra & Christiansen, 2004: 3). The literature based on supranationalism argues that the Union influences the national foreign policy decision-making of member states (Sandholtz & Sweet, 1998; Hooghe & Marks 2008; Dougan, 2008). On the other hand, research based on intergovernmentalism focus on the bargaining process between the EU member states aiming to preserve the national interests of the latter (Putnam, 1988; Koenig-Archibugi, 2004). Intergovernmentalist studies being similar to neo-realist ones, argue that EFP regime is a power-based one and that the "rules and purpose of the game are established by the most powerful states" such as France and Germany (Tonra & Christiansen, 2004: 7). A considerable portion of the works in the EFP research field argued that national interests of EU member states have impeded the creation of foreign policy institutions for the EU (Hill, 1993; Jupille, 1999; Smith, 2004a).

Andrew Moravscik (1998: 75) with his theory of liberal intergovernmentalism (LI), suggested that the main source of integration is based the national interests of member states the latter's "relative power they each bring to Brussels". Moravscik's (1998) model of LI is based on the Stanley Hoffmann's (1966) concept of "intergovernmentalism". Moravscik (1998: 4: 9) posits that "a tripartite explanation of integration – economic interests, relative power, credible commitments – accounts for the form, substance, and timing of major steps toward European integration". Moravscik (1998: 3) also argues that the European integration is based on a three-stage process: the first stage is the emergence of national preferences, the second one is the intergovernmental bargaining and the bargaining power of states and finally the third one is the institutional choice based on the desire to "enhance the credibility of interstate commitments". LI has been criticized for its failure to consider "the endogeneity of the integration process", i.e. for how integration decisions at one point in time are shaped and constrained by the effects of earlier integration decisions" (Schimmelfennig, 2015: 178).

There is a divide among scholars concerning the relationship between national foreign policies of member states and the CFSP. Some scholars argue that the CFSP has been used by some member states as a "tool" to realize their foreign policy objectives by "acting through the EU to achieve more impact internationally" (Dijkstra & Vanhoonacker, 2017: 2). For instance, regarding the Operation Artemis, the first European Security and Defense Policy (ESDP) operation initiated in 2003 outside of Europe, in Congo by the EU, Schmidt and Zyla (2013: 86) argue that the considered operation was basically a "French operation in a European Union framework". Similarly, small states may "use" the CFSP for achieving their national foreign policy objectives. According to Dijkstra and Vanhoonacker (2017), Baltic states prefer to address their foreign policy on Russia by going "through Brussels".

On the other hand, the CFSP has also become a source of pressure forcing the EU member states "to adjust their national foreign policies" (Dijkstra & Vanhoonacker, 2017: 2). For instance, Müller (2013) contends that France has lost its leadership role in the Middle East after the 1990s and as a result, French foreign policy has been Europeanized in this region since. Accordingly, one the aims of this research will be to observe the impact of the EU's foreign policy on the national foreign policies of the member states (and vice versa) in Kosovo and Bosnia and this analysis is directly related with the issue of vertical coherence between the EU and the member states.

2.2.3 "What Type of Power the EU is?"

"The EU is a sui generis actor" motto occupied a substantial part of the EFP studies. The fact that the EU is neither a state nor an international organization has been the focus of the considered studies (Wallace, 1983; Allen, 1996; Hill, 2003; Andreatta, 2005). To qualify the nature of the Union, Andreatta (2005: 19) contended that the Union is "neither a state, nor a traditional alliance and (…) presents a heterodox unit of analysis". Wallace (1983) qualified the Union as "less than a federation and more than a regime". Allen (1996 as cited in Davidshofer, 2009: 7) argued that "the EU is

not, and will most likely never be, a state". In a similar way, Christopher Hill (2003) while analysing the EFP, argued that the EU is a "messy construction".

Many studies aimed to answer the question "what type of power the Union is?" (Duchene, 1973; Manners, 2002; Wright, 2011). Starting with the "civilian power Europe" concept of François Duchene (1973), EU scholars qualified the Union as a "normative power", "trade power", or even a "military power" conducting a comprehensive foreign and security policy (Manners, 2002; Larssen. 2002; Burckhardt; 2013). François Duchêne (1973: 20) qualified the EC as a "civilian power" and characterized for the first time the nature of the EC as an international actor. Duchêne (1973: 19) has described the European Community as a: "civilian group of countries long on economic power and relatively short on armed force". He focused on "social values of equality, justice and tolerance" (Duchêne, 1973: 19). The concept of civilian power can also be seen in official Council documents and the speeches of the Union's High Representative Solana (between 1999-2009) and has become an "official discourse" of the Union (Larsen, 2002). On the other hand, Zielonka (1998: 226) contested the concept of Duchêne by saying that "Duchêne never developed his vision into a detailed and comprehensive scheme". In a similar fashion Whitman (1998: 11) contended that the civilian power concept "is most striking for the unsystematic manner in which it was advanced".

The phenomenon of the EU becoming a foreign and security power has been a common debate after the 1990s. According to Holsti (1996: 20) the conflicts after the 1990s has become "about statehood, governance, and the role and status of nations and communities within states". During this period, the Union has become an embryonic conflict resolution and security power accompanied with economic and normative "duties". The main characteristics of conflict resolution duties of the Union have been "establishing security, renewal of government institutions, possibly sowing the seeds of democracy, and socio-economic rehabilitation and development" (Voorhoeve, 2007: 23). Until the emergence of the crisis in the Balkans in the early 1990s and the signing of the Maastricht Treaty in 1992, the EU's "record" in foreign policy issues and more specifically in security and defence related policies were limited. After the 1990s, with the dissolution of Yugoslavia, the signing of the Maastricht Treaty and the

apparition of new threats, "rogue states" and non-state actors, the EU has become or more specifically was "naturally forced" to become a security actor in the Balkans. In sum, EU's role within the new international system has become a recurrent theme among the scholars.

Normative actor proponents contended that the EU has soft power assets such as the expansion of governance or the development of regulatory regimes (Manners, 2002; 2008). According to Manners (2008: 65) "simply by existing as different, the European Union changes the normality of international relations". EU norms such as peace, democracy, rule of law, and respect for human rights impact the actorness of the Union in the international system. Manners (2002: 245) argued that Brussels aims to "diffuse its norms" with the institutionalization of its external policies such as the enlargement process. These norms and the diplomatic means used by the EU to resolve conflicts are considered being "the basis and source of legitimacy for its external actions, and as such are reflected throughout the EU's treaties and declarations" (Wright, 2011: 17).

Wright (2011: 20) argues that the economic power of the Union is the primary source and expression of its international power. The EU has been qualified for many as a "regulatory superpower" (Bretherton and Vogler, 2006: 71) or even a "regulatory imperialist" (Zielonka, 2008: 474), as it possesses numerous economic instruments to foster its actorness such as anti-dumping measures and enjoys a "good record of success in the disputes it has pursued through the WTO" (Bretherton & Vogler, 2006 as cited in Wright, 2011: 21).

Many academics argued that the civilian and normative power concepts are irrelevant for the case of the Union because of the constant developments in the militarization of the latter (Smith, 2005; Zielonka, 1998). On the other hand, Stavridis (2001: 50) stressed that civilian power Europe does not contradict the efforts of acquiring military capabilities as the Union uses military means as political tools in addition to economic and trade tools such as the sanctions. In a similar vein, Whitman (1998) argued that the development of EU military structures does not change the civilian character of the Union, as the primary tools of the latter remain diplomacy and economics.

2.2.4 Strategic Culture and the European Foreign Policy

After the initiation of EU military and civilian missions, EFP studies focused on the concept of "strategic culture" or more specifically on the inception of a common EU strategic culture. The concept of "strategic culture" was first introduced in the 1970s to create a better understanding of the differences in American and Soviet nuclear strategy (Snyder, 1977; Gray, 1981). EU scholars have used the concept of strategic culture analyse the use of force by the Union through its ESDP missions. Margaras (2009: 3) defined the EU strategic culture as:

> The ideas, beliefs, values and practices of Brussels based ESDP officials regarding the current and potential use of force, which is manifested in the way ESDP officials, think during negotiations in ESDP institutions as well as through the deployment of police and military instruments in various ESDP missions.

When we analyse the literature regarding the EU strategic culture, it is possible to observe conflicting views whether the EU has a strategic culture or not, and whether the EU should have a strategic culture or not. Some scholars argued that the EU has still not managed to develop a strategic culture, because the EU did not develop a consistent approach regarding the "use of force" (Lindley-French, 2002; Rynning, 2003; Tardy, 2007). Tardy (2007) analysing "The European Security Strategy: A Secure Europe in a Better World"[8] adopted by the European Council in 2003, contends that the document "does not make explicit reference to the use of force". On the other hand, according to Lianos (2008: 139), the introduction of EU institutions specializing in security and defence made the gradual development of a more coherent strategic culture possible and that "all defence and security related initiatives aided, implicitly or explicitly the creation of the essential preconditions for the development of a common strategic culture within the Union" (Lianos, 2008: 148).

Scholars argued that internal divergences within the EU regarding the use of force have been the biggest obstacle to form a coherent and consistent EU strategic culture (Lindley-French, 2002; Margaras, 2009). The Union is divided between different types

---

[8] The European Security Strategy (ESS), adopted by the European Council on 12-13 December 2003, is the first CFSP strategy document adopted by the EU analyzing the security threats the Union has to address

of strategic cultures being the Atlanticist (the UK, Poland), interventionist (France) and neutral states (Ireland, Sweden, Austria, Finland) (Rynning, 2003; Meyer, 2006). Regarding this problem, Margaras (2009: 7) contended that the strategic culture of the Union is characterized by considerable internal divergences that limit its "actorness and the ability to possess a cohesive strategic culture and a dynamic presence in strategic affairs". In a similar vein, regarding the internal divergence within the EU, Lindley-French (2002) used the term "strategic schizophrenia" to show that there are two conceptions of security within the EU: a minimalist type equating based on only defensive capabilities and a maximalist type aiming up to conduct aggressive pre-emptive security. Merlingen (2011: 94) characterizes the EU strategic culture as "soft strategic culture" because of its limited military capabilities and methods. Apart from the scholars who argue that there is no coherent EU strategic culture, some scholars, by adopting a normative stance, argue that the EU should not have a strategic culture. According to Rynning (2005: 46), the Union is a pluralist peace project that should rely on the U.S or a coalition of European States regarding strategic affairs. Similarly, Matlary (2006: 107) argued that the EU should have a "post-national strategic culture" based on human security.

The creation of the ESDP has been seen by many as a balancing act against the preponderance of the U.S (Posen, 2004, 2006; Walt, 2005; Pape, 2005). The balance of power theory is based on the idea of balancing against an emerging power by forming coalitions against the latter or by using internal resources (Waltz, 1979; Mearsheimer, 2001). EU scholars contended that the ESDP was a different form of balancing which should be labelled as "soft balancing" (Posen, 2004; Art, 2004). Stephen Walt (2005: 14) defined soft balancing as "conscious coordination of diplomatic action in order to obtain outcomes contrary to US preferences, outcomes that could not be gained if the balancers did not give each other some degree of mutual support". The emergence of ESDP was seen as a "looser type of resistance to the hegemonic power" (Howorth, 2007: 49). Like Art (2004), Posen (2004: 17) asserts that "ESDP is a form of balance of power, albeit in a weak form". Similarly, Art (2004) qualifies the establishment of ESDP as soft balancing. In a similar vein, Walt (2005: 129) sees the motivation of the ESDP as Europe's trying to control its "own course" in the international system by taking "positions at odds with US preferences-will be enhanced if it becomes less dependent on US protection". Some scholars argued that

the reaction of many European states against the American foreign policy in Iraq 2003 has been a perfect case of soft balancing (Paul, 2005; Pape, 2005). Robert Pape (2005: 39) has contended that EU member states such as Sweden and France, instrumentalised the United Nations' institutional structure to "delay, if not head off completely, US preventive war against Iraq".

2.2.5 The Concept of "Actorness" and the EU Foreign Policy

"Actorness" has become one of the most studied concepts in the literature of EFP (Jupille & Caporaso, 1998; Bretherton & Vogler, 2009; Niemann & Huigens, 2011; Gehring, Oberthür & Mühleck, 2013). There are different definitions and frameworks of analysis of the concept in the literature. The concept has been defined as the "capacity to act on the global scene" (Cosgrove & Twichett, 1970: 12) or the capacity to "actively and deliberately in relation to other actors in the international system" (Sjöstedt, 1977: 16). EU scholars studying actorness have focused on the aim of constructing a framework of actorness as defining the concept of actorness would remain vague without defining the "determinants" of actorness. Accordingly, Jupille and Caporaso (1998) introduced four criteria to "test" the actorness of an actor: external recognition, authority, autonomy and cohesion. External recognition is "the minimum condition of actorness" and is divided into two categories: de jure and de facto recognition. "Authority" denotes the legal competence of the Union to act "granted by the treaties and the member states" (Jupille & Kaporaso, 1998: 120). The third component of actorness is "autonomy". According to Koops (2001: 120) autonomy is based on the principal-agent theory "where the states (principal) outsource some authority to the agent" (such as the EU Commission or the High Representative). Jupille and Caporaso (1998: 217) define autonomy as "institutional distinctiveness and as independence from other others, particularly state actors". The fourth component of actorness is "cohesion" which is defined as the capacity of an international entity to "formulate and articulate internally consistent policy preferences" (Greiçevci, 2011: 287). Jupille and Caporaso (1998) single out four separate dimensions or forms of cohesion: value (goal) cohesion, tactical cohesion, procedural cohesion and output cohesion. Value cohesion is the compatibility of goals, tactical cohesion explains that "if goals are somewhat different but can be made to fit

with one another" (Jupille & Caporaso, 1998: 219). Procedural cohesion defines the existence of consensus regarding the "rules and procedures" when conflicts arise (Jupille & Caporaso, 1998: 219). Finally, output cohesion suggests that when EU member states agree of the formulation of a specific policy, cohesion occurs "…[and] output cohesion will be affected by the level of agreement on goals and procedures as well as the degree to which it is possible to link issues tactically" (Jupille & Caporaso, 1998: 219).

Another influential work on actorness is the model of Bretherton and Vogler (1999) based on the concepts of "opportunity", "presence" and "capability". Bretherton and Vogler (1999: 127) defined the actorness concept by using a constructivist framework. Accordingly, "opportunity" examines external ideas influencing the Union's actorness and shapes the identity creation of the latter. Bretherton and Vogler (1999: 127 argued that the crisis in Yugoslavia in the 1990s and the Iraq War in 2003 were opportunities for the Union for his identity creation. "Presence" defines "the external often unanticipated or unintended consequences of the Union's internal priorities and policies" (Bretherton & Vogler 2006: 27). The creation of the Single Market and the enlargement process have been given as examples of presence (Bretherton & Vogler 2006: 27). The last component of the actorness framework "capability" defines the available instruments of the Union as an answer to opportunity and to materialize the presence (Bretherton & Vogler 2006: 27).

EU scholars have used extensively the actorness concept to analyse empirical cases. Cosgrove and Twichett (1970: 14 as cited in Koops, 2011) were the early proponents of the actorness concept and created a "tentative theory of actorness". Cosgrove and Twichett (1970) analysed the emerging international actors in the 1960s: the UN and the EU, using the actorness concept. Unlike the realist scholars considering states as relevant actors of the international system, Cosgrove and Twichett (1970) perceived the EU as a regional actor and the UN as a global actor. Contrary to the realist paradigm considering sovereign states as the only influential actors of the international system, Cosgrove and Twichett (1970: 14 as cited in Koops, 2011) argued that the EU is a regional actor and the UN as a global one. Cosgrove and Twitchett (1970: 14 as cited in Koops, 2011) contended that "the UN is an actor more by virtue of its pervading global influence whereas the EEC has had direct impact on many aspects of European

and international affairs" by studying the EC Commission's influence on the trade negotiations the so-called Kennedy round of 1966 and 1967.

Huigens and Niemann (2011) by using the Jupille and Caporaso (1998) framework have tested the actorness of the Union in G8 framework. According to Huigens and Niemann, (2011: 629) the EU is recognized equally as other G8 delegations even if the actual membership of the Union is disputed. Gehring, Oberthür and Mühleck (2013) investigated the EU's actorness in international institutions to find why the Union is recognized as an actor in some international institutions but not in others. They argue that the EU is a relevant actor in the WTO but is not totally recognized as an actor within the IMF (Gehring, Oberthür & Mühleck, 2013). The "actorness" or more specifically the limited actorness of the EU first during the conflict in Bosnia, and later in Kosovo has been a major factor shaping the EU as a foreign policy actor.

2.2.6 Emerging new European Foreign Policy actors: the EEAS and the HR/VP

The changes made by the Lisbon Treaty (2007) created a new body of literature focusing on two new EU foreign policy actor/body: the High Representative and Vice President of the European Commission (HR/VP) and the European External Action Service (EEAS) (Barber, 2010; Frattini, 2010; Hadeshian, 2010; Helwig, 2014; Missiroli, 2010; Howorth, 2011; Trzaskowski, Osica & Popielawska, 2012; Trueb 2012; Wisniewski, 2013; Helwig & Rüger, 2014; Dijkstra & Vanhoonacker, 2017). The literature on the EEAS and the HR/VP focuses on the explanatory power of the Principal-Agent framework concerning the creation of the EEAS, the influence of the EEAS on the crisis management of the Union, the "performance" of the EEAS and the HR/VP since its establishment and finally on the impact of the creation of the EEAS and the HR/VP on improving the coherence of the Union's external action.

One of the aims of this research is to depict the discrepancy (if it exists) between the theory and practice of the Union's external action in Bosnia and Kosovo before and after the creation of the EEAS and the HR/VP. In other words, to trace the impact of the creation of the EEAS on the foreign policy coherence and the effectiveness of the

EU in Bosnia and Kosovo. Accordingly, it is crucial to analyse the literature on the creation of the HR/VP and the EEAS.

According to many, the creation of the position of HR/VP was the major institutional innovation of the Treaty of Lisbon (Howorth, 2011; Trzaskowski, Osica & Popielawska, 2012; Trueb, 2012). One of the aims of the Lisbon Treaty was to bridge the dualism between the Commission and the Council "by connecting the dots-in policy and decision-making terms-between external relations and foreign and security policy" (Balfour & Ojanen: 2011, 2). Accordingly, the creation of the EEAS aimed to make this link between the "two arms" of the Union's external policy (Balfour & Ojanen: 2011, 2). With the Lisbon Treaty, the decision concerning the creation of the EEAS and the HR/VP "changed the principles and the functioning of the existing system" (Reynaert, 2012: 210). The HR/VP has become responsible for assuring the coherence between EU institutions, policies and member states. On the other hand, the EEAS has become responsible to support the HR/VP fulfilling these objectives. How successful have these institutional reforms become to improve the foreign policy coherence of the Union?

The position of HR/VP combines the position of the previous EU Commissioner for External Relations and the High Representative of the CFSP that was first introduced in 1999 with the Amsterdam Treaty and that "proved a sea change for the governance of EU foreign policy" (Dijkstra and Vanhoonacker: 2017, 12). With the creation of the HR/VP, after the Lisbon Treaty, Brussels has become the administrative capital for the Union's foreign policy (Dijkstra & Vanhoonacker: 2017, 12). Article 18 of the Treaty on the European Union (TEU)[9] states that the High Representative is responsible for ensuring the consistency of the Union's external action.[10] In the Lisbon Treaty, the CFSP and the other fields of external action of the Union are separated. According to

---

[9] The Lisbon Treaty amended the existing EC and Maastricht Treaties as "Treaty on the Functioning of the European Union" (TFEU) and "Treaty on European Union" (TEU). Regarding the foreign policy of the Union, TEU contains the Title V "General Provisions on the Union's External Action and Specific Provisions on the Common Foreign and Security Policy and TFEU contains the Part V entitled "The Union's External Action. Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community available at http://www.consilium.europa.eu/uedocs/cmsUpload/cg00014.en07.pdf

[10] Article 18, TEU

Articles 18 and 27 of the TEU, the duties of the HR/VP are:[11] "conducting EU's CFSP, presiding over the Foreign Affairs Council, being "one of the Vice-Presidents of the Commission", representing the EU for CFSP related policies and "ensuring the consistency of the Union's external action".

In the previous institutional system before the Treaty of Lisbon, the CFSP was controlled solely by the member states and "the rotating Presidency chaired the foreign minister's meetings and set the agenda for its 6 months term" (Helwig, 2014: 69). The position of High Representative existed before the Treaty of Lisbon. However, the latter made substantial innovations on the duties of the High Representative. The Treaty of Lisbon merged the areas of responsibility of the old Representative, the EU commissioner for external relations and the foreign minister of the member state organizing the rotating presidency (Barber, 2010) The HR/VP Treaty is that the "newly has the mission to focus on the internal institutional dynamics of the Union in addition to focusing only on the foreign policy matters of the EU (Helwig & Rüger, 2014).

According to the new institutional structure created after the Lisbon Treaty, "the High Representative's primary role is to bridge the tensions in the EU's external action" (Hadeshian, 2010: 114). There are three types of tension. The first one is within the "Community's policies that have an external aspect, there are tensions between the Commission and the Council" (Wouters, 2008 as cited in Hadeshian, 2010: 114). The second tension arises between the CFSP and the external policies controlled by the Commission (Wouters, 2008 as cited in Hadeshian, 2010: 114). Thirdly there is the conflict "between the Commission and the Member States" (Wouters, 2008 as cited in Hadeshian, 2010: 114).

There are two problems related to the new institutional bodies. First of all, within the institutional structure of the EU, does the mandate of the HR/VP and the EEAS gives the power to the latter to solve the issue of tension between the EU decision-making actors? Secondly, has the EEAS and the HR/VP been successful to implement their

---

[11] General Secretariat of the Council of the Union, Press Release, The High Representative for Foreign Affairs and Security Policy / The European External Action Service, November 2009.

roles? As Missiroli (2010: 7) argues "such a multi-hatted position represents a unique opportunity to bring coherence to the Union's foreign policy but is also a daunting challenge for the post holder". According to Schmidt (2012), one of the main issues the HR/VP confronts is that he/she has to deal with the turf war, different agendas and priorities of both institutions.

Frattini (2010) posits that the HR/VP can be seen as an equivalent of a foreign minister. According to Duke (2012), the HR/VP had a challenging task to ensure a common European global voice by achieving a more coherent and effective foreign policy. Even though the aim of the creation of the EEAS and the HR/VP is to increase the coherence in the external action of the Union, according to Wouters (2208: 156), the HR/VP does not possess the foreign policy instruments to increase the coherence between the Council and the Commission regarding the external action of the EU. The creation of the HR/VP "does not reduce the competences of the Member States within the CFSP domain" (Hadeshian, 2010: 123). According to Hijkstra and Vannhoonacker (2017: 13), the HR/VP and the EEAS "remain relatively weak actors" as "they play a role in the formulation and implementation of EU foreign policy, but the final decisions are still taken by the member states".

The Council decision of 26 July 2010 can be considered as the legal basis of the EEAS. This decision describes the organization and the functioning of the EEAS including the tasks, staff, budget and the relation with the other institutions of the EEAS. The EEAS is described as an "autonomous body" and not a separate EU institution. According to many "the exact structure, scope and organisation of the EEAS are left vague and open" (Wouters, 2008, as cited in Hadeshian, 2010: 115). The TEU is not clear about the "position of the EEAS" (Hadeshian: 2010, 116). According to Wouters, 2008, 158 as cited in Hadeshian: 2010, 116) "it is not clear if the EEAS should be an autonomous service, outside the Commission or the Council Secretariat, or whether it would be linked to one or both". The autonomous budget is also a problem for the EEAS as it remains limited compared to the Commission's budget (Wouters, 2008). The Lisbon Treaty aimed to foster the actorness of the EU in the global scene by

creating a Service, the EEAS to support it however, "no blueprint of how this might all be negotiated and established" (Dialer, 2014: 54). The readiness of the member states determines "if the gap between the expectations created by the Lisbon treaty and the actual capabilities of the post can be closed (Helwig, 2014: 67).

Regarding the EEAS, Dialer (2014: 49) contends that the latter "is neither an EU institution nor a policy-making body but rather a humble servant". Notably Catherine Ashton (2010), the first HR/VP, on her draft proposal addressing the duties of the EEAS has said:

> The EEAS is called a service for a reason. It is there to work for the President of the European Commission and the other European Commissioners, for the President of the European Council and Member States, and for the members of the European Parliament too (Ashton, 2010).

Article 2 of the Council Decision establishing the organisation and functioning of the European External Action Service and specifying the latter's nature, scope budget and staff states that "the EEAS shall support the High Representative in fulfilling her mandate to conduct the Common Foreign and Security Policy of the EU and to ensure the consistency of the EU's external action".[12] The Council Decision[13] indicates the need to improve the level of coherence "between the different areas of the EU's external relations; and the role of the Service and the High Representative, with the assistance of the Council and the Commission, in ensuring the coordination and consistency of the external relations of the EU" (Hadeshian, 2010: 68). According to the reviews of the EEAS by the EEAS, the Service:[14]

> The EEAS seeks to add value by being more than a foreign ministry – combining elements of a development and of a defence ministry. The EEAS can be a catalyst to bring together the foreign policies of Member States and strengthen the position of the EU in the world.[15]

According to Dialer (2014: 54), the most problematic issue for the EEAS at the

---

[12] Decision No. 2010/427/EU establishing the organisation and functioning of the European External Action Service.
[13] Ibid
[14] European External Action Service: EEAS Review. Brussels, July 2013. http://eeas.europa.eu/library/publica- tions/2013/3/2013_eeas_review_en.pdf, 05/09/2013.

beginning "was to cope with inter-institutional competition on the one hand and to coordinate the external policies of the Commission, the Council and Member States on the other". The EEAS was constrained by the reluctance and fear of the Commission to lose their respective powers to the EEAS in the institutional architecture of the Union's external action. The EEAS does not only suffer from the intergovernmental/supranational divide but from the "power struggle" between the EU institutions.

How do the Commission and the EEAS share duty when it comes to the Union's external action? The European Commission is responsible for non-CFSP issues, the HR/VP on CFSP issues, and the EU Delegations on both CFSP and non-CFSP issues of the Union's foreign policy. [15] With the Lisbon Treaty, the DG Trade and DG Enlargement stayed a part of the Commission, however DG RELEX which was the European Commission's Directorate focusing on the external policies was included in the newly formed EEAS (Dialer, 2014: 50). Even the complexity of the duties of the Service for Foreign Policy Instruments (FPI) shows the "messy construction" of the Union's external action. FPI works "alongside" the EEAS" but it is still a part of the Commission and "is responsible for operational expenditures" of the Union's external action.[16]

The EEAS' duty of coordinating the Commission's directorate generals focusing on the Union's external action created a discontent of Commission officials fearing an increase in the politicization of Commission's work (Helwig, Ivan & Kostanyan, 2013). According to the European Court of Auditors' report assessing the establishment of the EEAS, the "coordination between the EEAS and the Commission was only partly effective, mainly due to the absence of effective coordination mechanisms at top level and a rigid financial and administrative framework at delegations".[17] The European Parliament tried to play an active role during the creation

---

[15] Art 17 (1), Art 27 (2), Art 221 (1) TEU
[16] https://eeas.europa.eu/headquarters/headquarters-homepage_en/2084/Foreign%20policy%20instruments
[17] European Court of Auditors. (2014). European Union, Special report: The establishment of the European External Action Service.

of the EEAS. During the negotiation process on the establishment of the EEAS, the EP focused mainly on the configuration of staff of the service and "used to effectively extend its budgetary control over the composition of the new diplomatic service" (Dialer: 2014, 48).

The EEAS is composed of central administrations in Brussels and more than 130 overseas delegations with the mission of supporting the High Representative (TEU, Art 27 (3)). Regarding the function of the EEAS, two documents can be considered as crucial to understand the role that the EEAS will play in the external relations of the EU. These documents are "the Council decision establishing the organization and the function of the EEAS" of July 2010[18] and the Commission's "Working Arrangements between Commission Services and the European External Action Service in relation to external relations Issues". [19] Before the creation of the EEAS, the EP wanted the latter to be closely related to the European Commission for transparency and accountability reason (Wisniewski, 2013). The EEAS aimed to improve the coherence and efficacy of the Union's external action created some tension between the members of the different EU institutions concerning the different working cultures and organigrammes of these institutions (Balfour & Ojanen, 2011: 2). During the negotiation of the creation of the EEAS, the HR Catherine Ashton was responsible of organising "the structure and the staffing of the EEAS" (Smith, 2013; 1304).

Regarding the EEAS' working procedure, the latter "is bound by the Treaty to respect the Normal Commission procedure every time the HR acts in her capacities as Commission Vice-President" (Art 18.4 TEU as cited in Vanhoonacker & Pomorska: 2013, 1324). It is possible to argue that with the Treaty of Lisbon, the EEAS and the HR have linked the supranational and intergovernmental decision-making modes by "proving the EU with renewed tools to overcome the difficulties inherent in creating and implementing swift external action" (Kostanyan, 2014: 174). However, the fact that EU Member states have generally diverging views concerning the external action

---

[18] (Council Decision 2010)
[19] (SEC (2012)48)

of the Union and mainly the CSDP limits the participation if the EEAS effectively into the decision-making process of the EU.

The external delegations of the EEAS are the successor of the Commission delegations and operate under the direct authority of the HR (Art. 221 TEU). The Brussels-based section of the EEAS is composed by the staff of the Commission, the Council Secretariat and the EU member states. The delegation took over the duties of the rotating Presidency concerning the coordination of the EU action abroad (Blom & Vanhoonacker, 2012: 12). The EEAS requires the EU delegations "to send reports to Brussels about the political situation in the country in which they are located" (Bicchi: 2012, 89). Another duty of the EEAS is to draft report concerning negotiations with third countries (Bicchi: 2012, 89).

2.2.6.1 Principal-Agent Theory and the EEAS and the HR/VP

The creation of the EEAS and the HR/VP was explained by many EU scholars with the "principal-agent theory" (Furness, 2011; Henokl, 2013; 2014; Kostanyan 2014). This framework "is a microeconomics concept drawn from the theory of the firm that has been used extensively by political scientists as a framework for explaining actor relationship" (Furness, 2013: 6). The main assumption of the principal-agent model is that when the principal contracts the agent to "do something on their behalf" (Fama, 1980, as cited in Furness, 2013: 6).

According to the principal-agent framework, the EEAS becomes the agent of the principals, which are the member states (Henökl, 2013). In addition to the Member States, the EEAS receives authority from the Council of Ministers and the European Commission (Henökl, 2013). The external policies related to trade, development, enlargement and the neighbourhood policies fall under the competencies of the Commission however, the latter needs to cooperate with the EEAS to assure the coherence of the decision-making. The European Parliament cannot be seen as a "real principal" of the EEAS as the latter has competence over the EEAS only on the budget-

related issues (Henökl, 2013). Furness (2013) contended that one of the aims of the Member States concerning the creation of the EEAS was to prevent the "agency slippage" of the European Commission. Accordingly, the Member States preferred to transfer some of the competencies of the DG Relex to confer it to the newly formed EEAS (Furness, 2013). During the negotiation process of the creation of the EEAS, the member states agreed to pool some of their resources to the EEAS and aimed to limit the powers of the Commission by preserving the intergovernmental decision making on the CFSP (Furness, 2013: 12). Similarly, Kostanyan (2014) also explains the creation of the EEAS with the principal-agent model. According to Kostanyan (2014: 168) the creation of the EEAS was the most substantial institutional structure change for the EU by the application of the "principal-agent model".

Henökl (2014: 382) argues that the EEAS can be described as a "hybrid and compound institutional actor" within the EU external action system. According to this view, EU member states delegated authority to the EEAS to execute the EU's external action (Henökl, 2014: 382). The EEAS is in a particular position vis-à-vis the Commission, the member states and the European Parliament. Henökl (2014) qualified the situation of the EEAS and the EU Delegations, as "double-agency". Henökl (2014: 385) investigated the double-agency of the EEAS in two steps. Henökl, firstly analyses the relationship between the member states and the EEAS and secondly between the latter and the supranational EU institutions. The fact that the EEAS falls into the area of mixed competence, which means falling under both the community method and intergovernmental decision-making is seen by many as an opportunity for the EEAS to push for greater autonomy in some policy areas (Furness, 2013: 109).

2.2.6.2 Literature on the impact of the EEAS and the HR/VP on improving the coherence of the Union's external action

The impact of the creation of the EEAS and the HR/VP on EU foreign policy coherence has been a subject of analysis for many scholars. In this part of the research, we will focus on the literature considered.

It is generally argued that the aim of the creation of the EEAS was "to give EU foreign policy new impetus, greater coherence and efficacy" (Balfour & Ojanen, 2011: 1). Similarly, Furness (2013: 5) contends that aim of the creation of the EEAS was to improve the coherence of the institutional framework of the Union and to foster the "EU's global presence and effectiveness in pursuing common international objectives". Many argued that the creation of the EEAS with the Lisbon Treaty was a substantial change to improve the external action capabilities of the Union (Missiroli, 2010; Koehler, 2010; Reynaert, 2012: 207). Reynaert (2012: 208) contends that the creation of the EEAS under the Treaty of Lisbon enhanced the consistency and the coherency of the EU's foreign policy by providing new solutions to tackle the "problems regarding horizontal and institutional coherence". According to Kostanyan (2014: 175), the creation of the EEAS "aimed at achieving greater coherence through upgrading its foreign policy instruments". According to Schmidt (2012), the HR/VP has not become a solution to all of the problems of CFSP but has enhanced the horizontal coherence between the CFSP and other policies of the Union.

On the other hand, with the creation of the HR/VP as an "assistant" to the EEAS, the Union aimed to create a stronger link between the Commission and the Council or more specifically the HR/VP was the Union's answer to institutional dualism (Bart, 2015). Many scholars argued that the creation of the HR/VP post was the major institutional innovation of the Lisbon Treaty (Howorth, 2011; Trueb, 2012). Frattini (2010) contended that the HR/VP can be seen as a real equivalent of a foreign minister of the Union.

One of the most cited issues in the literature concerning the EEAS is the competition between different EU institutions regarding the creation of the Service. Scholars call this problem between the EU actors as "turf wars". Regarding this issue (Batora. 2011: 7) stated: "the tough turf-battles between the Commission and the Council as to where the EEAS should have its official seat" was one of the discussed issues during the creation of the service. This competition between the EU actors concerning the mandate of the EEAS hampers the effectiveness of the Service to coordinate the Union's external action (Balfour & Raik, 2013). The coordination between different institutions becomes a zero-sum game and "degenerate into turf wars" (Balfour &

Raik, 2013: 19). The negotiation process concerning the establishment of the EEAS is considered as a process of "hard bargaining" between the Council, the Commission and the European Parliament (Wijsmuller, 2013).

The establishment of a foreign service body of the Union, was considered as a "high politics issue by the stakeholder and as a result, the latter adopted a "realist" stance during the creation of the EEAS (Barton, 2012: 76 as cited in Wijsmuller, 2013: 61). Mahncke (2012: 36 as cited in Wijsmuller, 2013: 65) argued that "the member states were simply reluctant to give the new service authority at the expense of their national prerogatives". Helwig (2015) has contended that EU member states such as Finland, Sweden perceived the HR/VP as a "counterbalance tool" against the leadership of the "Big 3".[20] These countries hoped the HR/VP to become a "diplomatic pioneer", to be the driving force behind the Union's interests and values even if the activities of the HR/VP would clash with the interests of some of the member states (Helwig, 2015). On the other hand, the Big 3s perceived the HR/VP as an agent of the Union that would act as a quiet diplomat serving the interests of the member states (Helwig, 2015).

The impact of the EEAS on the coherence of the EU diplomacy has been analysed in many studies. Batora (2011: 8) argues that the fact that the EEAS is composed of officials from the Commission, the General Secretariat and the Member States can lead to the formation of a "European diplomatic culture". In a similar way, Balfour and Raik (2013: 3) contended that the relationship between the diplomats of Member States and officials from EU institutions may lead to "elite socialization". Accordingly, the interaction between the diplomats of the member states and EU officials lead the "foreign policy cultures and identities to become more similar" and national and European interests to converge (Balfour and Raik, 2013: 3). According to Batora (2011: 9), the EEAS resembles the organizational templates of the foreign ministries of modern states. Cherrier (2012) contends that the EEAS can be seen as an efficient reorganization of the external action of the Union.

Regarding the inter-institutional coherence, the relationship between the EAAS and the Commission, there are varying degrees of disagreements between the EEAS and

---

[20] France, Germany and the United Kingdom.

different Commission Units such as DG Development and Cooperation, DG Enlargement, DG Humanitarian Aid and DG Trade (Kostanyan, 2014: 176). The EEAS is charged with ensuring "consistency between the different areas of the Union's external action and between those areas and its other policies" (Council 2010, article 3(1)). According to Kostanyan (2014: 178) the EU delegations are crucial for improving the horizontal coherence". Kostanyan (2014; 180) contends that EU member states did not contribute to the realization of initial goals set for the creation of the EEAS. Reynaert (2012: 226) asserts that the creation of the EEAS and the High Representative have not improved the "institutional and horizontal coherence and consistency" of the Union. One of the important problems of coordination and "motivation" of the EEAS is related with the fact that the latter does not foster a culture of exclusivity since the majority of its staff are "not professional diplomats and there is no common training" (Reynaert, 2012: 17). The most important task of the EEAS is to ensure the "coherence between all stakeholders of EU external action" (Reynaert, 2012: 19). Many areas of the Union's external action such as development, humanitarian aid, remain in the field of responsibilities of the Commission. This fact undermines the "coherence of the EEAS' policies" (Schmidt, 2014: 19).

2.2.6.3 Literature on the Record of the EEAS in International Crises

After the establishment of the EEAS, the EU has become "a more prominent and effective crisis manager" (Tercovich, 2014: 150) and has initiated many military missions such as the first naval CSDP mission Operation Atalanta in 2012 aiming to combat piracy and secure the delivery of humanitarian aid to Somalia.

The Article 18(4) Treaty on European Union (TEU) indicates that the EEAS aims to ensure coherence on the external action of the Union. It has generally been argued that the "performance" of the EEAS to realize this mandate has been poor so far (Hadfield & Fiott, 2013: 169). Notably, the report of the European Parliament issued on 2013, on the record of the EEAS states that there is "no shared understanding among stakeholders outside or within the EEAS on the role, mandate and position of the Service within the EU external architecture" (EP, 2013: 83). According to Blockmans,

(2012: 7) the EEAS lacks a clear vision and a framework strategy to achieve coherence between the EU institutions.

The scholars criticized the record of the EEAS but the Chief Operating Officer of the EEAS David O'Sulllivan (2012: 6) argued that the Service achieved many successful results for the foreign policy of the EU. O'Sullivan (2012: 6) stated that the EEAS became successful on many foreign policy issues such as the facilitated dialogue between Belgrade and Pristina, the resumption of E3+3[21] nuclear non-proliferation negotiations with Iran and participating in the stalled Middle East process.

Scholars have discussed if the EEAS can help to build a common security culture of the Union which will increase the global influence of the latter in security matters (Balfour & Ojanen, 2011: 7). The creation of the EEAS fostered debates whether the Service can create "a political consensus between EU member states, EU institutions and European publics". The recognition of the EEAS by the other actors in the international system being both international organizations such as the UN and states such as China and the US is a key for the success of the EEAS (Balfour & Ojanen, 2011: 7). Studying the creation of the EEAS and the HR/VP, Blom and Vanhhonacker (2014: 6) argue that the designation of the HR/VP and the creation of the EEAS as the Union's "institutional response to its ambition to increase its international actorness in a globalizing and multipolar world".

The EEAS became operational on 1 January 2011 in the wake of the Arab Spring. The EEAS was highly criticized by the lack of leadership and weak response to the Arab Spring (O' Sullivan 2012: 6). Smith (2013: 1310) contended that since its formation in 2010, the development of the EEAS is not promising. He states: "the most obvious evidence of this fact is that the EU ceased undertaking new CSDP missions once it became clear that Lisbon was going to be implemented along with the new EEAS"[22] (Smith, 2013: 1310). The inactive attitude of the EU in Libya and during the Arab Spring in 2011 is generally seen as a failure of the newly formed EEAS. During the

---

[21] E3+3 means 3 EU and 3 Non-EU states participation to the Iranian nuclear talks. These states are: United States, China, Russia, the United Kingdom, France and Germany). The HR/VP of the period Catherine Ashton was the lead negotiatior of the talks.
[22] The missions EUTM (2013) EUCAP Sahel (2014) in Mali, EUFOR RCA Central African Republic (2014) were initiated.

Arab Spring, the HR/VP was among the last "actors" visiting Tunisia and was criticized for being "desperately slow" in responding to the crisis in Egypt (Erlanger, 2011 as cited in Vanhoonacker & Pomorska, 2013: 1327). Equally, in Libya, the EEAS was "paralyzed" because of the differences between France and the UK against Germany. As many argued, "[Ashton] waited for a mandate of the 27[23] member states" (Erlanger, 2011 as cited in Vanhoonacker & Pomorska, 2013: 1327). On the other hand, in the Balkans, the EAAS played a more important and positive role as the EEAS senior consultant Robert Cooper played a "substantive role in easing the tensions between Kosovo and Serbia" concerning finding an agreement between these two countries concerning the integrated border management and Kosovo regional representation (Erlanger, 2011 as cited in Vanhoonacker & Pomorska, 2013: 1327). The EEAS played a "cautious" role in 2011 during the crisis in Egypt. The response of the Service was of "diplomatic nature and aimed at assisting dialogue in Egypt" (Hadfield & Fiott, 2013: 173). In Syria, the room for manoeuvre of the Union was limited because of Russia's and China's negative response for a UNSC Resolution (Hadfield & Fiott, 2013: 173). As a result, the EU responded in the form of sanctions on the EEAS and provided humanitarian assistance.

2.3 Literature on Informal Governance in EU Foreign Policy

Even though the EU institutions are at the heart of the European governance, the foreign policy coordination within the CFSP and the enlargement process cannot be explained solely by pure intergovernmentalism between the member states and EU institutions. The EU foreign policy is a phenomenon larger than intergovernmentalism (Smith, 2004a; Howorth, 2007; Bickerton, 2011). As Hix (2008: 577) argued, we need to re-conceptualize intergovernmentalism to define the foreign policy making in the EU because of the complexity and multitude of actors, interests and the sophisticated "set of preferences and decision-making rules". Even though they are not a part of the Union's foreign policy architecture, many private actors involved in the EFP governance such as the multinational corporations, civil society actors and non-

---

[23] As Croatia was not a member in 2011.

governmental organizations (NGOs) have until recently, been neglected in the EU foreign policy studies (Justaert & Keukeleire, 2012: 443).

EFP is determined both by formal and informal interactions between EU's institutional and private actors. As Justaert and Keukeleire (2012: 413) contended "underneath the institutionalization and operationalization of EU foreign policy, informal practices that can be characterized as informal governance have always been part of the day-to-day operation and steering of EU foreign policy". Informal governance can be defined as "the operation of networks of individual and collective, public and private actors pursuing common goals- which led to cooperation, patterned relations and public decisions-through regular though non-codified and not publicly sanctioned exchanges" (Christiansen, Follesdal & Piattoni, 2003: 7). The concept of informal governance analyses the coordination of "interests, goals and action" and the ways actors solve the issues of "rigid regimes" and shape specific policies" (Justaert & Keukeleire, 2012: 434). Deadlocks occur between the Commission and the Council or between the member states concerning financial and other aspects of EU foreign policy and informal governance is beneficial to overcome these deadlocks (Justaert & Keukeleire, 2012: 445).

In the EFP literature, many concepts such as "advanced form of transgovernmentalism" "Europeanization", "supranational intergovernmentalism", "Brusselization" and "multilevel governance" have been used to describe the Union as a complex system of informal governance (Smith, 2004b; Howorth 2009; Mérand, Hofmann & Irondelle, 2010: 1; Juncos & Pomorska, 2011; Palosaari, 2016). According to Schimmelfenig and Wagner (2004: 658), external policies of the Union "are shaped by the multi-level organizations and the rules of the EU". The term "supranational intergovernmentalism" is used to explain the phenomenon where EU institutions and other actors in Brussels shape the Union's foreign and security policy (Howorth, 2000). Majone (2009: 165) sees the emerging models of governance as "more elastic, but also more fragile and precarious, foundations of information exchange, networking, collective learning and reputational mechanisms". Similarly, "Brusselization" defines "physical move of the CFSP governance system to Brussels" (Juncos, 2013: 21) or more specifically it explains the "gradual transfer in the name of

consistency, of foreign-policy making authority away from the national capitals to Brussels" (Allen, 1998: 54).

"Europeanization" explains the process of the CFSP policy-making by focusing on the Union's "habit of working together, reflex of coordination, redefinition of identities and preferences" (Foradori, Rosa & Scartezzini, 2007). Europeanizaton is a two-way process. The first is related to the domestic change that results from the European integration. Ladrech (1994: 69) defined the concept as "an incremental process reorienting the direction and shape of policies to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy making". The second process focuses on the bottom-up impact of Europeanization and sees the latter as "the emergence and development at the European level of distinctive structures of governance" (Caporaso, 2001: 3). According to Schimmelfenig and Wagner (2004: 658), EU external relations and outcomes "Europeanize member state foreign policy, non-member states and other international organizations". One of the most important consequences of Europeanization is "socialization" explaining the process through which national officials working in Union's institutions that take part in EU policy-making, "increasingly think in European rather than national terms" (Delreux & Keukeleire, 2014: 133).

Informal governance operates through networks, informal coalitions and arrangements that are formed on several factors being "personal or institutional relationships, a shared interest in a specific foreign policy dossier, interdependency in terms of resources required for tackling a foreign policy problem and others" (Justaert & Keukeleire, 2012: 444). Networks can also be constituted within the EU policy framework in an informal way by member states and EU institutional actors (Justaert & Keukeleire, 2012: 445). Policy networks allow coordinating between overlapping policy areas such as conflict prevention, financial support and development policy (Justaert & Keukeleire, 2012: 445).

Some of the private multinational businesses, consultants and NGOs have more "expertise tools and connections needed to effectively implement public foreign policies" comparing to national administrations (Justaert & Keukeleire, 2012: 445).

Non-state actors (NSAs) such as business groups and NGOs are also part of "the output side of EU foreign policy-making, often benefiting from EU funding, being involved in EU programmes or training activities" (Voltolini, 2012: 7). NSAs offer first-hand information regarding the situation on the ground (Voltolini, 2012: 17). On the input side, NGOs and civil society actors are consulted in the formative stages of the legislative process to increase the input legitimacy (Voltolini, 2012: 17).

Lobbyists' and interest groups' interaction with the Union's officials are also a crucial part of the "daily policy process at all levels of governance" (Justaert & Keukeleire: 2012, 436). Private actors such as civil society and business groups, seek to shape the decisions according to their own interests by using their expertise and informational resources (Justaert & Keukeleire: 2012, 436). On the other side of the coin, the European Commission relies on these actors for gathering information, assuring the legitimacy and the implementation of the decisions (Justaert & Keukeleire: 2012, 436). Informal consultations of the Union's institutions with direct stakeholders "improve the responsiveness and acceptability of EU policies" (Justaert & Keukeleire: 2012, 438). The interaction between the policy officials and interest groups shapes the implementation of the EFP. The functioning of the latter depends heavily on the informal networks that "have evolved in the shadow of the formal bodies" (Jönsson & Strömvik, 2005: 17). These networks composed of informal and interdependent actors are generally based on functional differentiation and sectorization (Justaert & Keukeleire, 2012: 437). In addition to NGOs and business groups, think tanks such as the European Union Institute for Security Studies (EUISS), Centre for European Policy Studies (CEPS) also influence the foreign policy process "by generating and shaping the debate through ideas, inputs, etc…" (Voltolini, 2012: 26).

The Union and its organs have also accepted the growing importance of civil society. Regarding the role of civil society, the EU Commission states: "NGOs have a duty to demonstrate that they have the expertise, management systems and internal quality control systems appropriate to the work they are undertaking on behalf of the commission" (European Commission 2000: 7). In other words, the Union has also recognized how crucial the role of the civil society has become for the effectiveness of the foreign policy instruments of the EU (Böttger & Falkenhain: 2011, 10). The increasing interaction between EU actors such as the European Economic and Social

Committee (EESC), the European External Action Service (EEAS) can be seen as a direct result of the acceptance by the EU of the increasing role of the civil society on the effective implementation of the EU foreign policy in third countries such as Bosnia and Kosovo.[24] In its opinion paper concerning the Global Strategy of the Union[25], the EESC argued that "the role of civil society is crucial" to consolidate peace in Europe" (EESC, 2016: 3). According to EESC, "it is crucial to meet the demands and concerns of civil society and the general public" to achieve an effective EU foreign policy" (EESC, 2016: 4). In other words, what non-state actors see the Union as a promoting or preventing factor for the "achievements of EU-sponsored policies" (Lucarelli & Fioramonti, 2010: 2).

According to Keck and Sikkink (1998: 12), civil society organizations and political NGOs subject their influence by organizing "transnational advocacy networks and directly search out international allies to bring pressure on their states from the outside". The role of civil society has increased in the countries where the EU aimed to support political and economic reforms with its comprehensive foreign policy tools. Accordingly, in fragile states in which the governing elites are not favourable to reforms, civil society plays an important role to foster the change (Böttger & Falkenhain: 2011, 8).

In third countries such as Bosnia and Kosovo, where the EU acts as a foreign policy actor through the foreign policy instruments of enlargement and the CSDP, civil society and other non-state actors "interact frequently with EU institutions, such as the delegations, the EEAS, the Council of Ministers" (Steinberg, 2016: 254). As a result, a two-way relationship between the EU and civil society occurs. The EU interacts with civil society and implements its foreign policy action by using different foreign policy tools such as "the initial humanitarian assistance programmes to institution- and capacity- building and economic recovery sectors" (Panighello, 2010: 100). During this process, the Union and non-state actors in third countries work together as the EU uses the field expertise of NGOs and because of their efficiencies regarding time and cost management (Panighello, 2010: 97). In a second phase, in theory civil society

---

[24] http://www.eesc.europa.eu/?i=portal.en.the-committee
[25] On 28 June 2016, "High Representative Federica Mogherini Presented the EU Global Strategy on Foreign and Security Policy to EU.

impacts the EU's foreign policy in terms of feedback or evaluation of the foreign policy of the Union. However, in practice, the system is much more complicated as NGOs react differently to different donors. Accordingly, both sides are lobbying each other.

2.3.1 Literature on the Relationship between the EU and Local Actors

The foreign policy actorness of the EU increased as a result of the operationalization of foreign policy instruments such as the EU accession process and the EU civilian and military missions ranging from the rule of law to counter-piracy to military missions. Consequently, a growing literature appeared focusing on the relationship between the Union and the local actors of the countries the Union engaged in (Börzel, 2010; Kurki, 2011; Ioannides, & Collandes-Celador, 2011; Kappler & Richmond, 2011; Larivé, 2012; Tholens, 2012; De Almagro Iniesta, 2013: Ejdus, 2017a).

Börzel (2010) by focusing on the EU enlargement in the Central and Eastern Europe, analyses the impact of democratic conditionality on the civil society actors. Kurki (2011: 350) analyses the Union's democracy promotion by focusing on the EU's "civil society-focused democracy promotion tools, notably the European Instrument for Democracy and Human Rights (EIDHR)". Kappler and Richmond (2011) investigate the peacebuilding framework of the EU in Bosnia after the end of the conflict in former Yugoslavia and the local resistance of by the civil society to the intervention of the EU. In a similar fashion, Ejdus (2017a) analyses the resistance by the local stakeholders to the EU Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP Nestor). By focusing on the security sector reform initiated by the EU in the Democratic Republic of Congo, Rayroux and Willen (2014) analyse the "local dynamics" regarding the EU's actorness in the Democratic Republic of Congo. Larivé (2012: 185), investigates the EU Police mission in Afghanistan, and the latter's impact on "the future of the CSDP in civilian missions and the credibility of the EU as a civilian power". Tholens (2012) explores the EU's security sector reform in Indonesia and interaction between the EU and the local stakeholders.

The common denominator of most this literature focusing on the relationship between the EU and the local actors is the concept of "local ownership". This concept "acquired greatly increased salience" in order to study the issues of development and statebuilding (Helleiner, 2002: 452). Local ownership principle assumes that external policies of an international actor such as the EU should be "locally owned in order to be successful, meaning that local agents should internalize principles and objectives of externally driven reforms" (Cordis, 2017). Local ownership can be defined as the "extent to which local constituencies and elected representatives of the target country exercise ownership over the processes of development and state-building" (Qehaja & Prezelj, 2017: 1). Local ownership requires the domestic actors of the target country to adhere totally to the aimed reforms (Woelk, 2012: 122). The concept of local ownership is of crucial importance for this research.

Regarding the analysis of perceived coherence of the EU's foreign policy in Kosovo and Bosnia, the concept of "local ownership" will be used. Local ownership became a key principle of the EU's "relations with third countries" and became a part of EU's discourse regarding its statebuilding in the Western Balkans (Ejdus, 2016). EU's foreign policy in Kosovo and Bosnia has been seen by many as a "structural diplomacy", seeking "to influence or shape sustainable political, legal, socio-economic, security" structures of the country (Keukeleire, Justaert, Kalaja & Collaku, 2011: 2). Such a diplomacy needs to be seen legitimate by the locals in the country as "receivers" of this diplomacy and should also "incorporate the priorities and policy objectives as defined in that country" (Keukeleire, Justaert, Kalaja & Collaku, 2011: 2). Therefore, the effectiveness of the Union's diplomacy in Kosovo and Bosnia depends on the Bosnian and Kosovar citizens' perception of the Union's foreign policy. Accordingly, in order to, the perceived coherence of the EU polices in the eyes of Kosovars and Bosnians as the "receivers" of EU policies in Kosovo the concept of local ownership will be used in this research.

CHAPTER III

EU FOREIGN POLICY COHERENCE AND EFFECTIVENESS
IN BOSNIA

> Bosnia and Herzegovina represents a key
> challenge for the European Union: first it is a
> country with considerable EU engagement and a
> clear European perspective through the
> Stabilization and Association Process (SAP),
> second because the EU is planning the ESDP
> mission, including a military component (…) and
> third, because the EU will assume greater political
> responsibilities as the transition from the Dayton
> agenda to the European Union integration agenda
> processes. In order to succeed, the Union will have
> to be active, capable and *coherent*. [emphasis
> added] (European Council, 15 June 2004)

After having introduced the theoretical framework and the literature review on EU foreign policy this chapter will focus on the first case study to analyse the coherence and effective of EU foreign policy, the case of Bosnia.

In this chapter, after presenting the background of the involvement of the EU in the country, by applying the theoretical framework explained in the previous chapters of this research, we will focus on three foreign policy instruments used by the EU: the EU Police Mission (EUPM), the constitutional reform process in Bosnia and the EU military mission, EUFOR Althea. After having examined the coherence of the EU

within these cases, we will focus on the bigger picture and we will evaluate the coherence of the overall and current foreign policy approach of the EU in Bosnia by focusing on two specific issues: the impact of the creation of the EEAS on EUFP in Bosnia and the Reform Agenda of the EU initiated in 2014. The last part of this chapter will evaluate the effectiveness of the EU foreign policy in Bosnia.

After more than twenty years of EU presence in the country, on 15 February 2016, Bosnia and Herzegovina submitted its application for the European Union membership. However, the EU integration process of BiH has been a complicated journey "characterized by setbacks and slow reforms" (Dzihic & Wieser, 2011: 1803). The economic and political reforms focusing on EU membership have not yielded promising results. Bosnia's future is still far-removed from the Union. It is commonly argued that the form of conditionality proposed by the EU to BiH "undermine statehood and endanger democratic reforms" (Dzihic & Wieser 2011: 1803) and affects the effectiveness of the EU foreign policy in BiH negatively. How coherent has the EU conditionality process been in Bosnia? Has the EU policies in Bosnia been effectiveness? How has the coherence-effectiveness relationship been manifested concerning the EU foreign policy instruments in Bosnia? This chapter will focus on these questions.

EU's foreign policy in Bosnia is both interesting and ambiguous. Bosnia is "a post-conflict zone" and a potential EU candidate (Rangelov & Theros, 2009: 374). The absence of democratic tradition, dysfunctional state institutions and a "weak civil society" has been the main factors complicating the accession process of the country (Perkovic, 2014: 12). The EU uses two main foreign policy instruments to become a foreign policy actor in BiH: EU integration (or more specifically, the conditionality process for the democratization of the country) and the Common Security and Defense Policy (CSDP) with the EU Police Mission (EUPM) and the military mission EUFOR Althea.

3.1 The Emergence of EU Foreign Policy in Bosnia

In this part, after having introduced the political background of BiH, I will focus on the involvement of the EU as a foreign policy actor in Bosnia.

3.1.1 War in Bosnia: EU's first major foreign policy test

The ethnic composition of the country is the most critical factor affecting the governance of the country and is also a crucial factor for the foreign policy of the Union in the country. BiH is composed mainly of Bosniaks, Serbs, and Croats and in addition to these ethnic communities, many smaller communities[26] also exist (Bieber, 2006: 1). Muslims and Serbs are the most influential communities in the country based on their "population and in regard to political, social and economic influence" (Bieber, 2006: 1). According to 2013 census,[27] BiH is composed by Bosniaks composing 50.11 percent of the population, Serbs 30.78 percent and Croats 15.43 percent of the population. The country is divided between the Federation of Bosnia and Herzegovina, the bigger of the two entities, Republika Srpska, the Serb-dominated entity and the autonomous District of Brcko.[28] The EU has been the most influential actor in this "complicated" region during this state-building period which is still "in progress". Bosnia was one of the six republics of socialist Yugoslavia. During the Presidency of the Netherlands (1991), the EU declared that "internal borders" of Yugoslavia, "should remain inviolable" (Glenny, 1996: 296, as cited in Dover 2005). This declaration was an example of the political inconsistency of the EC during the early periods of the conflict in Yugoslavia as the EU recognized the independence of Slovenia and Croatia in 1991 immediately but asked for Bosnia to stay as a unified state. After the referendum on April 1992, the EU recognized Bosnia. However, Bosnian Serbs were afraid of becoming a minority and did not accept the independence of Bosnia (Ron: 2000: 611). As a result, Bosnia turned into a violent war zone between 1992 and 1995 (Mezzafiore, 2017).

From the 1990s onwards, the country has been disintegrated and partitioned (Juncos, 2005: 91). However, when the war reached BiH, the EU asked for the organization of a self-determination referendum to clarify the problematic circumstances in the Western Balkans, however this referendum made the situation worse by increasing "social polarity" (Kappler, 2012: 51). The EU has tried to intervene in the conflict but as Burg and Shoup (1999) argued, the Union was weak and "too divided" to agree on

---

[26] Roma, Montenegrins, Slovenes, Jews
[27] Retrieved from https://epthinktank.eu/2014/01/27/bosnia-2013-census/
[28] See Annex 1

a common peace plan. During the initial stage of the conflict, the Council of Ministers tried to convince different ethnic groups not to use violence (Dover, 2005: 303).[29] EU leaders had high expectations regarding the EU's role as a foreign policy actor in Bosnia as it was "the hour of Europe, not the hour of the United States" as Jacques Poos the Foreign Minister of Luxembourg and head of the EC Presidency declared (Juncos, 2005: 88).

During the early periods of the war in the Balkans, the EU adopted a strategy of sending monitoring missions to keep the peace and control the militarized tension (Dover, 2005: 303). These missions were not aiming at peace enforcement and "would only take place with full cease-fires in place" (Dover, 2005: 303). In other words, at the beginning of the war in Bosnia, the Union was still acting "under the EPC mechanisms" and not under the CFSP mechanisms (Dover, 2005: 303). The EPC was not "strong enough" for the EU to make a substantial impact to stop the conflict. However, the "incoherence" of the EU during the war in Yugoslavia cannot only explained by the lack of the necessary foreign policy architecture. The approach of the EU during the war was not coherent, and the EU was accused of lacking a concise and common strategy to stop the bloodshed (Kappler, 2012: 51). During the war, the Union aimed to solve the crisis with negotiation diplomacy. According to Juncos, (2005: 88) the conflict in the region was the "first test for the embryonic Common Foreign and Security Policy (CFSP)". However only five years after the creation of the common foreign and security policy (CFSP), the Union failed to act as a unitary and effective foreign policy actor during the conflict in the Western Balkans, in its "backyard" (Gordon, 1997: 74).

3.1.2 Dayton Agreement and its impact on the EU foreign policy in Bosnia

The period after the war was followed by a period of "reconstruction, reconciliation and painful and slow state-level building" (Juncos, 2005: 91). After three years of bloodshed and numerous attempts of the international community to stop the war, the peace deal ending the war was finally signed in Dayton, Ohio, the United States on 14

---

[29] Document 91/260, 'Statement Concerning the Situation in Yugoslavia', Statement in the EP, 10 September 1991.

December 1995 by Alija Izetbegovic, Franjo Tudjman and Slobodan Milosevic representing Bosnia, Croatia, and Serbia respectively. Apart from providing the peace, the main objective of the Dayton Agreement was to prevent further conflict by forming "an independent and functional state of Bosnia-Herzegovina" (Korkut & Mulalic, 2012: 110).

In Dayton, the EU wanted to be responsible for the civil implementation of the accords which was given to the Office of the High Representative[30] (OHR) (Daalder: 2000, 157). The OHR was an ad hoc international establishment "responsible for overseeing implementation of civilian aspects of the Dayton Agreement" (Barbulescu & Troncota, 2013: 75). Accordingly, the OHR has been an integral institution to the Dayton order" and the "Bonn powers" of 1997, gave the OHR the right to enact laws and remove elected officials. The Union accordingly "demanded that the High Representative,[31] who had the final authority in theatre, should come from the EU" (Council of the European Union, 1995). As a result, former Swedish Prime Minister and EU mediator Carl Bildt was nominated as the High Representative in Bosnia. During this period, the EU funded 53 percent of the OHR's budget and provided seconded personnel of the institution (Biermann, 2014: 496). Between 2002 and 2011, the OHR also became the EU Special Representative (EUSR) by adopting a double-hatted role with the aim of "persuading" the political elites in BiH to enact the reforms that will lead the country towards a potential EU accession (Muehlmann, 2008: 43). After 2011, the roles of the EUSR and the OHR have been separated (Keil & Perry, 2016).

The governance system introduced by the Dayton Agreement has impacted the foreign policy coherence of the Union extensively in Bosnia. The latter can be considered as an "exceptional case challenging the strategy of EU conditionality because of its post-Dayton institutional structure" (Troncota, 2015: 103). The constitutional system created with the Dayton Agreement is seen by many as an obstacle to the integration of Bosnia to the EU (Troncota, 2015: 103). According to Troncota (2015: 103), "the

---

[30] It should be noted that HR (High Representative in Bosnia or Kosovo) is not the same as HR/VP (High Representative and Vice President of the EU). HR ""HR is the final authority in theatre regarding interpretation of this Agreement on the civilian implementation of the peace settlement" (Office of the High Representative, Annex 10: 14.12.1995, accessed on 1 February 2013 <http://www.ohr.int/dpa/default.asp?content_id=366>
[31] It should be noted that the High Representative of the OHR is a different body than the EU High Representative.

root of all problems" of the country regarding the EU accession is related with the Dayton Peace Accords. In the following parts of this research, I will analyse how the EU used the political conditionality instruments to make the "necessary" constitutional reforms in Bosnia. Therefore, it is important to denote the main characteristics of Dayton Agreement as it has provided the basis for the EU regarding the state-building of the country.

Dayton has introduced a complicated type of governance and turned Bosnia into a state with a highly complicated governing structure having three presidents. (Korkut & Mulalic, 2012: 111). Dayton aimed at creating a "functional" and sustainable state, despite the ethnic and religious differences in the country. However, the ethno-nationalistic rhetoric of political parties in Bosnia prevented this goal to be realized (Korkut & Mulalic, 2012: 111). The general tendency of the international community was based on the idea that nationalist politics would progressively fade away and that a more "Western-style party system would develop to replace them" in Bosnia (Juncos, 2005: 92). However, nationalistic parties are still the main ones in the country (Juncos, 2005: 92). According to the agreement, the country was divided into four main areas: the Republic of Srpska (RS), the Federation of BiH with 10 cantons and the autonomous Brčko District. According to Dayton, "the Federation of BiH is divided into three levels: the entity level, the cantonal level, and the municipal level" (Brljavac, 2011a: 13). On the other hand, "RS does not have a cantonal level, it only has municipalities" (Brljavac, 2011a: 13). The RS and the Federation of BiH used different constitutional models. The Federation adopted a decentralised model for their constitution with the formation of ten cantons, on the other hand, the RS adopted a centralized constitutional system (Barbulescu & Troncota, 2013: 75). Each of these parties (including the 10 cantons) has their own government, taxation system, "educational policy, and even foreign policy" (McMahon & Western, 2009: 69). As a result, there are "14 constitutions and governments with legislative powers" and as a result, "the political system of Bosnia is both inherently complex and dysfunctional" (Troncota, 2015: 101).

The structure of the constitution is outlined in Annex 4 of the Dayton Agreement. The constitution's discriminatory provisions, and the weak character of the Bosnian state apparatus led the Union "to demand constitutional reform as a precondition for deeper

engagement/integration with the EU" (Galyan, 2014: 18). One of the main goals of the regarding the democratization of Bosnia has been to cooperate with Bosnia regarding the realization of constitutional reforms in the country. Accordingly, in the next parts of this chapter, we will focus on the importance of the constitutional reform for the integration process of BiH.

3.1.3 EU-Bosnia relations after Dayton: first steps towards Europeanization

> Bosnia is a state apparatus that can be understood and thus changed only in relation to the European integration project. We cannot say, "Let's do Bosnia and then we integrate it". We are making Bosnia because of and through integration (Michael Giffoni, Head of the Western Balkans Task Force at the EU Council, Brussels, 4 May 2007).[32]

After the Dayton Agreement, the role played by the EU in the "Europeanization" of BiH has increased considerably. First of all, during the French presidency of December 1995, the Union launched the "Royaumont Process" to contribute to the implementation of Dayton Agreement (Babuna, 2014: 3). Royaumont Process was based on "promoting regional projects in the field of human rights, culture, and civil society" (Babuna, 2014: 3). The process aimed at promoting "stabilization, democratization and peace-building in the region" (Bauerova, 2013: 59).

The Royaumont Process was then adapted to the "Regional approach" of the EU towards the Western Balkans (Brljavac, 2011b: 90). Regarding the regional approach the European Commission (2010) stated:

> the objectives of the regional approach […] were to support the implementation of the Dayton/Paris and Erdut peace agreements and to create an area of political stability and economic prosperity by establishing and maintaining democracy and the rule of law; ensuring respect for minorities and human rights; reviving economic activity.[33]

---

[32] As cited in Venneri (2010: 72)
[33] "Summaries of EU Legislation, The stabilisation and association process: the Western Balkans" http://europa.eu/legislation_summaries/enlargement/western_balkans/index_en.htm

The Regional approach was based on "a very strict political conditionality highlighting refugee returns, inter-ethnic reconciliation, regional cooperation, and democratization" (Bechev, 2004: 4). However, unlike the countries of Central and Eastern Europe, Bosnia was not promised for eventual membership, as the Union used the carrot-stick approach to realize the objectives of state-building and political stability in the post-conflict region (Bechev, 2004: 4).

Similarly, in 1996, the Union introduced PHARE (pre-accession assistance instrument for the countries of Central and Eastern Europe). The latter has been replaced by the Instrument for Pre-Accession Assistance (IPA) and OBNOVA (support programme for the rebuilding of Bosnia, Croatia and FYROM (Macedonia)) (Kappler, 2012: 52). These two programmes were seen as the most important institution-building measures taken by the EU in the Western Balkans (Kappler, 2012: 52). After the PHARE and OBANOVA programs, in 1998, the EU-BiH Consultative Task Force was created "to provide technical and expert advice in the fields of: judiciary, education, media, administration, and governing national economies" (Brljavac, 2011c: 123).

3.1.4 Stabilization and Association Process (SAP)

The foreign policy instruments of the EU in Bosnia after the war based on a political stability goal rather than a potential EU membership, did not become effective as it was planned. The ineffectiveness of these programs showed the necessity of creating "more comprehensive and individualized framework" for the EU accession process of the Western Balkan countries (Bislimi, 2010: 41). As a result, the Stabilization and Association Process (SAP) was launched in 1999 "with the aim of eventual EU membership" for the countries participating in the process.[34] The main objective of the SAP was to provide considerable financial assistance for economic development and better governance for improving the "functioning of state institutions, democratization, protection of human rights, refugee return, […] the fight against

---

[34] DG NEAR (Directorate General for Neighbourhood and Enlargement Negotiations), Retrieved from https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/sap_en

corruption and organized crime" (Barbulescu & Troncota, 2013: 70). The SAP, launched in 1999, has become the basis of the EU accession path of Western Balkan countries.

The SAP had two main objectives. The first one was to create stronger ties between the EU and the Western Balkan states by allowing them to integrate into the EU market (Galyan, 2014: 13). The second objective was to stabilize the political situation and democratize the Western Balkan countries "through a series of measures: proactive peace-building policies, inducing compliance with peace agreements and constitutional framework" (Galyan, 2014: 13). A "twofold approach" was adopted during the process. In addition to common additional regional conditions, the Union introduced "the principle of own merits" in 2003. This principle "became the cornerstone of EU democratic conditionality by introducing country-specific SAP benchmarks" (Dzihic & Wieser: 2011: 1805). Accordingly, each Balkan candidate countries became subject to "individual conditions" (Dzihic & Wieser: 2011: 1805). According to the European Commission, after the introduction of the SAP, "the most extensive experience with EU state-building conditionality has been in relation to BiH" (Bieber, 2011: 1793). The process' main document of evaluation, is the annual progress reports prepared by the European Commission. This report analyses the yearly compliance of Western Balkan countries towards the EU membership. After a slow and problematic reform process, the Stabilisation and Association Agreements (SAA) was signed on 19 June 2008 between the EU and BiH.

3.2 EU Conditionality as Foreign Policy in Bosnia

3.2.1 Conditionality Process in Bosnia

After the war in former Yugoslavia, the EU played an essential role in the state-building of newly formed Bosnian state. Democratization through EU integration became the primary foreign policy of the Union in BiH. As the former European Commissioner of enlargement Oli Rehn has stated, enlargement has been one of the most important foreign policy instruments of the Union:

> Enlargement has proven to be one of the most important instruments for European security. It reflects the essence of the EU as a civilian power; by extending the area of peace and stability, democracy and the rule of law, the EU has achieved far more through its gravitational pull than it could ever have done with a stick or a sword.[35]

At the Copenhagen European Council in 1993, the EU has announced that "the associated countries in Central and Eastern Europe that so desire shall become members of the European Union" (European Commission, 2004: 36). The Copenhagen criteria became the membership criteria. These criteria state that:

1) Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.
2) It requires the existence of a functioning market economy, as well as the capacity to cope with competitive pressure and market forces within the Union.
3) It presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.[36]

The rule of law is one of the core values of the European integration and is listed in the Article 2 of the Treaty on European Union (TEU).[37] "Political conditionality" is the main tool of the Union to promote the rule of law (Schimmelfennig, Engert & Knobel, 2006: 29). Political conditionality is a process that "entails the linking, by a state or international organization, of perceived benefits to another state, to the fulfilment of conditions relating to the protection of human rights and the advancement of democratic principles" (Smith, 1998: 256 as cited in Tocci, 2007: 10).

There are four types of political conditionality: "positive, negative, ex-ante, and ex-post" (Dobrikovic, 2012: 7). Positive conditionality is based on the idea of promising a reward to the country that fulfils a "predetermined condition" (Tocci, 2007: 10). The "carrot" (or reward) of full membership can be an example of this type of conditionality. On the other hand, negative conditionality or a "stick" is based on the

---

[35] Oli Rehn. (2006). Retrieved from http://europa.eu/rapid/press-release_SPEECH-06-580_en.htm

[36] European Council: European Council in Copenhagen 21–22 June 1993, Conclusions of the Presidency, p. 12.

[37] "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities" (Consolidated version of the Treaty on European Union, 2010).

idea "to punish a target state's non- compliance with the contracted conditions" (Dobrikovic, 2012: 7). The Union generally uses positive conditionality as it favours "cooperation and engagement over punishment and coercion" (Tocci, 2007: 10). Ex-ante and ex-post conditionality define "the timeline of the fulfilment of obligations" (Dobrikovic, 2012: 7). Ex-ante refers to the fulfilment of conditions before the signing of the contract, on the other hand, ex-post applies after the signing of the contract (Tocci, 2007: 11).

Because of the lack of state structures and institutions, the type of conditionality that the EU uses in BiH (and in Kosovo too) has been different than the type conditionality used on the Central Eastern European states or Turkey. Florian Bieber (2011) qualifies the conditionality used by the EU in the Western Balkans as "statebuilding conditionality". In other words, "the EU has gradually subordinated the peace process to the requirements of Bosnia's European integration since 2000" (Tzifakis, 2012: 132). According to Aybet and Bieber, (2011: 1913) when the conditionality tool is applied to post-conflict states such as BiH, because of the weakness of state institutions, the state "usually finds itself engaged in ethnic norms at the entity level" rather than state-level norms.

In addition to these criteria, with the Regional Approach and the SAP, the EU added additional conditionality for the Western Balkan countries. The regional approach added conditions such as "cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), reform of governance, public administration and the judiciary and protection of human rights" (European Commission, 2003). These conditions are applied to not only BiH and Kosovo but also other Balkan countries. For instance, Croatia and Serbia's accession negotiations have been encountered with considerable delays due to the ICTY related criteria (Peskin, 2008).

In the case of BiH, since the 2000s, the Union started to use the accession process as one of the main foreign policy tools in order to assure statebuilding in BiH. As a result, conditionality has been one of the main foreign policy tools of the EU in BiH. Accordingly, in the following part of this research, we will examine how coherent the Union's conditionality policy has been in BiH.

In order to analyse the coherence of political conditionality in BiH, we need to denote the relationship between the national and international actors or more specifically "the relationship between the conditions set by the EU and the politics pursued by national leaders" (Dzihic & Wieser, 2011: 1804). The incentives provided by the EU and how coherent the EU policies used in Bosnia in the eye of the Bosnians will have a decisive impact on the effectiveness of the policies. As Konitzer (2011: 1853) argued, conditionality is a "cross-level issue which takes into account both international (European) and domestic factors". In other words, the conditionality process being is an interactive one between the Union and the recipient country. As Dzihic and Wieser (2011: 1804) contend, "EU conditionality and its implementation must be understood as an interactive process between the EU on the one hand, and the applicant countries on the other".

According to Lijphart (1977), political elites have a considerable role in the achievement of political stability in ethnically divided countries such as Bosnia. Accordingly, he states that "a moderate attitude and a willingness to compromise" among the elites emerge as prerequisites to achieving a stable democracy" (Lijphart, 1977: 31). In the Western Balkans, after the collapse of Yugoslavia, the elites of the previous times "never really lost their power (Mujanovic, 2016). As Mujanovic (2016: 17) argues "the Yugoslav Wars primarily served to cement their [the elites] rule".

On a theoretical level, conditionality, as a foreign policy instrument, provides incentives to "potential candidate and candidate countries" into compliance (Dobrikovic, 2012: 14). However, in practice, the perceptions of the local elites and the civil society in BiH determines the success of the process. The success of "a reform process very much depends on a societal consensus" (Krastev, 2002 as cited in Dizhic & Wieser, 2011: 1809). Therefore, the perceived coherence by the political elites and the civil society in BiH of the EU's conditionality as foreign policy is a crucial factor shaping the effectiveness of EU foreign policy in Bosnia. Accordingly, after having analysed the internal coherence of the Union's foreign policy actors and policies during the EU foreign policy in Bosnia, we will focus on the perceived coherence of the EU according to the perceptions the political elites and the civil society in Bosnia.

3.2.2 EU actors' role in the EU Foreign Policy in Bosnia

To examine the coherence of the EU policies and actors in Bosnia, we need to denote the EU actors involved in the EU foreign policy in Bosnia. As O'Brennan (2013: 31) contended, "the EU's effort to successfully enlarge to the Western Balkans involves a complex division of labour (internally) between the EU institutions". How coherently the EU institutions and actors have acted in BiH regarding the integration process?

Since its creation in 2002, the EU Special Representative (EUSR) became a crucial player in exercising EU foreign policy in BiH. The EUSR had a double-hatted role until 2011, as he/she was also the High Representative for BiH (OHR) to supervise the implementation of the Paris/Dayton agreements.[38] The Office of the High Representative for Bosnia and Herzegovina (OHR) created after the Dayton Agreement became the highest authority in BiH with rights to enact and veto legislation and dismissing public officers. Since 2006, the EU has the objective to close the OHR by maintaining the EUSR (Barbulescu & Troncota, 2013: 16). Notably the closure of the OHR has become a precondition for the accession process. The EU member states that are also members of the "Peace Implementation Council (PIC) Steering Board reiterated that: "an EU membership application by BiH cannot be considered as long as the OHR exists".[39]

The main objectives of the mandate of the EUSR were:

> (a) offer the Union's advice and facilitate the political process; (b) promote overall Union political coordination and contribute to the reinforcement of internal Union coordination and coherence in BiH […] coordinating the implementation aspects of the Union's action, and by providing them with guidance on relations with the BiH authorities;
> (c) promote overall Union coordination of, and give local political direction to, Union efforts in tackling organised crime, without prejudice to the leading role of the European Union Police Mission (EUPM) in coordinating the policing aspects of such efforts and to the ALTHEA (EUFOR) military chain of command;
> (d) without prejudice to the military chain of command, offer the EU Force Commander political guidance on military issues with a local political dimension.
> (f) ensure consistency and coherence of Union action towards the public.[40]

---

[38] EU Council Secretariat. "EU Special Representatives (EUSRs) Representing the EU around the world in key policy areas", 2009. The EUSR and OHR roles were decoupled in 2011.
[39] Communiqué of the Steering Board of the Peace Implementation Council, 19 November 2009. Available at: http:// www.ohr.int/pic/default.asp?content_id=44119
[40] Council Decision 2010/442/CFSP of 11 August 2010 extending the mandate of the European Union Special Representative in Bosnia and Herzegovina

When we analyse the mandate, we can immediately notice that the EUSR had "high hopes" in assuring the perceived, horizontal and institutional coherence of the EU foreign policy in BiH.

The creation of the EEAS has had a direct impact for the EUSR. After the Lisbon Treaty, the EUSR also became the Head of Delegation in BiH but "left" the position of High Representative for BiH". In other words, the Union has decoupled the roles of High Representative of the international community (OHR) in BiH and the EUSR (Tzifakis, 2012: 143). The EUSR/Head of Delegation is "accountable to the [EU]HR for the overall management of the work and for ensuring the coordination of all actions of the Union" according to the Council Decision of 2010 establishing the EEAS.[41] The Head of Delegation takes instructions from the Commission, the EEAS or the Council depending on the competencies of the issue considered. The EUSR and the delegation staff work in "parallel" (Peter, 2012). The Head of Delegation/EUSR has the authority over both the Delegation staff (Commission and EEAS) staff and EUSR staff which are "politically minded" (Peter, 2012). The Head of Delegation/EUSR has the task of implementing the SAA. On the other hand, he/she "is responsible of the […] coordination and giving local political direction to the CSDP missions" (Peter, 2012).

The EUSR staff "is not integrated into the EEAS structures" (Peter, 2012: 3). The EUSR and the delegation have different budgets. This separation of budgets helps the EUSR to be more flexible regarding "their activities comparing to other EU instruments (like the Development Co-operation Instrument)" (Tolksdorf, 2012: 12). After the Lisbon Treaty, the EP's competences have been reinforced concerning the EU Foreign Policy and more specifically regarding the budget of the EEAS. The European Parliament has limited oversight role regarding the EEAS' budget and "this makes the EUSRs a more flexible tool for the member states in EU foreign policy" (Tolksdorf, 2012: 12).

The European Commission has been one of the most important actors, if not the most important one regarding the integration process of BiH. The Commission is responsible for developing the "accession strategy and supervise and manage the entire

---

[41] See Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201/30, 3 August 2010), Article 5, (2).

process" (Blagovcanin, 2016: 59). Even though the bureaucratic process of the enlargement is implemented by the Commission, this process "is balanced by the (territorial) input of both the Council and the (representative) functions of the European Parliament" (Blagovcanin, 2016: 59). After the Lisbon Treaty, the EU delegation of the EEAS in BiH became the EU body working with the EU Commission in Brussels. The EU delegation controls the EU financial assistance to Bosnia.

To analyse the coherence of the EU conditionality during the EU accession process of Bosnia, I will focus on two issues that shaped this process. The first issue is the reform of the police sector reform and the EU Police Mission (EUPM) which became "a priority criterion for opening negotiations on a Stabilization and Association Agreement (SAA) between the EU and Bosnia and Herzegovina (BiH)" (Vettori, 2013: 57). The second issue that shaped the EU accession process of Bosnia has been the constitutional reform. The signature of the SAA with Bosnia had been postponed because of the lack of constitutional reform and the famous "Sejdic and Finci case" in which BiH was found in violating the European Convention on Human Rights by discriminating the minorities. These issues will be examined in detail in the following part of this research.

3.2.3 Coherence of the Union during the EU Police Mission (EUPM) in Bosnia

EUPM has been a principal foreign policy instrument of the EU in BiH. EUPM can be seen as a bridge between two leading foreign policy instruments of the Union, which are conditionality, and the CFSP. EUPM was the first ever CFSP mission (civilian) for the EU but also "a priority criterion for opening negotiations on a Stabilization and Association Agreement (SAA) between the EU and Bosnia and Herzegovina (BiH)" (Vettori, 2013: 57). The SAA negotiations between the EU and BiH were opened on 25 November 2005 but the signing of the agreement "ran into turbulence because of the OHR's insistence on reform in the police sector" (European Stability Initiative, 2014). As a result of the pressure from the OHR, the European Commission "introduced police reform as a condition for the signing of an SAA" (European Stability Initiative, 2014). Consequently, the EU Police Mission (EUPM) became one

of the main foreign policy tools of the EU in Bosnia. Accordingly, EUPM has been chosen as one of the cases to analyse the foreign policy coherence of the EU in BiH.

3.2.3.1 Background of the initiation and the evolution of the EUPM

By initiating a police mission in BiH, the Union aimed to "establish sustainable policing arrangements in the country" (Norvanto, 2016: 62). Like the general ethnic composition of the country, the organization of the police forces was also very complicated in BiH. The Dayton Agreement has formed a decentralized police structure in BiH and these police forces were divided according to ethnic lines. Accordingly, after Dayton there were more than 13 polices structures in the whole country (Juncos, 2011: 375).

The initiation of the EUPM was a part of the Union's approach to the issue of rule of law in BiH "in line with the general objectives of Annex 11 of the Dayton Agreement" (Mustonen, 2008: 14). According to the Council, there was a need to organize the Bosnian police "in accordance with best European and international practice, and thereby raising current BiH police standards" (Council of the European Union, 2002). Police forces have been an important "ally" of the Bosnian political elites because of the politically unstable nature of the country (Koneska, 2014: 120) and the connection between the police forces and the politicians has been harmful for the democratisation of the country.

The police reform has been identified police reform as a key priority for starting the SAA negotiations or in other words, the "pre-accession process" by the European Commission (Tolksdorf, 2013: 20). The importance of reforming the police structure in BiH was first mentioned "in the 2003 Feasibility Study on the preparedness of Bosnia and Herzegovina to negotiate a Stabilization and Association Agreement" with the Union (Vettori, 2013: 19). The Feasibility Study of the European Commission stated that: "the complexity of the existing multiple police forces increases costs and complicates co-ordination and effectiveness" (European Commission, 2003: 25). Accordingly, the main aim of the European Commission was to reform the decentralized police system in BiH established after the Dayton Agreement preventing

the states institutions to have any competence regarding police-related matters (European Commission, 2003: 25). The main issues the Commission addressed were "a relocation of budgetary and legislative decisions to state-level, redrawing policing districts on technical grounds and elimination of political interference" (Wakelin, 2014: 13).

The EUPM was the first CSDP mission initiated by the EU in January 2003 and it was set up by the Council Joint Action 2002/210/CFSP.
The key tasks of the mission were:

-To strengthen the operational capacity and joint capability of the law enforcement agencies engaged in the fight against organized crime and corruption;
-To assist and support in the planning and conduct of investigations in the fight against organized crime and corruption in a systematic approach;
-To assist and promote development of criminal investigative capacities of BiH;
-To enhance police-prosecution cooperation;
-To strengthen police-penitentiary system cooperation;
-To contribute to ensuring a suitable level of accountability.[42]

EUPM was legitimized by the United Nations Security Council Resolution 1396. The first phase of reforming the police structure in BiH began with the United Nations International Police Task Force aiming on "improving the standards of Bosnian policing" (Juncos, 2011: 375). The EU took over the police mission from the UN. The mandate of the mission given by the Council of the European Union was "a relatively wide, but elusive" one (Juhasz, 2013: 67). EUPM was "non-executive mission" or in other words, the latter had an advisory role rather than an implementing one. The mandate of EUPM was in line with the EU principle of local ownership "was thus in compliance with the rationale of the pre-accession process" (Tolksdorf, 2014: 61). EUPM had five consecutive mandates in BiH: EUPM I (2003–2005), EUPM II (2006–2007), EUPM III (2008–2009), EUPM IV (2010–2011) and EUPM V (2012 – 30 June 2012).

---

[42] European External Action Service, European Union Police Mission in Bosnia and Herzegovina, Retrieved from http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eupm-bih/pdf/25062012_factsheet_eupm-bih_en.pdf

The EUSR became the key EU actor during the police reform. The mandate of the EUSR included the duty "to maintain oversight of the activities related to rule of law and, as deemed necessary, provide advice to the Commission" (Mustonen, 2008: 10). Paddy Ashdown perceived "the reform of the police structures as key in the statebuilding efforts and sought to centralize the system" (Tolksdorf, 2014: 65). Ashdown was the most important EU actor in BiH that made the police reform a precondition for the signing of the SAA between the EU and BiH (Marijan & Guzina, 2014: 6).

As a result, in 2004, Ashdown formed a Police Restructuring Commission that was under the political supervision "of a ministry or ministries in the Council of Ministers'" to create a centralized police structure in BiH (Marijan & Guzina, 2014: 6). [43] Ashdown wanted to centralize the police structure of BiH for several reasons. First of all, as the police structure was created according to the "spirit" of the Dayton Agreement, the structure had an "ethno-national character" similar to the constitution in Bosnia (Bieber, 2010: 15). Secondly, there was "high administrative cost of policing and a lack of coordination between the different police authorities" in Bosnia (Bieber, 2010: 15).

The police reform was "the most important goal for the then High Representative, Paddy Ashdown, when he took office" (Muehlmann, 2007: 56 as cited in Juncos, 2011: 378). However, the powers given by the Dayton Agreement to the HR were "not enough to impose" the police reform on the Bosnian officials. As a result, Paddy Ashdown aimed to put "indirect and direct pressure on Bosnian elites, and in particular Bosnian Serb elites, in order to push his proposals forward" (Juncos, 2011: 378). The HR used the EU integration incentive as an indirect pressure to Bosnian politicians regarding the police reform (Juncos, 2011: 378). On the other hand, Ashdown tried to convince other EU actors such as the Commission to gain support for his approach to police reform (Muehlmann: 2007: 57).

In July 2005, the Council of the European Union decided the continuation of EUPM and agreed to initiate EUPM II. The latter's mandate was based on three main issues:

---

[43] See Office of the High Representative, "Decision Establishing the Police Restructuring Commission", Vienna: OHR, Art.1, para.1. 5 Jul. 2004.

"supporting the local police in the fight against organised crime, conducting inspections and monitoring of police operations and supporting the implementation of police restructuring" (Mustonen, 2008: 15).

EUPM III followed the EUPM II. The main difference of EUPM III with the previous ones was that the latter was first police mission in BiH initiated in December after the Lisbon Treaty in December 2009. According to the new provisions of the Treaty, for the first time the mission statement, including the key tasks of the mission, was based on a new legal instrument, namely a Council decision (Schmidt & Zyla; 2013: 147). The Council gave the European Commission and EUPM III the task to assist "BiH authorities to identify remaining police development needs which could be addressed through Community assistance".[44]

EUPM IV (2010-2011) aimed to change the top-down approach by expanding the cooperation with the local actors by creating communication channels at "national, regional and international levels, between police– prosecutor–penitentiary sectors and with a particular emphasis on state-level agencies" (Ioannides & Collandes-Celador, 2011: 431). EUPM IV prioritized the fight against organized crime and corruption by keeping the "residual capacities' in the fields of police reform".[45]

3.2.3.2 Institutional coherence of the EU during the EUPM

Police reform became a part of the conditionality process in Bosnia. However, there was not an acquis communautaire designed specifically for the police related matters (Bieber, 2010). The lack of an acquis communautaire on police-related issues has prevented the "EU to draw on specific requirements" about the police reform (Bieber, 2010). Accordingly, the lack of the acquis created incoherence between the practice of the EU within the EU and the Union's foreign policy in Bosnia. This fact also gave the upper hand for the local politicians in Bosnia not to support the reform by using this argument against the EU. EUPM's mandate was vague and not precise (Merlingen

---

[44] See Council Joint Action 2007/749/CFSP of 19 November 2007 on the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH).
[45] European Union, Council Decision 2009/906/CFSP, L322/22.

& Ostrauskaite, 2005). The vagueness of the objective of the EUPM and the inability to define clearly what is the "best European and international practice" as used in the mandate, has prevented the EUPM from operating under defined legal tools (Flessenkemper, 2013: 28) and had a negative impact on the effectiveness of the mission.

The HR/EUSR had a pivotal role in assuring coherence between EUPM and Althea (Juncos, 2005: 55). The EUSR was a part of the "chain of command of the EUPM and can offer political advice to the EUFOR regarding organized crime" (Juncos, 2005: 55). However, different EUSRs of the EU were not successful to provide the coherence between these two missions for several reasons. First of all, there was a noticeable incoherence regarding the policy approaches pursued by EU actors Bosnia (Tolksdorf, 2013: 24). There were crucial differences between different EUSRs regarding the implementation of EU policies in Bosnia. Paddy Ashdown preferred a "top-down approach in BiH in its relations with Bosnian authorities" (Tolksdorf, 2013: 24). On the other hand, Christian Schwarz-Schilling favoured a bottom-up approach (Tolksdorf, 2013: 24).

Another example of incoherence can also be analysed between the policy approaches of EU Commissioners and their officials. The Commissioners Chris Patten and Oli Rehn followed the top-down approach of the EUSR Ashdown concerning the "negotiations with the Bosnian authorities, [however] EC officials reportedly showed more flexibility with regard to their interpretation" (Tolksdorf, 2013: 24). During the EUPM, the Union has decided to "depoliticize the negotiations" by putting aside the approached favoured by the EUSR Ashdown (Tolksdorf, 2013: 24). The EU preferred to implement "modest" police reforms that "undermined the credibility of EU conditionality, which was no longer impartial but open to political negotiations" (Tolksdorf, 2013: 24).

In order to overcome problems of coordination, the EUPM, EUSR and EUFOR have published a document called "Guidelines for Increasing Cooperation between EUPM-

EUFOR and EUSR". Seven principles of coordination defined in this document between the three EU actors were[46]:

> 1) The EUPM, EUFOR and the EUSR/Office of the High Representative will strengthen their complementing and coordinating roles in the fight against organised crime.
> 2) The EUSR will take responsibility for this coordination and will chair the Crime Strategy Working Group.
> 3) The relevant EU players will observe the general guidelines for increasing cooperation.
> 4) The EUPM will play a more proactive role and take the lead in coordinating the policing aspects of ESDP in BiH.
> 5) The EUFOR will coordinate and align its future anti-organised crime operations with the EUPM.
> 6) A task force will be set up to develop a joint action plan delineating the tasks, goals and benchmarks for the relevant EU instruments.
> 7) This joint action plan will align with and support the efforts of the BiH authorities.

However, the coordination between different EU actors remained weak during the EUPM. According to Muehlmann, (2007; 2008 as cited in Merlingen, 2013: 48) "the EUPM and the OHR/EUSR often gave different messages on police reform to local authorities and police officers, which undermined the impact of the messages". The coordination between the EUPM and the Commission also became a crucial factor for the EU in Bosnia. First of all, the EUPM became a pre-condition for the Stabilization and Association Process. Secondly the EUPM had the goal of contributing the Commission's rule of law projects and institution building programs in Bosnia such as the Community Assistance for Reconstruction, Development, and Stabilization (CARDS).[47] However there were issues of coordination between the Commission and the EUPM because of the "lack of appropriate funding procedures" for the EUPM (Juncos, 2005: 56). As a result, EUPM tried to find "funding through the member states' embassies" (Juncos, 2005: 56). According to Juncos, (2005: 56) "EUPM officials complained that there was not always full cooperation for harmonizing the projects launched by the Commission with those of the EUPM".

---

[46] See EU Police Mission (EUPM), EU Military Force in Bosnia and Herzegovina (EUFOR) and EU Special Representative (EUSR), Guidelines for Increasing Cooperation between EUPM–EUFOR and EUSR, Sarajevo, 2005.
[47] For instance, "between 2002 and 2005, the European Commission allocated about 18 million arias to policing reforms in Bosnia" (See Merlingen and Ostrauskaite, 2005).

There were issues of intra-institutional coherence within the European Commission about the EUPM. The Progress Reports of 2002 and 2003 mention that some improvements should be made in the policing area which are more technical rather than structural such as the need for "political commitment to financial sustainability of police forces" (Juncos, 2011: 376). However, there is no indication in the Commission's reports that police reform should be a pre-condition for the EU accession process. Notably in order to analyse the issue of police reform, the European Commission outsourced a detailed review to assess the police structure in Bosnia and possible improvements to be made and alternative paths to be taken.[48] This review has suggested three possible choices regarding the options to reform the police structures in the country. The first option suggested forming police at national level. The second alternative suggested "two Entity police forces (plus the Brcko District police and the border and intelligence state-level agencies" (Juncos, 2011: 376). Finally, the third option was based on a bottom-up approach "based on the cantonal police forces" (Juncos, 2011: 376).

 The functional review did not recommend any of the three options above particularly by mentioning that each has advantages and disadvantages (International Center for Migration Policy and Development and TC Team Consult, 2004). The Report also argues that the goal should be to achieve political consensus by stating: "local ownership is more important than a perfect solution on paper" (International Center for Migration Policy and Development and TC Team Consult, 2004: 135). However, the Commission, instead of considering the results of the functional review decided to incorporate "police reform among the required conditions to be fulfilled before the signing of an SAA" (Juncos, 2011: 377). In other words, the European Commission have chosen to adopt a top-down approach favoured by the HR Paddy Ashdown rather than applying the principle of local ownership during the EUPM.

---

[48] See ICMPD/TC Team Consult, "Financial, Organisational and Administrative Assessment of the BiH Police Forces and the State Border Service: Final Assessment", Vienna: ICMPD/TC Team Consult, 2004

3.2.3.3 Horizontal coherence of the EU during the EUPM

There were many issues regarding the coherence and division of labour between the police mission EUPM and the military mission Althea. In other words, between the conditionality and CSDP foreign policy instruments of the EU. While the EUPM was favouring a "softer, standard-driven approach", Althea preferred a more robust and result-oriented intervention" (Ioannides, 2013: 55). The fact that "Althea drew on its own police force (the Integrated Unit) as well as regular troops to carry out anti-organized crime operations" created a cacophony between the EU family and also between the EU actors and the local ones (Merlingen, 2009: 164). According to Merlingen (2009: 164), there was a "bad blood" between the leaderships of Althea and the EUPM "with the latter complaining that the "executive" approach of the military undermined its capacity-building approach based on local ownership".

The main difference between EUPM I and EUPM II was the clarification of the roles of EUPM and Althea regarding the organized crime (Mustonen, 2008: 15). The main of this was change to improve the coordination between these two foreign policy instruments of the EU used in Bosnia. With the improved new mandate, the Council aimed to make the EUPM "the center of the EU's assistance efforts to enhance the effectiveness of the fight against organized crime" (Flessenkemper, 2013: 30).

There were conflicting matters between the mandates of EUPM and Althea. EUPM officials believed that "EUFOR was exceeding its mandate and its actions were interfering with the EUPM mandate" (Mustonen, 2008: 21). There was incoherence between the EUPM and Althea regarding the issue of local ownership. On the one hand while Althea conducted an "interventionist approach", EUPM promoted the principle of local ownership (Tolksdorf, 2013: 62). The difference regarding this principle considered created tensions between the officials of EUPM and Althea.

There was also incoherence between EUPM and Althea concerning specific themes such as the fight against organized crime. Fight against organized crime was a part of the mandates of both EUPM and Althea (Dijkstra, 2013: 95). Regarding the fight against organized crime EUPM officials preferred to use civilian ways and "criticized EUFOR's activities for not involving Bosnian law enforcement agencies in their

operations"[49] (Tolksdorf, 2013: 62). According to Juncos (2006: 26), there was incoherence between the civilian mission EUPM and the military one Althea "where both missions experienced problems of coordination dealing with the issue of organized crime". There were inconsistencies between the messages given by Althea and EUPM. On the one hand EUPM official were giving the message to Bosnian not to use military means to sort out the internal political problems in a country", on the other, Althea was acting the opposite way by using military means for the rule of law enforcement (Dijkstra, 2013: 117).

3.2.3.4 Vertical Coherence of the EU during the EUPM

It can be argued that the vertical coherence between the EU and the member states was considerably high during the mission. The Union and EU member states had concerns regarding the organized crime that would come from its previous experience with the accession of Romania and Bulgaria and Croatia (Ioannides & Collandes-Celador, 2011: 429). Accordingly, the EUPM was supported by all of the EU member states. There were some disagreements between some member states whether to make the mission an executive one to make it more effective concerning the organized crime (Ioannides & Collandes-Celador, 2011: 429). In the end, the EU member states have decided the EUPM not to have an executive mandate.

With the Joint Action of 2005, the EUSR became the "formal link" between the EUPM and the EU member states (Dijkstra, 2013: 69). The Council Joint Action of November 2005 states that:

> Under the direction of the EUSR, the EUPM will take the lead in the coordination of policing aspects of the ESDP efforts in the fight against organised crime, without prejudice to the agreed chains of command. It will assist local authorities in planning and conducting major and organised crime investigations.[50]

---

[49] See EUPM, "Monthly Assessment Report 01/05", Sarajevo: EUPM, 2005: 7; EUPM, "Monthly Assessment Report 10/05", Sarajevo: EUPM, 2005: 3.
[50] See Council Joint Action 2005/824/CFSP of 24 November 2005 on the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH), 2005.

The main aim of the Joint action was "to keep incomplete contracting, and thus uncertainty, to a minimum" (Dijkstra, 2013: 69). In other words, the EUSR had the role assure the coherence between the EU member states and the EU actors on the ground in Bosnia.

There has been a disagreement EU member states in 2011 concerning the renewal of the mandate of EUPM and regarding "transferring rule of law/police to the EUSR" (Ioannides & Collandes-Celador, 2011: 432). Despite disagreements regarding the reorganization of police districts by merging them, "in October 2005 the leaders of the major political parties signed a statement of intention on a reform" (Tolksdorf, 2013: 22). The decision of the Bosnian political parties to sign this statement gave BiH the right to start negotiating the Stabilization and Association Agreement (SAA) with the EU (Tolksdorf, 2013: 22). Although the EUPM was supported by all of the EU member states, the latter "were reluctant or unable to provide EUPM with a sufficient number of experts in the fight against organized crime" (Tolksdorf, 2008: 62).

3.2.3.5 Perceived coherence during the EUPM

The incoherence of the EU regarding the conditionality process leads the Bosnians to perceive "the EU as a biased partner" (Tzifakis, 2012: 138). The case of police reform is a good example of the Union's incoherence regarding the conditionality process. In Bosnia, the Union "conditioned progress in Bosnia's path towards accession on the centralization of police authorities" (Muehlmann, 2008: 17 as cited in Tzifakis, 2012). However, in some of the EU states such as the Netherlands, and also in another non-EU but European country Switzerland, the administration of the police is organized on based on regional lines (Collantes-Celador, 2009). According to Donais (2013: 200), the goal of centralizing the Bosnian police cannot be justified by achieving the European police standards as there is no clear or common EU standards. These types of inconsistency, decreased the legitimacy of EU foreign policy in Bosnia. The aim of the EU to centralize the police structure in Bosnia has been perceived as incoherent by the local communities as in several EU countries the police structure was also decentralized like in Bosnia (Donais, 2013: 200).

The EUSR and the High Representative of the international community (until 2011), Paddy Ashdown (the EUSR between 2002 and 2006) played a critical role regarding the perceived coherence and the perceived legitimacy of the Union's police reform in the eyes of the locals and more specifically Bosnian Serb community and political elites. The EUSR wanted to implement three principles: 1) the budget should be controlled at state level, 2) "the functional local police areas must be determined by technical policing criteria, where operational command is exercised at the local level" and 3) there should be no interference to the police operations" (EUPM 2006 Fact Sheet). However, Ashdown's approach regarding the police restructuring was a "heavy-handed" one (Marijan & Guzina, 2014: 5). The coercive attitude of the EUSR impacted the "legitimacy" of the EUPM in the opinion of the people in Bosnia (Juncos, 2011: 367). Juncos (2011: 367) argued that the EUSR has "monopolized" the conditionality process and "the reforms were not perceived as legitimate by at least one of the parties". The EUSR and the OHR of the period, tried to apply a "a top-down approach in dealing with police restructuring" (Tolksdorf, 2013: 21). The approach of the EUSR had a determining impact between the EU actors in Bosnia and the local politicians between 2004 and 2007 (Tolksdorf, 2013: 21).

There was no consensus among Bosnian politicians regarding the need for police reform. Bosniak political parties supported the idea of police reform for making progress on EU accession reform and with the objective of centralizing the police structure in Bosnia (Koneska, 2014: 123). Croat and Bosnian Serb politicians did not support the police reform. Bosnia Croat leaders were against "transferring police competency from canton to entity or state levels", that would lead to the decrease of "few powers that Croats had in Croat-dominated cantons" (Koneska, 2014: 123).

Bosnian Serb elites have seen the police reform as an EU policy threatening "the very survival of Republika Srpska" (Juncos, 2011: 368). Bosnian Serb politicians were not supportive of the reform "as they perceived any vision of a more centralized Bosnian state as a way to dismantle the Serb Republic" (Marijan & Guzina, 2014: 6). The reluctance of the Bosnian Serbian officials not to support the views of Ashdown was also related with the fact that Ashdown was frequently using "his OHR powers to remove elected Bosnian Serb officials" (Marijan & Guzina, 2014: 6). In other words, Bosnian Serbs was perceiving Ashdown as an "obstacle" rather than a "a legitimate

facilitator of the reform process" (Muehlmann, 2008). The EU stakeholders failed to comprehend the "potential of resistance against centralization of the police structure" (Torun, 2016: 22). As a result, the EU have decided that the police should not be a part of the conditionality process.

The police reform had a negative impact on the perceived coherence of the Union in Bosnia. Bosnian citizens "perceive the international actors, rightly or not, as supporting the corrupt and inefficient political system" (Lasheras, 2014). Instead of fostering the local ownership, Bosnians believed that with EUPM, EU has served the interests of political elites rather than the Bosnian citizens (Personal communication, Bosnian civil society organization member, 2017). As a result, in the eyes of Bosnians, "the European Union is not perceived as a problem solver and it is too slow in its response to crisis" in Bosnia (Marijan & Guzina, 2014: 8).

The principle of "local ownership" becomes a key concept to analyse the coherence of the EU conditionality applied in Bosnia. The principle of local ownership and the existence of political elites play a crucial role in the implementation of political conditionality. The EU has aimed to use the "local ownership" principle in Bosnia and Kosovo to democratize the country. Regarding the application of the principle of local ownership in the EUPM, the civil society did not become a part of the reform and this fact has undermined the legitimacy of EUPM (Woelk, 2012: 122). EUPM was an "externally driven" mission with local ownership issues (Moore, 2014: 297). The lack of local participation in the reform process made the latter "an elite driven and less inclusive" one (Moore, 2014: 297). EUPM formed the Bosnian Police Steering Board and the EUPM Program Development and Coordination Department to assure the coordination with the EUPM officials and the local actors (Moore, 2014: 297). However, the coordination between the local representatives and EUPM was not successful as the local community representatives were not included in the process. After 2008, because of the lessons learned during the first four years of EUPM, the Union aimed to strengthen the local ownership in Bosnia (Tolksdorf, 2013: 26).

The problems of harmonizing the cooperation between the EUPM officials and the Commission had a negative impact on the perceived coherence of the Union in opinion eyes of locals in the country.

According to an EUPM official:

> In many of the projects there was one EUPM officer, for example, in organised
> crime at the Ministry of Security, and the Commission would bring another police
> expert…they [the Commission] had the money and we had to work with them. But
> it was terrible. And it was also badly perceived by the locals, they could not
> understand what was going on. (as cited in Juncos, 2005: 58)

As a conclusion, it should be noted that the EU remained incoherent in all types of
coherence during the EUPM. Many factors led to the incoherence of the EUPM such
as the "fragmented presence [of the EU] in the country, the lack of an overall strategy,
frictions in inter-pillar coordination and in some specific cases, among personalities"
(Juncos 2007: 61).

3.2.4 Constitutional reform: a vague, abandoned "so-called precondition" for EU integration of Bosnia

In addition to the police reform, the entering into force of the SAA had been postponed
because of the lack of constitutional reform and the infamous "Sejdic and Finci
judgement of the European Court of Human Rights" in which Bosnia was found in
violating the European Convention on Human Rights by discriminating the minorities.
In this part, we will analyse on the coherence of the EU in Bosnia during the issues of
constitutional reform process and the Sejdic-Finci judgement.

With the Dayton Agreement, state structure and decision-making structure in Bosnia
has been "defined on ethnic grounds" (Dzihic & Wieser, 2011: 1806). The state
structure had a decisive impact on the political conditionality in Bosnia. The EU
accession of Bosnia has been used by the EU to "promote the constitutional reform"
(Cooley, 2013: 180). International actors such as the EU and the US representatives
and think tanks have all agreed on the need to reform some of the characteristics of the
Bosnian constitution. The main reform was based on the idea that there is "a need to
reduce the provisions that are aimed at safeguarding the interests of all constitutional
people" (Mair, 2015: 22). The "vital interest veto" at the Bosnian Parliament has been

blocking the adoption of many EU related reforms, (as the latter requires the adoption of many EU legislation) on the base of safeguarding the "vital interests" of Bosniaks, Serbs or Croats in Bosnia. Political parties have been using this right to have ethno-national rhetoric.

The failures in achieving EU oriented democratization reforms have made constitutional reform one of the Union's main objectives in Bosnia, "even if this does not feature as an express condition for EU integration" (Sebastian, 2007: 1). Notably the EU Commissioner for Enlargement in 2005 Oli Rehn stated that "the constitutional structure is too complex and fiscally unsustainable" and encouraged Bosnian authorities to work together "to streamline this expensive and multilayered bureaucracy". (as cited in Sebastian: 2007, 4). Accordingly, the EU took part in reforming the Bosnian constitution based on ethnicity to and tried to foster the democratization process in Bosnia for the latter to make progress in its EU integration process (Ağır & Gürsoy, 2016: 3). The question of "stateness" and improving the constitution based on ethnicity became an "informal conditionality" for the country's EU accession process (Sebastian, 2009).

Has the EU conducted a coherent approach regarding the constitutional reform in Bosnia? In the following part, we will analyse the coherence of the EU's approach towards the issue of constitutional reform.

3.2.4.1 Background and Failure of the Constitutional Reform

The constitution building process in Bosnia was a "heavy-handed" one (Galyan, 2014: 13). In Bosnia, as a result of the Dayton Accords, the constitutional framework was supervised and implemented by international actors (Galyan, 2014: 13). The impetus for constitutional reform in Bosnia has started 10 years after the signing of the Dayton Agreement founding the Bosnian Constitution (Annex 4 of the agreement). The first international attempt came from the United States that aimed to convince the ethnic and political leaders to negotiate on the necessity of a constitutional reform. (Dzihic & Wieser, 2011: 1812). After the first initiation of the US, the EU also joined the latter regarding the realization of constitutional reforms.

In March 2005, the European Commission for Democracy through Law, which is "the Council of Europe's advisory body on constitutional matters"[51], also called the Venice Commission, published its report entitled "Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative" highlighting the urgency of reforming the constitution "to make the system compatible with European standards" (Woelk, 2012: 127). The Venice Commission argued in its communication that constitutional system created after the Dayton Agreement discriminates ethnic groups not belonging to one of the constituent people and accordingly this should be considered as a violation of the "European Convention on Human Rights (ECHR)".[52] The Venice Commission also called The European Commission for Democracy through Law "was founded by the Council of Europe in 1990 – at a time of radical political change in Eastern Europe – through a resolution of the Committee of Ministers in order to provide "emergency constitutional aid" to states in transition".[53] After the opinion of the Venice Commission, "the EU was expected to state its position on constitutional reform in BiH and to get engaged in the debate" (Tolksdorf, 2015: 407) and as part of the accession process, it was expected the EU would push to amend any discriminatory provisions in the constitution.

Notably, in 2005, the High Representative of BiH Paddy Ashdown (the first EUSR in BiH) contended that the Dayton Agreement has become a source of ethnic tension and a factor blocking the European integration process of BiH (Ashdown, 2005). According to Ashdown (2005):

> Dayton encouraged, and has preserved what was, in wartime, a means of survival. But what is in danger of becoming, in peacetime a block to genuine progress on the European road – a reliance on group might, rather than individual rights.

In a similar fashion, the European Commission's Progress Report on Bosnia of November 2005, it was denoted that the constitution of Bosnia "does not support swift

---

[51] See https://www.venice.coe.int/WebForms/pages/?p=01_Presentation&lang=EN

52 Council of Europe, European Commission for Democracy through Law (Venice Commission): Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative, Doc. CDL-AD (2005) 004, Vienna: Council of Europe, 2005.

[53] Available at Europewatchdog, http://www.europewatchdog.info/en/international-treaties/partial-agreements/venice-commission/)

decision making and hampers reform implementation".[54] Accordingly, the European Commission considered the Bosnian constitution an obstacle for Bosnia's EU pre-accession process (Tolksdorf, 2015: 408). However, despite the view of the Progress Report, the Union did now make the constitutional reform a "precondition" for the EU integration process in Bosnia.

In 2006, six political parties of the country agreed to reform the constitution however the constitutional reform package did not pass by the Parliament in Bosnia on 26 April 2006. The negotiations concerning the content of the reform were based on five main areas: "the division of competences between the state and the entities; the composition and competences of the Parliament; the election and mandate of the Presidency; and the status and competences of the Council of Ministers" (Sebastian, 2009: 343). Even the "concerted approach" of the United States and the EU did not manage to prevent the failure of the "April Package" of 2006 (European Parliament Briefing Paper: 2007). The long-awaited reform attempt was rejected in the House of Representatives with receiving "only 26 votes in favour and 16 votes against, i.e. lacking the necessary two-thirds majority by two votes" (Flessenkemper, 2016: 257).

During the negotiations that made the first constitutional reform proposal in 2006, "the EU was only marginally present" according to many (Tolksdorf, 2015: 407; personal communication with a Bosnian law scholar September 2017). After the failure of the first reform attempt at the Bosnian Parliament in 2006, the EUSR of the period, Christian Schwarz-Schilling aimed to spark a new constitutional reform debate to "give the EU a more proactive role as mediator in the negotiations" (Tolksdorf, 2015: 407). Schwarz-Schilling had promised the US-Ambassador not to go public with his approach to establish the Constitutional Commission so as not to "spoil US efforts" (Tolksdorf, 2015: 407).

In October 2006, The Council during the General Affairs Council has declared it support for constitutional reform and stated:

---

[54] European Commission, Communication from the Commission: 2005 Enlargement Strategy Paper, Doc. COM (2005) 561, Brussels: European Commission, 2005.

The Council emphasized the need for progress on constitutional reform to create more functional state structures that are better able to meet European standards. The Council encouraged the newly elected representatives to make this an early priority.55

Even though the Commission, the Council and, some EU member states advised to the need to reform the constitution for a more effective integration process of Bosnia, the EU did not take the necessary steps for it. Notably, when the EUSR Schwarz Schilling proposed "to form a constitutional reform committee with a permanent secretariat" within the EU, this proposal "was rejected by the Political and Security Committee, the EU committee that directs the work of the EU Special Representative" (Tolksdorf, 2015: 410).

After the failure of the April Package in 2006, the next reform attempt was the "Prud process" of 2008. This attempt was a local one organized by the three ethnic political parties namely with the Bosniak (SDA), Croat (HDZ BiH) and Serb (SNSD).[56] With this renewed process, political parties in the country aimed to strengthen "the state in order to make it more efficient and capable of meeting the criteria for joining the EU" (Belloni, 2009: 366). The local nature of the initiative seemed to have prepared the ideal environment for the agreement at the beginning (ICG, 2010: 12). The three political parties agreed in principle to make the necessary reforms in the constitution but the process was realized behind closed doors without the participation of "key stakeholders" and as a result "the process quickly disintegrated into finger pointing and accusations of "selling out" (Sebastian, 2011: 3).

The last major internationally supported constitutional reform attempt called the "Butmir Process" occurred in 2009. The US was represented by a "specific ambassador" during the talks" (Flessenkemper, 2016: 259). The EU was also present during the Butmir Process as the latter "was co-chaired by the Swedish EU Presidency and based on a reform package developed by the experts from the Office of the High

---

[55] Council of the EU, 2756th Council Meeting General Affairs and External Relations (Brussels: Council of the EU, 2006.
[56] Bosniak's Party of Democratic Action (SDA), the Croat Democratic Union (HDZ BiH) and Serb Party of Independent Social Democrats (SNSD).

84

Representative, the Council of Europe, and the European Commission" (Flessenkemper, 2016: 259). In terms of the local actors, seven political parties have participated in the meetings. Despite the efforts of the EU and the US, the political parties did once again not manage to achieve consensus at the end of the Butmir Process.

In December 2009, a major development occurred regarding the Bosnian Constitution. The European Court of Human Rights (ECtHR), with the Sejdic Finci ruling, has decided that the electoral law and the constitution of the country fail to comply with the ECtHR.[57] The Sejdic-Finci case was about "Dervo Sejdić and Jakob Finci, two prominent Bosnian citizens of Roma and Jewish origins, respectively, who could not run for elections because of their ethnicity" (Vettori: 2013, 22). The considered judgement of the ECtHR had important consequences for the conditionality process in Bosnia as "the EU for the first time called for amendments to Bosnia's constitution and applied conditionality in this policy area" (Tolksdorf, 2015: 413). According to the Stabilization and Association Agreement, "BiH had to fully comply with the ECtHR" (Flessenkemper, 2016: 413). As a result, the entering into force of the SAA and the candidate status of BiH became dependent on the implementation of the Sejdic-Finci ruling by Bosnia (Flessenkemper, 2016: 413). However, despite the insistence of the Union, the ruling was never implemented.

After years of "paralysis" regarding the constitutional reform, 2014 was a crucial year for EU- Bosnia relations but also for the approach of the EU towards the constitutional reform. There were basically two factors that shaped the change in the behaviour of the Union. These factors were first of all, the wave of mass protests in the country regarding the bad economic conditions and unemployment and secondly the annexation of Crimea in Ukraine (Flessenkemper, 2016: 261).

The mass protests in various cities have formed the "background for a British-German initiative to change the EU policy and conditionality with regard to constitutional politics" (Flessenkemper, 2016: 261). On the other hand, after the start of the war in

---

[57]European Court of Human Rights (2009) "Grand Chamber judgment – Sejdic and Finci v. Bosnia and Herzegovina" 22 December 2009. See https://hudoc.echr.coe.int/eng-press#{%22itemid%22:[%22003-2974573-3281658%22]}

Crimea, Russia "abstained from the United Nations Security Council from the vote extending the mandate of the NATO/EU-led peacekeeping operation in BiH" (Flessenkemper, 2016: 261). As a result, the EU has decided to focus on a more general renewal of reform agenda in Bosnia based on socio-economic issues rather than constitutional reform. In February 2014, the Commissioner for Enlargement Stefan Fühle expressed his "deep disappointment" with the failure of the process (European Parliament Research Service, 2015).

After having analysed the course of the failure of the constitutional reform, we will analyse the coherence of the EU during this process.

3.2.4.2 Institutional Coherence of the EU during the Constitutional Reform

In 2009, Oli Rehn, the Commissioner for EU Enlargement has stated:

> Constitutional reform is not a precondition for OHR closure. Nor is it required to apply for EU membership. But constitutional reform is a necessary part of the EU accession process. Bosnia and Herzegovina will not be able to join the EU with its present constitution. It is that simple. In fact, we will not even be able to grant candidate status without certain reforms (Rehn, 2009).[58]

This discourse as the actions of the EU during the process is full of incoherence. While Rehn stresses the fact that the constitutional reform is not a precondition for the OHR closure, he also states that Bosnia cannot become a candidate country before realizing the "necessary" reform. These types of speeches sent mixed signals to the EU institutions, EU member states but most importantly to the local actors in Bosnia. Oli Rehn in 2006, three years before this statement commented that "I do not expect a constitutional revolution to take place, rather an evolution" (Rehn, 2006).[59]The EU has lost its credibility with these types of statements. In addition to losing the credibility,

---

[58] See Rehn, Oli. 'Towards a European era for Bosnia and Herzegovina: The way ahead', speech by EU Commissioner Olli Rehn, Parliament of Bosnia and Herzegovina, Sarajevo, SPEECH/09/349, 24 July 2009, available at http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/09/349 accessed 29 July 2017.

[59] See Rehn, Oli. "Perspectives for Bosnia and Herzegovina', speech by EU Commissioner Olli Rehn, European Parliament, Strasbourg, SPEECH/06/100, 15 February 2006 , available at http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/100 , accessed 25 July 2017.

the fact that the BiH has become a potential candidate country without realizing the reforms asked by the EU also showed the inconsistency of the EU in BiH.

One of the main problems of the EU's action regarding the constitutional reform in BiH has been its "vagueness". Different EU actors "have consistently made reference to Bosnia's accession prospects when outlining the need for reform of the Dayton constitution" (Cooley, 2013: 181). As Bieber (2011: 1795 as cited in Cooley, 2013) stated, "it has been made clear that Bosnia will be unable to fulfil its obligations as a member of the Union under its current constitutional arrangements". However, the need for constitutional reform has never become an official conditionality for the BiH's EU membership, the EU has used issues related to the Bosnian constitution as a pretext to halt the integration process. In other words, the EU has been reluctant to use a specific foreign policy instrument such as the conditionality in order to "boost" the constitutional reform efforts in Bosnia. This incoherence between the declarations and the actions of the EU regarding the constitutional reform has affected negatively the effectiveness of the process. As Sebastian (2009: 347) argued, "the EU proved to be too divided and too hesitant in linking constitutional reform" to the conditionality process. Constitutional reform has become "a form of informal conditionality associated with the long-term perspective of European integration with no specific conditions or rewards attached to it" (Sebastian, 2009: 347). This undetermined approach of the Union undermined the importance and the potential success of the reform process.

The EU sent mixed signals to the Bosnian officials regarding the reform. For instance, the European Commission's feasibility report regarding the readiness of the country to sign the Stabilization and Association Agreement states:

> from a perspective of European integration, it is difficult to argue that the current constitutional order is optimal', it nonetheless concluded that 'the constitution is no insuperable obstacle to reform or to European integration (European Commission, 2003: 6).

These types of vague statements of the EU has decreased the probability to gain support among the Bosnian officials to take the risky and costly steps to make the

necessary reforms. As a result, Bosnian governing elites have continued pursuing nationalistic rhetoric to consolidate their electoral bases. In addition to the lack of using a foreign policy instrument, the EU has been vague regarding his rhetoric concerning the need to reform the constitution in Bosnia. The Union did not propose a well-defined model for a new constitution but also "did not spell out that constitutional change was an imperative requirement for BiH's accession process to the EU" (Tolksdorf, 2015: 412).

The lack of coherence between different EU actors was not necessarily a problem of coordination but "also the result of internal EU divisions over the validity of constitutional reform in BiH itself" (Sebastian, 2009: 344). One of the most striking examples showing the divisions between different EU actors occurred during the Brussels meeting organized by the European Commission with the participation of Serb, Bosniak and Croat party leaders in the country, and the US in 2005. There were apparent divisions between the Council and the Commission during the meeting (Sebastian, 2009: 344). Javier Solana, the High Representative of the CFSP was openly against making changes about the Dayton Constitution and did not event participate to the meeting (Sebastian, 2009: 344).

Another example of incoherence occurred during the Butmir Talks of 2009. One of the functions of the EUSR was to offer "political advice and support to the constitutional reform process". However, the EUSR was invited solely as an "observer" to the Butmir process (Tolksdorf, 2015). This fact shows that EU member states wanted to "control" the reform process (Tolksdorf, 2015: 411). During the Butmir process, international contributors being the US and the EU were not well-prepared and suggested "quick fix" remedies to the problem (Bieber, 2010: 1). According to Bieber (2010: 2) the incentives provided by the EU and the US did not convince the political parties to make the constitutional reform.

3.2.4.3 Horizontal coherence during the constitutional reform

After the Lisbon Treaty and the creation of the EEAS, the EU has decoupled as we have mentioned in the earlier parts of this research the role of OHR and the EUSR

were separated. As a result of this change, the head of the EU delegation and the EUSR (as it is a double-hatted role) focused only on the EU accession and conditionality process as he/she was not the High Representative of the international community focusing on the state-building issues in Bosnia and oversight of the civilian implementation of the Dayton agreement (Tolksdorf, 2013: 26). This division has created confusion and prevented the EU to use the conditionality as a tool for the reform process.

Regarding the constitutional reform, the EEAS and the HR/VP have tried to act together with the European Commission to foster the constitutional reform attempts in Bosnia. The former HR/VP Catherine Ashton and the Commissioner for Enlargement Stefan Füle have contacted the Chairman of BiH Presidency Nebojsa Radmanovic and advised the politicians of the country to agree on a reformed constitution.[60] However, as a whole, the EU actors were not coordinated regarding the constitutional reform in Bosnia. Before 2005, the Union expected that the prospective EU accession would provide the necessary domestic impetus and motivation to realize the necessary changes to reform the constitution in Bosnia (Flessenkemper, 2016: 256). After the Venice Commission's declaration in 2005, the commissioner for EU Enlargement of the period Oli Rehn has advised to make reforms at the Bosnian "governance structures" (Tolksdorf, 2015: 407). The EU Parliament supported Rehn regarding this issue.[61] A month after the Venice Commission's opinion, the European Parliament accepted a resolution on regional integration in the Western Balkans, qualifying the country's institutional structure "as undermining the viability of the state" (European Parliament, 2005) however "the EU did not take the initiative to start constitutional reform negotiations" (European Parliament, 2005).

The issue of the constitutional reform has been an important section within the Progress Reports of the EU until 2013. The European Commission Progress Report of 2008 investigated the political criteria in BiH into six fields:[62] 1) constitution, 2)

---

[60] See for instance the letter by Stefan Fule and Catherine Ashton to President ¨ Nebojsa Radmanovic, Doc. EEAS.sg.1(2013)134167
[61] European Parliament, European Parliament Resolution on the State of Regional Integration in the Western Balkans, Doc. P6_TA, 2005
[62] See European Commission. Bosnia and Herzegovina Progress Report 2008, available at https://europa.ba/wp-content/uploads/2015/05/delegacijaEU_2011121405151330eng.pdf

parliament, 3) government, 4) public administration, 5) judicial system, and 6) anti-corruption policy. According to the report, the only field that "no progress" was made was the reform of the constitutional framework.

The Progress Report of 2009 indicated that concerning the constitutional framework, the situation went from "no progress" to "little progress". The Report of 2010 announced "no significant progress" and 2011 Report indicated that "the lack of a credible process for the harmonization of the Constitution with the above ECtHR ruling remains an issue of serious concern". The Progress Report of 2012 denotes that no substantial progress has been made to comply with the ECthR decision about the case of Sejdic-Finci. Similarly, the 2013 Report also indicates that there has been "no progress" to comply with the Sejdic-Finci decision and also no progress has been made regarding "establishing functional and sustainable institutions".[63]

The decreasing importance of the constitutional reform for the EU can be seen the recent progress reports. After 2013, the progress reports of the European Commission contain no clear judgment about the issue of constitutional reform. The latter never become a condition for the EU membership. It was more of an "informal condition" that had crucial importance regarding the accession process of the EU. On the other hand, the reform process has been one of the critical factors stagnating the EU integration process of Bosnia. There has been no improvement in the coherence of the EU's actions regarding the issue of the constitutional reform after the creation of the EEAS. Ashton and Mogherini respectively continued to send letters and make visits to Bosnia by emphasizing the importance of the issue for the EU membership of Bosnia, but these actions had no positive results neither within the EU nor Bosnia. Actors have preserved to continue risk-averse policies and have chosen to preserve the status-quo.

From 2005 until 2012, the EU actors in Brussels and Bosnia were not coordinated regarding the constitutional reform. The EU Presidencies have tried to achieve "too much" too quickly without a coordinated, well-elaborated strategy (Tolksdorf, 2015:

---

[63] See European Commission. Bosnia and Herzegovina Progress Report 2008 available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2013/package/ba_rapport_2013.pdf

414). After 2012, the European Commission has started to become the main EU actor by "taking the lead" from the EUSR (Tolksdorf, 2015: 411), however the leadership of the Commission failed to yield successful results regarding the constitutional reform in Bosnia.

3.2.4.4 Vertical coherence of the EU during the constitutional reform

Regarding the constitutional reform, the discourse and the actions of EU actors in Bosnia and Brussels were generally uncoordinated (Tolksdorf, 2015: 411). There were contradicting views regarding the constitutional reform between the EU Commission and the EU member states and between different EU member states. Under the leadership of Germany and the UK, the EU member states shifted the priorities of the Union's foreign policy in Bosnia to more "on structural socio-economic reform" and as a result sensitive political issues like constitutional reform were pushed aside" (Weber, 2013: 1). In this section, we will focus on how coherent and coordinated the relationship between the EU member states and the EU has been during the "failed" constitutional reform process in Bosnia.

The representatives of the EU member states were active during the constitutional reform. Political leaders of EU member states aimed to convince the political elites in Bosnia to reach a consensus on the reform "either bilaterally or during their spells holding the rotating EU presidency" (Cooley, 2013: 12). On the EU side of the coin, the EUSR's had the major role to "assist the reform" process" however the EUSR has failed to implement its role because of the lack of coordination with Brussels and the member states (Tolksdorf, 2015: 414). The EU member states and the EU institutions failed to propose either a new model or federal models that exist among the EU member states such as Germany or Belgium (Bieber, 2010).

There were problems of coherence regarding the involvement of the EU member states. First of all, there has been incoherence within the EU institutional structure. During the June 2005 EU presidency in the UK, the British government supported the constitutional reform advice of the European Commission (Tolksdorf, 2015: 408). Notably, the British ambassador Matthew Rycroft became closely engaged in reform

talks in BiH (Tolksdorf, 2015: 408). On the other hand, the Commission's view favouring a reform in BiH was opposed not only by some member states such as Germany but also internally by some commission units (European Parliament Briefing Paper, 2007). According to the EUSR Schwartz-Schilling, some of the Commission officials objected supporting his initiative to foster the constitutional reform because this type of task was not a common type of mission for "the domain of the EU's Common Foreign and Security Policy" (Tolksdorf, 2015: 411). Despite the opposition by the European Commission, in February 2007, the Council of Ministers have added the function of "offering political advice and support to the constitutional reform process" to the mandate of the EUSR (Tolksdorf, 2015: 411). However, while adding a new crucial function to the mandate of the EUSR, the latter was not provided with additional resources to execute the functions of the mandate (Tolksdorf, 2015: 411).

When it comes to vertical coherence, some member states acted independently regarding the constitutional reform. Some of the leaders of EU member states have disagreed with the EU regarding the constitutional reform by stating that BiH does not necessarily need "a new or modified constitution in order to enter the EU family" (Brljavac: 2012, 17). Notably, Welner Almhofer, the Austrian Ambassador to Bosnia, during the OHR- BiH Media Round-up, 26 January 2006 argued: "that the European Union had never set the successful implementation of constitutional reforms as a condition for Bosnia's EU membership" (Brljavac: 2012, 17).[64]
EU member states individually met Bosnian political actors to foster the constitutional reform efforts (Cooley: 2013, 180). After the advisory statement of the Venice Commission in 2005, some member states started new reform talks without the consent of the EUSR (Tolksdorf, 2015: 411). The ambassador of the United Kingdom cooperated with the US ambassador and "played an active role in the reform negotiations that led to the April Package" (Tolksdorf, 2015: 411). On the other hand, the German ambassador proposed a new constitutional model based on the economic situation of different regions in Bosnia and as one would expect this idea has been rejected by Bosnian, Croat and Serb governing elites of the country (Tolksdorf, 2015: 411).

---

[64] See Welner Almhofer, Austrian Ambassador to BiH, as cited in OHR, BiH Media Round-up, 26 January 2006.

Despite the lack of the execution of Sejdic-Finci ruling, the SAA was ratified by both the EU member states and the Union by 2011 and came into force in 2014. EU member states and the EU changed its foreign policy priorities in Bosnia in a very "sudden way". From 2005 to 2012, the EU and its member states "showed constructive ambiguity at best, and at worst policy incoherence" (Fernandez, Perry & Bassuener, 2015, 3).

3.2.4.5 Perceived coherence of the EU during constitutional reform

The EU has openly criticized the Bosnian politicians for conducting ethno-nationalistic policies. For instance, concerning the constitutional reform the European Commission Report of 2008 states:

> Nationalist rhetoric from political leaders from all the constituent peoples, challenging the Dayton/Paris Peace Agreement and, thus, the constitutional order, remained commonplace (European Commission, 2008: 7).

In a similar fashion, the report of EUSR in Bosnia states:

> […] nationalist, anti-Dayton rhetoric challenging the sovereignty, territorial integrity, and constitutional order of BiH, as well as the authority of the High Representative and the Peace Implementation Council (PIC) Steering Board have continued to dominate politics in BiH. Of particular note have been the frequent attempts by the Republika Srpska government to undermine State institutions, competencies, and laws. Together with provocative statements from, in particular, the Bosniak political leaders, questioning the right of Republika Srpska to exist, this has served to further undermine inter-ethnic trust, creating a cycle where it is more and more difficult for the country's political leaders to meet each other half way so they can make the decisions needed to take the country forward (Office of the High Representative and EU Special Representative, 2009).

This "blaming" politics of the EU did not lead to any solutions in Bosnia. The EU has become a "prisoner" of ethno-nationalism" in Bosnia and has changed its tone regarding the constitutional reform. One would expect the EU conditionality to influence the Bosnian elites, however, regarding the reform process, the elites in the

country had a stronger impact on the expectations of the EU rather the other way around.

The EU has chosen the "easy way" by blaming the ethnic composition Bosnia and the ethno-national rhetoric of political parties rather than conducting a coherent and strategic approach towards the issue of constitutional reform. In other words, by accepting the defeat from the beginning, the Union made the constitutional reform an impossible mission. The lack of the participation of Bosnian civil society in constitutional reform attempts had decreased the perceived coherence of the attempts as open or "in secret" talks only included political party leaders (Sebastian, 2007; 2009).

Because of the vagueness of the Union's action regarding the constitutional reform since 2006 and the lack of using a concrete foreign policy tool such as the conditionality, the EU has not been successful in making the governing elites to commit to the reform process. Currently, the political parties have diverging views regarding the constitutional reform (Perry, 2015). The Croats have been the most vocal supporter of the reform, as they are supported mainly "by Croatian MEPs in Brussels" (Perry, 2015: 495). Milorad Dodik, the President of RS supports the efforts of Croats "as long as the RS is not touched or affected in any way" (Perry, 2015: 495). On the other hand, the Bosniaks do no express openly their support for constitutional reform and they believe that "it is better for the Bosniaks to carve out the best deals they can in the current framework" (Perry, 2015: 496).

There is an evident incoherence between the demands and the rhetoric of the EU regarding the constitutional reform and also the Sejdic-Finci case. The EU asks BiH to implement the judgment of the European Court of Human Rights by noting that the current constitution is a discriminatory one defending the right of only ethnic Bosniaks, Bosnian Croats and Bosnian Serbs in the expense of other Bosnians such as the gypsies and Jews in Bosnia. However, at the same time when we analyse the speeches of EU actors' discourse on Bosnia, we observe what Mujkic (2007) calls "ethnic essentialism". According to Mujkic (2007: 117-118):

This essentialism is clearly visible in the Dayton Agreement as well as in the everyday practices of international institutions such as the OSCE, the European Commission, and the Office of the High Representative. All their efforts have been focused on establishing a stable society by achieving some sort of equilibrium between three self-enclosed, homogenous particularities whose existence was presupposed from the outset.

The EU discourse has generally been based on the notion of "Bosnia's three constituent peoples" (Cooley, 2013: 141). As a result, Bosniak, Bosnian Croat and Bosnian Serb political elites remain "reassured" of their positions in the country. In order to be more coherent, the EU should shape its discourse not to be perceived as discriminatory.

In sum, there has been a contradiction between the Union's rhetoric and actions regarding the constitutional reform in Bosnia. The EU's role concerning the constitutional reform has been incoherent in Bosnia as the Union by acting in an uncoordinated way and by applying "its conditionality inconsistently" (Tolksdorf, 2015: 402).

3.2.5 Evaluation of the EU Conditionality Process in Bosnia

The EU, with the Thessaloniki Summit on the Western Balkans of 2003 approved the EU accession of Western Balkan countries by adopting a clear language and said that "the future of the Balkans is within the European Union" (Fouéré, 2013: 1). However, the individual response of EU member states has not been coherent with the EU's policy towards the Western Balkans and latter's EU integration process. The developments within the EU after the 2004 enlargement had a substantial negative impact on the accession process of the Western Balkans. The failure of Constitution referenda in France and the Netherlands, the rise of the Euro-scepticism and the enlargement fatigue (Schimmelfennig, 2008) "has dimmed the prospects for EU membership for the Western Balkan countries" (Dzihic & Wieser, 2011: 1807).

After 2004, the leaders of the EU member states "made enlargement-sceptical statements" (Dzihic & Wieser, 2011: 1807). French President of the time Nicholas

Sarkozy objected clearly further enlargement,[65] similarly Angela Merkel adopted a rhetoric rejecting new waves of enlargement (Dzihic & Wieser, 2011: 1807). On the one hand, while the EU is trying to foster the EU conditionality in the Western Balkans by using SAP instruments, the EU leaders of "Big 3" refuting future enlargement created incoherence between the EU and the member states. This fact has also impacted the image of the EU in the eyes of the locals and the governing elites negatively. The political elites have continued to use their populist rhetoric to consolidate their political power instead of "taking action" to realize the necessary political reforms in their countries. In order to "motivate" the governing elites to make the necessary EU reforms, the "cost of compliance" were higher than the benefits of a potential EU membership (Dzihic & Wieser, 2011: 1807).

There have been serious cases of incoherence between different foreign policy tools used by the EU in Bosnia. The Union has been paradoxical between the foreign policies of state-building and enlargement applied in Bosnia. As Tzifakis (2012: 137) noted:

> The EU approach towards Bosnia is underpinned by a paradox. On the one hand, the EU has treated Bosnia as an "ordinary" transition country, downplaying the need for adjusting the communication of its policies to the particular conditions of an ethnically divided country. On the other hand, the EU has frequently exploited Bosnia's Europeanization process to promote peace-building tasks.

The Union has exceeded the limits of accession conditionality in Bosnia beyond the acquis communautaire in order to overcome the ethnical divisions and the lack of necessary state structures such as the existence of a constitution favourable to make the necessary democratization reforms. In Bosnia, the Union has to "construct" new state structures and institutions in addition to or more specifically before achieving the "usual" political conditionality (Bieber, 2011).

---

[65] "Nicolas Sarkozy: No Enlargement Without Lisbon", B92, 1 July 2008, available at: http://www.b92.net/ eng/news/politics-article.php?yyyy¼2008&mm¼07&dd¼01&nav_id¼51533, "EU must Consolidate before Further Enlargement', euobserver, 17 March 2009, available at: http://euobserver.com/9/27784.

The EU's foreign policy approach towards the issue of "interventionism" in Bosnia has not been coherent. The High Representative of the International Community and the EUSR has preferred using an "interventionist approach" in Bosnia regarding peace-building and ameliorating the state structures in the country (Tolksdorf, 2014: 56). The interventionist approach of the HR/EUSR is a direct result of the rights given to the letter (called Bonn powers) such as "dismissing Bosnian politicians from their position if they are obstructing" the peace and state-building process in Bosnia (Tolksdorf, 2014: 58). On the other hand, during the integration process the EU aims to apply the principle of local ownership by trying to "avoids direct intervention in daily politics" (Tolksdorf, 2014: 58). This indecisiveness of the EU regarding the degree of interventionism in Bosnia has created institutional and vertical incoherence within the EU regarding the latter's foreign policy. In Bosnia, there was a clash between the technocratic approach of the European Commission against the political approach of the EUSR. As a result of the internal coherence problems and the contradicting messages of the EU, the perceived coherence of both the political elites and civil society has decreased.

Citizens of Bosnia have been supporting the idea of European accession. This public support to the EU integration "has led to the vast majority of political parties paying lip service to EU accession as one of their top political priorities" (Blagovcanin: 2016, 66). However, when it comes to the implementation of democracy-related reforms of political conditionality and during the election periods, the EU accession process was not a major topic discussed by the political leaders in Bosnia. (Blagovcanin: 2016, 66). Preserving the status-quo created after Dayton Agreement was more "profitable" for political parties in Bosnia (Brljavac, 2011a: 3). The system created by Dayton was beneficial for the country's politicians to increase "their own welfare" instead of EU accession (Bassuener, 2009: 1).

When we talk about political parties in Bosnia, even though they look fundamentally different regarding their ethno-national rhetoric, there are striking similarities among them. The Serbian, the Bosnian and Croatian parties have a very "similar conception of power" (Mujanovic, 2016: 15). This conception of power is "fundamentally patrimonial, dominated by "big men" and by definition incompatible with democratic norms or governance" (Mujanovic, 2016: 15). The main aim the leaders of the main

political parties in Bosnia being the Serbian leader of Republika Srpska Milorad Dodik, Bosnian Bakir İzetbegovic and Croatian Dragan Covic, "is their personal enrichment and the tightening of their exclusive control over the state apparatus" (Mujanovic, 2016: 15). Accordingly, the EU's foreign policy towards Bosnia should take into consideration these sectarian political realities in the country. Has the EU acted accordingly? It is hard to say yes.

According to Tzifakis (2012), the process of conditionality has lost its credibility in the eyes of the Bosnians for several reasons. First of all, the Union "has repeatedly failed to stand behind a single uncontested position" and secondly "Brussels has demonstrated that it is ready to reward even partial or limited compliance" (Tzifakis, 2012: 139). The enlargement fatigue in the Union, the negative public opinion within the EU member states for potential EU enlargements[66] decreases the credibility of the conditionality process in BiH which in turn influences the governing elites in BiH not to support the integration reforms fully.

The phenomenon of EU accession "seems to have lost momentum in BiH" and the top-down approach of the Union and the ethnocratic state structure of the country made the citizens of BiH "to lose trust that EU integration will have any positive effects on their daily lives" (Dizhic & Wieser, 2011: 1809). Similar to the enlargement fatigue, because of the political deadlocks and the monopoly of governing elites to benefit from the EU accession process, a process of "democracy fatigue" has appeared in BiH (Dizhic & Wieser, 2011: 1809). Civil society organizations, EU academics living in BiH are becoming less and less optimistic about the process of EU integration due to the top-down approach and the incoherence of the EU regarding giving more voice to people of BiH not belonging to the governing elite.[67] Most of the Bosnians believe that the way the EU perceives BiH has a negative impact on the integration process of the country. Experts see the relationship between the EU and BiH, similar to a relationship between a bad teacher and a student who is expected to fail (Adnan Cerimagic, personal communication, September 2017, Brussels). As a result, BiH as a "lazy

---

[66] TNS Opinion & Social, 2010. Public opinion in the European Union: report [online]. Brussels, European Commission, Eurobarometer Standard, 74, Autumn. Available from: http://ec.europa.eu/public_ opinion/archives/eb/eb74/eb74_publ_en.pdf
[67] Personal communication, 15 June 2017.

student" in the opinion of the EU, fails. The EU should be coherent and consistent regarding its strategies to expect better results from BiH regarding the reforms asked by the conditionality process.

The merging of the EUSR and the Head of Delegation into one person has improved the perceptions of Bosnians regarding the representation of the EU in BiH, in other words, the perceived coherence of the EUFP in the country. According to Peter (2012: 3) "double-hatting also removes the question of who is representing the European Union on the ground". This improvement has helped the EU to deal with the local representative of BiH regarding the issues of both European integration and the CFSP. On the other hand, regarding the general mandate of the EUSR, Bosnians are still not very positive. According to Adnan Cerimagic from European Stability Initiative, (2017, personal communication, 2017, Brussels), no one understands what the EUSR is still all about. There is no real visibility about the work of the EUSR. As a result, the perceived coherence remains very low despite changes made after the creation of the EEAS and the delegation in Bosnia. The EUSR has been the source of criticism by many for being "undemocratic" and "unaccountable".[68] The actions of the EUSR has been qualified as an "imperial rule" and has been blamed for the lack of local ownership (Cerimagic, 2017, personal communication, 2017, Brussels).

Many of the criticisms regarding the conditionality process of the EU in BiH are based on the argument that the interaction between the EU and the domestic actors "is limited to the elite level" and that the process of EU conditionality is "inherently biased towards [governing] elites and administrations (Grabbe, 2006 as cited in Dzihic & Wieser, 2011: 1804). Notably, the EU Special Representative for BiH from 2007 to 2009, Miroslav Lajcak, argued (2008) that: "we have to be pragmatic and focus on what is achievable at any given time. At the same time, we must tell political leaders in BiH very clearly what is required at each stage of the EU integration process". As Tzifakis (2012: 131) noted: "the power of attraction' of EU membership would presumably induce the Bosnian authorities to accept the adaptation costs of political and economic transformation". However, the goal of EU integration did not lead the governing elites to realize the accession reforms in BiH.

---

[68] See Venice Commission: 2005, pp. 20–24, Knaus & Martin: 2003, p. 61)

It has generally been argued by many that the political conditionality of the EU did not help the BiH to democratize the country and strengthen the rule of law because the instruments used by conditionality "provides only limited incentives for national elites to comply with the conditions set by the EU" (Dzihic & Wieser, 2011: 1803). One of the factors hampering the political conditionality process in Bosnia is the fact that "political elites disagree on the amount of power the central government should have" (Dobrikovic, 2012: 13) and they use ethno-nationalist rhetoric to consolidate their electoral bases instead of supporting the democratization of Bosnia through political conditionality. In Bosnia, the political rhetoric of political elites is based on ethno-nationalism and as a result, these elites become reluctant to change the existing state structure of the Bosnian state through political conditionality and EU accession related reforms (Dzihic & Wieser, 2011: 1808). The ethno-nationalist discourse used by political elites in Bosnia "can be described with the terms ethnocracy or ethnopolitics" (Dzihic & Wieser, 2011: 1811). Ethnopolitics aims to achieve the interests of political elites "defined along ethnic lines and to protect ethno-national 'reserved domains" (Dzihic & Wieser, 2011: 1811). The political conditionality would be effective when the elites see the EU membership as a reward and not a condition that would threaten "their vital interests" (Dzihic & Wieser, 2011: 1810). It is important to analyse the how the EU has used the conditionality process to "deal" with ethnopolitics in BiH. Has the conditionality process been coherent regarding the relations between the Bosniak and Serbian political parties in BiH?

In Bosnia, it is hard to achieve the consensus between different political elites. According to Denis Piplas from Friedrich Ebert Stiftung (personal communication, September 2017, Brussels), the EU has always been careful not to "insult the bully" but trying not to pressure the governing elites in Bosnia. All of the three main ethnic political parties in Bosnia are not interested in the EU integration as the EU accession will cost them to lose their political power. The EU should stop "petting" the nationalistic governing elites (Piplas, personal communication, 2017, Brussels). Instead, the EU should reinforce the involvement of the civil society into the integration process. The EU should not be solely a mediator between the politicians and the civil society (Piplas, personal communication, September 2017, Brussels). The EU should condemn more openly politicians blocking the process in order to preserve their positions and their political power. Conditionality wise, civil society in Bosnia,

think in terms of funds (Elena Stavrevska, personal communication, 2017, Brussels). Civil society is donor-driven. There is a very strong dependency link between civil society and donors. Both civil society and political elites need the EU to remain in place. Political elites are legitimized by the EU.

The main aim of the EU conditionality has been to direct "formal changes in the functioning of democratic institutions and structures, and thereby mainly relies on elected representatives to implement necessary reforms coherently" (Aybet & Bieber, 2011: 1913). However, this process prevents the participation of Bosnian citizens in the reform process because of its imposing "top-down procedure" (Aybet & Bieber, 2011: 1913). This procedure is completely incoherent with the principle of local ownership that the Union aimed to apply in Bosnia to assure the participation of citizens in the democratization process of the country through the integration policy. As a result, the integration process remains limited "between the political (or bureaucratic) elites of the EU and the political elites in the applicant country" (Grabbe, 2006 as cited in (Dzihic and Wieser, 2011: 1804).

The EU sees the enlargement as an elite project (Soeren Keil, personal communication, September 2017, Brussels). The Union does not use its leverage to push the system. There is room for more openness in Bosnia. The EU has the capacity to put more pressure on the government elites. For instance, NGOs in Bosnia, cannot take Bosnian institutions to court but to compare, in the US, the Court can investigate the President. In Bosnia, the governing elites cannot easily be taken to court. The EU is so focused on judicial reform but the issue of transparency should be a priority. The EU enlargement has not been as effective as it has been intended. There are more options than rather than dealing with only the governments. The EU in rhetoric supports the principle of local ownership and this is a positive action. As a result, CSOs in the country obtain the necessary financial means. However, some CSO "are swimming in money" (Soeren Keil, personal communication,2017, Brussels). It is good to increase the capacity building of the CSO's however, the EU should also work more closely with them and their reports in order the CSO's to have an impact on policy-making in the BiH. The EU should focus more on the inclusion of the society rather than macro technical processes.

3.3 EU Military Mission as Foreign Policy: EUFOR Althea

3.3.1 Background and the initiation of the mission EUFOR Althea

The accession strategy or more specifically conditionality has not been the only foreign policy tool used by the EU in BiH. The EU applied a "double-hatted" strategy in Bosnia aiming to provide stability and integration simultaneously "which involved both the European Commission and the Council" as the main institutional actors during "this process and a peculiar mix of Enlargement and CFSP strategies" (Barbulescu & Troncota, 2013, 71).

In theory, mandate wise, EUFOR Althea was a continuation of the UN mission in BiH. Accordingly, EU accession process was not a part of the mandate of Althea (Sweeney, 2015: 200). However, in practice, Althea adopted the "political and strategic objectives" of the EU, which is preparing the country for an eventual EU membership (Sweeney, 2015: 200). Although EUFOR Althea is an EU military mission under the CSDP, it is also a part of a more comprehensive approach of the EU towards the Western Balkans aiming to bring Bosnia "closer to the European perspective and towards eventual membership" (Juncos, 2015, as cited in Bostanjacic Pulko, Mujarina & Pejic, 2016). In this part, I will focus on the foreign policy coherence of the EU regarding the CFSP in Bosnia or more specifically regarding the EU military mission EUFOR Althea.

After the war, the international community (NATO, the UN and the EU) believed in the need of the presence of peacebuilding missions in Bosnia to prevent the renewal of conflicts in the region. Accordingly, the UN, NATO and the EU have all initiated peacekeeping missions in Bosnia. After 2003, the EU has initiated eleven CSDP missions.[69] The missions launched by the Union "reflect underlying struggles about the development of an EU strategic culture, that is, how and when to use military force" (Palm, 2017: 2). Operation EUFOR Althea operational since 2004, has been a milestone CSDP operation for the EU as it has enabled the EU to "test its operational

---

[69] For more information see "Overview of EU Missions and Operations" https://eeas.europa.eu/headquarters/headquarters-homepage/430/military-and-civilian-missions-and-operations_en

capabilities" and has been the longest CSDP mission of the Union (Troncota, 2015: 102). Operation Althea is also a crucial one to analyse the impact of the usage of military tools in the EU's foreign policy (Palm: 2017, 5). According to Koops (2011: 340), EUFOR Althea is a good case to analyse the international security "actorness" of the EU. The fact that the Operation was launched in 2004 and still ongoing makes it a compelling case to analyse the evolution and consistency/coherence of the Union's foreign policy in Bosnia.

EUFOR Althea, a military operation, was the main CSDP foreign policy tool used by the EU in Bosnia. According to the Council,[70] the long-term objective of Althea was to create a "stable, viable, peaceful and multi-ethnic Bosnia and Herzegovina, co-operating peacefully with its neighbours and irreversibly on track towards EU membership". Accordingly, EUFOR Althea will be one of the main focuses of analysis that we will focus on within the case of Bosnia.

Althea is an ideal case to analyse the foreign policy of the EU in Bosnia. First of all, it is the largest EU military mission to date and it is still operational. Secondly it "aspires to deliver, including stabilization, peacekeeping, post-conflict reconstruction, and support for democratic institutions" (Sweeney, 2015: 29). Therefore, Althea provides the opportunity to test the coherence of the EU between different EU policies and actors in Bosnia and to see the impact of the EEAS in Bosnia as it covers the period before and after the creation of the EEAS with the Lisbon Treaty.

The mission of Althea was a complicated one because of the political and economic circumstances of the country. Bertin (2008: 61-62) described Bosnia as:

> weak economy (with) widespread organized crime and corruption and the fragility of the rule of law (...) deeply divided along ethnic lines and across the two entities (...) the Bosniak/Croat Federation and Republika Srpska.

The EU has officially named the mission Althea as "the European Union's Military Contribution to the Stabilization and Integration of Bosnia and Herzegovina into the European Family of Nations" (EUFOR Althea, 2008). According to this title, there

---

[70] Council of the European Union, European Security Strategy: Bosnia and Herzegovina/ Comprehensive Policy, Council Doc. 10099/04, Brussels, 15 June 2004.

should be coherence and consistency between the instruments of EU integration and the military dimension of the Union's foreign policy. However, before Althea, the Union had difficulties about joining its CSDP missions' goals with "broader political aims" (Gross & Rotta, 2011: 5). Therefore, in the following chapter, we will analyse if the EU has managed to align Althea's objectives with the political goals of the EU in Bosnia and whether the Union has achieved horizontal coherence of the EU between the enlargement policy and the CSDP in Bosnia.

According to Koops, (2011: 357) there are diverging perceptions regarding Althea among different ethnic communities in Bosnia: "while the Bosnian Serbs would generally have preferred to see the departure of EUFOR Althea, the Bosniak community became growingly concerned by EUFOR's decision to downsize its forces". Therefore, the diverging perceptions of different ethnic groups in Bosnia will be investigated in the perceived coherence part of the chapter. As we have touched upon in the previous parts of this study, EU member states have different traditions regarding the use of the military as a foreign policy instrument for the Union.[71] Member states commitment to the mission has been crucial achieving the vertical coherence in Bosnia. Accordingly, we will analyse the coherence between EU member states and Brussels since the launch of the mission.

In order to study the coherence of the EU actors and policies during the operation, we need to study the background and under which conditions and objectives it was deployed.

Before and during the initiation of Althea, the ethnic tensions in the country seemed more stable than the 1990s, and the primary goal of the international community, the EU and Bosnians was "characterized by mutual obstructions to building a common future and a quasi-feudal allegiance to local corrupt leaders" (Euractiv, 2010, as cited in Knauer, 2011). The main goal of the EU with Althea was not eliminating directly the violence between different ethnic groups in Bosnia (mainly between Serbian and Bosnian ones) but eliminating the factors slowing down the Europeanization of Bosnia such as displaced people, remaining landmines from the war and possession of illegal

---

[71] See section on the concept of "strategic culture".

weapons (Matthiesen, 2004). Accordingly, the EUSR and the High Representative for Bosnia and Herzegovina, Paddy Ashdown, explained the situation of the country as follows:

> Bosnia was reaching the end of the road from Dayton and was now at the beginning of the road to Brussels. Put another way, BiH was out of "emergency surgery" following the end of its war, with a major emphasis on NATO's military stabilization to create the conditions for civilian reconstruction. It was now in 'rehabilitation', with the main emphasis on civil institution building supported by a military and security reassurance. Nevertheless, a robust international military presence was still necessary to guarantee Bosnia's stability.[72]

After the war in Bosnia, in 1996 the Commission signalled a "major European role in the follow-up mission to SFOR[73] (…) with a separate EU military mission (…) this, however, was judged – particularly by the UK and US – to be premature (Koops: 2011, 341). However, the initiation of Althea was "catalysed" by two major global developments (Novaky, 2014). First of all, NATO forces were scaling down progressively in the early 2000s because of the US withdrawing from the Western Balkans in order to focus on new strategic regions such as Afghanistan and the Middle East (Kim, 2006). As a result, the US was encouraging the EU "to assume more responsibility in the Balkans because it wanted to withdraw from the region" (Kim, 2006). Secondly, Bosnia's political situation was becoming more stable for the EU to provide the country's security without the help of the US (Kim, 2006).

3.3.2 Institutional coherence during EUFOR Althea

On 23 February 2004, Solana issued a report to be presented to the Council entitled "Report on a Possible EU Deployment in Bosnia and Herzegovina". This report was important regarding the issue of assuring coherence between different EU actors in Bosnia as it was crucial that "the EU instruments had to be tied closer together and

---

[72] As cited in Leakey, D (2006). "ESDP and Civil/Military Cooperation: Bosnia and Herzegovina", In Deighton, Anne and Victor Mauer (Eds.), *Securing Europe? Implementing the European Security Strategy, Zürich, Center for Security Studies*, 60.
[73] "Under UN Security Council Resolution 1088 of 12 December 1996, SFOR was authorised to implement the military aspects of the Peace Agreement" available at http://www.nato.int/sfor/docu/d981116a.htm accessed on 10 May 2017.

applied in a coherent manner" (Dijkstra, 2011a: 138). Accordingly, regarding coherence of an EU mission in BiH the report of Solana stated:

> [Coherence] can best be achieved by cooperation and leadership on the ground. At the centre of this should be a reinforced co-ordinating role for the EUSR. He needs to be able to function as primus inter pares among the heads of the different EU missions in [Bosnia]. In particular the EUSR should ensure complementarity between the implementation of the Dayton/Paris provisions and progress in the Stabilization and Association Process.74

The report of Solana created discontent among the other EU actors notably the EU Commission as the proposal of Solana was not "institutionally neutral" (Dijksta, 2011: 138). According to Dijktra, (2011: 138) "as the Special Representative reports to Solana, it would give the Council Secretariat a stronger role within Bosnia on the ground" which the Commission did not want. Also, the Commission was in charge of the Stabilization and Association Process (SAP) promoting the local ownership in Bosnia and "such ownership fitted badly with the executive Bonn powers of the High Representative, let alone with an executive military presence" (Dijsktra, 2011: 138). In addition to the clash of EU actors before the initiation of the operation, there was also "problems of functional overlap with other EU instruments" (2011: 138). The Commission was already involved in Bosnia regarding fighting the organized crime with instruments of CARDS[75] "thus the possible involvement of soldiers in fighting organized crime" would lead to an overlap of different EU instruments in Bosnia (Dijkstra, 2011: 138).

The issue of coherence and effectiveness was also elaborated in the "Council Joint Action Document 2004/570/CFSP 12 July 2004". EU Special Representative in Bosnia reporting to the Council was given the responsibility to assure the coherence in EUFOR Althea. The Joint Action states:

> The Council shall ensure the maximum coherence and effectiveness for the EU effort in [Bosnia]. Without prejudice to Community competence, the EUSR shall

---

[74] Report by Javier Solana, EU High Representative for CFSP, on a Possible EU Deployment in BiH Presented to the EU Council of Foreign Ministers of 23 February 2004.
[75] The CARDS programme of the EU was aimed to provide financial assistance to the countries of Balkans during the Stabilization and Association Process.

promote overall EU political coordination in [Bosnia]. The EUSR shall chair a coordination group composed of all EU actors present in the field, including the EU Force Commander, with a view to coordinating the implementation aspects of the EU's action.76

Althea was a proof of a comprehensive engagement strategy of the Union in Bosnia (2011: 138). Operation Althea aimed at fostering EU reforms in Bosnia to achieve closer cooperation of the Union with the local officials (Kim, 2006: 3). Althea was also the continuation of the Union's "testing" its embryonic civilian and military operational capabilities by initiating missions under the umbrella of the new institutional changes put in place with the ESDP. A year before Althea, in 2003, the EU initiated the Operation Artemis mission in Congo aiming at "contributing to the "stabilization of the security conditions and the improvement of the humanitarian situation in Bunia".77 Similarly, in the Balkans in Macedonia, Operation Concordia was initiated in 2003 in Macedonia/FYROM "to contribute further to a stable secure environment and to allow the implementation of the August 2001 Ohrid Framework Agreement".78

EUFOR Althea was launched on December 2004 with the UNSC Resolution 1575 that authorized the Union to deploy force in Bosnia and to operate under the Berlin Plus agreement. The latter is based on "arrangements finalized in late 2002-early 2003 on institutional and operational links between NATO and the EU granting the EU access to NATO planning and assets for operations in which NATO is not engaged" (Kim, 2006: 2). Even if the operation is initiated under the umbrella of Berlin Plus Agreement, "the political control and strategic direction is in the hands of the EU's Political and Security Committee, which in turn is under the responsibility of the Council of the EU" (Persaud, 2016: 117).

---

76 Council Joint Action Document 2004/570/CFSP 12 July 2004
77 Adoption by the Council of the Joint Action on the European Union military operation in the Democratic Republic of Congo (DRC), Retrieved from http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/76047.pdf
78 Retrieved from http://www.eeas.europa.eu/archives/csdp/missions-and-operations/concordia/

EUFOR Althea had three key objectives:[79]

1) to provide Capacity Building and Training to the Armed Forces of Bosnia and Herzegovina (AFBiH), supporting them in their progression towards NATO standards.

2) to provide deterrence and continued compliance with the responsibility to fulfill the role specified in Annexes 1A and 2 of the Dayton/Paris Agreement (General Framework Agreement for Peace in BiH); and

3) to contribute to a safe and secure environment in BiH, in line with its mandate, and to achieve core tasks in the OHR's Mission Implementation Plan and the Stabilization and Association Process (SAP).

Time-Frame:	2 December 2004 – present
Legal Bases:	UN SC Resolution 1551 of 9th July 2004, UN SC Resolution 1575 of 22nd Nov 2004, EU Council Joint Action 2004/570/CFSP, 12th July 2004, EU Council Decision 2004/803/CFSP of 25th Nov 2004.
Mission objectives:	Provide deterrence, continued compliance with the objective responsibility to fulfill the role specified in Annexes 1.A and 2 of the GFAP in BiH and contribute to the safe and secure environment, in line with its mandate, required to achieve core tasks in the Office of the High Representative's Mission Implementation Plan and the Stabilization and Association Process.

Table 2 Mission Overview – EUFOR Althea EUFOR Althea (in Bosnia and Herzegovina)

Source: Koops, Joachim, *The European Union as an Integrative Power*, IES, 2011.

EUFOR Althea's mandate gave the misison the right to "use force to implement military tasks if necessary" (Keohane, 2009: 216). There were two types of tasks for EUFOR Althea: "key military tasks and key supporting tasks". The key military task had priority over the supporting ones (Keohane, 2009: 216). The primary military tasks

---

[79] Retrieved from http://www.euforbih.org/eufor/index.php/about-eufor/background.

were "harvest operations to collect weapons, patrolling and intelligence gathering" (Keohane, 2009: 216). On the other hand, key supporting tasks were fighting organized crime and capturing war criminals (Keohane, 2009: 216). All of the EU member states,[80] , took part in EUFOR Althea. Most of the mission's troops came from Germany, Italy and the UK[81] (ISS, 2014). Other important contributing member states were Spain, France and the Netherlands.

The evolution of Althea can be divided into several phases because of the changes in its mandate and its tasks from 2004 onwards. The mandate of the mission has been changed four times since its initiation and the latest reconfiguration occurred in 2012 (Bostanjacic Pulko, Mujarina & Pejic, 2016: 96). The first phase of the mission has been the period "December 2004 until the beginning of 2007" (Knauer: 2011, 10). During this phase, the initial mandate and the fundamental tasks of the mission were preserved (Knauer: 2011, 10). Even though fighting against the organized crime was a supporting task, from the periods of the mission, it evolved "more and more towards a fundamental task" (Mustonen, 2008). The "close involvement" of EUFOR Althea in the issue of the fight against organized crime has created a tension between the EUPM and Althea and as a result, the Council has specified the specific roles of different EU missions in BiH with its document "Common Operational Guidelines for EUPM-EUFOR support to the fight against organized crime" (Knauer: 2011, 10). During the first mandate period, EUFOR Althea supported the Bosnian authorities to make considerable progress towards establishing "a proper, multi-ethnic and central professional army and a central police force" (Mustonen, 2008: 18).

In 2007, several significant changes occurred in the mandate of the mission. First of all, the number of troops was lowered by around 2500 as a result of the withdrawals of the UK and the Netherlands (Palm, 2017). Secondly, fight against organized ceased to become a priority for the mission (Friesendorf & Penksa, 2008). Finally, the role of the EUSR was strengthened and the latter was charged to provide political guidance" to the mission (Council of the European Union, 2007). As we have mentioned in the EUPM section analysis of this study, by strengthening the role of the EUSR, the EU

---

[80] Except Cyprus

aimed to increase the coherence between Althea and the EUPM.[82] In 2010 and 2012 new modifications have been made in Althea such as another troops reduction o 600 troops and "putting more emphasis on capacity building and training" (Council Secretariat, 2012).

Despite the will of many member states withdrawing their troops from the mission, the latter is still operational in Bosnia to contribute to a "safe and stable environment" in the country. Currently, Althea is composed of troops "from 14 EU member states and 5 partner nations".[83]According to Palm (2017: 15) changes of the mandates throughout the years, were caused by the "national strategic interests" of the member states and the different choices regarding using the military force as a foreign policy instrument for the European Union.

Cooperation with NATO was crucial for the success of the mission. EUFOR Althea, took over NATO's Stabilization Force (SFOR) "under Chapter VII of the UN Charter, to ensure continued compliance with the Dayton/Paris Agreement (Grevi, Helly & Keohane, 2009: 213). Around 7000 troops were deployed initially in Althea consisted from 22 Member states and 11 third countries.[84] The strategic objective of EUFOR Althea was to "contribute to a safe and secure environment in BiH" (Council of the European Union, 12 July 2004). After long bargaining sessions between NATO and the EU officials, "EUFOR took over the primary military stabilization role, while the NATO headquarters presence was to focus primarily on defense reform" (Kim, 2006: 343).

The chain of command between the EU and NATO and the organizational arrangements between these two actors was similar to the arrangement of the EU military mission in Macedonia, "with the notable exception of a more visible role for the EU Special Representative, who provided (non-binding) political guidance" (Koops, 2011: 342). According to the Berlin Plus Agreement of 1996, EUFOR Althea has the right to use NATO's assets and capabilities. Althea has benefited from NATO

---

[82]See Council of the European Union, 2006.
[83] See https://eeas.europa.eu/sites/eeas/files/csdp_annual_report_2017_web_en_2.pdf
[84] Council of the European Union, Operation ALTHEA - [First] Quarterly Report to the United Nations, Council Doc. 6713/2/05 REV 2, Brussels, 7 March 2005,

material capabilities such as helicopters. Elena Stavrevska (personal communication, September 2017, Brussels) contended that Althea's coordination with NATO was high.

3.3.3 Horizontal coherence during EUFOR Althea

As we have previously mentioned, even though Althea has been a CSDP mission under the control of the Council, but it was also linked to the EU integration or more specifically to the Stabilization and Association Process of Bosnia. In 2004, the European Council denoted: "in line with its mandate, [EUFOR Althea] required to achieve core tasks in the Office of the High Representative's Mission Implementation Plan and the SAP [Stabilisation and Association Process]" (Council of the European Union, 2004). As a result, "linking of EUFOR to the SAP" created a discontent at the European Commission (Palm, 2017: 76). The joint action of the European Council on the initiation of Althea states: "the intention of the Commission [is] to direct, where appropriate, its action towards achieving the objectives of this Joint Action" (Council of the European Union: 2004). Accordingly, "this joint action clearly subordinated the European Commission to EUFOR" (Palm: 2017, 10). As a result, the European Commission perceived this action of the European Council as a "threat" to its leading role regarding the SAP (Palm: 2017, 10). This was another example of "turf wars" between different institutions of the EU regarding the foreign policy of the latter in Bosnia. On the other hand, Elena Stavrevska, a Bosnia expert (personal communication, September 2017, Brussels) argues that EUFOR Althea and conditionality did not impact each other heavily in practice.

There have been coordination issues between the Althea and the EUPM, According to Mustonen (2008: 25) "even though the actors were operating under the same flag, there was no actual planned coordination between the missions". The EUSR had the role of assuring the coherence between EUMP and Althea, has failed to mediate between the two missions of the EU in BiH (Mustonen 2008: 25). The EEAS did not have a positive impact on increasing the coherence between different missions in Bosnia but also between Brussels and the EU actors on the ground. According to Gross (2011: 5) after the Lisbon Treaty, "the lengthy launch of the EEAS has so far resulted in complicating

rather than simplifying EU operations and representation" in the Western Balkan region.

3.3.4 Vertical coherence during EUFOR Althea

There were three main advocates within the EU for the initiation of a military operation by the EU in Bosnia: France, the UK and the High Representative at the EU being Javier Solana during the period considered (Dijkstra, 2011a: 132). For Solana, a military mission in Bosnia would be an excellent opportunity to test the institutional structures that "he had invested considerable time and effort in developing" (Dijkstra, 2011a: 132). On the other hand, France and the UK supported Solana to improve their "records" during the wartime in Bosnia. On 4 February 2004, France and the UK have made a joint declaration regarding their views on initiating a military mission in Bosnia. France and the UK expressed their support for the EU to play a major role in the development of Bosnia. (Dijkstra, 2013: 106) France and the UK have presented a paper to the Council on 24 February 2003 and stated that "the EU force should not be weaker than the NATO force it replaces" (Financial Times, 2003 as cited in Dijsktra, 2013: 105). In a similar vein, during the Council of December 2002, the member states expressed the Union's "willingness to lead a military operation in Bosnia" (European Council December 2002, Presidency Conclusions).

As we have analysed in the literature review part of this study, there are different types of strategic cultures within the EU, among the member states regarding the use of military force as a foreign policy tool in EU's foreign policy. The Atlanticists member states are "the United Kingdom, the Netherlands, Greece, Italy, Poland, Portugal, Hungary, Lithuania, Romania and Slovakia" (Palm, 2017; Vennesson, 2010; Biehl Eds, 2013). According to these member states, the military force should only be used by the EU as a foreign policy instrument under the NATO structures. Accordingly, as EUFOR Althea was a continuation of the NATO mission SFOR (Stabilization Force) and as EUFOR used the NATO capabilities during the mission, the Atlanticist EU member states "welcomed" the mission. However, regarding the issue of "including the fight against organized crime in EUFOR's mandate, the UK and Italy took a different position from the Netherlands" (Palm, 2017: 8). The UK and Italy wanted to

include the fight against organized crime in the EUFOR's mandate whereas the Netherlands did not (Palm, 2017: 8).

On the contrary, states such as France and Belgium, favoured to see the EU as an autonomous foreign policy actor and that the Union should be less dependent on the US and NATO and see "the military instrument is of great importance in the foreign policy toolbox" (Palm, 2017: 8). These group of member states also welcomed the initiation of EUFOR Althea in order to increase the security actorness of the EU in the European continent.

The neutral member states being, Sweden, Finland and Ireland perceive the EU as a "moral superpower" (Wunderlich, 2013). The European Parliament also supports this mentality by adopting a foreign policy view based on "human rights and democracy promotion" (Zanon, 2005). Neutrals and the European Parliament supported the initiation of Althea but they were reluctant to support including "fighting organized crime as part of the mandate" of the mission (Friesendorf & Penksa, 2008: 688).

Palm defined a fourth group of member states "bystanders" as states "unwilling to take substantial risks to defend European values by the use of force" (Palm, 2017: 9). These states (Austria, Bulgaria, Czech Republic, Cyprus, Estonia, Latvia, Malta and Slovenia) aim to avoid risk by using military force as a foreign policy instrument (Palm, 2017: 9). The European Commission also favours this risk-averse approach. Regarding EUFOR Althea, the bystander coalition of member states did not oppose to the mission and "Germany positioned itself as a moderate supporter, while the Commission emerged as the most critical actor" (Dijkstra, 2013; Bundestag, 2004, as cited in Palm, 2017).

One of the most significant developments during the first years of Althea was the decision of the UK to withdraw "unilaterally almost 600 troops from Bosnia" (Dijkstra, 2011a: 155). There were also many other factors that have influenced the UK to be less and less involved from Bosnia. The UK's involvement in operations in Iraq and South Afghanistan, forced the UK to "use its troops" in other regions rather than Bosnia (Dijkstra, 2011a: 155). Furthermore, after the conclusion of UK Presidency in 2005 and the end of the mandates two important British actors within the EU, namely of "Lord Ashdown as High Representative (May, 2006) and with

General Leakey no longer as Force Commander" of EUFOR Althea, Bosnia did not remain as a strategic priority for the UK[85] (May, 2006).

The withdrawal of the UK from Bosnia was perceived by Germany and France, the remaining member states of the EU's "big three", as "'rather brutal" and "un-British in style" (Pohl, 2009: 29). On the other hand, Germany also increased its presence in Kosovo and Afghanistan (Dijkstra, 2011b: 155). In July 2006, German when Berlin wanted to take "the leadership of the EU military operation in Congo by making available the Operations Headquarters and nearly 800 soldiers (Grevi, Ed, 2009), the opposition parties in Germany objected against the increasing involvement of their country in the global scene (International Herald Tribune, 2006).

Other major EU member states were also involved militarily in other regions. France took presence in Congo and Lebanon, and "Italy even accepted the commanding role of the UNIFIL[86] operation in Lebanon" (Dijkstra, 2011a: 156). As a result, Spain and Turkey[87] became the major contributors of EUFOR Althea (Dijkstra, 2011a: 156). The Netherlands launched an operation in South Afghanistan under ISAF III. Only Spain and Turkey as major contributors and some of the neutral countries had reason to stay in Bosnia (Dijkstra, 2011a: 156).

Even though EUFOR Althea is still operational there is a clear divide among the EU member states about its continuation. EU member states have jointly created the mission but they did not exit it together (Bodo Weber, personal communication, September 2017, Brussels). There was lack of coherence regarding a common exit strategy. A striking example of the lack of coordination between the member states was for instance, one of the commanders he stopped patrolling according to the decision of his government and not the EU (Bodo Weber, personal communication, September 2017, Brussels). Germany pulled out their troops in 2011. According to Bodo Weber (personal communication, September 2017, Brussels) Germany tried to "kill EUFOR" in order to focus more on the integration process of Bosnia.

---

[85] As we will analyse in the following parts of the research, with the German-UK initiative of 2014, the UK increased its presence in BiH.
[86] UN interim Force in Lebanon
[87] Turkey has been the largest non-EU contributor to EUFOR Althea.

On the one hand, "some member states, such as Finland, France and Spain, have favoured a withdrawal for political, operational and financial reasons" (Keohane, 2009: 219). On the other hand, EU member states such as the Netherlands, Austria and Slovakia feared that the withdrawal of Althea would create political instability in Bosnia (Keohane, 2009: 219).

Another point to denote regarding the future of the military involvement of the EU in Bosnia, is the issue of Brexit. As the UK has been one of the most ardent supporters of the pro-Atlanticist member states within the EU, its absence might be a determining factor regarding the continuation of EUFOR Althea in the near future (Palm, 2017: 16). After 2016, the number of troops of Althea has lowered up to 600 because of the "lack of political will and withdrawals of participating nations" (Bostanjacic Pulko, Mujarina & Pejic, 2016: 96). For instance, the UK and Germany withdrew their troops from the mission and preferred to be involved in BiH with a political and economic reform agenda rather than a comprehensive military mission (Gross, 2015). In light of these arguments, during Althea, the vertical coherence of the EU has been "partially" achieved.

3.3.5 Perceived coherence and EUFOR Althea

"A residual NATO" presence was important for local perceptions regarding Althea (Koops, 2011: 242). As the EU failed to act as a common voice during the war in Bosnia "local elites and the public were still sceptical of the EU's emerging military dimension and still perceived NATO and the US as the more credible security guarantor" (Koops & Varwick, 2009: 107). Accordingly, EUFOR Althea was an opportunity for the Union to improve its public diplomacy image and the perceived coherence of the EUFP in the eyes of Bosnian people (Koops, 2011: 342). Althea can be considered as the most "popular foreign policy instrument" of the EU in Bosnia and especially in the eyes of the Bosniaks (Pulko, Muherina & Pejic, 2016: 102). On the other hand, "Republika Srpska (RS) is not genuinely committed to cooperation with the EU actors" during the mission (Pulko, Muherina & Pejic, 2016: 102). Locals and politicians in RS want Althea to be removed (Soeren Keil, personal communication, September 2017, Brussels). They know the troops are too small to be effective.

However, they were initially more vocal. They never openly challenged it and were not hostile about foreign intervention. They believe that Bosnian people should solve Bosnian problems (Soeren Keil, personal communication, September 2017, Brussels). The civil society does not think about EUFOR Althea anymore (Elena Stavrevska, personal communication, September 2017, Brussels).

The fact that the EU was the main actor "in charge" of the peacekeeping in Bosnia helped the Union to "get more visibility and more coherence between its foreign policy instruments (Dijkstra, 2011a: 132). The Union's taking over of the NATO mission "would also send a political signal to the Bosnians about who is in charge" and increase the perceived coherence of the Union in the eyes of the local politicians and CSO members.

3.4 The impact of the creation of the HR/VP and the EEAS on the EU's foreign policy coherence in Bosnia

As I have mentioned in the earlier sections of this chapter, after the Lisbon Treaty, there have been important changes regarding the EU actors in Bosnia. Accordingly, how did the changes made with the Lisbon Treaty, most importantly the creation of the EU Delegation in Bosnia, impact the foreign policy coherence of the EU in Bosnia? In the following part, we will focus on this research question.

In retrospect, the creation of the EU delegation in Bosnia impact on the ground has been less than envisaged (Toby Vogel, personal communication, April 2017, Brussels). The EU delegation in Sarajevo and Banja Luka is the second largest one in the world after the delegation in Ankara. There are 144 personnel in Bosnia. 55 of them work under the EUSR, 18 from the EEAS and 71 from the Commission (EEAS Official, personal communication, May 2017, Brussels). Why has the impact been low? First of all, the "functioning" of the delegation does not have a substantial impact on the political leaders in Bosnia. The EU Commission provides the funding first. However afterwards, the EU actors in the country avoid being involved with politics too much. Strategic priorities of projects did not change as funding are still the most important priority in the region. The quality of political reporting is still not enough or lacking (Toby Vogel, personal communication, April 2017, Brussels). This is related

to the differences of backgrounds among the delegation personnel. One of the complaints about the EEAS including inside is that member states diplomats tend to have proper diplomatic training and consequently they tend to know political reporting. However, this is still not the case for Commission officials working for the EEAS, only focusing on the project. As a result, the latter miss the bigger picture in Bosnia.

Another problem of the EU officials in the delegation in Bosnia is the career-related issues within the EEAS (Toby Vogel, personal communication, April 2017, Brussels). In theory, member states diplomats might be more inclined to criticize the current approach of the EU because they career is guaranteed. In theory, the MS diplomats might be more inclined to criticize the current approach because they career is guaranteed. As a result, they can be more critical and analytical. However, the EEAS officials are less inclined to criticism. In order to have a proper policy process, we need people not afraid criticizing the policies of Brussels, that policies are not properly tailored to the needs on the ground.

The creation of the EEAS had a different impact in Bosnia comparing to other delegations in the World because of the presence of the EUSR and the OHR. The decoupling with the OHR has been confusing for the EU institutions (Bodo Weber, personal communication, September 2017, Brussels). EU officers are still confused about their functions because there is still no clear division of labour between the EU actors in Bosnia.

One of the shocking aspects of the EEAS is the complete lack of proper policy formulation mechanism. There is no systematic policy review process. A form of feedback function is missing. There is a need in Bosnia of an EU actor who would provide the feedback continuity between the tasks of the EUSR and the tasks of the EU Delegation. The policy is made in Brussels and implemented in Bosnia. However, there is certainly a problem of reporting the domestic problems in Bosnia to Brussels. It is also the case in Kosovo. "Things are backsliding, reforms are undone" but Brussels does not react (Toby Vogel, personal communication, April 2017, Brussels). A good example of the reporting problem is the Reform Agenda. The first step of the agenda was the "labour law". Experts warned the EU that labour law issue would

generate resistance in Bosnia. The old communist system is over but it is still hard to accept it among an important portion of the Bosnian population.[88] Why did the EU choose to pick such as sensitive issue to start the reform process? This was a strategic mistake by the EU. As a result, the local politicians say to the EU "we tried really hard but our people are not yet with us. So, we need to slow down" (Toby Vogel, personal communication, April 2017, Brussels). There is definitely a reporting problem between the EU delegations and Brussels. The latter hears mostly the good results of the EU policies in Bosnia.

The EEAS has been unsuccessful to solve horizontal coherence issues within the European Commission. There are communication problems between different Directorate Generals working on EU-Bosnia relations. For instance, DG AGRI has been warning that Bosnia needs a state level agricultural ministry or institution. However, DG NEAR informs the Bosnian officers that it is acceptable for Bosnia not to have centralized agriculture ministry. Vogel (personal communication, April 2017, Brussels) notes "DG AGRI recommends one thing, DG NEAR does a different thing on the ground. DG". As a result, this creates problems of coherence. Some DGs are not taken seriously by other DGs (EEAS official, personal communication, May 2017, Brussels).

The EU has many times changed its "policies". The policy "U turn" of the EU is also related to the lack of proper policy review. As we have analysed in many cases in this research, conditionality was dropped in many cases. However, this not just done the EU. The international community shows the same policy inconsistency in Bosnia. There can of surely be sudden shifts but not really when it comes to conditionality in Bosnia. If an actor has a history of sending messages showing discontinuity it will not be taken seriously. The EU needs more reflection about its conditionality process in the country. The local politicians can represent the case the way they want when they see the EU being weak regarding the implementation of the conditionality.

---

[88] This is even the case in Croatia and Slovenia up to a certain extent.

According to Soeren Keil, (personal communication, September 2017, Brussels) the creation of the EEAS did not have a positive impact on the institutional coherence of the EU. There are too many actors in the implementation of the EU policy. However, the creation of the EEAS has helped the EU to have a more precise command structure by preventing overlapping and duplication of tasks. The delegation in Bosnia has helped to have a more elaborate division of tasks. According to Erwan Fouére, the first former EUSR of the EU and the former head of delegation in Macedonia, during the initial stages of the EEAS, the perception of the creation of more layers within the institutional structure of the Union slowed down the whole foreign policy process of the Union in the Balkans (personal communication, October 2016, Brussels). Coordination mechanism within the Commission was not really functioning because the HR/VP was not attending the meetings (EEAS official, personal communication, May 2017, Brussels). At the initial stages of the implementation of the Lisbon Treaty, there was a clear need for better coordination between the EEAS and the Commission. For instance, regarding the EUPM in Bosnia, before the creation of the EAAS, there was no real coherence between the Commission and the EUSR. All of the EU actors in Bosnia had their own "bosses" and as a result, there was no unified message. The creation of the EEAS was to create this "unified message" both within the EU and to the third parties. However, the creation of the EEAS did not have the desired impact to create a more coherent EU foreign policy in Bosnia. Federica Mogherini is not satisfied with the current structure of EU foreign policy in the Western Balkans. Mogherini wants to change the double-hatted structure[89] (Personal communication with EU Officer, October 2016, Brussels). Erwan Fouére believes that it would be bad for the EU foreign policy coherence to remove the double-hatted positions of the EUSRs/heads of delegations in the Western Balkans (personal communication, October 2016, Brussels). Fouéré argues that the voting procedure in the Council, more specifically the "unanimity" is the main issue regarding the EU foreign policy coherence (personal communication, October 2016, Brussels).

The need for unanimity creates a drag in certain areas in foreign policy decision-making. Fouéré (personal communication, October 2016, Brussels) suggests introducing QMV for certain foreign policy decision. For example, the EU should use

---

[89] About the EU ambassador in BiH being both the EUSR plus Head of Delegation.

sanctions more often in the Balkans for governments violating the rule of law, such as the case of Macedonia has shown recently (Fouére, personal communication, October 2016, Brussels). Despite the requests of Mogherini and several member states, the usage of QMV regarding specific domains of foreign policy was refused in the Council. If the EU wants to have teeth in Bosnia and Kosovo, the QMV should be used for instruments such as asset and travel bans for corrupt government elites.

On theory, the creation of the double-hatted role of the EUSR and the head of delegation after the Lisbon Treaty, should have had a positive impact at the organizational level by providing easier coordination. The EUSR has a certain role, the delegation has another one in BiH. It is hard to juggle both positions. The double hatting position has not sufficiently thought through by the EU (Elena Stavrevska, personal communication, September 2017, Brussels). The double-hatting system is good for having a common voice but it hampers the work of both the delegation personnel and the EUSR personnel.

The creation of the delegation in Bosnia increased the perceived coherence of the Union in the country (Elena Stavrevska, personal communication, September 2017, Brussels). After the Lisbon Treaty EUSR is considered is the most important diplomat in the country. EU's role has been strengthened on the ground in Bosnia because of institutional developments after the creation of the EEAS. It is no longer just the enlargement commissioner coming to visit Bosnia. Mogherini's visits to the country are considered as the EU ambassador coming to Bosnia This has given more teeth to EU presence in the country. The character differences between Ashton and Mogherini have been considerable. Ashton was always reactive but Mogherini has been pro-active. This had also improved the perceived image of the EU in the view of the local receivers of the policy. On the other hand, the appointment of first Ashton and then Mogherini did not help the EU to understand the local dynamics of v. For instance, the when Ashton visited the Republika Srpska leader Milorad Dodik at Banja Luka, this visit was criticized by the Bosniaks and Bosnian Croats.

Bosnians hoped for a change at EUSR's rule and mandate, by emphasizing more a bottom-up integration process involving the civil society more in the equation. But no real change has happened (Denis Piplas, personal communication, September 2017,

Brussels). The media in Bosnia did not like EU ambassadors in Bosnia (Denis Piplas, personal communication, September 2017, Brussels). The perceived image of the EU was negatively affected because of the EU ambassador in Bosnia (EEES official, personal communication, 2016). Lars-Gunnar Wigemark, EU Ambassador/Head of EU Delegation in Sarajevo, had no experience about the region. His interference in domestic politics in Bosnia has not been perceived well among the locals. The image of the head of delegations in Bosnia in the eyes of the public has been very negative. The EU should choose more carefully the crucial EU actors in Bosnia. The EU actors on the ground should have a considerable experience about Bosnia and should be an expert on the dynamics of Western Balkans. However so far, this has not been the case.

3.5 Effectiveness of EU Foreign Policy in Bosnia

As we have discussed in the theory section of this research, most of the literature sees a direct correlation between the coherence and effectiveness of the EU's foreign policy. In this part of this chapter, we will analyse the effectiveness of the EU's foreign policy in Bosnia by focusing on the cases of the EUPM, the constitutional reform, EUFOR Althea. Finally, we will evaluate the overall effectiveness of the EU.

3.5.1 Effectiveness of EUPM

In order to evaluate the success or failure of the EUPM we need to focus on the initial goals of the mission. The latter aimed to create a centralized, "independent, professional and sustainable police forces" (Juncos, 2007: 61). Has the EU been effective to reach this goal? If yes to, what degree the goal has been achieved?

The EUPM ended in 2012. EU representatives argued that EUPM was a success on the other hand most, of the experts argued that the police reform mission has failed.[90] According to Javier Solana, the EUPM served as a model for the EU to make crisis management missions a crucial part of the stabilization and integration process in the

---

[90] See Marijan and Guzina: 2014, 3, Tolksdorf: 2013, Venneri: 2013

Western Balkans (Solana, 2013: 3). The EUPM made progress in Bosnia in issues such as supporting the Bosnian authorities regarding the harmonization of state and local level police forces, passing "legislation relating to recruitment, career advancement and disciplinary issues". Specifically, at the local level, the EUPM was successful to ameliorate the "coordination and chain of command and enhance operational efficiency" (Fakiolas & Tzifakis, 2017: 204).

On the other hand, according to many experts, the EUPM was an utterly failed mission (Valery Perry, personal communication, September 2017, Brussels).[91] Contrary to the entity level, at the state level, the EUPM did not manage to reach its main goal of restructuring the police institutions in Bosnia (Fakiolas & Tzifakis: 2017, 204). The police forces in Bosnia remained "fragmented" and the EUPM failed to make considerable progress concerning fighting against organized crime, dealing with corruption, and strengthening the rule of law. [92] According to Perry (Personal communication, September 2017, Brussels), the EU needed to make it looked like they were supporting progress and were a success, but it is difficult to find anything useful that came from that mission. Tobias Flessenkemper, (Flessenkemper & Helly, 2013, 9) (adviser to the EUPM commander), argued that "EUPM's experience shows, an innovative and learning by doing experience". On the other hand, Perry in response to Flessenkemper , argued that the EU has been "very non-critical and analytical" and fails to capture the failures of the mission (Valery Perry, personal communication, September 2017, Brussels).[93]

One of the main problems of the EU's CSDP missions in general and in Bosnia has been the lack of clear goals, strategies and impact assessment. The EU did not successfully define "political end-state (rather than an end-date)" (Biscop & Coelmeont: 2012, 41) and this fact has impacted negatively the effectiveness of its missions. As Juncos argued: "some of these operations have been launched without a clear idea as to what the final goal of the operation should be" (Juncos, 2016: 25). EUPM's mandated ended in 2012 "without being able to deal with non-compliance by political elites in police and other security matters" (Tzifakis, 2012).

---

91 From OSCE Mission to Serbia and Democratization Policy Council in BiH.
92 See (Tolksdorf: 2014, Flessenkemper: 2013, Kirchner: 2013, Gross: 2012)
93 From OSCE Mission to Serbia and Democratization Policy Council in BiH.

According to Marijan and Guzina (2014: 6), by making the police reform a precondition for the EU integration process of BiH, "was a crucial mistake, with consequences that are still felt throughout Bosnia". The failure of linking conditionality and EUPM has forced the EU to adopt "a more flexible and domestically-owned reform agenda" (Venneri, 2013: 57). After seeing the negative impact of making the police reform a pre-condition for the EU integration process, to prevent losing credibility and confront political elites in BiH, the EU "watered down the most critical elements of its pre-SAA requests" (Venneri, 2013: 57). The EU had also abandoned the precondition of police reform in 2012 to achieve some progress in the Stabilization and Association Process. More specifically, the EU replaced the police reform precondition "with the signing of a written commitment to a future police reform in order to free the path for the EU" (Weber, 2017. 4).

The carrot of "EU membership" had little impact on the success of EUPM (Bieber, 2010: 15). Conditionality had no substantial impact on the police reform. The description and the requirements of the EU regarding the police structure were as "vague as possible". The European Commission's Working Document for the future EU member states entitled "Guide to the Main Administrative Structures Required for Implementing the Acquis," describes the desired police structure as:

> an accountable, reliable and effective police organization, which co-operates fully internally, is essential for adequate implementation of the acquis related to cooperation in the field of Justice, freedom and security, and in particular for the fight against organized crime and new types of crime.[94]

It is almost utopic to believe that the Union expected to conduct elaborate, coherent and effective police reform conditionality in Bosnia with these vague requirements. EUPM has shown the EU that in order to apply the conditionality effectively as a foreign policy instrument in potential candidate country, the EU "should ensure that conditions can be derived from the acquis communautaire, and thus can really be considered as European standards" (Tolksdorf, 2013: 26).

---

[94] See, European Commission, "Guide to the Main Administrative Structures Required for Implementing theAcquis," Informal Working Document, May 2005.

Several factors have impacted the effectiveness of the EUPM. First of all, the lack of experience concerning the crisis management missions impeded the mission (Juncos, 2007: 68). Secondly, the lack of resources was another factor that influenced the process negatively (Juncos, 2007: 68 as cited in Emerson & Gross Eds, 2007). The vague and limited mandate of the mission was another factor that limited the success of the EUPM. There are several points to denote about the vagueness of the mandate. The mandate of the mission states "mentoring, mentoring and inspecting" the local police. However, as Juncos argued (2007: 70) "it was very difficult to determine on the ground what "monitor, mentor and inspect" meant, what "best European practice". What is exactly the "best European practice"? The police structures are not standardized in Europe. For instance, in the Netherlands, there are "25 regional police units and 1 central one", and similarly in Switzerland there are 26 cantonal police forces (European Stability Initiative, 2007). Accordingly, is it possible to render the reform the police in Bosnia according to the "best European practice"? These types of unclear descriptions of the EUPM created cacophonies among different EU actors and between the EU and the local officials in BiH.

As the mandate of the mission was non-executive and based on monitoring and mentoring the local police forces in Bosnia, the Bosnian official had no obligation to comply to the advice given by the EUPM. In other words, there was a "carrot" but no "stick" to reach the aimed goals of the mission. Even though the police reform became a pre-condition for starting the negotiation of the SAA, there was no binding agreement between the EU and Bosnia for the latter to comply with the reforms asked by the EUPM. As a result, the mission did not fully achieve its objectives as politicians from Republika Srpska vetoed the necessary police reforms.

The EU made a big strategic mistake by pretending there was a police structure in Bosnia like in the EU countries (Soeren Keil, personal communication, September 2017, Brussels). The EU did not have enough leverage to push the political parties to agree on reform. Republika Srpska in the leadership of Milorad Dodik did block the process. The EU did not have enough means to pressure Dodik regarding the police reform. What do you do when your own conditionality fails? What do you do when your incentives are not enough? This is a reality not in Bosnia but also in Montenegro, Serbia and Macedonia. The EU does not have a plan, as a result, the political elites

continue to "rule" the integration process to solidify their power. Another problem of the EUPM that had a negative impact on the effectiveness of the latter was the lack of a clear benchmarking system (Juncos, 2007: 70). Regarding the benchmark system of the EUPM, a CIVCOM (Civilian Aspects of Crisis Management) officer of the Council stated: "what we have to make sure is that we have a proper benchmarking system that can ensure that we are on the right track, that gives us some very concrete and clearly defined tasks" (as cited in Juncos, 2007: 70).

In sum, basing on the effectiveness measurement scale we put before, there has been no significant improvement or negative trend would be considered as "no effectiveness" as none of the objectives have been reached concerning the police reform. Accordingly, the EUPM has not been effective.

3.5.2 Effectiveness of constitutional reform

For more than ten years, the issue of constitutional reform has caused the integration process to stagnate and has been one of the preventive factors for SAA to enter into force. After realizing the "ineffectiveness" of the instrument of conditionality in reforming the constitution in Bosnia, "the EU in effect abandoned this instrument in 2014" (Tolksdorf: 2015: 415). The Union has decided to "replace the Sejdic-Finci condition with the signing of a non-binding "irrevocable written commitment" of the Reform Agenda (Weber, 2017a: 3).

After December 2014, the Union "practically shelved constitutional reform and solely demanded an irrevocable political commitment to European integration" by the governing elites in Bosnia (Flessenkemper, 2016: 261). For years the Union repeated the importance of reforming the constitution in BiH but it never had precisely indicated the "way in which the problematic constitutional provisions need to be changed" (Douçot-Rubigny, 2014: 158). Finally, the SAA came into force in June 2015. The Council has decided to end "the automatic nexus of approximation to the EU in exchange for constitutional reform" (Douçot-Rubigny, 2014: 158).

According to Soeren Keil (personal communication, September 2017, Brussels) the constitutional reform is "dead". Only some NGOs left still working on this reform. The EU has no big appetite on it anymore. Sejdic-Finci precondition was replaced by the German-UK initiative that will be analysed in the final section of this chapter.

In sum, basing on the effectiveness measurement scale we put before, there has been no significant improvement or negative trend would be considered as "no effectiveness" as none of the objectives have been reached concerning the constitutional reform. Accordingly, the constitutional reform has not been effective.

3.5.3 Effectiveness of EUFOR Althea

EUFOR Althea was a very narrow and easy to analyse mandate with very tangible and measurable objectives (Stavresvska personal communication, September 2017, Brussels). The initial objectives of the mission "were to provide deterrence and contribute to a safe and stable environment in BiH" (Pulko, Muherina & Pejic, 2016: 97). Regarding the issues of deterrence and assuring the safety and the stability in Bosnia, EUFOR Althea can considered as "effective" mission, however it should be noted that the NATO presence in Bosnia with the operation SFOR, had already left a "relatively stable and safe" country to the EU before Althea had been initiated (Pulko, Muherina & Pejic, 2016: 97). Regarding capacity building and training, EUFOR Althea aimed to create a domestic army (EEAS, 2016). As a result, the mission has been "performing well with regard to its achievements in the field of capacity building and training of the Bosnian army" (Pulko, Muherina & Pejic, 2016: 98). EUFOR Althea has been successful in many fields namely "weapons harvesting, catching indicted war criminals, combating organized crime and supporting local law enforcement agencies" (Sweeney, 2015: 201). There are problems regarding the "strategic planning" of the mission as there are uncertainties regarding how to end the mission and what milestones to reach to end the mission (Pulko, Muherina & Pejic, 2016: 96). The lack of clear benchmark to evaluate the mission creates a problem for the EU to evaluate its effectiveness.

EUFOR Althea's staff criticizes the mission's insufficient resources and "the lack of a proactive and result-oriented approach" (Sweeney, 2015: 209). EUFOR officials criticize the lack of a proactive, results-oriented approach, and argue that the mission remains compromised by weak foundations and inadequate resources, without the capacity to drive political change in a complex of divided ethnicities and inter-entity mistrust (Sweeney, 2015: 209).

It's hard to assess the effectiveness of Althea for several reasons. First of all, Althea has succeeded the NATO mission SFOR that was responsible for providing the security and stability of the country after the war. The cooperation of EUFOR Althea was better with international organizations/actors such as NATO and other IGO's but as we have previously analysed, the cooperation was less successful with other EU actors such as the EUPM in Bosnia.[95] According to Merlingen (2013: 45), "by linking Althea to NATO and the U.S., the EU enabled EUFOR to benefit from their credibility in the region". When Althea "took over" the responsibility, the country was already "safe" in terms of military conflict between the Bosniaks and the Serbs in Bosnia. Secondly, there is no evidence "proving the causal relationship of no occurrence of violence and EUFOR Althea" (Pulko, Muherina & Pejic, 2016: 99).

Currently, the security situation can be considered as stable in Bosnia (Pulko, Muherina & Pejic, 2016: 99). On the other hand, as we have seen with the riots in 2014, the "instability" of the security situation should be analysed through the social dimension of the issue rather than a potential military threat. As Dziewulska (2010: 177) argued, "the mission cannot be judged solely on the basis of keeping the peace since an open conflict in Bosnia ended together with the conclusion of the Dayton Peace Accords (DPA) in December 1995". The issues threatening daily security situation are socio-economic ones such as "unemployment and healthcare and continuing with radicalization contributing to terrorism" (Security Council Report, 2016, as cited in Pulko, 2016). Accordingly, regarding the potential of rendering the country stable regarding a military threat, EUFOR Althea can be considered as "effective". On the other hand, because of the deteriorating social and economic conditions of the country, EUFOR Althea can be considered as "partially effective".

---

[95] (See Sweeney: 2015, Juncos: 2016; Gross: 2007)

It can be argued that the Union has been relatively coherent about what the military mission Althea is supposed to do (Soeren Keil, personal communication, September 2017, Brussels). At the moment there are around 400 soldiers in the country. Their main duty is to secure the Sarajevo airport. This kind of duties diminishes the influence of the EU on the ground. During the period of Paddy Ashdown as the EUSR, there were more troops. A strong presence of the EU can be good for stability. For preserving the stability, it is not so coherent to have only 400 troops. The Union is not committed enough to be a military (Soeren Keil, personal communication, September 2017, Brussels). Keil qualifies Althea as a "joke military mission". (Personal communication, 2017, Brussels)

In addition to the low number of troops, the qualifications of the latter regarding the tasks they were mandated to perform have also been questionable. According to Merlingen (2013: 46) an important part of the EUFOR Althea "troops were neither trained nor equipped for clamping down on organized crime, nor were they suited for the task of ferreting out the corrupt politicians associated with the crime networks". EUFOR Althea's role is to contribute to a safe and secure environment in Bosnia. The executive mission of Althea is a UN Chapter 7 mandate. Accordingly, if large violence breaks out, EUFOR will be the first force to respond. However, EUFOR Althea cannot respond as they are below the operational threshold (Toby Vogel, personal communication, April 2017, Brussels). EUFOR Althea has no lifting capacity, as they are responsible for both Kosovo and Bosnia. Should there be violence requiring a military force at the same time, there will not be enough troops. EUFOR Althea has not been "tested" so far. Accordingly, it is hard to talk about the effectiveness of it. Experts remain sceptical about its military effectiveness. Althea presence remains largely symbolic.

In sum, based on the effectiveness measurement scale we put before, despite some contestations regarding the size of its troops, some coordination problems, there has been significant improvement regarding the safety and security in Bosnia. Accordingly, we can argue that EUFOR Althea has been "effective".

3.6 The Reform Agenda: 2015-2018, a new impetus for EU-Bosnia Relations

3.6.1 The Background and the adoption of the Reform Agenda

Ethno-national politics created after Dayton created social tension and years of stagnation during the EU accession created a social reaction in Bosnia. The first spark of revolts appeared during the park protests in Banja Luka during the spring and summer of 2012 (Majstorović, Vučkovac, & Pepić, 2016: 2). The following year, in 2013, protests occurred in Sarajevo. Even though Bosnia has been ethnically, politically and socially divided after Dayton, the protesters showed solidarity in different parts of the country, despite their ethnic differences. Finally, in February 2014, after years of discontent related with the difficult economic, social and political situation in the country, many violent protests erupted in Bosnia. The protestors showed their discontents about issues such as socio-economic injustices, corruption among both politicians and regarding "privatizations of local companies", lack of job opportunities and" low salaries (Dapo & Ridic: 2015: 232; Hasić &Karabegović, 2018: 7).

The protests that occurred after 2014 can be considered as the start of a new era in Bosnia in which the Bosnians became more reactionary against the long-standing divisive "ethno-national rhetoric" of political elites (Majstorović, Vučkovac, & Pepić, 2016: 5). Protests happened in different regions of the country such as Tuzla in the Federation of Bosnia and Herzegovina and Banja Luka in the Republika Srpska. (Hasić &Karabegović, 2018) These revolts were also indirectly related to ineffective policies of the EU that did not lead to "real change in the country" (Weber, 2014). These protests showed that the conditionality process was not successful in realizing the social and economic reforms in the country. However, it would be wrong to see the protests as solely the failure of the European Union's conditionality policy in the country.

The Bosnian governments after between 2010 and 2014 "lacked an effective government coordination" regarding EU accession (Dapo & Ridic, 2015: 231). During

2010 and 2014, political parties in Bosnia did not manage to form a government during 15 months (Dapo & Ridic, 2015: 231). During four years for political instability, Bosnian political authorities have failed to agree on Pre-Accession Assistance Funds of different sectors such as "energy, transport, environment, and agriculture" and as a result, the Union has redirected 45 million EURO in pre-accession assistance funds from Bosnia to Kosovo (Dapo & Ridic, 2015: 231). Bosnia "is the first and only country ever that lost pre-accession funds" (Dapo & Ridic, 2015: 231). Even this fact alone shows the magnitude of the lack of coordination mechanism among different political parties in Bosnia, being the Bosniak Party of Democratic Action (SDA), the Croat Democratic Union (HDZ) and the Serb Democratic Party (SDS).

As a result of the protests, the EU published the "Compact for Growth and Jobs" in 2014 to "tackle unemployment, to improve the economic governance and create a better business environment".[96] The Compact aimed to "stimulate economic recovery" in Bosnia (Vogel, 2014) by creating an economic agenda with the help of local experts and international financial actors (Dapo & Ridic, 2015: 232).

The Compact for Growth and Jobs was an important development regarding the EU accession process of Bosnia however the most important initiative was taken by two influential member states of the Union: Germany and the UK. In October 2014, Germany and the UK have decided to start a new initiative focusing on structural socio-economic reform that would revive the "BiH's long-stalled EU integration process" (Dapo & Ridic, 2015: 232). Previously, the process had been blocked because of issues such as the lack of the constitutional reform we analysed in the previous parts of this research.

As we have analysed in the previous parts of this thesis, the Sejdic-Finci decision of the European Court of Human Rights was an "informal" precondition for the coming into force of the Stabilization and Association Agreement signed in 2008 between the EU and Bosnia. According to the new reform initiative started by Germany and the UK, the implementation of the Sejdic-Finci decision was postponed to be a

---

[96] See Lithuania's statement at the UN Security Council debate on Bosnia and Herzegovina, available at http://www.urm.lt/missionny/en/news/-lithuanias-statement-at-the-un-security-council-debate-on-bosnia-and-herzegovina

precondition for the coming into force of the SAA (Blagovcanin, 2016: 56). By postponing this precondition, Germany and the UK have aimed to focus on the economic and social problems of Bosnia such as unemployment and the lack of economic development (Blagovcanin, 2016). This new initiative started by the UK and Germany has become the most important step to unblock the EU integration process of Bosnia. German foreign minister Frank-Walter Steinmeier and the British foreign minister Philip Hammond, proposed the EU to replace the existing conditionality process in Bosnia with a "three-step process of conditions to be met, rewarded by progress in EU integration" (Weber, 2017a: 2). This proposition of Germany and the UK was made by a joint letter sent to the HR/VP Federica Mogherini and Commissioner for European Neighbourhood Policy & Enlargement Negotiations Johannes Hahn. The three steps proposed in this letter were: 1) A written commitment has to be made by the political leaders of the country. According to the joint initiative, the party leaders in Bosnia were proposed "make a long-term, irrevocable written commitment to establish – in the framework of the EU accession process – functionality at the state level by implementing necessary reforms, with the objective of making Bosnia and Herzegovina ready for the EU".[97] 2) The second step was related to the "membership application. After the written commitment of the Bosnian party leaders, according to the joint letter, "the [European] Council would invite Bosnia and Herzegovina to apply for membership after some initial progress on the implementation" (Weber, 2017a: 2). 3) The third step is the "Commission opinion". The initiative proposed that once the Bosnian authorities finish implementing the agenda in its entirety, "the Council would request the Commission's opinion on the membership application" (Weber, 2017: 2a). As a result of this proposal by Germany and the UK, the EU has also adopted the initiative started by two EU member states. On the Bosnian side, "all political parties accepted the Reform Agenda in July 2015 and committed themselves to working actively on its implementation" (Blagovcanin, 2016: 56).

---

[97] Joint letter by German and British foreign ministers Frank-Walter Steinmeier and Philip Hammond to High Representative of the EU for Foreign Affairs and Security Policy Federica Mogherini and Commissioner for European Neighbourhood Policy & Enlargement Negotiations Johannes Hahn, Berlin/London November 4, 2014, available at: http://infographics.economist.com/20141108_Letter/Letter.pdf.

Regarding the adoption of the Reform Agenda, the HR/VP Mogherini and the Commissioner for Neighbourhood and Enlargement have stated:

> Progress in the implementation of the Reform Agenda will also be necessary for the country's membership application to be considered as credible by the EU. The European Union is ready to further support Bosnia and Herzegovina, including with policy advice and financial support, in the efforts to implement the Reform Agenda and advance the country further on its European path.[98]

The Reform Agenda covered the period between 2015 and 2018 by focusing on six specific areas which are: 1) Public Finance, Taxation and Fiscal Sustainability; 2) The Business Climate and Competitiveness; 3) The Labour Market; 4) Social Welfare and Pension Reform; 5) Rule of Law and Good Governance; and 6) Public Administration Reform.

3.6.2 Evaluating the Reform Agenda

The new initiative has created "a reform momentum shared by both domestic and international actors" (Weber, 2017a: 28). After the Reform Agenda introduced in 2014, the Stabilization and Association Agreement "finally" came into force in June 2015. Bosnia has officially submitted its EU application on 15 February 2016 to become an EU member without fulfilling the preconditions (Mujanovic, 2016). In September 2016, the Council asked the Commission to "submit its opinion"[99] to start the EU accession negotiations with Bosnia. After years of stagnation, Bosnia-EU relations have moved at a faster pace than ever. Was this change in the approach of the EU a result of the success of the Reform Agenda or just a symbolic change in the rhetoric of the EU's foreign policy in Bosnia?

The German and UK initiative was a crucial one to give a new impetus to the stagnated EU-Bosnia relations. However, this move also a concrete example of the Union's long-

---

[98] Joint Statement by the High Representative/Vice-President Federica Mogherini and Commissioner Johannes Hahn on the adoption of the Reform Agenda in Bosnia and Herzegovina https://eeas.europa.eu/delegations/sri-lanka/6081/joint-statement-by-the-high-representativevice-president-federica-mogherini-and-commissioner-johannes-hahn-on-the-adoption-of-the-reform-agenda-in-bosnia-and-herzegovina_en

[99] See "Council conclusions on the application of Bosnia and Herzegovina for membership of the EU", September 2016

time inconsistency in its approach towards Bosnia. Since 2003 Thessaloniki Summit, the EU approach towards Bosnia was "on paper" based on strict conditionality and the softening of removing the conditions as we have seen the cases of the EU Police and constitutional reforms. The Reform Agenda is also a perfect example of this incoherent approach of the EU as the Union has decided to switch from "strict conditionality" to a more relaxed approach. During this process, "EU institutions view themselves primarily as a "facilitator" and stress "process" and "momentum" over conditions" (Weber, 2017a: 29). As Toby Vogel (2014) put it, Germany and the UK convinced the EU to be more flexible regarding the conditionality as it was not effective. As we have mentioned in the previous section, the Union has decided to "replace the Sejdic-Finci condition with the signing of a non-binding irrevocable written commitment" of the Reform Agenda (Weber, 2017a: 3).

Should we see the Reform Agenda of the EU as a "policy innovation" or a proof that the "old approach has failed"? (Toby Vogel, 2014)[100]. The Union has made the right decision on focusing the "urgent" socio-economic problems in Bosnia. However, the social and economic reforms cannot be achieved by ignoring the previous conditionality approach totally and ignoring the rule of law problems in the country. In a similar fashion, as we analysed in the previous parts of this research, the Union also abandoned the police reform to make progress in the stalled EU integration process (Weber, 2017. 4). However, only a written commitment without being binding has little chance to succeed. The Bosnian politicians have the tendency to blame the "others" (that can be the EU or other international actors) for the domestic problems in the country. Accordingly, if the Reform Agenda fails, the political elites can benefit from this failure. It is hard to understand the EU's logic of first putting hard condition to achieving and then lowering the bar of the very condition they put before. How one could expect to be successful to motivate the political elites by constantly changing the conditions? The Union's behaviour in Bosnia has been consistently inconsistent. The Union proposes a carrot-stick approach but provides neither the carrot nor the stick. As a result, the process becomes blocked in a vicious circle.

---

[100] See http://www.biepag.eu/2015/03/16/the-end-of-conditionality-in-bosnia-herzegovina/

The coming into force of the SAA in Bosnia should not be seen as the proof of an amelioration regarding economic progress and political stability. As of 2016, the unemployment is at 28 percent and among young people it is at 63 percent (Bieri, 2016: 2). "Watering down" of the EU conditionality in Bosnia with the new Reform Agenda, did not bring any success to achieve the necessary reform towards the EU accession (Weber, 2017a: 13). As Bosnia did not manage to achieve substantial progress regarding economic governance reforms, "the existence of the IMF credit arrangement is endangered" and as a result, the Reform Agenda is getting blocked (Weber, 2017a: 13).

Regarding the German-UK initiative, the UK surrendered to the German position (Bodo Weber, personal communication, September 2017, Brussels). Conditionality policy was not working, "it did hit the wall in Bosnia" (Weber, 2017: 13). There was no progress. Constitutional reform is hard to be achieved. More than five years have passed to implement the Sejdic-Finci ruling. The EU weakened all the conditions except for the Sejdic-Finci case. The longer you will resist, the EU will back down. As a result, elites do not lower their demands and use the current situation to solidify their political influence.

Leftist local groups in Bosnia have harshly criticized the Compact for Growth and Jobs. These groups qualified the Compact as "Compact with the Devil" (Majstorović, Vučkovac, & Pepić, 2016: 13). These groups argued that the compact solidifies the existing "neoliberal policies in BiH without taking into account the BiH social and economic contexts" (Majstorović, Vučkovac, & Pepić, 2016: 16). The solution according to leftist groups in Bosnia is not to push the existing economic governance which according to them, would make the political elites richer and more powerful in the country. In other words, the Reform Agenda was not welcome among the leftists in Bosnia.

The success of the Reform Agenda will play a determining role regarding the accession process and the political and economic stability of Bosnia. If the Reform Agenda collapses, social unrest would be renewed and ethno-national politicians will benefit from it (Weber, 2017: 2).

The key issue regarding the EU accession process of Bosnia is to be able to "produce a common remedy regarding the "politicization of conditionality" (Bechev: 2011). Otherwise the status will be preserved by leaving the country in the hands of political elites benefiting from the political and economic vulnerabilities and ethnic nationalism of the country.

The Reform Agenda should be considered as a very crucial turning point concerning the EU foreign policy in Bosnia. This approach of the EU should logically improve the perceived coherence of the EUFP in the eyes of the locals, as the new agenda aimed to end the stagnation period between the EU and Bosnia. However, there had been no substantial change regarding the perceived coherence of the Union in the opinion of the political elites. The latter believe that the EU will not use its political and economic power in its hands to put pressure on the political elites in Bosnia. Even if the Reform Agenda aims to focus on socio-economic reforms, the "socio" dimension of the initiative is still not present enough as the Union "continues to focus on political party leaders as negotiation partners" without engaging sufficiently civil society in the process (Möpert, 2015: 123). Notably, during the early phases of the Reform Agenda, the EU continued to make concessions for the Republika Srpska leader Milorad Dodik. For instance, in the written commitment of the approach, it is indicated that implementation of the reform will be done "in accordance with respective constitutional competences of government institutions at all levels in BiH" (Weber, 2017: 5). By making this type of concessions, the EU solidifies the influence of political leaders of Bosnia. As a result, these leaders continue the EU to be incoherent and weak regarding making changes in vital issues such as the constitutional reform. As many Bosnian experts argue (Elena Stavrevska. Personal communication, 2017, Brussels; Denis Piplas, personal communication, September 2017, Brussels) the EU prefers security stability more than taking the risk of creating political instability by pressuring the political elites.

According to Denis Piplas (personal communication, September 2017, Brussels), the German-UK initiative showed the vertical incoherence of the EU. At the beginning, there was no harmony between the member states and also between the EU and the member states. EU member states have learned the German-UK initiative from Twitter. The initiative was a good one but it has lost its initial energy. It did not have

a concrete impact on the EU's foreign policy in Bosnia. The Reform Agenda remained only on paper and symbolic but not yielding any concrete results. Bosnian experts (Piplas, personal communication, September 2017, Brussels) believe that the approach of hailing Bosnian governing elites did continue during the Reform Agenda. The EU should change the strategy of making "symbolic moves" in order to regain the support of the Bosnian people. The EU has "no consistent policy to play hard ball with Dodik" (Weber, personal communication, September 2017, Brussels).

The EU was divided until 2014, there was no real substance in the EU policy in Bosnia because of this divide. Britain, because of their own Euroscepticism has lost the ability to search for a coalition with other member states. In the end, they have accepted Germany's option which was the socioeconomic reform. On the other hand, Germany has opted for the option to "fake conditionality" (Bodo Weber, personal communication, September 2017, Brussels). The Reform Agenda was according to Bodo Weber from the Democratization Policy Council (personal communication, September 2017, Brussels) a "fake process" in order not to admit the dysfunctionality of the EU's foreign policy in Bosnia. By changing conditionality deadlines from 2007 to 2014 and avoiding any conflict with political leaders such as Milorad Dodik, the EU hampered its own policy in Bosnia.

The EU needs to make a shift from conditional reform to socio-economic reforms. This change is what the Bosnian citizens want. This shift was also the rhetoric of the German camp. The EU was divided until 2014 regarding the need for this change in their policy in Bosnia. There was no real EU policy in the country because of this split until 2014. The United Kingdom, mainly because of Euroscepticism, have lost the ability to strike coalition about Bosnia and to find allies regarding the need for a policy shift from conditionality to socio-economic reform. The UK needed Germany to influence the EU foreign policy. The reform agenda is a good example on how the "Big 3" countries can still manoeuvre the direction of the EU foreign policy.

3.7 Concluding remarks

Currently the situation in Bosnia can be characterized as a situation of mutual expectations. On the one hand, Bosnians expect to obtain the "candidate status". On the other "the EU expects BiH to approve the excise package, prepare common strategies for energy, agriculture and employment" (Marini, 2017). EU officials in the Bosnia state they learn by going (Elena Stavrevska, personal communication, September 2017, Brussels). Bosnia has been a testing ground with EUPM and Althea operations. Bosnia has had a crucial impact for the institutional learning of the EU's peacebuilding and enlargement policy.

Political and economic conditions did not improve in Bosnia as a result of the stagnation of the EU integration process and the relationship between the Bosnian political elites and Brussels. EU member states' leaders expected that "mere process of Europeanization of Bosnia will bring stability, prosperity and genuine peace to the country" (Brljavac, 2011a: 12). Despite the presence of the EU integration process through the SAA, the EUFOR Althea military mission and other international presence such as the Office of the High Representatives (OHR), Bosnia still remains as a politically and economically a weak, and socially divided state.

The near future does not look promising for the EU-Bosnia relations despite the Reform Agenda. There is still a severe political deadlock between the political parties in Bosnia. Brexit will also damage the relations, as the UK was one of the "founding fathers" of the Reform Agenda. Germany is also changing its approach. There is a brain drain from Bosnia to Germany. Bosnian experts criticize Germany for "stealing" the qualified Bosnians by easing the immigration regulations from Bosnia to Germany for some sectors, such as nursery (Anonymous Bosnian think tank member, personal communication, September 2017, Brussels).

CHAPTER IV

EU FOREIGN POLICY COHERENCE AND EFFECTIVENESS IN KOSOVO

> *The European Union is completely united in the belief that Kosovo's future is within the European Union (Catherine Ashton, HR/VP, 2010).*

After having analysed the coherence and effectiveness of EU foreign policy in Bosnia, this chapter will focus on the case of Kosovo. The first part of this chapter will introduce the political background of the country and the emergence of EU foreign policy in Kosovo. In the second part we will examine the coherence and effectiveness of the EU foreign policy in Kosovo, by focusing on the EU integration process, EULEX rule of law mission and the Belgrade-Pristina Dialogue. The final part will analyse the effectiveness of EU foreign policy instruments of the EU in Kosovo.

4.1 The Emergence of EU Foreign Policy in Kosovo

4.1.1 Background to the Kosovo problem

Since 1999, the end of the war in Kosovo, the EU has been one of the leading international actors in Kosovo by becoming involved in "almost all aspects of governance in the country" (Papadimitriou, Petrov & Greiçevci, 2007: 220). To investigate the foreign policy coherence of the EU in Kosovo, we need to briefly touch upon the political background of Kosovo before the involvement of the EU in the region.

During the existence of former Yugoslavia, according to the 1974 Constitution, Kosovo had a special status of "as an autonomous province of Serbia" having its own administration and judiciary (Ozan, 2017: 5). After Tito's reign, tensions between different ethnic groups in Yugoslavia rose, and the autonomy of Kosovo was increasingly reduced by Slobodan Milosevic, the leader of Yugoslavia, after 1989 (European Forum for Democracy and Solidarity, Kosovo, 2017). Albanian Kosovars were oppressed by the regime as they were kept out of to state structures such as the police and judiciary (Weber & West, 2014: 10). As a result, the 1990 Constitution "annulled the autonomy of Kosovo" (Zafar, 2012: 73).

In 1991, Bosnia and Herzegovina, Croatia, Macedonia, and Slovenia declared independence which led to the secession of Yugoslavia. The EC wanted to play an influential role after the dissolution of Yugoslavia. It was the famous "hour of Europe"[101]. Accordingly, on 27 August 1991, the EC participated in the "International Conference for Peace in Yugoslavia" for putting an end to the violent conflict (Craven, 1996: 333). Kosovar Albanians also tried to secede like the four nations, but they did not succeed. According to Bieber, (2015: 286) "the emergence of Kosovo as an independent country has been incomparably more difficult and challenging than that of the other states emerging from the former Yugoslavia" because of the fact that Kosovo was not a republic during the socialist Yugoslavia era. An informal referendum for claiming independence was organized in 1991 in Kosovo like the cases

---

101 Phrase coined by Jacques Poos, the Foreign Affairs Minister of Luxembourg and President of the EU Council in July 1991.

of Slovenia and Croatia but independence did not receive international recognition (Bieber, 2015).[102] Because of the "autonomous province" status rather than a being a republic, the Commission has denied Kosovo of becoming an independent state after the collapse of Yugoslavia (Bieber, 2015). At the time, the CFSP was in its infancy, and EU member states were reluctant to go down the German road of recognizing independent states for fear of instability in a very volatile Balkan region.

The EU remained silent about the degradation of the political situation in Kosovo from the late 1980s as it had neither the "political will" nor "an underlying policy or appropriate mechanisms" to intervene in the region (Muguruza, 2003). Accordingly, "until 6 April 1996 Kosovo was not even mentioned in any EU or EC documents" (Bislimi, 2012: 51). In the EC document entitled "Declaration of Recognition by the EU Member States of the Federal Republic of Yugoslavia (FRY)," calling more autonomy for Kosovo, the word Kosovo was used for the first time (Muguruza, 2003).

In 1996, because of the repressive policies of Belgrade, Kosovar Albanians started an uprising against Serbs and as a result, "a group of guerrilla fighters called the Kosovo Liberation Army (KLA) decided to fight Milosevic's forces" (Gashi, 2013: 24.) KLO was an armed group of Albanian Kosovars funded by the Kosovar diaspora (Perritt, 2008). When the conflict became extremely violent, a Contact Group composed of states (the United States, Russia, the United Kingdom, Germany, France, Italy) and international institutions (the EU, the UN, and the Conference on Security and Co-operation in Europe (CSCE, now OSCE) was formed to propose a solution to the conflict in Kosovo. During the conflict, the Contact Group aimed to form "a coherent strategy: which the involvement of major international organizations "in particular the UN Security Council, the Organization for Security and Cooperation (OSCE), the European Union and NATO" (Tierney, 2011, as cited in Van der Borg, le Roy & Zweerink, 2016: 5). Notably, the Contact Group proposed actions against Serbia "such as an arms embargo and economic sanctions" (Van der Borg, le Roy & Zweerink, 2016: 5). In addition to the Contact Group, several resolutions, joint actions, and

---

[102] "More than 99 percent of those voting supported independence, but the referendum result was not internationally recognized". For more information see Bieber, F, (2015). The Serbia-Kosovo Agreements: An EU Success Story? *Review of Central and East European Law*, 40, 285-319.

common decisions were issued by the EU (Van der Borg, le Roy & Zweerink, 2016: 5, 6). However, despite the attempts of the international actors and bilateral talks between the Kosovar and Serbian sides, the conflict was becoming severe and "over one million Kosovars having been forced into its neighbouring countries" (Bislimi, 2012: 48). The EU has cooperated with the Contact group to organize the Rambouillet Conference to end the conflict in Kosovo, however Serbia has rejected an "internationally brokered peace agreement at Rambouillet" (Bislimi, 2012: 52). Rambouillet Agreement was calling on Serbia to accept the existence of NATO troops in Yugoslavia and the recognition of a self-government in Kosovo.[103]

As a result of not achieving a solution to halt the conflict, NATO intervened in the war against Milosevic with a 78-day bombing campaign of Belgrade starting on 24 March 1999. The intervention by NATO was the latter's "first-ever war and its first-ever intervention without a Security Council approval" (Bislimi, 2012: 48). Apart from NATO, the US was the most influential actor during the bombing and the ending of the war as the EU member states contributed only 2 % of their arm forces to the NATO operation (Michta, 2000). As a result of NATO intervention, Serbia withdrew from Kosovo and the UNSC Resolution 1244 initiating the administrative mission UNMIK and the peacekeeping mission KFOR[104] were initiated. Resolution 1244 of the UN established an international protectorate calling for the creation of local institutions and precising that the international community would decide on the status of Kosovo as an international protectorate. KFOR's mandate was based on security and peacekeeping with the objective of protecting Kosovo's frontiers, ensuring the demilitarization of the KLA and assuring a secure place for the whole population in Kosovo (Clark, 2002). KFOR was praised as "one of the most successful international peacekeeping operations involving NATO" (Bislimi, 2012: 53).

---

103 See "Rambouillet Agreement: Interim Agreement for Peace and Self-Government in Kosovo", 1999.

[104] KFOR's (NATO led peacekeeping mission) objectives were "to deter renewed hostilities, establish a secure environment and ensure public safety and order, demilitarize the Kosovo Liberation Army, support the international humanitarian effort and coordinate with the international civil presence" http://www.nato.int/cps/en/natolive/topics_48818.htm accessed on 13 March 2017.

4.1.2 EU becoming a foreign policy actor in Kosovo

Kosovo,[105] a potential EU candidate country, still not being recognized by five EU member states,[106] is a state that the EU has "engaged in state-building on the ground with a distant possibility of EU integration" (Yabancı, 2014: 28). Kosovo is also a country without complete sovereignty as its government has only partial authority within the borders of the state.[107]

Before 1998, the EU had no solid presence in Kosovo (Bislimi, 2012: 69). Notably, until 2004, neither the Commission nor the Council had a role to play for the Union in Kosovo and the EU Monitoring Mission (EUMM)[108] was for a long time the Union's only source "of information with regards to security sensitive matters on the ground" (Papadimitriou, Petrov & Greiçevci: 2007: 230). The EU was the "distant monitor" as because of a lack of precise on strategy on the conflict in Kosovo. (Papadimitriou, Petrov & Greiçevci: 2007: 230). On the other hand, the US was more "aware" of the existing circumstances with the help of "Congress resolutions, Department of State reports, and presence on the ground through the US Information Office" (Papadimitriou, Petrov & Greiçevci: 2007: 230). The presence of the EU has started mainly after the initiation of UNMIK. The Union has shared the state-building duties in Kosovo with other international actors, such as the "UN and NATO, which respectively have assumed major roles in the fields of civilian administration and security matters" (Papadimitriou, Petrov & Greiçevci, 2007: 221). As mentioned before, the EU has played an important role within the UNMIK for assuming the responsibility of the issue of the economic progress of the country. To justify to EU's role in the UNMIK, The European Council stated that it was the moral obligation of the Union to take part in the reconstruction of Kosovo.[109]

According to Bilsimi, (2012: 55), after the war, Kosovo became both and "a challenge and an opportunity" for the EU. Apart from being responsible for the economic

---

[105] See Annex 3 and Annex 4 for more statistical data and information about the local governance in Kosovo
[106] These countries are:
[107] Three Serbian-populated municipalities of Northern Kosovo "accounting 3% of the Kosovo population (..) still largely operate as de facto parts of Serbia" (Koeth: 2013, 33)
[108] EUMM had the objective providing guidance to the Council. (See Koeth, 2010)
[109] European Council Presidency Conclusions 24 March 1999.

reconstruction of the country within the UNMIK mandate, the Union increased its presence in the country "through a myriad of institutions and policy instruments" (Papadimitriou, Petrov & Greiçevci, 2007: 229). First of all, "in July 1999, the European Commission established a temporary Taskforce for the Reconstruction of Kosovo (TAFKO) in order to administer the EU's emergency aid to the province" (Papadimitriou, Petrov & Greiçevci, 2007: 229).

The United Nations Interim Administration Mission, (UNMIK) initiated in June 1999, aimed "to build democratic institutions, restore health, educational and other public service, establish the rule of law and create conditions for resolving Kosovo's final political status" (Gashi, 2013: 24). UNMIK[110] was based on a cooperative system "between the UN, the OSCE and the EU" and according to the Pillar IV of UNMIK, the EU was responsible "for the running of the Kosovar economy" (Pillar IV of UNMIK) (Papadimitriou & Petrov, 2012: 8). UNMIK was directed by the Special Representative of the Secretary General (SRSG) who had "supreme authority over the legislature, executive and judiciary institutions" (Gashi, 2013: 25). As a result of UNMIK, a "Provisional Institutions of Self-Government (PISG)" was established with a "neutral to the political status" (Gashi, 2013: 25).

UNMIK adopted its "Standards before Status" approach based on achieving some benchmarks Kosovo needed to realize before deciding on the status of the country (Koeth, 2010). However, problems have arisen during UNMIK's rule because of the lack of "the involvement of the local political leadership, its mission was next to impossible" (Bislimi, 2012: 55). The participation of local Kosovar actors in UNMIK was needed to facilitate "local ownership" (Bislimi, 2012: 55). According to Economides and Ker-Lindsay, (2010: 497) UNMIK did not provide the conditions for a successful statehood in Kosovo and frustrations have arisen among the Albanian Kosovars. Notably, on March 17 and March 18, 2004, Albanian Kosovars confronted with Kosovar Serbs and 19 were killed and more than 900 persons were injured (OSCE, 2008). UNMIK was accused of not preventing and controlling the riots and "the international community realized it was the time to move towards a resolution of

---

[110] The pillars of the UNMIK were: (I) Police and Justice, (II) Civil Administration, (III) Democracy and Institution Building and (IV) Economic Development. Pillar (III) was run by OSCE and Pillar (IV) was financed by the European Commission.

Kosovo's final political status" (Gashi, 2013: 25). The riots of 2004 in Kosovo accelerated the efforts of the EU to increase its presence in the country (Papadimitriou, Petrov & Greiçevci, 2007: 230).

4.1.3 Road to the unilaterally declared independence of Kosovo

In 2006, talks between Kosovo representatives, the government of Belgrade and the UN began in Vienna concerning the final status of Kosovo. The talks were also "assisted by two EU officials from both the Council of the European Union and the European Commission" (Van der Borg, le Roy & Zweerink, 2016: 8). In 2007, the chief negotiator of the UN, Ahtisaari presented his draft "Comprehensive Status Proposal" (CSP) to both sides. The proposal suggested that "reintegration into Serbia was not viable, and continued international administration was not sustainable" (Koeth: 2010, 232) and proposed a plan granting independence to Kosovo, within the supervision of the EU and giving autonomy to Kosovar Serbians. Ahtisaari Plan was based on the concept of "supervised independence" (Bono, 2019: 250). The latter was based on the view that:

> Kosovo would have its own political and administrative institutions but it would be supervised by the International Civilian Representative (ICR), the person appointed was also to act as the European Union Special Representative (EUSR), that is, the post was double- hatted (Bono, 2019: 250).

The mandate of the ICR/EUSR[111] appointed by an International Steering Group (ISG), was to control the security and justice fields (Bono, 2010: 251). Accordingly, the Ahtisaari Plan "called for major and substantial EU involvement in the fields of justice, the rule of law, and customs and for an International Civilian Office (ICO)[112] to ensure

---

[111] The Special Representative of the Union's office was established in February 2008 with as a "task to advise Kosovar authorities, support the process of integration with the EU and coordinate all EU activities in Kosovo" (Balcer, 2008: 70).

[112] ICO's mission was to "to prepare, in close cooperation with the Kosovo authorities and the transitional administration of the United Nations (UNMIK), for a transfer of authority from UNMIK towards the Kosovo authorities, and, to a limited extent, to a future international presence. Available at http://www.consilium.europa.eu/uedocs/cmsUpload/070206-bis-ICO-EUSR_and_ESDP.pdf , accessed on 14 March 2017.

the full implementation of the plan" (Bislimi, 2012: 58). The head of ICO would have executive powers to intervene regarding legislative issues if the Kosovo authorities "were deemed to be in violation of the letter or spirit of the Plan" (Bislimi, 2012: 58). ICO represented only "those countries that recognized Kosovo" (Dijkstra, Mahr, Petrov, Đokić & Zartsdahl, 2017: 20). This situation became problematic for the EU that needed to have a "status neutral" because of the double-hatted role of the ICO/EUSR. The ICO remained active until its closure in 2012.

The Ahtisaari Plan suggested a "supervised independence" with the help of a new UNSC resolution that would "lay the legal base for this new arrangement, even without the agreement of Belgrade" (Koeth, 2013: 232). Despite the efforts of the UN, the EU and other stakeholders participated in the discussed solution,[113] the Ahtisaari Plan was rejected by Serbia and the UNSC members Russia and China. The Plan was rejected by the Kosovo Serbs[114] and the Belgrade government, as they both "viewing the plan as an imposed solution, rather than a negotiated one" (Bono: 2010, 251). The Serbian government of the period rejected the plan as they did not want to be "associated with a process that would result in a loosened Serbian grip on Kosovo" (Koeth, 2010: 232).

As a result, some of the EU member states and the U.S., Kosovo declared its independence on 17 February 2008 (Koeth: 2010: as cited in Van der Borg, le Roy & Zweerink, 2016: 8). Few days after the declaration of independence, EU member states such as the UK, Germany, France and twelve other EU countries recognized Kosovo (Koeth, 2010: 235).

4.2. Introducing the EU foreign policy instruments in Kosovo

The Stabilization and Association Process (SAP) has been the main institutional framework of the EU used in Kosovo in order to prepare the latter for an eventual EU accession (Yabanci, 2014). The process aiming to prepare the country for a potential

---

[113] The group of stakeholder states were: Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovenia, Switzerland, Sweden, Turkey, the United Kingdom and the United States of America.
[114] Serbian Kosovars live in the northern part Kosovo, mainly in the city of Mitrovica.

accession is led by the Commission. On the other hand, the CSDP related issues are led by the Council and the EEAS. Finally, the recognition of the independence of Kosovo is a matter of EU member states. Accordingly, the EU integration process of Kosovo is a perfect case to study horizontal coherence between different EU policies, the vertical coherence between the policies of member states and of the EU, institutional coherence between different EU institutions involved in Kosovo and finally the perceived coherence of local actors (ranging from political elites to civil society and non-governmental organizations NGOs) regarding EU policies and EU actors involved in the process.

EULEX, the CSDP rule of law mission of the EU, has also been one of the most important foreign policy tools used by the EU in Kosovo. Notably, according to the EEAS, the mission "forms part of a broader effort undertaken by the EU to promote peace and stability in the Western Balkans and to support the Kosovo authorities as they undertake necessary reforms, in line with their and the region's overall European perspective".[115] The case of EULEX sheds light on different forms of EU foreign policy coherence in Kosovo. First of all, the fact that EULEX has been initiated despite the unrecognition of Kosovo by five EU member states is interesting to study regarding the vertical coherence of the EU. Secondly, according to the European Commission, the mission's "skills and expertise are also being used to support the key objectives in the visa liberalization process, the Stabilization and Association Process Dialogue and the Belgrade-Pristina dialogue".[116] Accordingly, horizontal coherence between different EU foreign policy tools can also be analysed in the case of EULEX. Thirdly, there are several EU actors involved in both in Brussels and in the ground. The EEAS is responsible for providing the political guidance to Kosovo and supervising EULEX that has an executive mandate. The mission is supervised by the Civilian Planning and Conduct Capability (CPCC) based in Brussels, operates as a part of the EEAS. On the other hand, the Political and Security Committee (PSC) (reporting to the Council)

115 European Union External Action Service, EULEX Kosovo EU Rule of Law Mission in Kosovo Factsheet, February 2014, accessed 2 April 2017, http://eeas.europa.eu/csdp/missions-and-operations/eulex-kosovo/pdf/factsheet_eulex_kosovo_en.pdf.
116 European Commission, "Communication from the Commission to the European Parliament and the Council on a Feasibility Study for a Stabilization and Association Agreement between the European Union and Kosovo", Brussels, 10 October 2012, accessed 2 April 2017, http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/ks_feasibility_2012_en.pdf.

assures the strategic direction of EULEX.[117] The financing of the EULEX is made from the CFSP's budget, and the implementation of the funding is made "through a contract between the European Commission and the EULEX Head of Mission, who is personally responsible for the EULEX budget" (Cierco & Reis, 2014: 651). The Commission's assists EULEX with instruments such as Twinning and TAIEX projects and Instruments for Pre-Accession Assistance (IPA).[118] Accordingly, institutional coherence becomes essential in the case of EULEX. Finally, perceived coherence should also be studied as it is the people of Kosovo who implement and benefit (or not) from EULEX. Therefore, EULEX becomes a representative case for perceived coherence of the Union's foreign policy in Kosovo.

The case of Belgrade-Pristina dialogue is important for the EU's foreign policy actorness in many ways. First of all, the case is a good test for the Union regarding its capacity to mediate two counterparts that "have diametrically opposed views about the status of Kosovo" (Van der Borgh, Le Roy & Zweerink, 2016: 39). Secondly, the dialogue is a good test to examine "how the EU used its leverage – carrot and stick – to induce Serbia and Kosovo to start a dialogue that would normalize their relations" (Van der Borgh, Le Roy & Zweerink, 2016: 39). The dialogue serves multiple purposes for the potential membership of Kosovo and Serbia. Both Kosovo's Stabilization and Association Process and the accession negotiations of Serbia "were directly conditioned with the parties' commitment to dialogue and were achieved only after the Brussels Agreement was finalized in 2013" (Gashi, Musliu & Orbie, 2017: 534). Accordingly, as the mediation of the EU during the dialogue will be one of the main determining factors in the Kosovo-EU relations, it would be a suitable case to examine the foreign policy coherence of the Union in Kosovo.

The facilitator role of the HR/VP concerning the normalization of relations between Kosovo and Serbia has generally been praised by academics. Notably, Blockmans (2013) argued that the role played by the HR/VP during the dialogue has been the "proof of the added value of the European External Action Service (EEAS) as a new

---

[117] See CSDP structure, instruments, and agencies
https://eeas.europa.eu/headquarters/headQuarters-homepage/5392/csdp-structure-instruments-and-agencies_fr
[118] See https://eeas.europa.eu/delegations/kosovo_en/1387/Kosovo%20and%20the%20EU

EU foreign policy actor". How coherent has the EU been so far during the Dialogue process? In the following parts of this research, I will analyse the coherence of the EU during the process and the impact of the HR/VP on improving the coherence of the EU during the dialogue.

4.2.1 EU actors' role in the EU Foreign Policy in Kosovo

Currently, there are several EU actors in Kosovo, namely: the EU Special Representative (EUSR), EULEX, The EU (Commission's) Office, the embassies of EU member states and their liaison offices. In addition to the EU agents in Kosovo, there are also EU agents in Brussels within the EU institutions focusing on the Union's policy in Kosovo. The EEAS is the EU actor providing the political guidance by supervising EULEX and working under the HR/VP regarding the Belgrade-Pristina Dialogue (Oproiu, 2015: 162). Within the EEAS, the Crisis Management Planning Directorate controls the strategic direction of EULEX while the geographical desk focuses on the political relations mainly the Belgrade-Pristina Dialogue (Oproiu, 2015: 164). How does this presence of multiple EU actors impact the coherence of the EU regarding different EU policies in Kosovo? In order to focus on this question, we need to define the roles of EU actors in Kosovo.

The European Commission has two specific roles in Kosovo. The first one is its role on the Stabilization and Association Process and the other role is concerning the issue of the rule of law and the "technical process based on the Copenhagen criteria and especially on chapters 23 and 24 of the EU acquis"[119] (Oproiu, 2015: 158). Two Directorate Generals of the Commission work closely on Kosovo related policies. DG NEAR is responsible for the accession process, and DG HOME is in charge of visa liberalization (Oproiu, 2015: 158). Accordingly, these two DGs need to work in harmony in order to assure the coherence of the Union's policies in Kosovo. As in the case of Bosnia, the Commission prepares the Annual Progress Reports to evaluate the reform progress of the country.

---

[119] Chapter 23 is on the judiciary and fundamental rights and Chapter 24 is on justice, freedom and security.

The Liaison Office of the European Commission in Kosovo was renamed as the "EU Office in Kosovo" after the Lisbon Treaty. The head of the EU office is double-hatted as in the case of Bosnia, meaning the head of the Office is also the EUSR in Kosovo. The main task of the EUSR is to provide "local political guidance" to EULEX and to contribute to the improvement of "respect for human rights and fundamental freedoms in Kosovo".[120] The EUSR was created as a part of the Ahtisaari Plan and would assume the "role of International Civilian Representative (ICR) in Kosovo and supervise the implementation of the status settlement" (Tzifakis, 2013: 46). According to an EU Office Officer 1 in Pristina (personal communication, May 2017, Pristina), It is an anomaly to have double hatted position EU office and EUSR and their respective staff. He/she argues (personal communication, May 2017, Pristina):

> There is no difference in the way we work. We have the same "boss" (EUSR and head of EU Office, double-hatted). We have a different mandate in theory but there is no real difference in practice. We work very closely and contribute to each other's work in the issues of justice, (and transitional justice) the rule of law, human rights. There is no issue of coherence in that sense. We are one team.

Brussels supports the view that the EUSR should be discontinued but member states want the EUSR to have a stronger presence in Bosnia and Kosovo because of EUSRs report to Council rather than the Commission (Former EUSR, personal communication, May 2017, Brussels). The EU Office had "struggled to make its marks on the ground" (Koeth, 2010: 231). Because of the "high visibility of UNMIK" and the positive image of the US in Kosovo, the EU Office had "little room for the Commission to affirm itself locally" (Koeth, 2010: 231). When Kosovars are asked about the EU presence in the country, the response is generally "The EU in Kosovo? The EU is not doing much in Kosovo. They have just continued UNMIK by changing the badge of the UN by the logo of the EU" (Kosovar Diplomat, personal communication, May 2017, Pristina).

---

[120] See Council of the European Union, "Council Joint Action 2008/123/CFSP of 4 February 2008 Appointing a European Union Special Representative in Kosovo,"

There are coordination issues among the EU actors on the ground. There is a considerable amount of overlap, with different actors engaged on the same issue with the very same counterparts (EULEX Officer, personal communication, May 2017, Mitrovica). Focusing on the same issue by the EU actors can be advantageous if coordinated such that different forms of leverage can be brought to bear. For instance, security guarantees (i.e. an increased EULEX presence) can be combined with financial incentives (i.e. from the EUSR) with respect to secure a compromise on the reconstruction of the Main Bridge in Mitrovica. However, it can also lead to inter-institutional competition for influence over key areas of the dialogue process, especially where the unlocking of obstacles to dialogue implementation is concerned. Domestic actors have also become adept at balancing the different interests and objectives of the various EU actors in order to stave off calls for a fundamental rethink of the approach towards Kosovo.

4.3 EU Accession as Foreign Policy in Kosovo

4.3.1 Institutional Coherence of the EU regarding the EU accession process of Kosovo

The first institutional developments started when the Union's High Representative of the period, Javier Solana "had dispatched a personal representative" in April 2004 and when the Liaison Office of the European Commission was opened in Pristina in the autumn of 2004 (Koeth, 2010: 231). The liaison office (which is currently called the EU Office) was an important development increasing the Commission's influence of Kosovo. The liaison office's role was similar to the EU Delegations around the globe, "but its work has been overshadowed by EAR[121] which has been administering all assistance projects on the ground" (Papadimitriou, Petrov & Greiçevci, 2007: 231). According to Papadimitriou, Petrov and Greiçevci, (2007: 231) the creation of the Solana's office has increased the Union's influence in Kosovo because before the establishment of the office, the Union's task in Kosovo was shared "with the Council's Presidency Office which rotates amongst those EU Member States who have

---

[121] European Agency for Reconstruction

established Liaison Offices (Embassy-like institutions) in Kosovo". The Office took a role in the operationalization of many EU foreign policy tools such as "the Stabilization and Association Process Tracking Mechanism (STM) and European Partnership Plan (EPP)" (Papadimitriou, Petrov & Greiçevci, 2007: 231). The most important post-war communication of the European Commission was introduced in 2005 and was entitled "A European Future for Kosovo" (European Commission, 2005). Despite the issues of independence and recognition, the objective of "A European Future for Kosovo" was the same as the rest of the Western Balkans strategy of the Union: European integration. Accordingly, this EU document "marks the beginning of a clear EU commitment for Kosovo's future integration into the Union" (Yabancı, 2014: 123).

The lack of coherence between the EU member states regarding the recognition, forced the EU institutions to take a stance concerning Kosovo in order to prevent a possible isolation. During the heated discussion in UN concerning the independence of Kosovo, "on 28 June 2007, Solana's spokesperson declared that 'if the Russians keep saying "no, we can take our own decision".[122] Similarly, on July 2007, regarding the issue of Kosovo, the Commissioner for Enlargement (2004-2010) Oli Rehn (2007) stated "Kosovo is a profoundly European matter" and "neither Russia nor the United States is so directly affected by what happens in the Balkans as we Europeans are".

For a long time, the EU was not able to have a unitary view about the status of Kosovo, but at the same time, inaction would impede its actorness (Van der Borg, le Roy & Zweerink, 2016: 8). According to Yannis, (2009: 161) during the Ahtisaari Plan negotiations, the EU showed "skillful diplomacy to navigate such difficult international problems and still come out on course". Yannis (2009: 161) stated: "the European Union has managed to handle an impossible situation in a way that both preserved a modicum of unity and projected power and responsibility". In order not to repeat the failure to act in Bosnia the previous decade, the European Council took the decision on 10 April 2006 "to establish a European Union Planning Team (EUPT) to prepare for a possible future ESDP Mission in Kosovo" (Koeth, 2010: 232). As a result, the ESDP rule of law mission (EULEX) and the EU Special Representative

---

[122] EU Foreign Policy Chief Solana's spokeswoman Christina Gallach as cited in Koeth, (2013).

position had been initiated "in parallel" a few days before the independence declaration of Kosovo (Koeth, 2010: 235).

After the independence, despite the non-recognition of five EU member states, Kosovo continued to benefit from the financial Instrument for Pre-Accession of the Union (Koeth, 2010). The official "mantra" of the EU's foreign policy in Kosovo has become "diversity on recognition but unity in engagement" (Communication from the Commission to the European Parliament and the Council, Kosovo – Fulfilling Its European Perspective, COM (2009 as cited in Koeth, 2013: 398).

4.3.1.1 The Stabilization and Association Process and the Visa Liberalization

As in the case of Bosnia and other Western Balkan countries, the Stabilization and Association Process (SAP) has constituted the institutional framework for the EU integration process of Kosovo. The SAP has been the primary policy tool of the Union since 1999 in the Western Balkans aiming to achieve stability after the conflict in former Yugoslavia.[123] The SAP aims to prepare Kosovo for EU accession by using "instruments of conditionality such as democratization [and] economic development" (Yabancı, 2014: 123). In other words, the main objective of the SAP was to the introduction of coherent policy instruments aiming to achieve a "sustainable conflict resolution through the "added value" of EU membership in the distant future" (Yabancı, 2014: 124).

The Commission has described the goal of the SAP as:

> an ambitious strategy that helps the region to secure political and economic stabilization and to develop a closer association with the EU, with the signing of the Stability and Association Agreement, opening a road towards EU membership once the relevant conditions have been met (European Commission, 2001).

---

[123] "The Stabilization and Association Agreement constitutes the framework of relations between the European Union and the Western Balkan countries for implementation of the Stabilisation and Association Process. Stabilization and Association Agreement, available at https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/saa_en

According to European Council 2000 and 2003 documents, conditionality is the driving force behind the SAA Process which is the "predecessor" of an eventual EU accession (European Council, 2000; European Council, 2003). However, how did the accession process and more specifically the SAP evolve in Kosovo?

Even if the aim of the SAP was to prepare the basis for an eventual EU accession of Kosovo, the Union aimed to avoid presenting a concrete enlargement timetable by initiating "a flexible form of integration and limited institutional relations with Kosovo" (Yabancı, 2014: 125). By avoiding a clear timetable for EU integration, and focusing on the conflict resolution, the Union aimed to prevent "immediate pressure" about the EU accession of Kosovo (Yabancı, 2014: 125). Notably, during the Zagreb Summit of November 2000, the EU and the member states "officially endorsed" the main points of the SAP but the word "Kosovo was not even mentioned" once in the official documents (Elsuwege, 2017: 396). In a similar fashion during the Feira Summit of June 2000, which announced that the SAP countries "are potential candidates for EU membership," the situation of Kosovo remained "ignored" and unresolved (Elsuwege, 2017: 396).

The "formal" inclusion of Kosovo into the SAP occurred in 2012, with the start of the visa liberalization process and the negotiations for SAA (Yabancı, 2016, 9). In 2012, the European Commission noted that Kosovo is "largely ready" to begin the SAP negotiations after realizing domestic reforms on the issues of "the rule of law, public administration, the protection of minorities and trade" (Sorheim, 2014: 71). Finally, on 1 April 2016, the Stabilization and Association Agreement (SAA) between Kosovo and the EU came into force despite the non-recognition of Kosovo by five EU member states. The Council Decision concerning the SAA affirms that:

> The Agreement, nor any recourse to all the necessary legal bases for the conclusion of the Agreement, constitute recognition of Kosovo as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not previously taken such a step.[124]

---

[124] See Council Decision (EU) 2016/342 of 12 February 2016 on the conclusion, on behalf of the Union, of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo *

Similarly, Johannes Hahn the Commissioner of DG Near stated the coming into force of the SAA should not be seen as a sign that Kosovo can obtain EU candidate status without 5 EU member states recognizing the country. Hahn stated: "No, you should be recognized by all member states.[125] Now the focus should be on the economic development of the country, on the growth, creation of jobs" (Koha Ditore: 2015). The European Commission argued there is no legal obstacle concerning signing the SAA without the recognition of Kosovo by five EU member states. The European Commission stated:

> From a legal point of view, the EU can conclude a Stabilization and Association Agreement with Kosovo, as per Articles 217 and 218 TFEU. A Stabilization and Association Agreement between Kosovo and the EU can be concluded in a way that it respects the positions of Member States on the status of Kosovo (European Commission, 2012: 1).

The EU is currently "ignoring" the non-recognition issue in order to prevent the EU-Kosovo relations to stagnate. Kosovo signed the SAA with the EU institutions and not with the member states because of the non-recognition of the country by five EU member states. The SAA with Kosovo is different than the SAA made with Bosnia, Serbia, Albania, and Montenegro because "the SAA does not mention the integration of Kosovo into the EU" (Palokaj & Tuhina, 2016: 13). The SAA with Kosovo uses the word "European perspective" rather than "European integration" (Palokaj & Tuhina, 2016: 16). The SAA with Kosovo contains vague statements such as "should objective circumstances so permit" (SAA, 2015) in order to prevent formal commitments in the future.

Because of the fact that the SAA was signed between the Kosovar government and the Union institutions rather than the EU member states, the entering into force of the SAA was considerably fast as the EU member states did not need to ratify the agreement (Elsuwege, 2017: 495). The non-recognition also creates incoherence regarding the SAA. Under normal conditions, the signing of the SAA should be taken as a formal application. However, that door is closed. Domestic issues within member states prevent the recognition of Kosovo by all member states. Regarding the impact of the

---

[125] Concerning the candidacy status of Kosovo

non-recognition of Kosovo by five EU member states on the institutional dynamics of the Union, an EU Office Official in Pristina (personal communication, May 2017, Pristina):

> Recognition of Kosovo is a problem as it hampers to clarify the EU perspective in Kosovo. We have to precise the "status neutral" position. But it's a fact and we have to work accordingly. The unrecognition is a problem at the Council but we (EU Office in Kosovo) work well with the Commission.

The visa liberalization process between the EU and Kosovo is also one of the most crucial issues for regarding the EU accession path of Kosovo. The Council stated on December 2010 that "Kosovo would benefit from the perspective of eventual visa liberalisation once all conditions are met" (EEAS, Visa Liberalization Roadmap).[126] After concluding that Kosovo made sufficient progress regarding the issues of readmission and reintegration, the Council accepted the Commission to follow the following three steps (EEAS, Visa Liberalization Roadmap)[127] :

> 1. To launch a visa dialogue with Kosovo, without prejudice to Member States' position on status, if all conditions are effectively fulfilled;
> 2. To fully associate the Council and Member States to each step of the dialogue;
> 3. To present regular reports on Kosovo's progress in adopting and implementing the appropriate reforms, including on the basis of Member State experts' reports on the ground.

As a result of the approval of the Council, the visa liberalization dialogue between Kosovo and the EU Commission has begun in January 2012. In June 2014, the visa liberalization roadmap was approved by Kosovo[128]. However, the EU has still not granted the visa liberalization to Kosovo. The latter is the only country in the Western Balkans that did not obtain the visa liberalization.

Two major issues have been crucial concerning the visa liberalization of Kosovo: border demarcation with Montenegro[129] and the improvement on track records with

---

[126] See https://eeas.europa.eu/sites/eeas/files/visa_liberalisation_with_kosovo_roadmap.pdf
[127] See https://eeas.europa.eu/sites/eeas/files/visa_liberalisation_with_kosovo_roadmap.pdf
[128] See http://www.mei-ks.net/en/visa-lib-process#sthash.i6d35bnp.dpuf
[129] The border demarcation agreement was signed between Montenegro and Kosovo in August 2015

fighting with high-level protection (EU Office Officer 1, personal communication, May 2017, Pristina). Kosovar politicians such as the former Minister for EU Integration Bekim Collaku (personal communication, May 2017, Pristina), believe there is a double standard as there are still problems regarding the demarcation lines between other EU member countries such as between Croatia and Slovenia. Kosovo wanted to drop these two criteria. However, the EU institutions are united regarding the visa liberalization issue. The EU member states, the Commission and the EP representatives insisted that the Kosovo Parliament "must ratify the border demarcation deal with Montenegro as soon as possible".[130] Regarding the demarcation issue, an EU Office Officer 2 in Pristina (personal communication, May 2017, Pristina) argued: "Kosovo is not Turkey. Kosovo does not have the political leverage Turkey had regarding the "refugee deal" made between the EU and Turkey in 2016". Concerning the double standard arguments of the Kosovar politicians the EU Office officer 1 in Pristina states: (personal communication, May 2017, Pristina)

> We also learn from the past and the issues of demarcation (Referring the issue between Croatia and Slovenia which is still nor ratified). In Brussels, the EU is not sensitive enough about borders in the Western Balkans. Western Balkans is more sensitive to borders comparing to rest of Europe such as the borders between Germany and Poland. We also learned with the Greek Cypriot administration's membership which caused problems with Turkey.

The border demarcation agreement between Kosovo and Montenegro has been ratified after a long delay, on 21 March 2018.

Kosovo's failure to fulfil the visa liberalization criteria, particularly the demarcation agreement with Montenegro, has strained relations with local actors. Kosovo's political elites feel aggrieved that such a unique condition was imposed (other countries awarded visa liberalization were not required to demarcate their borders), while the public has in general adopted a narrative asserting that Kosovo is being left behind, treated unfairly and is becoming the ghetto of Europe (EULEX Officer, personal communication, May 2017, Mitrovica). The EU's patience with Kosovo is beginning to wane, especially as their own domestic electorates grow increasingly

---

[130] Ulrike Lunacek, the EP rapporteur for Kosovo available at http://www.kosovapress.com/en/news/lunacek-ratify-border-demarcation-with-montenegro-137485/

sceptical about further enlargement (EU Office 2 Officer, personal communication, May 2017, Pristina).

4.3.2 Horizontal Coherence of the EU regarding the EU accession process of Kosovo

Regarding the coordination in Kosovo between different EU actors, the HR/VP and the EEAS personnel in Kosovo is mostly focused on the Belgrade-Pristina dialogue. The rest of the EU work in Kosovo based on the agenda, more precisely the EU integration such as the coordination of instruments for pre-accession is in the hands of the Commission personnel. This clean separation of tasks can lead to problems of coordination. For EEAS, the dialogue is everything (EU Office Officer 1 personal communication, May 2017, Pristina). A single-minded focus can lead to side-tracking. This fact undermines the longer-term strategic path of the EU in Kosovo such as regarding the issue of the rule of law. Political issues impact the Commission's work in Kosovo. Long-term strategic structural issues are not taken seriously because of "hot topic political issues". There are issues such as "nepotism, corruptions and political mafia" in Kosovo where the EU has not made progress because of "flash political matters" (EU Office Officer 1, personal communication, May 2017, Pristina).

The HR/VP and EEAS have been prevented from fully exploiting the tools available through the SAP to move Kosovo's reform process forward. The inherently technical nature of the latter means that its potential to help resolve the political obstacles encountered by the former (the HR/VP and EEAS) is wasted (EU Office officer 2, personal communication, May 2017, Pristina). There is a lack of flexibility for the EU Office meaning that the EUSR cannot deploy the EU's tools and resources politically to help enhance the EU's leverage in various realms throughout Kosovo, including the fight against organized crime and corruption. Whilst more technical missions like EULEX have had some impact they have not enjoyed, the benefits of a more reform enabling environment that the SAP could bring if its tools were deployed more assertively, particularly by bringing pressure to bear on cases of political interference in the work of the judiciary. As a result, institutional coherence of the EU remains limited.

4.3.3 Vertical Coherence of the EU regarding the EU accession process of Kosovo

Despite the differences about the recognition issue, EU member states "have refrained from openly clashing over Kosovo, contrary to other foreign policy matters such as the war in Iraq" (Tzifakis, 2013: 45). In other words, they have not blocked the Stabilization and Association Process, which Kosovo has completed with the EU, nor did they indicate their will to put individual obstacles for Kosovo's EU membership process. On the Council meeting of 18 February 2008, it was announced, EU member states would determine their relations with Kosovo separately.[131] It should be noted that the five non-recognizers do not pursue the same policies towards Kosovo – beyond not recognizing Kosovo (Kosovar diplomat, personal communication, May 2017, Pristina). Some of these countries have been more open to communicate and cooperate with Kosovo (e.g., Greece), than the others (with Spain been exceptionally rigid in refusing almost any form of cooperation with Kosovo).

Many factors have shaped the decision of EU member states regarding the recognition of Kosovo. Member states that have been confronted by minority-related issues such as Spain, Greece, the Greek Cypriot administration, Romania and Slovakia, have been "more sympathetic to the Serbian claim for territorial integrity" (Koeth, 2013: 233). Greece and Romania's cultural and religious ties with Serbia, shaped their view to support Serbia regarding the issue of Kosovo's independence. (Ivan, 2017)

Even though Greece does not recognize Kosovo, Athens relations with Pristina has improved in recent years. For instance, in 2014, Greece opened a liaison office in Pristina. Slovakia's decision is related with the Hungarian minorities in the country. (Vicere, 2016) Slovakia, fearing that the Hungarian minorities can follow the path of Kosovo, rejects to recognize the latter (Vicere, 2016). Concerning the recognition Spain remains to be the most ardent opposition (EU Office Officer 1, 2017, personal communication, May 2017, Pristina). As we will discuss during the analysis of EULEX and the Belgrade-Pristina Dialogue, despite their opposition to the recognition

---

[131] See Council of the EU, 2851th Meeting General Affairs and External Relations, Conclusions on Kosovo, doc. 6262/08 (18 Feb. 2008).

of Kosovo, Spain conducted a constructive approach towards the EU's policies in Kosovo.

The case of Greek Cypriot administration is more complicated than the other five EU member states not recognizing Kosovo. The Greek Cypriots' approach towards Kosovo is not only shaped by the problem of separatism. Besides of being Christian Orthodox like Serbians, Greek Cypriots trace some similarities between their recent past and the conflict between Serbia and Kosovo. According to Ioannides, "most Greek-Cypriots empathize with Serbs, whom they consider – like themselves – as victims of foreign intervention" (Ioannides, 2017b: 7). Greek Cypriots compare the NATO's intervention of 1999 to the confrontation with Turkey in 1974 (Ioannides, 2017b: 7). In addition to historical and societal ties, Serbia and the Greek Cypriot Administration "share common commercial and financial interests, as well as dealings in tourism and the construction industry" (Kentas, 2012: 131, as cited in Ioannides, 2017b). Because of these factors, the Greek Cypriot administration chooses not to recognize the independence of Kosovo.

Each of the five non-recognizers is motivated by domestic considerations, meaning that they are unlikely to change their stance until Serbia chooses to recognize Kosovo. The persistence of the non-recognizers has undoubtedly undermined the EU's ability to act more decisively vis-à-vis both Belgrade and Pristina by forcing it to adopt a stance of status neutrality and speak with a more muffled voice. On the flip side, however, it has allowed the EU to treat Serbia with a more even hand and ensure that the country has few hesitations about continuing down the EU path. The long-term scenario remains one of allowing Serbia to reach the door of the EU before having to finally and fully resolve its Kosovo dilemma. The re-emergence of Russian influence has also complicated policy objectives in the region, with many member states eager to see Serbia firmly on the path towards EU accession. Greiçevci (2011: 289: 292), argues that the non-recognition of Kosovo by 5 EU member states has prevented the Union "to act as a unified entity in the matter of recognition" and in consequence, this lack of unity has led Moscow and Belgrade to "consistently pursue their negative course of events".

The non-recognition of the country by 5 EU member states blocks the integration of Kosovo at the political spectrum (EU Office Official 2 Kosovo, personal communication, May 2017, Pristina). According to Agon Maliqi, (personal communication, May 2017, Pristina), it is likely that four of the non-recognizers (Greece, Slovakia, the Greek Cypriot administration and Romania) could recognize Kosovo as a group, if there is some momentum or diplomatic push from key countries like Germany or France, and if there is some move to speed up processes in the Western Balkans. Otherwise, the status-quo is likely to continue for at least the medium term. Spain is a different story and it is hard to see how it can change its position considering the very aggressive approach and the framing it has done to Kosovo's declaration by drawing parallels with its own separatist movements. Also, the political climate within the EU has changed with Brexit and domestic problems such as the national elections in Germany and France. Domestic and global problems push the EU countries to focus less on their relations with Kosovo.

Concerning the impact of the EEAS on the vertical coherence Kosovar bureaucrats do not have a favourable opinion. Regarding the issue, a Kosovar diplomat (personal communication, May 2017, Pristina) argues:

> Unfortunately, the creation of the EEAS had no impact improving the vertical coherence whatsoever. Five EU member states still have not recognized Kosovo's independence. The five "non-recognizers," as they are called in Kosovo, continue refusing to recognise Kosovo's independence, regardless of the fact that 23 other members of the EU (the UK included), have recognized Kosovo's independence. The non-recognizers also question the legality of the proclamation of Kosovo's independence, despite the fact that the independence has been confirmed by the International Court of Justice (in a process initiated by Serbia). Moreover, the resolution of the European Parliament calling for the recognition of Kosovo's independence by all EU member states seems to have had no impact on the five non-recognizers. It is worth recalling that Kosovo has been recognized by 113 countries of the world and this process is ongoing. I do not want to endeavour into analysing the motivations of each of these countries, nor do I want to predict what would be the policies of these countries towards the recognition of Kosovo, in the future. I want to emphasize, however, that this deviation of five EU countries from the position of the overwhelming majority of the EU member countries towards Kosovo's independence, is reflection of the fact that foreign policy continues to be the realm of national sovereignty. Certainly, the recognition of states is a bilateral action. Yet, the decision to do so could be arranged collectively. The creation of the EEAS was not helpful in terms of the harmonization of the policies of

EU capitals towards Kosovo and the Balkans – which is, basically, a European region.

In sum, it can be argued that the EU member states and EU institutions, have tried to portray an image of having "almost common voice" regarding the EU foreign policy in Kosovo. EU member states aimed to reach have a partial consensus that would help to EU to have a comprehensive foreign policy in Kosovo that would be composed of both state-building and EU integration policies in the country. However, the issue of recognition/non-recognition among the EU member remains as one of the major obstacles to ensure the vertical coherence of the EU's foreign policy regarding Kosovo.

4.3.4 Perceived coherence regarding the EU Accession Process of Kosovo

Conditionality process in Kosovo has been the main factor shaping the perceptions of the public opinion and local elites on the EU foreign policy. Incentives related with the potential EU membership, play a crucial role in the perceived coherence of the Union in Kosovo. According to Yabancı (2016: 11) "from the local point of view, the importance of incentives, such as visa liberalization and SAA, is very high". Public polls show the "disappointment" of Kosovars regarding the issue of visa liberalization and the SAA as the polls made in 2014 show that more than half of the Kosovo population perceive "the lack of visa liberalization as a threat to their well-being" (Yabanci, 2016: 11). Kosovars perceives a policy of "double standard" of the EU as Kosovo is the only country not being granted the visa liberalization in the region (Krenar Gashi, personal communication, May 2017, Pristina). Due to the fact that local elites lack clear ideas and capacities for a domestically driven agenda, conditionality in Kosovo has perhaps been the main policy anchor in Kosovo during the last decade shaping behaviour and discourse (Agon Maliqi, personal communication, May 2017, Pristina). Kosovar elites have often aimed to measure their success in accordance with the achievement of conditions from abroad, especially the EU. The need of local elites to gain support and legitimacy in the international arena has also contributed to this. In a way, conditionality has set clear benchmarks for reform. However, there have

been side-effects in that EU conditionality and priorities set in Brussels has not always fallen in line with grassroots concerns of electorates. Prioritization of the dialogue with Serbia and its usage as conditionality has led elites to disproportionately deal with that issue and neglect development agenda. The political elite has used the EU and their policies exclusively to remain in power. Until very recently, in Kosovo' one could be in power simply by being "good" to the EU, checking the list of conditions and faking compliance (Gashi, personal communication, May 2017, Pristina). It goes without saying that a dosage of claiming themselves as pro-EU and others as anti-EU was instrumental. Regarding the relationship between the Kosovar political elites and the EU, Krenar Gashi (personal communication, May 2017, Pristina) states:

> Although our politicians seem to believe that the EU and membership into the EU is the only solution and there are no alternatives to it, I do not believe, even for a second, that they truly prioritize that in their day-to-day work. Furthermore, I genuinely do not believe they understand what the EU is and what it stands for.

According to Bekim Collaku, the former Minister for EU Integration of Kosovo,[132] (personal communication, May 2017, Pristina) there is no coherence between different institutions regarding the recognition of Kosovo. The non-recognition of five EU member states causes the Union to not being able to speak with one voice (personal communication, May 2017, Pristina). While the European Parliament recognizes Kosovo, the Council and the Commission do not. Collaku states: (personal communication, May 2017, Pristina) "when Kosovo's head of states goes to the Commission, the Kosovo flag is not present". As a result, Kosovo perceives its relationship with the EU as an asymmetric one. EU institutions should find a mechanism under the current circumstances, a mechanism such as the signing of the SAA. Collaku continues: (personal communication, May 2017, Pristina) "we can live without the recognition if there is movement forward. There should be an equal relationship perspective".

The main problem of the Kosovar stakeholders, is with the EU actors in Brussels and the EU member states (Collaku, personal communication, May 2017, Pristina).

---

[132] Bekim Collaku was still the Minister while the interview was being made in May 2017.

Collaku (2017) describes the Kosovo Brussels relations as "confusing and unfair". (personal communication, May 2017, Pristina) All the crucial processes are blocked by the five EU member states not recognizing Kosovo. As a result, the EU is constantly trying to find alternative solutions. The Council adopts the view of the minority rather than the majority. Kosovo occupies the last place in the agenda of the EU regarding the Western Balkans. On the other hand, Collaku (personal communication, May 2017, Pristina) argued that the EU actors in Kosovo are coherent as the EU manages to have control over their institutions in Kosovo. There is no clash between the EUSR and the EU Office. They are well coordinated regarding both Commission related and CSDP policies. The European Parliament (EP) supports the independence of Kosovo. The EP expressed its stance about the independence by adopting a resolution on 8 July 2010 by stating it "would welcome the recognition by all Member States of the independence of Kosovo".[133]

The political elites in Kosovo have focused an excessive amount of attention on the demarcation with Montenegro in order to distract attention from the second condition; namely, a sustained track record in the fight against organized crime and corruption. Failure to see tangible progress in the latter sphere has led to an enormous loss of trust in Kosovo's democratic and justice institutions, whilst fuelling accusations that the international community in Kosovo is beholden to the interests of the political elites. There is a sense that the EU, as in the case of Bosnia-Herzegovina, has failed to foster a vibrant civil society with whom to partner with throughout the course of accession (EULEX Officer, Mitrovica, 2017, personal communication, May 2017, Pristina).

The contribution of the CSO's to the SAP occurs in several forms. First of all, the CSOs in Kosovo such as the Kosovar Civil Society Foundation write "their own review for the yearly Progress Reports, which they use as an opportunity to monitor the government in the light of the SAP criteria" (Yabancı, 2016: 10). Secondly, the CSOs participate to most of the political and technical meetings taking place between the EU and Kosovo officials "to submit their own contribution to the goal-setting and monitoring of the government's reform activities" (Yabancı, 2016: 10). However, regarding one of the most important foreign policy matters between Kosovo and the

---

[133] See European Parliament, "European Parliament Resolution of 8 July 2010 on the European Integration Process of Kosovo," (2010)0281 Strasbourg, July 8, 2010).

EU, the CSO's were "left out" (Kosovar Civil Society Foundation: 2013; 2014). More specifically the views of the CSOs in Kosovo were not included during the process of deciding the benchmarks of the SAA and visa liberalization (Kosovar Civil Society Foundation: 2013; 2014). Despite the EU emphasizes the principle of local ownership regarding its relations with Kosovo, "there is a complex process ultimately controlled by the Commission and the Council" (Yabancı, 2014: 127). The SAP can be seen as mostly a top-down process, but the EU tries to include the non-state actors and mostly the civil society organizations into the process (Yabancı, 2016). According to the report published by Kosovar Civil Society Foundation (KCSF) in 2016, there are 8,500 registered NGOs/CSOs and other unregistered initiatives in the country but only 1500 of these remain active (KCSF, 2016). The Union uses tools such as "Civil Society Facility (CSF) and Technical Assistance for Civil Society Organizations (TACSO)[134]" in order to increase the participation of the CSOs in the process (Yabanci, 2016). These instruments aim to "strengthen CSOs so that they are able to actively participate in public debate and eventually have the capacity to influence policy and decision-making processes" (TACSO, 2014).

It is interesting to analyse the EU's own opinion about the civil society in Kosovo. The European Commission's 2011 report describes the civil society in Kosovo as "weak and not fully equipped" to influence the decision-making processes is the main obstacle for changing the mind-setting from the pedagogic approach towards a cooperative one (European Commission, 2011, as cited in Yabancı, 2016). The civil society is very much "EU-ized" in Kosovo (Gashi, personal communication, May 2017, Pristina). Several factors are shaping the CSO's perceptions in Kosovo about the EU. First of all, EU funds consist a good proportion of the civil society funds in Kosovo civil society organizations' work has been identified and equated the democratization process with the EU (Gashi, personal communication, May 2017, Pristina). Thus, the civil society would be even stronger and louder than the EU when it comes to promoting liberal norms and EU values in legislation.

The institutional coherence of the EU in Kosovo suffers from problems related to the coordination problems between the EU actors on the ground. The multitude of EU

---

[134] For more information about TACSO see http://www.tacso.org/Content/Read/15?title=ŠtajeTACSO

actors has created confusion among the Kosovar administrators. The latter are confused and exhausted by the same questions asked by different EU agents during their meetings. (Tamminen, 2016, 118). Depending on the EU institution they are working for, EU officials have different priorities such as the visa liberalization or the issue of migration (Tamminen, 2016, 118). As a result, the perceived coherence gets "damaged" in the opinion of the Kosovar administrators in the Ministry of Justice and the Ministry for EU integration.

EU funds are generally not used for locals but for the EU companies working for the EU in Kosovo. (CSO member in Pristina, personal communication, 2017) As a result, no progress occurs despite the allocation of EU funds. The EU became obsessed with the technicalities of the status of Kosovo rather than improving the economic and social conditions in Kosovo (Krenar Gashi, personal communication, May 2017, Pristina). Another part of the Albanian Kosovars is grateful for the EU's presence as they believe that the EU is helping the EU regarding the statebuilding of Kosovo. A new "nomenklatura", pro-government people benefiting from the international presence repeat what the EU says for benefits (Vjosa Musliu, personal communication, December 2016, Ghent). Serbian Kosovars do not have a monolithic understanding of the EU (Vjosa Musliu, personal communication, December 2016, Ghent). There are in "pro" and "against" perceptions concerning the EU's policies in Kosovo in general and in the regions mostly populated by Serbian Kosovars like North Mitrovica. During my visit to North Mitrovica, I have perceived that the situation in this region is intricate. North Mitrovica looks like a Serbian province rather than Kosovar region. The presence of the EU was less obvious in North Mitrovica. The main perception of the public opinion in North Mitrovica is "none of this project is for us" (Vjosa Musliu, personal communication, December 2016, Ghent).

There are different local narratives among Albanian Kosovar regarding the EU's presence in Kosovo (Musliu & Orbie, 2016). There is one part of the society being very critical, criticizes the EU by using a colonial discourse (Musliu & Orbie, 2016). They use the word "UNMIKISTAN" (referring to the UN mission UNMIK) and "EULEKSPERIMENT" as a sort of dictatorial experience (Musliu & Orbie, 2016). According to Musliu and Orbie (2016: 12), "UNMIKISTAN not only denotes Kosovo as 'the land of UNMIK' but at the same time it tells us that this is not "the land" of

somebody else". According to the critical part of the Albanian Kosovars society, the EU is using Kosovo as a laboratory for finding the best model for democracy (Musliu & Orbie, 2016: 12). Most of the Albanian Kosovars believes that it is the US who provided the independence in Kosovo (Krenar Gashi, 2017, Personal communication, Pristina). When you visit the country and talk to politicians, civil society organizations and Kosovars from different working fields, it is immediately observable that the US is still seen as the "saviour" of the country. Billboards welcome visits of former US Senators on the other hand graffiti in Pristina criticize the EU. The image of the EU is considerably negative compared to the US currently less involved in the state-building of Kosovo.

4.4 Coherence of the EU and EULEX: the CSDP Rule of Law Mission

4.4.1 Background and the initiation of EULEX Kosovo

EULEX is the largest civilian mission of the EU to date. Peters argued that EULEX by being the largest mission civilian mission of the EU, gave an opportunity to the latter to foster its actorness, "which influences how EU foreign policy is perceived by the others" (Peters, 2010 as cited in Musliu & Geci, 2014: 70). Before proceeding in analysing the coherence of the Union during EULEX, we need to introduce its objectives, functions and different EU actors involved in the process.

When the independence of Kosovo became the main issue of the country after the mid-2000s, the Union acknowledged the possibility of initiating a CSDP mission as a new foreign policy tool in Kosovo. Originally, Ahtisaari Plan was envisaging an EU rule of law mission after Kosovo's independence. However, when the independence of Kosovo was vetoed at the UNSC by Russia, the Union had to accept that the mission can be established only "under the UNSCR 1244 which acknowledges the territorial integrity of Serbia" (Yabancı, 2014: 155). The mission would be "status neutral" regarding the independence question of Kosovo. As a result of an agreement reached between the EU, the UN and the Serbian government, it was decided that EULEX would "perform an enhanced operational role in the area of the rule of law under the

framework of Resolution 1244 (1999) and the overall authority of the United Nations".135 The agreement was named as "The Six Point Plan", that assured Serbia to control the borders, the police, justice, customs and infrastructure in the regions populated by Kosovo Serbs (Dzihic & Kramer, 2009). Initially, Kosovo did not recognize the Six Point Plan but it "eventually gave in" (Dijkstra, 2011b: 203).

Despite five EU member states did not recognize the independence of Kosovo, "a day before the declaration of independence of Kosovo was announced" the EU agreed on initiating the mission EULEX Kosovo (Bono, 2010: 257). All of the EU member countries approved the initiation of EULEX rule of law mission in Kosovo.[136] By taking over the "supervisory responsibilities from UNMIK", EULEX was established with the Joint Action 2008/124/CFSP. The mission statement of EULEX was as follows:

> EULEX KOSOVO shall assist the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognized standards and European best practices. EULEX KOSOVO, in full cooperation with the European Commission Assistance Programmes, shall fulfil its mandate through monitoring, mentoring and advising, while retaining certain executive responsibilities.[137]

Even though EULEX took over the supervision duties from UNMIK, it cannot be seen as a continuation of UNMIK. Unlike "UNMIK, EULEX does not have a civil administration mandate, and it cannot adopt legislation or regulations on behalf of Kosovo" (Bislimi, 2012: 59). EULEX also aimed to strengthen Kosovo's institutions and to facilitate the negotiation process during the Belgrade-Pristina Dialogue (Llaudes & Andrada, 2015). The overall political objective of the mission was to assist the authorities in Kosovo to realize the rule of law reforms that would lead to EU accession (EEAS, 2014).

---

[135] UNSG (24 November 2008). Report of the Secretary General on the United Nations Interim Administration Mission in Kosovo. S/2008/692.
[136] Only the Greek Cypriot administration voted in against the ESDP mission EULEX.
137 Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo.

EULEX is composed of "policemen, judges, prosecutors and customs officials that are seconded by the member states of the European Union or third countries, as well as local staff" (Tolksdorf, 2013 as cited in Van der Borgh, Le Roy & Zweerink, 2016: 19). In addition to EU member states, Canada, Turkey, Norway have contributed to the mission with their personnel (EUSR, 2009).

EULEX's mandate should be renewed every two years with the support of the government of Kosovo. The mandates of EULEX have evolved considerably since its initiation in 2008. The period of the first mandate was from 2008-2010. The mandate considered was a limited one aimed at "supporting Kosovo authorities by monitoring, mentoring and advising (MMA[138]) on the rule of law components: judiciary, police and customs" (EULEX Kosovo, 2015). Through these activities, EULEX assisted Kosovo institutions, judicial authorities and law enforcement agencies" in order to install a justice system, police and customs service respecting the multi-ethnic nature of the country (EULEX Achievement Booklet, 2015). The first mandate gave EULEX prosecutors, executive powers to investigate and prosecute "serious and sensitive crimes" (EULEX Kosovo, 2015). EULEX prosecutors brought cases to court and the cases were "tried by panels with a majority of international judges" (3 judges compose the panel according to Kosovo legislation) (EULEX Kosovo, 2015). The second mandate of EULEX was renewed for two years in 2010 by preserving the "main objectives" of the previous mandate (EULEX Kosovo, 2015).

The third mandate of the mission began in 2012 and EULEX was restructured into two divisions: an "executive" one focusing on executive tasks and "strengthening" one "aimed at working on MMA for the local judiciary, customs, and the police" (Zupančičic, Pejič, Grilj & Rodt, 2017). Two "operational objectives" were also added to the 2012 mandate. The first one was called simply "North' and aimed to "restore the rule of law throughout the North of Kosovo" (Zupančičic, Pejič, Grilj, Rodt, 2017). The second operational objective was to provide "support to the implementation of the rule of law related agreements reached" in the Belgrade-Pristina Dialogue such as the question of integrating "Kosovo Serbs into the Kosovar security structures" (Zupančičic, Pejič, Grilj & Rodt, 2017).

---

[138] MMA was also the approach used during the EU Police Mission (EUPM) in Bosnia.

The mandate of 2014 brought new changes such as the composition of new court panels and the local personnel from Kosovo becoming a majority in EULEX (EULEX Kosovo, 2015). According to the 2014 mandate, the court cases would gradually be transferred to the local judicial system except for the northern region of the country "where EULEX will remain in charge of judicial proceedings until the EU Facilitated Dialogue between Pristina and Belgrade brings a solution for the judiciary" (EULEX Kosovo, 2015). The Council with a combined budget of 63.6 million EUR, has extended the mandate of the mission until 14 June 2018. The mandate contains no major changes and follows "the path of handing over the responsibilities to the Kosovo authorities" after the end of the mandate period (Zupančičic, Pejič, Grilj & Rodt, 2017).

4.4.2 EULEX and institutional coherence of the EU

Regarding institutional relations, EULEX represents an interesting case to analyse because of the involvement of many EU institutional actors. EULEX cooperates with the assistance programmes of the Commission (EULEX Kosovo, 2015). The Civilian Planning and Conduct Capability, a section of the EEAS' based in Brussels, is responsible for the "management" of the mission (Oproi, 2015). The Political and Security Committee (PSC) is responsible for providing strategic guidance to the mission (Oproi, 2015). The PSC is regularly supervised by the EU member states. According to Article 12 Joint Action 2008/124/CFSP, "the PSC shall report to the Council at regular intervals".[139] EULEX has been reporting monthly, six-monthly and yearly to the PSC in Brussels in a detailed manner (Van der Borgh, Le Roy, & Zweerink, 2016: 33). On the other hand, the Commission controls the budget which is a part of the CFSP as EULEX is a crisis management mission (Oproi, 2015). The EU body directing EULEX, the Political and Security Committee's "sporadic knowledge about Kosovo" has been a limiting factor for the mission (Group for Legal and Political

---

[139]EULEX Joint Action Article 12 see http://www.eulex-kosovo.eu/eul/repository/docs/WEJointActionEULEX_EN.pdf

Studies and DPC, 2014: 22). This has prevented the EU to analyse the specific crimes in the region.

EULEX staff is composed of seconded officials from member states and third states and local officials (Tolksdorf, 2013). Police officers, judges, prosecutors and customs officials constitute the staff of the mission (Tolksdorf, 2013). EULEX has confronted organizational problems (Group for Legal and Political Studies and DPC, 2014). Logistical problems, such as the "high staff turnover and the poor knowledge among the international staff of EULEX of local conditions" have caused issues for the mission (Van der Borgh, Le Roy, & Zweerink, 2016: 34). 2/3 of the EULEX staff is not contracted by the EU supranational institutions (CSDP/CFSP or EULEX for that matter) but rather seconded by the member states. None of the five non-recognizer EU member states contributed with personnel to the mission, or their contributions were merely symbolic with some contributions from Spain, Greece, and Romania (Krenar Gashi, personal communication, May 2017, Pristina). Further, the five members not recognizing Kosovo have been continuously seeking to "balance" the EU policy vis-à-vis Kosovo when it comes to statebuilding (Krenar Gashi, personal communication, May 2017, Pristina). Currently, the engagement of the EU transcends peacekeeping, enabling the rule of law, statebuilding and then member-state-building processes. Thus far, the five countries, but indeed all other 23 as well, made it impossible for the mission to be fully operational.

One of the main problems was the choice of a specific country law during the implementation of the mission. More specifically, "EU-contracted personnel did not know whether to implement UNMIK law, old Yugoslav law or Kosovo law. EULEX prosecutors and judges issued conflicting interpretations" (Weber & West, 2014: 21). There have been disagreements between EU member states prosecutors regarding which state's law to implement over certain cases (Weber & West, 2014: 21). There is a vagueness regarding the legal system EULEX should use. Which law should EULEX apply? There is no answer (Wolfgang Koeth, personal communication, February 2017, Brussels). The decision is left to individuals. What is the legal basis of EULEX? What is the legal value of Kosovo constitution? These questions cannot be answered. The vague mandate of EULEX shows organizational problems of EULEX. These organizational problems negatively affected the institutional coherence of EULEX.

4.4.3 EULEX and Horizontal Coherence of the EU

EULEX with its civilian component, has a vital role to enhance the relations between the CSDP "and the external dimension of the Area of Freedom Security and Justice, which share the objective of ensuring EU internal security" (Oproiu, 2015: 165). The "skills and expertise" of the mission have also been beneficial to support the SAP and the Belgrade-Pristina Dialogue (EEAS: 2014: 1). Crossing points have opened up between Brussels and EULEX after the initiation of the dialogue EUSR and EULEX have good synergy in Kosovo and they work effectively in a coordinated manner (EU Office Official 2, personal communication, May 2017, Pristina). However, the successes are on the local level and limited. Freedom of movement in Kosovo is still problematic.

There are still problems preventing the achievement of high level of horizontal coherence between different EU foreign policy instruments and EULEX. The EU is still in learning phase when it comes to civilian and military missions comparing to NATO and the UN (EULEX Officer, 2017, personal communication, May 2017, Pristina). Some lessons have been learned some remained unlearned. Because of the fact that there are increasingly numerous EU actors both on the ground in Kosovo and in Brussels, the EU suffers from assuring the coordination and having a clear strategy regarding its foreign policy priorities in the country. EU enlargement should typically be the main strategy and the priority of the EU in Kosovo (Tamminen, 2016: 119). However, because Kosovo is a post-conflict state with ethnic confrontations, the EU treats Kosovo differently (Tamminen, 2016: 119). As a result, the state-building policies and the EU accession process clashes and a cacophony occurs between EU actors both in Brussels and in Kosovo. The Commission's DG NEAR and DG Home Affairs have different agendas. DG NEAR focuses on the progress of Kosovo regarding the EU accession process. On the other hand, DG Home Affairs focuses on the "protection of EU borders" because of the migration crisis (Tamminen, 2016: 119).

According to Weber (2015), the apparition of the Belgrade–Pristina Dialogue has changed the foreign policy priorities of the EU in Kosovo. As a result, EULEX has suffered from not receiving "enough attention" from the EU. As Weber (2015) argued, this change in the foreign policy agenda of the EU in Kosovo "turned questions of

democracy and the rule of law in Kosovo into secondary matters". This change of priorities for the EU has influenced both the member states and the EU institutions focusing its efforts from EULEX to the dialogue. One of the aims of EULEX is to support the normalization of the relations between Serbia and Kosovo. Accordingly, it is a positive development that EULEX contributes to the Dialogue. However, this change in priorities should have been done in an organized and programmed way rather than as a result of course of events. As in the case of Bosnia, the EU and the member states prioritized stability over the reforms. The relationship between the Dialogue and EULEX has been a proof of this fact. Regarding the budgetary procedures, EULEX continues to get a similar budget, but the political support of the EU shifted towards the dialogue (Kursani, 2013: 25).

4.4.4 EULEX and vertical coherence of the EU

EULEX has also been affected by the unrecognition of the five EU member states. The "status neutral" of EULEX is not neutral in reality (EU Office Official 1 Kosovo, personal communication, May 2017, Pristina). EULEX has been operationalized after an agreement made by the government of Kosovo. Which makes a de facto recognition. Member states have different interests at the PSC. As a result, national interests impact EU's coherence in Kosovo. According to an EULEX official in Kosovo, (personal communication, May 2017, Pristina) differences between the EU bureaucracy and the member states bureaucracy impedes the effectiveness of the mission. Politicians of EU member states after having reached an agreement in Brussels, they speak differently in their home country (EULEX Officer, personal communication, May 2017, Pristina). Similarly, EU officials from Brussels, speak differently depending on if they speak to Brussels or Kosovars (EULEX Officer, 2017, personal communication, May 2017, Pristina). There is no consistency between what the member states say in Brussels and in their home country. This inconsistency creates a confusion for both EU and Kosovar public opinion.

There was a consensus among the EU member states regarding the "planning and the content of the rule of law mission" (Dijkstra, 2011b: 197.) The main disagreement was related to the "status" of the mission because of the issue of the recognition of the country. Some of the member states not recognizing Kosovo's independence, more specifically "the Greek Cypriot administration, Romania and Spain, took great care in ensuring that" the initiation of EULEX "would not amount to a de facto recognition of Kosovo" (Dijkstra, 2011b: 202). However, they have still not prevented the initiation of the mission. Regarding the vertical coherence, the "neutral solution" was a remedy for the EU to "appease equally all EU member states" to guarantee their participation to the mission (Musliu & Geci, 2014: 71).

The Greek Cypriot administration decided to use the option of "constructive abstention" available in the Treaties of the Union.[140] Greece has also conducted constructive diplomacy despite the non-recognition of Kosovo. For instance, a "senior Greek diplomat, Ambassador Alexandra Papadopoulou, has been serving as Head of the EULEX Mission since July 2016" (Armakolas, 2017: 30). Another non-recognizing member state Romania has contributed to EULEX and "Bucharest has contributed with a contingent of gendarmes in EULEX" (Ivan, 2017: 44). Spain did not contribute to EULEX.

Despite relatively positive level of vertical coherence, EULEX's still has been criticized by some EU member states. For instance, German Defense Minister Thomas de Maiziere, criticized the organizational structure of the mission by arguing that "EULEX Police in Kosovo are "on the wrong track" and have failed to carry out their rule of law mandate" (Group for Legal and Political Studies, 2015: 5). De Maizere has called "for a new start, new name, new structure, and new mandate which should be decided upon at the EU level (Group for Legal and Political Studies, 2015: 5). However, the criticisms of EU member states remained limited regarding EULEX and vertical coherence has remained relatively high or more specifically partial. On the other hand, the future is uncertain regarding the approach of the member states

---

[140] Constructive abstention means that an EU member state prefers to "abstain from voting on a particular action without blocking it" (See http://eur-lex.europa.eu/summary/glossary/abstention.html) See Cremona 2009.

concerning the continuation of the mission. Weber (2015: 7) argues that the Union by following Germany and the UK, "decided to move towards closure (of EULEX) instead of finally securing a sustainable impact on the promotion of the rule of law". After Brexit, it is still uncertain if the EU would follow the foreign policy choices of Germany in Kosovo.

4.4.5 EULEX and perceived coherence of the Union

The perceptions of Albanian Kosovars and Serbian Kosovars differ considerably regarding the "status" of the EULEX. On the one hand, Albanian Kosovars supporting the mission see the latter as one recognizing the independence of Kosovo. On the other hand, Serbian Kosovars perceive EULEX "working in accordance with status-neutral UNMIK legislation" (Group for Legal and Political Studies, 2015: 9). This fact is mostly a result of the approach of the EU. By initiating EULEX under the umbrella of the UN and adopting "status neutral", the EU wanted to assure the perceived coherence (Musliu & Geci, 2014: 71). In order to reinforce its perceived coherence in Kosovo, by making no reference to the independence question, the EU wanted to get the support of Kosovo Serbs (Musliu & Geci, 2014: 71). Similarly, "EULEX positioned itself to neither be in favour of, or opposition to, the declaration of independence with the Albanian majority" (Musliu & Geci, 2014: 72). However, the EU faced also strong opposition in 2008 during the first days of the initiation of the mission. In December 2008, thousands of Kosovars organized a rally in Pristina against the deployment of the EU's law-and-order mission" (Balkan Insight, 2008). The rally was organized by local NGOs and the Vetevendosje (self-determination) movement (Balkan Insight, 2008).

To obtain the local support of both Albanian Kosovars and Serbian Kosovars in the country, the EU has used a particular communication strategy. In order to foster the image of EULEX in the eyes of Albanian Kosovars, EULEX tried to "explain the Kosovar Albanian Press" that the aim of the mission is to "assist the Kosovo government and administration through advice, training and mentoring" (Peters, 2010, 22). The major slogan used on EULEX's website was: "supporting local ownership"

(Peters, 2010: 22). On the other hand, in order to convince the Serbian Kosovars, EULEX used a careful rhetoric to denote that initiation of EULEX does not mean that the latter supports the independence of Kosovo. EULEX officials try hard to prevent "nationalist Serbian politicians who publicly claim that EULEX is implementing Kosovo's independence" (Peters, 2010: 24). Peters (2010: 24) qualifies Serbian nationalists as "EULEX's biggest communicative opponents".

The EU was aware that choosing a top-down approach for EULEX would shape the local perceptions in Kosovo negatively.[141] Accordingly, the "proper" application of the principle of local ownership was crucial for the effectiveness of the rule of law mission. Has the EU been successful to involve the locals in the process?

The design of the mandate of EULEX lacked the involvement of locals in the process (Yabancı, 2014). The framework of the mission and the mandate was set-up by the European Council (Yabanci, 2014: 129). In order to enhance the degree of local ownership, "in November 2012 the "Compact on Joint Rule of Law Objectives" was signed by the Kosovo government, the EU office in Kosovo, and the EULEX" (Tamminen, 2016: 130). The compact aimed to contribute to the harmonization of different issues such as visa liberalization, the Stabilization and Association Process and the rule of law.[142] Regarding the rule of law, "the Joint Rule of Law Coordination Board" was created with the participation of the EUSR, the head of Mission of EULEX but also the Kosovo Minister of Justice. The compact and the board should be seen as a crucial development to achieve closer coordination with the ministries in Kosovo. However local experts portray a darker image regarding the application and local ownership principle. Notably, Krenar Gashi, Kosovar journalist and academic (personal communication, May 2017, Pristina) argues:

> There is nothing local about EULEX. From the very planning of the mission to the furious way it was installed, and to the very press releases they send to communicate with the public on a daily basis, there's absolutely nothing local. EULEX makes sure to distinguish between "their" judges and prosecutors and the "local" ones, claiming credit for few successful cases and denying responsibility for all the unsuccessful ones.

---

[141] See Express, 25.12.2006, "EU fears Kosovars' discontent".
[142] See EULEX Mission (2014), Joint Rule of Law Coordination Board presents the Compact Progress Report 2014, Press Release 11 July. Available on http://www.eulex-kosovo.eu/en/pressreleases/0616.php

Accordingly, there is a considerable difference between what the EU statements and the local perceptions regarding the "localness" of EULEX.

According to the Transparency International Report of 2016 on the "corruption perceptions index",[143] Kosovo obtained a score of 36 out of 100 where 0 indicates a perception of highly corrupt state. Accordingly, Kosovars perceives that corruption levels are still extremely high despite the efforts of EULEX. If the EULEX of mandate would be renewed for few more years, the local support would most definitely decrease. As the official report of the EEAS prepared by the French lawyer Jacqué (Honorary Director General of the Council of the EU) argues, "in the long run, if EULEX remains for an indefinite period, this will inevitably be viewed by the local authorities as a colonial-type phenomenon" (Report to the Attention of the High Representative Ms. Federica Mogherini, 2015). In other words, the continuation of the mission for a few more years, can increase the resistance to the EU presence in Kosovo.

According to Ejdus (2017b), the EU failed to cooperate with the locals while designing the objectives of the mission. Local actors were only asked to implement their "responsibilities" which caused discontent among the Kosovar public (Ejdus, 2017b). Another factor that has damaged the image of EULEX and its legitimacy in Kosovo was that EULEX did not accept "to become accountable to Kosovo's Parliament, Ombudsman or Anti-Corruption Agency and struggled to meaningfully engage with civil society organizations" (Ejdus, 2017). The EU side admits the importance of including the civil society in the EULEX process. Regarding the relationship of EULEX with the civil society, an EULEX officer argued (personal communication, May 2017, Pristina):

> The task of civil society organizations is crucial. They have the insight from the inside. There is a good exchange between civil society and EULEX but it is not easy to make them play stronger role. Meeting with civil society organization is common. Public perceptions are also a part of our job. The language barrier in Kosovo is a big problem in Kosovo. In such a small country, you have two languages to use to reach the ordinary people. The mandate is too complicated for the people of Kosovo to understand. The public perception is critical. After EULEX, the police have become one of the most

---

[143] See https://www.transparency.org/news/feature/corruption_perceptions_index_2016

trusted institutions in Kosovo. The success of the EU in Kosovo depends on the political will of the country.

Kosovar officials see EULEX as a substitution for UNMIK (Kosovar Diplomat, 2017, former Minister for EU Integration, personal communication, May 2017, Pristina). EULEX would fail in reversing the existing local perceptions about foreign missions, its biggest rule of law mission was likely to share the same fate of UNMIK.[54] Kosovar citizens did not fully support EULEX as it has been problematic for the latter to gain "public trust" (Ferati, 10: 2012). EULEX according to Collaku (2017, former Minister for EU Integration, personal communication, May 2017, Pristina) is in Kosovo to prove that Kosovo is not independent yet, and Serbia and Russia are encouraged by the presence of EULEX in Kosovo. Regarding EULEX, Collaku (personal communication, May 2017, Pristina) argues:

> EULEX should have left Kosovo 3-4 years ago. Their presence makes no sense. EULEX is terrible for the image of Kosovo. This image was created on purpose. EULEX is a way to preserve the status quo. Once you create the image it is hard to erase. Organized crime and democracy levels are much better than the region or Serbia for instance. EULEX damages the local ownership, by presenting local institutions as weak. An "incapable Kosovo" image of Kosovo is created. People see no results and politicians neither. Kosovo should be left to be in charge of its own affairs.

4.5 Belgrade-Pristina dialogue: Testing the impact of the HR/VP and the EEAS on the EU Foreign Policy Coherence

The actorness of the EU regarding the mediation in conflicts is not a new phenomenon. The EU has in fact acted as a third-party mediator in several conflicts after the Cold War. After the 2000s, the Union has "increasingly involved in directly supporting peace negotiations in inter-state and intra-state conflict by taking on the role of third-party mediator" (Bergmann & Niemann, 2015: 957). Notably, in 2001, the Union, "together with the US, was engaged in mediating the Ohrid Framework agreement between the Macedonian government and the Albanian minority" (Bergmann & Niemann, 2015: 957). Similarly, in 2008, the EU "has also acted as mediator and co-chair of the Geneva International Discussions on Georgia's territorial conflict"

(Bergmann & Niemann, 2015: 957). Finally, the EU and more specifically, the HR/VP, has become the mediator between Serbia and Kosovo regarding the normalization of relations between these two countries. In this following part, we will examine the foreign policy coherence of the EU during the Belgrade-Pristina Dialogue.

4.5.1 Background to Belgrade-Pristina dialogue

As we have noted the relations between Kosovo and Serbia has always been "conflictual". After the war in Kosovo, the main problematic issue between Serbia and Kosovo has been the recognition of the independence of the latter. The UN-mediated negotiations that took place between 2005 and 2007 did not lead "to find a permanent solution for Kosovo's political status" (Gashi, Musliu & Orbie, 2017: 536).

When Kosovo declared its independence on February 2008, Serbia refused to accept it even though the International Court of Justice announced that the independence does not constitute a violation of international law.[144] As a result, Serbia wanted the UNGA to issue a new resolution by blocking Kosovo in the international arena. The possibility of the dialogue had begun with the change in Serbia's approach when a new government was elected when Mirko Cvetković became the Prime Minister of Serbia. Even though he still refused to recognize the independence of Kosovo, he "adopted a more pro-European orientation" for Serbia (Ejdus, 2014: 2). To be able to start the EU accession negotiations, in 2010, Serbia accepted the EU to mediate the dialogue between Kosovo and Serbia aiming to normalize the relations between these two states considered. As a result of its "constructive foreign policy", Serbia became an EU candidate country officially on February 2012.

The primary goal of the dialogue was "to discuss issues that are aimed at improving lives of people and bringing the parties closer to the EU" (Council of the European

---

[144] See ICJ, Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, I.C. J. Rep 403 (2010)

Union, 2011: 1). The Union has defined the normalization process between Kosovo and Bosnia as:

> […] the prospect of both [entities] being able to fully exercise their rights and fulfil their responsibilities. … including irreversible progress towards delivering structures in northern Kosovo which meet the security and justice needs of the local population in a transparent and cooperative manner, and in a way that ensures the functionality of a single institutional and administrative set up within Kosovo (Council of the European Union, 2012: 11).

In order to overcome the problem of recognition Kosovo in the international arena, the "asterisk solution" has been agreed between Kosovo and Serbia with the "mediation on behalf of the EU's Representative Robert Cooper" (Van Elsuwege, 2017: 401). This solution, written as Kosovo* states that "this designation is without prejudice to the positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence".[145] According to this agreement, Kosovo is allowed to take part in regional organizations and "sign agreements on its own account with the disclaimer that this does not imply a recognition of Kosovo's independence at the international stage" (Van Elsuwege, 2017: 401).

The first phase of the dialogue took place between March 2011 and May 2012. The EU was represented by the British diplomat Robert Cooper[146], Serbia was by Borko Stefanović[147] and finally Kosovo was represented by Edita Tahiri[148]. The first round of talks "concerned the freedom of movement, regional cooperation and the rule of law" (Niedźwiecki, 2014: 129). During this period of the dialogue, "Robert Cooper and his team managed to broker seven agreements on mostly technical issues" (Bergmann & Niemann, 2015: 965). These issues were "exchange of liaison officers, custom stamps, cadastral records, recognition of university diplomas, integrated

---

[145] See Council of the EU, EU Facilitated Dialogue: Agreement on Regional Cooperation and IBM Technical Protocol (Brussels 24 Feb. 2012), http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/for aff/128138.pdf. The text of the arrangement is available at: http://www.kryeministri-ks.net/reposi tory/docs/agreement_0210_representation.pdf
[146] The former Director-General for External and Politico-Military Affairs at the General Secretariat of the Council of the European Union and then Counsellor in the EEAS
[147] Officer of the ministry of foreign affairs of Serbia
[148] The Deputy Prime Minister of Kosovo

border/boundary agreement, the development fund for the north" (Gashi & Novakovic, 2017).

In October 2012, there was a change in the representing people in the dialogue. Catherine Ashton, HRV/VP, started to represent the Union in the negotiations and Serbia and Kosovo were both represented by their Prime Ministers, Ivica Dačić, and Hashim Thaçi, respectively. The change was related to the fact that the dialogue was evolving from a technical to political nature regarding the points discussed among the stakeholders. The technical dialogue evolved into a political one when the "First Agreement of Principles Governing the Normalization of Relations", also called as the "Brussels Agreement" was signed between Serbia and Kosovo on 19 April 2013 with the mediation of HR/VP (Beysoylu, 2017: 194). The main points of the Brussels Agreement were: "to dismantle the Serbian system in Kosovo, integrate its employees in Kosovo's system" and finally the creation of the association/community of Serbian municipalities in Kosovo (Gashi & Novakovic, 2017: 5).

Both the EU and the governments of Serbia and Kosovo have qualified the agreement as ground-breaking and historic. Notably, "Serbia's Prime Minister Ivica Dačić boasted that it was "the best offer Serbia received so far" whereas the First Deputy Prime Minister of Serbia Aleksandar Vučić characterized it as "the maximum we could get for our people in Kosovo" (Ejdus, 2014: 1). The historic agreement "called for the establishment of an Association/Community of Serbian Municipalities, the integration of Serbian structures in the Kosovo Police force, and the incorporation of judicial authorities within Kosovo's legal framework" (Gashi, 2014: 297). The following round of talks began in 2015 and focused on the implementation of the issues of establishment of an Association/Community of Serbian Municipalities, telecoms and energy.

After its creation 2011, the Dialogue can be considered as a "litmus test" for the EEAS (Planitz, 2017: 2015). The success of the dialogue was also a test of for the EEAS regarding its impact on improving the institutional coherence in the EU between the EU institutions, the vertical coherence regarding the stances of EU members states concerning the dialogue and horizontal coherence as a way of acting as a "bridge" between the enlargement and CFSP instruments of the Union. How has the coherence

been between the EEAS, the Commission, the Council and the member states? How did Kosovars perceive the coherence and the effectiveness of the HR/VP during the dialogue? In other words, in this part, "the degree of co-ordination and substantive agreement" between the HR/VP and other EU policy-making actors will be investigated (Bergmann & Niemann, 2015: 963).

4.5.2 Belgrade-Pristina Dialogue and the Institutional Coherence of the EU

The HR/VP and the EEAS have been very active since 2011, or more specifically have been the most influential EU actors during the facilitation of the dialogue between Kosovo and Serbia. Herman Van Rompuy, the President of the European Council between 2009-2014, in order to complement the work of the EEAS, fostered the policy consensus between the member states concerning "bilateral discussion and agenda setting" (Vicere, 2016: 566). Initially, the dialogue had a technical character for around two years. Then the dialogue was elevated to direct talks between the political leadership of both countries, mostly prime-ministers and, sometimes, presidents.

There is an important incoherence regarding the labelling of the dialogue or more specifically regarding the way the dialogue has been presented to the outside World. The Belgrade-Pristina dialogue has been defined as a "technical dialogue" as the stakeholders with the mediation of the HR/VP "would negotiate about technical issues such as regional cooperation, freedom of movement and the rule of law" (Musliu & Geci, 2014: 70). However, apart from the technical points discussed, the negotiations were highly political because of the issue of the recognition of Kosovo (Musliu & Geci, 2014: 70). It is true that any foreign policy matter would end up being a political bargain. However, naming an inherently political dialogue as "technical" shows the reluctance of the EU to pronounce openly playing a leading role in the political peculiarities if the Western Balkans. This reluctance of the EU, in turn, decreases the political image of the EU both in Kosovo and Serbia.

During Ashton's period, the dialogue process was seen as more dynamic than the Mogherini's one (Bekim Collaku, personal communication, May 2017, Pristina). The first framework was signed as a result of this dynamism of Ashton. When Mogherini

succeeded Ashton, there was a good momentum at the beginning. However, this momentum did not continue at the same pace. Mogherini and EEAS being overloaded with other crises in and outside of the EU, and as a result, they lost the enthusiasm they had at the beginning (EU Office Officer 2, 2017, personal communication, May 2017, Pristina). Mogherini inherited a process that was initiated by Ashton and tried to cope with it by fine-tuning it. For Ashton, the dialogue was a getaway story, a medal of honour, a story which she, by all means, wanted to be a successful one (Krenar Gashi, personal communication, May 2017, Pristina).

After Ashton, Mogherini became the HR/VP of the EU and she started her term a bit differently by trying to focus on more major world issues such as the nuclear deal with Iran. Her dedication to the dialogue was somewhat secondary. This is not necessarily a bad thing. However, when such an important process is left in the hands of few advisers and the EU civil servants, one cannot expect much. Her latest reiteration that she would be putting the focus on the Balkans again seems somewhat interesting, albeit a possibly a bit late. The sudden change regarding the priorities of Mogherini is another example of EU's incoherence regarding its foreign policy agenda. Unless the EEAS and Mogherini would not be fully committed to the dialogue, or have no definite time frame, it would be hard to achieve a result.

Regarding the difference between Ashton and Mogherini, EU officials think differently than Kosovars. As a EULEX official argued: "Ashton, we did not feel a synergy with her. Mogherini's personality is positive. Mogherini's appointments had a positive motivational impact within the EEAS. Personality matters in EUFP and Mogherini made a big difference despite her lack of experience" (EU Office Official 2, personal communication, May 2017, Pristina). However, Mogherini continued the approach of Ashton about the dialogue: negotiations behind closed doors with little transparency. There were two issues of this fact. First of all, this is against the general tendency of emphasizing the transparency in EU internal and external affairs. Secondly, it has prevented the publication of the dialogue and the involvement of local stakeholders in the process. "We as EU officials, we also do not know what is going on in the process" stated an EU Official in Pristina (personal communication, May 2017, Pristina).

4.5.3 Belgrade-Pristina Dialogue and Horizontal Coherence of the EU

The Dialogue process is qualified as "bilateral pressure on both sides by the EU" and an example of "tailored enlargement" process for Kosovo and Serbia (Hamiti, 2015: 45). Accordingly, it is a perfect case to study the horizontal coherence of the EU in Kosovo between two external policies of the EU: enlargement and the CFSP.

The dialogue can be seen as a success regarding the horizontal coherence at first sight. With the leadership of the HR/VP, the dialogue brought two different foreign policy instruments together, namely: enlargement and the CSDP. To use two foreign policy instruments to get Serbia and Kosovo together was very important for the foreign policy actorness of the EU. The "big carrot" of enlargement has been effective to convince Kosovo and Serbia to start the Dialogue. For Kosovo, the carrot was the signature of the SAA, for Serbia the reward was the EU accession talks. It is possible to argue that using conditionality as a carrot gave the EU considerable leverage during the process, however, the vagueness of the "each party interpret it differently, which might impede smooth implementation" (Goldner-Ebenthal & Dudouet, 2017: 17). Even if the "carrot of EU membership" has been effective to invite Belgrade and Pristina to sit at the same discussion table, the lack of "a clear perspective may undermine EU's credibility at a later stage" (Planitz, 2017: 18).

The dialogue with Serbia should continue, however making the dialogue as the main priority damages the EU's flexibility in making reforms (EU Office Officer 2 personal communication, May 2017, Pristina). The EU needs to be flexible to change focus. The dialogue is important but not everything (EU Office Officer 2 in Pristina, 2017 personal communication, May 2017, Pristina). The dialogue has to help the EU integration process in Kosovo and should not be an end itself. There is too much emphasis on the dialogue and not enough focus on the integration related issues in Kosovo. This fact also demotivates the local politicians in Kosovo regarding the integration process and the realization of necessary reforms. A broader focus and more balanced focus is needed in Kosovo between Commission and high politics matters. The Russian influence in the Western Balkans is increasing, The EU should also consider this phenomenon while dealing with Kosovo (EU Office Officer 1 in Pristina personal communication, May 2017, Pristina) Kosovo perceived the agreement as a

crucial step regarding the recognition of the Kosovar state by Serbia (Balfour and Pappas, 2013). In the words of the Government of Kosovo "the Brussels Dialogue has contributed in advancing Kosovo's path towards the European integration"[149] and a crucial step for the recognition of the state of Kosovo. On the other hand, for Serbia, Brussels Agreement was not a step towards the recognition of Kosovo as a sovereign state, on the contrary Serbian presidential advisor Marko Đurić stated: "with this agreement we have received a permanent guarantee that Serbia does not have to accept Kosovo's UN membership", and that "it will not be forced to recognize its independence" (B92 News Agency, 2013).

The fact that the agreement is interpreted in remarkably different ways by Pristina and Kosovo shows the ambiguities regarding the institutional and perceived incoherence of the EU regarding the way the agreement document has been designed by the latter. Many academics have defined the incoherence of the EU as "constructive ambiguity" (Ernst, 2014; Bieber, 2015). Kosovo sees the agreement as a diplomatic assurance of preserving its territorial integrity, by the abolishment of "parallel structures" in north Kosovo (Ernst, 2015: 123). On the other hand, Serbia perceives the agreement as the recognition of an "ethnic Serbian institution" in Kosovo by the Kosovar government (Ernst, 2015: 123). Before resuming the dialogue, the EU needs to decide what it wants to achieve. The vagueness and the ambiguity of the process is damaging the effectiveness of the Agreement. Belgrade and Pristina cannot be convinced to implement the Agreement unless they see a feasible goal to be achieved. "Normalisation" of relations can be perceived as an important first step for the improvement of relations between Kosovo and Serbia. However, the EU needs to define what is "normal" and needs to formulize how to "normalise" the relations. As Gashi, Musliu, and Orbie (2017: 535) argue, "although the aim of the dialogue is the "normalisation of relations" between Kosovo and Serbia, it remains unclear as to what the "normal' is in this context".

---

[149] See "Brussels Agreements Implementation State of Play" (2016). Republic of Kosovo, available at http://www.kryeministri-ks.net/repository/docs/Kosovo_Report_on_State_of_Play_in_the_Brussels_Dialogue_15_June_2016-signed.pdf

4.5.4 Belgrade-Pristina Dialogue and Vertical Coherence of the EU

The EU member states were coherent about the mediator role of the EU during the dialogue. Ashton and Mogherini's roles were recognized by the EU member states. Even though Kosovo is not recognized by five EU member states, there has always been "a growing awareness in Brussels that there was no alternative to a direct political dialogue with Pristina" (Koeth, 2010: 231).

Before Ashton became the mediator, Germany played a crucial role regarding the initiation of the dialogue. Merkel reacted to the internal divide between the EU member states and ceased leadership (Bodo Weber, personal communication, September 2017, Brussels). Accordingly, she started a political process of dialogue with her visit to Belgrade in 2011. This political move was supported by the UK and the US (Bodo Weber, personal communication, May 2017, Pristina). In addition to the UK, Austria, Finland, and the Netherlands also supported Germany (Vicere, 2016). With the political dialogue process, Germany has aimed to push Serbia to recognize Kosovo. Using the integration process as leverage has been effective. On December 2011, Angela Merkel stated that "the only way Serbia can join the EU is through a normalization in its relation to Kosovo".[150] According to Bodo Weber, (personal communication, September 2017, Brussels) Germany and the EU gave a clear political message to Belgrade: "Kosovo is gone you need to accept this reality". Ashton benefitted enormously from the resolve of Germany to pressure the president of Kosovo, Tadic to accept concessions on Kosovo, especially following the 2011 barricades which exposed the risks of further destabilization (EULEX Officer, Mitrovica, personal communication, May 2017, Pristina). Mogherini has had to contend with the second wave of dialogue implementation, which has lacked clear implementation deadlines and has taken place in a context of weakening EU accession prospects.

Despite the differences within the EU concerning the recognition of the independence of Kosovo, the vertical coherence has been high regarding the dialogue process between Belgrade and Pristina. Non-recognizing EU member states tried to support

---

150 See https://www.rferl.org/a/merkel_says_kosovo_clashes_show_serbia_not_ready_for_eu/24409766.html

the process despite their disagreements regarding the recognition of Kosovo. Spain has also supported the Dialogue process. Spain has been known "as been sympathetic towards Serbia" more than the other countries in the Balkans (Ferrero-Turrion, 2017). Recent trade and investment relations and the frequent visits if Spanish Foreign Ministers. Josep Pique (2000-2002) and Miguel Angel Moratinos (2004-2010) can be seen as a proof of the close ties between Spain and Serbia (Ferrero-Turrion, 2017). However, Spain has been a supporter of the Dialogue and tried to "push forward the dialogue" by using its ties with Serbia (Ferrero-Turrion, 2017). Similarly, the Greek Cypriot Administration support the dialogue and argues that the status of Kosovo should be solved "within the framework of dialogue and negotiations between Pristina and Belgrade" (Ioannides, 2017a: 47).

4.5.5 Perceived Coherence During the Belgrade-Pristina Dialogue

The lack of transparency during the dialogue had a considerable impact on the perceived coherence of the Union in Kosovo. The EU decided to conduct the negotiations "by a small team supporting the High Representative, while information sharing with the public and media has been intentionally minimized" (Bajrami, 2013 as cited in Yabancı, 2016: 12). The Kosovar's public only way to obtain information about the dialogue and the Brussels Agreement of 2013, was the "leaked documents to the press" (Yabancı, 2016: 12).

The lack of information regarding the developments concerning the Belgrade-Pristina dialogue has created feelings of "fear, suspicion and conspiracy" (Koha Ditore, 2015; Surroi, 2015 as cited in Yabancı, 2016: 12). The non-transparent nature of the negotiations created an atmosphere of "misinterpretation" and gave the opportunity to the political elites ok Kosovo and Serbia to "misuse the content of the agreements" (Kosovar Centre for Security Studies, 2016: 27). According to public surveys, the public support to the dialogue and the popularity of the latter's declines due to the lack of information and the transformation of the process "into an open-ended [one] without a light at the end of the tunnel" (Balkans Policy Research Group, 2016: 13). Even the more liberal and non-nationalistic local groups and civil society experts see the agreement as a potentially a dangerous agreement that can turn Kosovo "into a state

incapable of functioning and would resemble a local version of the "Republika Srpska" of Bosnia" (Yabancı, 2016; Bajrami, 2013). Accordingly, the lack of transparency of the dialogue would have the undesired effect of fostering nationalistic sentiments rather than normalizing the relations between Serbian Kosovars and Albanian Kosovars. Several NGOs have invited the EU to end the secrecy over the talks, to establish a public information campaign on the state of implementation and to create "red lines and benchmarks" for the future of the dialogue (Bassuener & Weber, 2013; BIRN Kosovo et al. 2014, 2015). However, the EU has not responded to these demands of non-governmental actors in Kosovo. As a result, the perceived coherence of the Union has decreased substantially. Vetëvendosje (Self-determination) party, known for its anti-EU stance, has started to use the Dialogue as a propaganda tool by organizing protests in Kosovo. Notably, the opposition parties in Kosovo harshly criticized the Brussels agreement "stressing that the 15-point agreement devastates Kosovo's statehood" (Beha, 2014: 102). According to Reljic (2015), the EEAS and the HR/VP pursued intentionally "a strategy of constructive ambiguity" in order to prevent such public protests concerning politically sensitive matters.

There is considerable discontent among the Kosovo Serbs about the Dialogue. They believe that the EU pretended to stay neutral and they do not feel represented (Besa Shahini, personal communication, May 2017, Pristina). Some of them argue that they are just "instrumental" for Serbia's own national interest and that the dialogue does not serve Kosovo Serbs. Serbs in Kosovo, feeling "unwanted in Kosovo", see the Agreement as just a pragmatic "reward instrument" and as "a replacement for departing Serbian-funded institutions" (Besa Shahini, personal communication, May 2017, Pristina). According to a public survey conducted by the National Democratic Institute of Kosovo, both Serbian and Albanian Kosovars showed their deception about the dialogue. In Northern municipalities of Kosovo, 80% of the people, and in the remaining parts of Kosovo, 50 percent of the local doubted that the Agreement would benefit them (National Democratic Institute, as cited in Yabancı, 2016: 27). According to Gashi (personal communication, May 2017, Pristina), the dialogue happens because of the EU. The process serves the EU as the latter manages the internal divisions. There is no real normalization of relations. The vast majority of the public opinion in Kosovo is against the dialogue because they find it "useless" (Krenar Gashi, personal communication, May 2017, Pristina)

According to Gashi (personal communication, May 2017, Pristina), currently, the dialogue has a very bad reputation in the eyes of the Kosovars. The prevailing view of the Kosovar public opinion is that the EU is doing this simply because there is nothing else left for them to do, given the awkwardness of the non-recognition and enlargement halt. When it comes to other issues, however, even direct policy influence and especially when such influence is based on the so-called EU norms and values then the intervention of the EU is fully supported, primarily by the civil society. Enlargement remains a goal which people hope will come sooner than they think it will.

Once again, we can see an incoherence regarding the EU foreign policy in Kosovo. While emphasizing the principle of local-ownership, the EU has preferred a top-down approach while mediating between Serbia and Kosovo, an approach that can "jeopardize" the process (Beha, 2015, 103). The dialogue has been criticized for focusing on "the elite level" without the participation of other stakeholders such as the civil society organizations (Van der Borgh, Le Roy, & Zweerink, 2016: 73). Another fundamental incoherence regarding the application of local ownership of the process was the failure of including northern Kosovars in the dialogue (Van der Borgh, Le Roy, & Zweerink, 2016: 73). An NGO member from north Kosovo stated "'this is negotiations of political elites of the EU and Belgrade, rather than a genuine community- based dialogue" (Van der Borgh, Le Roy, & Zweerink, 2016: 73). The Serbia Kosovars in the north are not "are not familiar with what has been negotiated there, nor included in the process" (Van der Borgh, Le Roy, & Zweerink, 2016: 73).

In the words of Federica Mogherini, the agreement is seen as a "landmark achievement"[151] in order to normalize the relations between Serbia and Kosovo. On the other hand, other political parties and civil society experts are not so optimistic about the outcome and the process itself of the agreement. An important part of Albanian Kosovar society rejects the Association agreement as they see it a violation of the Constitution and such an agreement should not be implemented until Serbia

---

[151] See "Statement by High Representative/Vice-President Federica Mogherini following the meeting of the EU-facilitated dialogue", available at https://eeas.europa.eu/headquarters/headquarters-homepage_mt/3182/Statement%20by%20High%20Representative/Vice-President%20Federica%20Mogherini%20following%20the%20meeting%20of%20the%20EU-facilitated%20dialogue

explains how the Serbian "parallel institutions" will be removed from Kosovo. (Van der Borgh, Le Roy, & Zweerink, 2016: 73).

The procedure chosen by the EEAS to "mediate" between different stakeholders has been the source of criticism, by many NGOs, opposition parties and, civil society experts.[152] Implementing the agreement is more laborious than reaching the agreement. Serbia blocking the process because it has achieved its main goal which was the opening of accession negotiations with the EU. Currently, Serbia has nothing to lose (Kosovar diplomat, personal communication, May 2017, Pristina). There is a process of blaming and shaming from both sides during the dialogue. Mogherini and in turn the EU does not have the political leverage against Serbia (Kosovar diplomat, personal communication, May 2017, Pristina).

In Kosovo, politicians supporting the outcome of the agreement present it as a crucial step to "integrate northern Kosovo Serbs into Kosovo jurisdiction and advance normalization of relations between the two states" (Balkans Policy Research Group, 2016: 7). The fate of the dialogue depends largely on the local elections in Kosovo and Serbia. During the election periods, politicians from both countries try to portray a more nationalistic image to consolidate their conservative voters.

4.6 Effectiveness of EU Foreign Policy in Kosovo

After having made the quantitative analysis of the effectiveness of the EU's foreign policy in Kosovo, we will use the measurement scale used defined in the earlier chapters of the thesis and used in the Bosnian case the to visualize the degrees of effectiveness of the Union's foreign policy in Kosovo.

4.6.1 EU foreign policy effectiveness regarding the EU accession process of Kosovo

As we have seen in the case of Bosnia, and as the name of the SAA (Stabilization and Association Process) indicates, the EU prioritizes security and stability in Kosovo. The

---

[152] See Bassuener & Weber, 2013; BIRN Kosovo, 2014.

approach chosen by the EU is a "long-term proactive approach would foremost serve to the aim of stabilization of the region and eliminate security threats" (Yabancı, 2014: 126). It should not be forgotten that even if the SAA can be seen as the first informal phase of EU accession, there is no guarantee that it would lead to an eventual EU candidacy (Yabancı, 2014: 126). Kosovo is still a potential EU candidate country because it did not meet the Copenhagen criteria and because of the fact that five EU member states are still yet to recognize the country.

There are undoubtedly grave problems regarding the allocation of pre-accession instruments of the EU in Kosovo. The instruments are based on areas of reconstruction. Mostly consulting or construction companies from the EU apply to EU projects in Kosovo, as a result, "the big chunk of the aid goes back to EU companies" (Besa Shahini, personal communication, May 2017, Pristina) As a result, the aid money goes back to the EU. Only a small portion stays in Kosovo. Another problem of the aid is that the latter has not been shaped to local needs. To be more specific, regarding the education reforms, while the EU focuses on education methodologies instead of focusing on basic tools for education, economy and job market (Besa Shahini, personal communication, May 2017, Pristina). According to the SAA trade agreement, Kosovo businesses do not have access to EU market, because they cannot achieve the EU standards and because of the fact that the EU products are too expensive. IPA money should be used to increase the production standards in Kosovo however so far it has not been used effectively.

The last few years more than "100 000 Kosovars have applied for political asylum in Germany alone" (Reljic, 2015: 3). Similarly, there is a big brain drain from Bosnia to Germany and other EU countries (Denis Piplas, personal communication, September 2017, Brussels; Balkan Insight, 2015.) The migration is mostly related with bad economic and social conditions rather than "political persecution" of the asylum seekers (Reljic, 2015). The economic situation has not and cannot be improved through aid (Krenar Gashi, personal communication, May 2017, Pristina). Whereas the EU aid is vital for Kosovo, it represents no significance whatsoever to an ordinary Kosovar. What the country needs, desperately, is an economic revival. This can only happen through one of the following means, or, ideally, through both of them together: a) foreign direct investments, b) access of the Kosovo labour force to the single market

(Krenar Gashi, personal communication, May 2017, Pristina). Accordingly, the accession of Kosovo into the EU single market will be a crucial factor to improve both the economic conditions and in turn the political stability in the country.

The effectiveness of the EU's presence in the country can be contested because of the political instabilities, economic problems and the non-recognition of the country by five member states and the multitude of EU agents in the country. The SAP has entered into force in 2016 so it is early to judge the effectiveness of its implementation by it should be noted that both sides "blame each other" for the slow progress so far. The visa liberalization process is still blocked despite the ratification of the border agreement between Kosovo and Montenegro on 21 March 2018. Kosovo still needs to strengthen its track record concerning the fight against organized crime and corruption.[153]

Regarding the local ownership, despite the general approach of the EU regarding its indispensability, the EU accession process remains a top-down one in Kosovo. The future of EU-Kosovo relations is, of course, linked to the future of the EU and Kosovo separately. Whereas there are no real grounds based on which we could foresee what will the EU be in a few years, Kosovo will most likely continue to slowly progress both in terms of statehood and its consolidation but also in terms of becoming "more European". According to Gashi (personal communication, May 2017, Pristina), once there is a political idea that can project the EU interests from enlargement to the Balkans properly, the whole region is likely to join the EU with a "one-click solution", whereby all the inter-state issues would have been resolved in a hasty but effective way. Based on the effectiveness measurement scale we put before, we can say that there has been "low improvement" and accordingly we should evaluate the effectiveness of the EU during the EU accession process of Kosovo as "low".

---

[153] On 18 July 2018, "the Commission has confirmed that Kosovo has met the criterion of a strengthened track record in the fight against crime and corruption" https://ec.europa.eu/home-affairs/news/visa-liberalisation-commission-confirms-kosovo-fulfils-all-required-benchmarks_en

4.6.2 EULEX and the effectiveness of the EU

The European Council has addressed to the issue of effectiveness by stating that the Union should have a "credible and effective CSDP" (The European Council, 2013). Has the CSDP's largest rule of law mission been effective so far? As we have defined the measurement of effectiveness as the degree of progress concerning the achievement of initial objectives, to measure the effectiveness of EULEX, we will focus on the degree of progress during the mission concerning the main objectives of the mission.

There are diverging views regarding the effectiveness of EULEX. On the one hand, Brussels praises the progress achieved regarding the promotion of the rule of law. On the other hand, international and local experts criticize the mission for failing to deliver its mandate regarding the issues of organized crime, corruption and war crimes. In a similar fashion, the European Court of Auditors' special report on the rule of law in Kosovo states that "despite significant EU assistance, progress in improving the Rule of Law is limited" (European Court of Auditors, 2012: 15). In this part of the study, we will try to evaluate the effectiveness of EULEX in a balanced way by taking into considerations the peculiarities of the regional dynamics.

In line with the 2008 124/CFSP Council Joint Action, the executive mandate of the mission gives EULEX judges, prosecutors and police executive rights to "adjudicate and prosecute constitutional, civil justice (property disputes and privatization matters), and selected highly sensitive criminal cases (war crimes, terrorism, inter-ethnic crimes, organized crime and corruption)" (EULEX, Executive Division, 2015).[154] EULEX has delivered "over 566 verdicts, including 423 verdicts on criminal cases such as corruption, organized crime and war crimes" (EULEX Implementation of Rule of Law Report, 2015). In addition to these judgements, EULEX has "also investigated or filed indictments on 250 war crimes cases" by finalizing 10.658 cases at the Special Chamber of the Supreme Court" between 2009 and 2014 (EULEX Implementation of Rule of Law Report). Another achievement of EULEX has been tackling the issue of war crimes. EULEX investigated politicians including ministers "former Kosovo

---

[154] See http://www.eulex-kosovo.eu/?page=2,2

Liberation Army (KLA) commanders, businessmen and the informal secret services"
(EEAS, EULEX Kosovo, 2014).

One of the main executive tasks of EULEX has been to fight corruption, organized
and "to promote particularly in the north, which has a large Serb-Kosovar majority"
(Llaudes and Andrada, 2015). However, in north Kosovo, EULEX has not been
effective regarding the reduction of organized crimes and smuggling cases (Group for
Legal and Political Studies, 2015: 7). Several factors have prevented the effectiveness
of the EU in the northern part of the country. First of all, the "limited freedom of
movement" in the region such as the incidents created by the "barricades and
checkpoints" between summer 2011 and summer 2012 affected the success of the
mission negatively (Group for Legal and Political Studies, 2015: 7). These barricades
"prevented EULEX and Kosovo Customs and Police from reaching the northern
border" and as a result, the free movement of people and goods was prevented (Group
for Legal and Political Studies, 2015: 7). The restrictions of the EULEX and Kosovar
police was a clear proof that EULEX did not manage to control the rule of law in the
region.

Local and international reports portray a dark image regarding the success of EULEX
concerning the issues of fighting different forms of organized crime such as human,
drugs and arms trafficking and corruption (Ejdus, 2017; Group for Legal and Political
Studies, 2015; Skara, 2017). Corruption remains to be one of the most critical
problems of Kosovo. After the initiation of EULEX in 2008, the corruption index of
Kosovo did not improve. According to Freedom Houses "Nations in Transit Index",
the corruption index of Kosovo was 5.75 in 2008 and did not change in 2016 by
remaining at 5.75.[155]

One of the most important problems of EULEX has been the reluctance of the
mission's judges to investigate "high profile politicians" of the country (Skara, 2017:
82). Andrea Capussela, (2015) a former head of the economics unit of the International
Civilian Office (ICO), has analysed 22 criminal cases investigated by EULEX.
According to Cappusela (2015), EULEX judges made severe judgement mistakes in

---

[155] "The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic
progress and 7 the lowest" See Freedom House (2017).

favor of some Kosovar political elites. Similarly, the OSCE argued that "judges are not fully willing to render their judgments on the basis of the law only but tend to act in anticipatory obedience to external influences" (OSCE, 2012: 7). Accordingly, political interference has been one of the major issues of the mission.

As mentioned before, EULEX aimed to mentor the sectors of police, justice, and customs. EULEX's own reports show that police and customs sectors achieved more progress compared to the sector of justice (Group for Legal and Political Studies, 2015). To be more specific, 18 out of 31 police sector projects were completed between the period of September 2009-June 2012. During the same period "7 projects had achieved some key outputs; 5 projects were closed due to the lack of suitable resources and 1 were removed" (Skara, 2017: 79).

According to the European Court of Auditors Report (2012), "the assistance provided by the Commission and EULEX has largely achieved its objectives of building the capacity of Kosovo Customs". The revenue of Kosovo customs has increased by 50 percent between 2007 and 2012 and Kosovo customs "actively participated in the fight against money laundering" (European Court of Auditors, 2012). The field of justice has been "less successful" comparing to police sector. EULEX aimed to form a judiciary which is "fully multiethnic, impartial, free from political influence and capable of holding fair trials according to international standards" (Cierco & Reis, 2015: 650). However, one of the main factors preventing the success of the strengthening the sectors of justice, has been "the interference of executive and legislative in the judiciary appointment".[156] According to the report of the European Court of Auditors on EULEX (2012), there has been" insufficient transparency in the allocation of cases among judges and prosecutors" in Kosovo. The failure to assure transparency of the cases has affected negatively the progress of EULEX in the justice sector. EULEX officials also admit that at the domain of judiciary, there are still many issues (EULEX Official, personal communication, May 2017, Pristina). The downgrading of prisoners is another problem. There is still a political influence on war criminals. EULEX's role has been essential regarding the dialogue achieved with the border police.

---

[156] See http://www.eulex-kosovo.eu/?page=2,16

One of the significant problems of EULEX is that the EU does not have a clear exit strategy from the mission. As many experts argue, "the EU does not effectively identify when to withdraw its peacebuilding resources from the EULEX mission" (Zupančičic, Pejič, Grilj & Rodt, 2017). There should be a clear political strategy in addition to the technical ones in order to end the mission (Zupančičic, Pejič, Grilj & Rodt, 2017). The Union aims to decrease the size of the mission by 2012, "and leave Kosovo approximately by 2022" (Zupančičic, Pejič, Grilj & Rodt, 2017). However, it is highly questionable that there is a clear strategy among the EU member states regarding the exit strategy.

An important factor that has reduced the effectiveness and the credibility of EULEX has been the corruption accusations. In October 2014, a local daily, published "internal EULEX reports" showing EULEX members allegedly accepting "Mafia bribes in order to block proceedings against defendants and even to eliminate proof" (Llaudes & Andrada, 2015). EULEX's special prosecutor of the period "was accused of leaking the report to the media but denied any responsibility" (Llaudes & Andrada, 2015). A similar case of allegations had happened in 2012 when a EULEX prosecutor was accused of being involved in a corruption case with a Kosovar politician. As a result, the considered prosecutor was suspended for precautionary measures. To investigate the corruption accusations in the EULEX, the EEAS "appointed the French lawyer Jean-Paul Jacqué" while at the same time "the European Ombudsman opened an investigation on the EEAS's management of the accusations of corruption against EULEX" (Llaudes & Andrada, 2015). Regarding the report of Jacqué, Mogherini stated: "in line with my promise to ensure maximum transparency, I have sent the [Jacqué] report to the European Parliament and the EU Member States. We are also making the report public" (Euronews, 2015). In the report, Jacqué expressed his criticism towards the mission chiefs of EULEX for not opening an investigation when accusations initially occurred (Report to the Attention of the High Representative Ms. Federica Mogherini, 2015 (as cited in Zupančičic & Pejič, 2018). Jacqué also questioned the effectiveness of the mission by criticizing the success level regarding the realization of rule of law reforms. Jacqué argued: "the continued presence of EULEX is only feasible if comprehensive reforms are made to improve its effectiveness and thus its credibility. There is no point staying just to keep doing the same thing" (Report to the Attention of the High Representative Ms. Federica

Mogherini, 2015). In other words, because the local resistance and the lack of credibility, EULEX failed to operate effectively in the country.

The expectation from EULEX was very high, in Kosovo and abroad. The results are much more modest. Rule of Law in Kosovo continues to be challenged by the organized crime, corruption while the justice system is considered as being very fragile vis-à-vis tendencies for influence from the politics. Regarding the effectiveness of EULEX a Kosovar diplomat (personal communication, May 2017, Pristina) states:

> To put in bluntly, if EU has launched its most ambitious rule of law mission (with the personnel of two thousand judges), in a European country of less than 11 thousand square kilometres and 2 million inhabitants, if that country continues to be spotlighted by the EU for the lack of progress in the rule of law, it means that the EULEX cannot be considered as successful. Undoubtedly, EULEX has reached some results. But they are not sufficient to reach the conclusion that the mission is successful. It should be born in mind, however, that the EULEX is a rule of law mission, under the EEAS – meaning foreign policy dimension of the EU. On the practical ground, this has been manifested, most vividly, by the fact that the EULEX has been led by diplomats or army generals, not by the judges or prosecutors. Imagine a judge or prosecutor whose nominal boss is an Ambassador? Quite "unconventional" situation? In my view, the priorities of EULEX are primarily political; i.e., preserving stability in Kosovo; helping Kosovo to strengthen the rule of law in the north of Kosovo; replacing UNMIK and compensating the lack of necessary local capacities to handle certain cases (war-related crimes; high profile crimes, and similar). This underlines the conclusion that EULEX has to balance between the political priorities and the rule of law necessities.

Based on the effectiveness measurement scale we put before, we can say that there has been "no considerable improvement" and progress made during EULEX. The latter has been effective but that effectiveness is rather symbolic and is based on the presence (Gashi, personal communication, May 2017, Pristina). The mere fact that there is an EU rule of law mission, has contributed to a great extent to the rule of law in Kosovo, or, at least, to the overall feeling about the rule of law. However, the performance of EULEX, especially in the executive mandate, has been mediocre. EULEX has been an ineffective mission considering its mandate and the money spent. The presence of multiple legal systems in Kosovo created complications. Judges from non-recognizer EU member states also created institutional problems. The interference of local elites has also been problematic. Kosovar citizens had high expectations but EULEX has

created disappointment among Kosovars. EULEX has failed to meet and manage the extremely high expectations that accompanied its deployment. The failure to secure either indictments and/or convictions in high profile cases of war crimes, organized crime and corruption has led to cynicism about EULEX's ability to build a fully functioning rule of law system in Kosovo. This cynicism has been further fuelled by allegations of corruption, as yet unproven, involving several of its judges. Nevertheless, there have been a string of improvements, especially in the spheres of policing and correctional services, in a relatively short period of time, especially where the north is concerned.

4.6.3 Effectiveness of Belgrade-Pristina Dialogue

The most important milestone of the dialogue was the April 2013 Brussels Agreement. Accordingly, in order to analyse the effectiveness of the Dialogue, we should focus on the implementation of the agreed points since the signature of the 2013 Brussels Agreement.

From 2013 to 2016, with the mediation of the EU, the dialogue reached deals on 23 points. [157]Many rounds of dialogue have taken place and many agreements have been reached. Obviously, the fact that Kosovo and Serbia meet in Brussels, in a process designed by the EU/EEAS by reached several agreements, is a success for EU. The actorness of the EU yielded some positive reflections on the ground in Kosovo. On the one hand, all the parties involved in the process, being the HR/VP for the EU, Serbian and Kosovar governments are "expressing joy and satisfaction" concerning the agreement (Reljic, 2015: 1). However, the problems with the implementation of some points of the agreements and the fact that Serbia still works to undermine Kosovo's statehood, with underground structures in Kosovo and through diplomatic battles, shows that this dialogue facilitated by the EU has a very constrained space. Obviously, other factors come into play in this game. Serbia's success in joining EU depends, primarily, from its relations with Kosovo. Similarly, Kosovo will

---

[157] See "Brussels Agreements Implementation State of Play: 1 January – 15 June 2016", Kosovo Ministry of Dialogue report to EU, 15 June 2016, http://bit.ly/2awR9Ra.

continue to face problems in its EU drive as well as internal stability if Serbia continues to be hostile. The relations and the shadow of Russia behind Serbia also decreases the leverage of the EU during the dialogue. Russia tries to make use of this situation – through its influence in Serbia and by disrupting the Euro-Atlantic agenda of the region (Kosovar diplomat, personal communication, May 2017, Pristina).

One of the most critical points of the dialogue is "The Agreement on the Association/Community of Serb Majority Municipalities" agreed in August 2015. These municipalities are: Mitrovica, Zveqan, Zubin Potok and Leposaviq. The main goal of the Association would be "to represent the […] ethnic Serb majority, especially in the domains of education, healthcare, urban and rural planning and economy" (Zeqiri, Troch & Kabashi: 2016: 8). There has been very limited progress regarding the creation of the association of Serbian municipalities. One of the main obstacles regarding the implementation if the establishment of the Association has been the "political and public opposition in Kosovo" because of the fear that the Association would be similar to the Republika Srbska in Bosnia (Bajrami, 2017: 5).

2017 has been an extremely "tense" year for the relations between Belgrade and Pristina. First of all, on January, Ramush Haradinaj has been arrested in France "based on a Serbian arrest warrant for alleged war crimes".[158] After the arrest, Kosovo asked for the release of Haradinaj. After his release, Haradinaj has been elected as Prime Minister of Kosovo in Kosovo. Another major blow for the relations between the two countries has been the "train crisis". A train covered with the slogan "Kosovo is Serbia" (in 20 different languages) departed from Serbia on 14 January 2017. The train's final destination was northern Kosovo. As one would expect, the train was stopped by the Kosovar authorities. After a war of words between Belgrade and Pristina, Federica Mogherini has asked both sides to "avoid escalations, try to contain both acts and rhetoric, and try to see at the common engagement through dialogue".[159]

Despite the Dialogue, the division between the Albanian and Serbian communities is getting deeper. Schools in Serbian communities use the Serbian curriculum and do not teach Albanian or English. As a result, it becomes impossible for the Kosovo Serbs to

---

[158] See http://www.bbc.com/news/world-europe-38510579
[159] See https://sputniknews.com/europe/201701161049657400-eu-serbia-train-kosovo/

compete in job markets (Besa Shahini, personal communication, May 2017, Pristina). Serbia's presence on Serbs in Kosovo prevents social cohesion in many ways. The Dialogue has not been effective to improve this cohesion between the Albanian and Serbian Kosovars. The murder of Kosovo Serb politician Oliver Ivanovic and the arrest of the head of the Serbian government's Office for Kosovo, Marko Djuric are a proof of the escalation of tensions between Kosovo and Serbia.

Based on the effectiveness measurement scale we put before, we can say that there has been "medium improvement" during the Dialogue. Convincing Belgrade and Pristina to "sit at the same table" and discussing the technical and political points regarding the normalization of relations for the aim of improving the living conditions of Kosovars should be seen as a considerable success. In contempt of the tension between Serbia and Kosovo, there has been some progress regarding the implementation of the Agreement. One of the most recent and important developments of the Dialogue has been the implementation of the Justice Agreement on 2017 which is based on the integration of "all judges, prosecutors and judicial staff in Kosovo, including those in the Serb-run northern sliver of Kosovo, into the Kosovo judicial system" (Balkan Insight, 2017). Despite the "constructive ambiguity" chosen by the EU during the dialogue, it the implementation of the Justice agreement should be seen as a positive development regarding the effectiveness of the Dialogue. However, because of the fact that the implementation of the political points has been remarkably slow, we should evaluate the effectiveness of the EU during the dialogue as "medium".

4.7 Concluding Remarks

It would not be realistic to expect substantial changes in the EU-Kosovo relations in the near future. The EU recognizes that preserving the "stability" would not lead to progress. However, the incoherence between the words and actions of the EU continues. There is a considerable contradiction between rhetoric and actions of the EU. The rhetoric is marked by calls to address issues like corruption, but in practice, the doctrine of "stability" still holds priority over democratization and development (Agon Maliqi, personal communication, May 2017, Pristina). There is increasingly the perception among the population and civil society of a certain degree of "cosiness" of

the EU with corrupt elites for as long as they deliver on the dialogue and keep the peace (Agon Maliqi, personal communication, May 2017, Pristina). The EU wants progress by preserving the status quo.

The EU's inability to deal with Kosovo as an independent state has undermined the standing of its statebuilding policies. Kosovo's SAP has been arduous and convoluted, reinforcing the sense that Kosovo is being treated differently to other EU aspirants. The lack of transparency and information surrounding the Belgrade-Pristina dialogue, combined with the limited number of actors involved in the process, has bred a considerable amount of scepticism within civil society (EULEX Officer, personal communication, May 2017, Mitrovica). The benefits of this process have been poorly communicated and understood, thereby reducing support for further apparent concessions. One consequence has been a resurgence of nationalist discourses (i.e. regarding demarcation and the Association/Community of Serb-majority municipalities) which have made it harder for the Kosovo government to entertain further compromises.

The vertical incoherence also seems to be "here to stay". There is no sign of change either concerning the approach of the five EU member states not recognizing Kosovo. There are no political efforts by the EU to overcome the internal split regarding the recognition issue. The rise of regional nationalism will also make the stance of these member states stricter. The visa liberalization of Kosovo also remains problematic because of the migration "threat". According to the Kosovar side, the EU does still not consider Kosovo as an equal partner (Besa Shahini, personal communication, May 2017, Pristina) and this asymmetric relationship would continue and damages the effectiveness of the EU's foreign policy instruments in Kosovo. The EU as an actor is perceived as incoherent and the Kosovar government looks to see what Berlin or Paris are saying more than they listen to Brussels (Agon Maliqi, personal communication, May 2017, Pristina).

Conditionality is often, in a sense, either outsourced to other actors (i.e. the International Court of Justice-related criteria in Bosnia-Herzegovina) or influenced by them (such as the demarcation condition for Kosovo's visa liberalization was partly related to Montenegro's NATO accession process). As such, conditionality ceases to

be a tool that is determined and controlled by the EU, leading to instances where dilution of such conditionality is deemed necessary to remove reform processes forward (such as during the Sejdic-Finci in the case of Bosnia-Herzegovina).

The coherence of the EU's foreign policy in Kosovo suffers from a lack of investment in the political capital of the EUSR to act decisively in the face of reform obstacles (EULEX Officer, personal communication, May 2017, Mitrovica). Whilst Kosovo has faced clear technical conditionality through the SAP, there has been a failure to articulate and insist upon political criteria, especially where non-interference in the work of the rule of law institutions is concerned. The consequence of this is to undermine the state building process in Kosovo, including the work of the EULEX, and to weaken the effectiveness of EU foreign policy overall.

CHAPTER V

RESULTS AND THE COMPARISON OF THE CASES

This chapter examines the findings of the previous chapters that analysed the institutional, vertical, horizontal and perceived coherence in Bosnia and Kosovo. The second part of the chapter will compare the effectiveness levels of the EU in these two cases considered. The final part will focus on the trade-off between coherence and effectiveness.

5.1 Coherence of EU Foreign in Bosnia and Kosovo

In order to clearly visualize the results obtained regarding the EU's foreign policy coherence and effectiveness in Bosnia and Kosovo during this research, the following tables have been made. As described in detail in the previous chapters, these tables of coherence measure the coherence of the EU's foreign policy coherence with a 3-level scale: "low coherence, partial coherence and high coherence". On the other hand, regarding the measurement of effectiveness, a scale of "low improvement, medium improvement and high improvement" is used to measure the progress observed regarding the foreign policy cases analysed.

Regarding different types of coherence of EU foreign policy in Bosnia, we see an "equilibrated" result where the EU has been partially coherent concerning the institutional, vertical and perceived coherence. On the other hand, the horizontal coherence remains low. For the case of Kosovo, institutional, horizontal and vertical coherence remained partially coherent. Perceived coherence has been low during all of the foreign policy tools used by the EU in Kosovo. Let's analyse more in details these results obtained.

	Institutional Coherence	Horizontal Coherence	Vertical Coherence	Perceived Coherence
EUPM	Partial	Low	High	Low
Constitutional Reform	Low	Low	Low	Low
EUFOR Althea	Partial	Partial	Partial	High
General EUFP Coherence	Partial	Low	Partial	Partial

Table 3 EU Foreign Policy Coherence in Bosnia

	Institutional Coherence	Horizontal Coherence	Vertical Coherence	Perceived Coherence
EU Accession Process	Partial	Partial	Partial	Low
EULEX	Partial	Partial	Partial	Low
Belgrade-Pristina Dialogue	Partial	Partial	High	Low
General EUFP Coherence	Partial	Partial	Partial	Low

Table 4 EU Foreign Policy Coherence in Kosovo

5.1.1 Institutional coherence Bosnia and Kosovo

In Kosovo, the institutional coherence of the EU foreign policy instruments used has been "partially coherent". The situation in Bosnia is less promising.

The institutional coherence of the EUPM police reform in Bosnia remained low because of several factors. As mentioned before, achieving the police reform in Bosnia became a part of the conditionality process of the country. The EUPM was at one point the "only remaining roadblock to Bosnia beginning negotiations with the EU on a Stabilisation and Association Agreement (SAA)" (Lyon, 2005). However, the lack an acquis communautaire on police-related issues (Bieber, 2010) prevented the Union to coherently follow a specific guideline to achieve the aimed objectives of the reform.

As a result, the level of institutional coherence remained partially successful for the case of the EUPM. There was a low level of coherence between the EU actors during the constitutional reform process. Divisions between the Commission and the Council have negatively affected the reform process (Sebastian, 2009: 344). During the constitutional process, the Commission, the Council and some EU member states from 2006 until 2014 onwards, emphasized the need to reform the constitution in Bosnia for a more effective integration process of Bosnia. However, the lack of coordination between EU actors prevented the Union to act as a unitary actor to not take the necessary steps for supporting the reform process. From 2006 to 2014 the EU presented the constitutional reform as a form of "informal conditionality" (Sebastian, 2009: 347). However, after 2014, the EU changed its approach towards the constitutional reform and started to focus on the socio-economic reform and constitutional reform has lost its importance of the EU. The incoherence of the EU agents and changing EU agenda created an atmosphere of ambiguity between the EU and local stakeholders Bosnia.

During EUFOR Althea, institutional coherence has been "partially" attained. The idea of linking EUFOR to the SAP created a discontent at the European Commission (Palm, 2017: 76). One of the most important EU actors concerning EUFOR has been the EUSR. The latter had the mandate of giving political guidance to the head of EUFOR mission and "in practice this coordination role worked well" (Juncos, 2013: 127). However, the role of the EUSR in Bosnia (also globally) has changed with the formation of the Civilian Planning and Conduct Capability (CPCC) Directorate, a unit of the EAAS. The CPCC and the head the Civilian Operations Commander became responsible for the strategic guidance of EUFOR Althea (Juncos, 2013: 127). This change has decreased the role of the EUSR within the mission.

The coherence level between the EU agents in Kosovo and the EU institutions in Brussels has been more positive than in Bosnia. Commission/enlargement instruments and CSDP instruments have been well coordinated. However, the non-recognition of Kosovo by five EU member states causes coherence problems between the Council and the Commission. EULEX mission suffered from logistical issues such as "high staff turnover" as EULEX staff is not contracted by the EU supranational institutions (CSDP/CFSP or EULEX for that matter) but rather seconded by the member states

(Van der Borgh, Le Roy, & Zweerink, 2016: 34). The high turnover prevented the formation of an "esprit de corps"[160] on the institutional level.

The EEAS played a crucial role to assure the institutional cohesion during the Belgrade-Pristina Dialogue. The European Council and the EASS created a synergy, especially during the period of Herman Van Rompuy (2009-2014) and "fostered policy consensus between the member states concerning "bilateral discussion and agenda setting" (Vicere, 2016: 566). However, after the Brussels Agreement of April 2014, Western Balkans has lost its "place" as a priority in the foreign policy agenda of the EU because of internal issues of the EU such as Brexit and external crises and more specifically the Syrian war and the refugee crisis. As a result, the Dialogue has temporarily lost its importance for the EU institutions. As the Western Balkans has been announced as a priority of the 2018 Bulgarian Presidency, one can expect the enlargement process and the Belgrade-Pristina Dialogue to occupy a more important role in the agenda of the EEAS and for the EU foreign policy in general.

5.1.2 Horizontal Coherence in Bosnia and Kosovo

There were coherence problems between different foreign policy instruments in Bosnia. The contradictory mandates of EUPM and Althea weakened the horizontal coherence of the EU in Bosnia. For instance, regarding the issue of "fight against organized crime" while the EUPM favoured to use civilian means, Althea preferred using military tools (Dijsktra, 2013: 117). Another issue between Althea and the EUPM has been the principle of local ownership. While Althea was favouring a more "interventionist approach", EUPM promoted the principle of local ownership (Tolksdorf, 2013: 62). As a result, coordination problems occurred between these policy instruments used by the EU in Bosnia.

The EU has used the incentive of EU membership to foster the constitutional reform in Bosnia (Cooley: 2013, 180). However, despite the rhetoric of the EU emphasizing

---

[160] "The common spirit existing in the members of a group and inspiring enthusiasm, devotion, and strong regard for the honor of the group" (Merriam-Webster Dictionary)

the importance of the constitutional reform in Bosnia, the Union did not make the constitutional reform a formal "condition" for the EU integration process in Bosnia. The EU tried to use to conditionality instrument to help its statebuilding policies in Bosnia. However, the incoherence between the rhetoric and the actions of the EU prevented to achieve the synergy between different foreign policy instruments of the Union in Bosnia.

Horizontal coherence levels of EU foreign policy have been more promising in Kosovo compared to Bosnia. The division of labour between the EU actors has been well defined regarding different foreign policy instruments of the EU in Kosovo, which are the EU accession and the CSDP. The Commission leads the SAP and visa liberalization process with its two Directorate Generates, DG NEAR (neighbourhood and enlargement policy) and DG HOME (Home Affairs) respectively (Oproiu, 2015: 158). The Head of the EU Office in Pristina (the delegation equivalent) is also the EUSR of Kosovo. The EAAS provides political guidance by supervising EULEX and works under the HR/VP regarding the Belgrade-Pristina Dialogue (Oproiu, 2015: 162). Despite the successful division of labour between the EU actors, coordination problems occurred on the ground. There has been a substantial overlap, with different actors engaged on the same issue with the very same counterparts (EULEX Officer 1, Personal communication, May 2017, Mitrovica). As a result, the horizontal coherence of the EU accession process in Kosovo remained partial.

During EULEX, horizontal coherence of the EU was also partially coherent. EULEX played a key role of being the bridge between the civilian component of the CSDP and the external dimension of the Area of Freedom Security and Justice, "which has the objective of ensuring EU internal security" (Oproiu, 2015: 165). However different priorities of EU institutions caused coherence issues between EULEX and other foreign policy instruments of the EU. The most striking example of these differences has been DG NEAR prioritizing on the accession process and the DG HOME prioritizing the "protection of EU borders" because of the migration crisis (Tamminen, 2016: 119). EULEX suffered from finding a common ground between the rule of law and the issues of enlargement and migration. Belgrade-Pristina Dialogue has supported the EU integration tool of the EU as it has been used by the EU as a precondition for signing the SAA with Kosovo. Similarly, by agreeing on starting the

process, Serbia was rewarded by the starting of the EU accession talks. However, there has been an imbalance during the dialogue process on attaching more importance to the issues of security rather than enlargement. As a result, the dialogue's contribution to the EU accession process of Kosovo has been limited.

5.1.3 Vertical Coherence in Bosnia and Kosovo

The non-recognition of Kosovo by five EU member states had the potential of being a crucial factor that can affect the vertical coherence of the EU in Kosovo. On the other hand, there is no disagreement within the EU regarding the status of Bosnia. How did vertical coherence get affected by the issue of non-recognition in Kosovo? What were the main issues of vertical coherence of the EU foreign policy in Bosnia? Have there been similarities between the two cases?

The vertical coherence of the CSDP mission EULEX in Kosovo was "partial" despite the non-recognition of Kosovo by five EU member states. The clause of constructive abstention "under Art. 23 (1) of the Treaty Establishing the European Union"[161] was used by the Greek Cypriot Administration, in order to not prevent the initiation of the mission. However, the fact that constructive abstention procedure was used does not mean that this fact has not harmed the effectiveness of the mission. Abstention and the non-participation of some EU member states created a lack of synergy between the EU and the member states. The lack of contribution of member states such as Spain to the mission can have a negative impact on the political will of member states such as Germany to support the continuation of EULEX. After Brexit, Germany will be the main contributor of the mission. Germany might choose to remain more passive in the near future. Nonetheless, considering the "special" status of Kosovo regarding its recognition, the vertical coherence of EULEX can be considered as "partial".

There was a similar situation regarding the EU accession process of Kosovo. Despite the issue of non-recognition, EU member states "have refrained from openly clashing

---

[161] According to EU Law "as a general rule, all decisions taken with respect to the EU's Common Foreign and Security Policy are adopted unanimously. However, in certain cases, an EU country can choose to abstain from voting on a particular action without blocking it". (EUR-LEX available at http://eur-lex.europa.eu/summary/glossary/abstention.html)

over Kosovo, contrary to other foreign policy matters such as the war in Iraq" (Tzifakis, 2013: 45). However, the lack of political will of the five member states to support the EU accession of Kosovo impedes the process and prevents further progress. Regarding the EU accession process of Kosovo, five EU member states not recognizing Kosovo have not blocked the Stabilization and Association Process. The SAP was signed (2015) and entered into force (2016). As in the case of EULEX, vertical coherence has been "high" regarding the Belgrade-Pristina dialogue. The process has been directly or "indirectly' supported by all of the member states.

For the case of Bosnia, the vertical coherence between the EU member states was considerably high during the EUPM. The main issue of concern was the nature of the mandate regarding the organized crime. In spite of a disagreement concerning the nature of the mandate, the EU member states agreed making the EUPM an executive mission. However, EU member countries composed of Belgium, the UK and the Netherlands that Venneri (2010: 246) qualified as the "conditionality coalition", were not keen on the EU's dropping the conditionality regarding the EUPM and the signature of the SAA with Bosnia. Concerning the constitutional reform, actions of EU member states and EU institutions were not well coordinated. Some of the EU member states acted individually by meeting Bosnian political actors to foster the constitutional reform efforts (Cooley, 2013: 180). This has undermined the actorness of the EU and damaged the power of the EU in the eyes of the political elites. In the case of Althea, vertical coherence level has been "partial" since its initiation, because of the "lack of political will and withdrawals of participating nations" (Bostanjacic Pulko, Mujarina & Pejic: 2016, 96).

5.1.4 Perceived Coherence of the EUFP in Bosnia and Kosovo

A common point between the cases of Bosnia and Kosovo has been the low perceived coherence in all foreign policy instruments used by the EU in Bosnia and Kosovo apart from the EUFOR Althea where the perceived coherence of the EUFP remained high. Is this result just a coincidence or the EU is doing "something wrong" in both of these two countries of the Western Balkans? In the Western Balkan states in general and in Bosnia and Kosovo more specifically, the EU puts "pressure on local elites to comply

with certain designated criteria" (Anastasakis, 2008: 365). Both in Bosnia and Kosovo the perceived coherence of the conditionality process by the political elites has played a crucial role on the impact Union's foreign policy in Bosnia and Kosovo. The credibility and the coherence of the EU conditionality process and of the SAA perceived by the political elites are important factors shaping the effectiveness of EU foreign policy instruments in Bosnia and Kosovo which are EU accession and the CSDP (Anastasakis, 2008: 369).

It is possible to see similarities between the political elites in Bosnia and Kosovo. In both countries, political elites are constructed around ethnicity being Bosniak, Serbian and Croat in Bosnia and Albanian and Serbian in Kosovo. In Kosovo, Albanian political elites previously having ties with the KLA became highly influential within the "new institutions of the new state" and the Serbian political elites "in the north used their alliance with Belgrade to consolidate control over northern Kosovo" (Jenne, 2009: 284). We can see a similar situation in Bosnia with the political elites of the pre-war period preserving their political presence in the country.

After the end of the war in Bosnia in 1995 and Kosovo in 1999, the political administration in both states was "led by EU-favoured politicians" (McCormack, 2015). However, EU agents such as the EUSRs both in Bosnia and Kosovo have not achieved the aim of persuading" the political elites in Bosnia to adopt the reforms that will lead the country towards a potential EU accession (Muehlmann, 2008: 43). The inconsistencies of the EU concerning the conditionality process, weakened the Union's hand against the political elites in Kosovo and Bosnia (Vachudova, 2014: 124).

Perceived coherence results have been extremely low for the case of Kosovo. There are several factors for the negative perceptions of local elites and Kosovar civil society organizations. First of all, regarding the accession process, despite the EU rhetoric on the local ownership and the inclusion of CSOs in the process, CSOs in Kosovo were not included during the process of deciding the benchmarks of the SAA and visa liberalization (Kosovar Civil Society Foundation: 2013; 2014). This fact has created discontent among the CSOs regarding the EU's practice on Kosovo during the EU accession process. Another issue regarding the perceived coherence has been the lack

of realization of incentives by the EU. Kosovar public opinion feels deceived regarding the lack of visa liberalization and that there is a double standard compared to other Western Balkan countries (Yabanci, 2016).

Similarly, for EULEX, the Union, failed to cooperate with the locals while designing the objectives of the mission (Ejdus, 2017) and to explain the locals the main objectives of the mission as the mandate of the latter is too complex for the people of Kosovo to understand (EULEX Officer, Personal communication, May 2017, Mitrovica). Perceived coherence during the Belgrade-Pristina Dialogue suffered from the lack of transparency and lack of information for the public in Kosovo (Bajrami, 2013 as cited in Yabancı, 2016: 12).

In the case of the EUPM, similarly to the accession process in Kosovo, the top-down approach of the EU had a negative impact on the perceived coherence of the Union in the eyes of the Bosnian CSOs and local elites. According to Juncos, (2011: 367) the coercive attitude of the EUSR has impacted the "legitimacy" of the EUPM in the eyes of the people in Bosnia. Comparable to EULEX, the principle of local ownership has not been "fully" applied during the EUPM in Bosnia as the process remained as "an elite driven and less inclusive" one (Moore: 2014, 297).The rhetoric and action of the EU during the constitutional reform process was contradictory. The discourse of the EU concerning the constitutional reform was based on the notion of "Bosnia's three constituent peoples" (Cooley, 2013: 141). This discourse made Bosniak, Bosnian Croat and Bosnian Serb political elites remain "reassured" of their positions in the country. As a result, political elites of the country managed to manipulate the process according to their needs.

The limited participation of civil society organizations in Bosnia to the process and "in secret" talks including only political party leaders had decreased the perceived coherence of the Union (Sebastian, 2007; 2009). EUFOR Althea has been the most "popular foreign policy instrument" of the EU (Bostanjacic Pulko, Mujarina & Pejic, 2016: 102) and this fact had a considerable positive impact on the perceived coherence of the military mission. Bosniak and Croatian Serb political elites have supported Althea. However, politicians from "Republika Srpska "were not genuinely committed to cooperate with the EU actors" during the mission (Bostanjacic Pulko, Mujarina &

Pejic, 2016: 102). Locals and politicians in RS want Althea to be removed (Soeren Keil, personal communication, October 2017, Brussels). However, they never openly challenged it and were not hostile to foreign intervention.

5.2 Effectiveness of EU Foreign Policy in Bosnia and Kosovo

	Low Improvement	Medium Improvement	High Improvement Coherence
EU Accession Process	X		
EULEX	X		
Belgrade-Pristina Dialogue		X	
General Effectiveness of EUFP	X		

Table 5 EU Foreign Policy Effectiveness in Kosovo

	Low Improvement	Medium Improvement	High Improvement Coherence
EUPM	X		
Constitutional Reform	X		
EUFOR Althea			X
General Effectiveness of EUFP	X		

Table 6 EU Foreign Policy Effectiveness in Bosnia

The degree of effectiveness has been measured by the level of improvement or the level of progress compared to the starting date of the foreign policy instrument used (being enlargement or the CSDP) towards achieving the initial objectives set by the EU. In both cases of Bosnia and Kosovo, the general effectiveness of the EU's foreign policy has been "low" due to the limited amount of progress compared to the initially set goals.

There are two opposite views regarding the effectiveness of the EUPM. While the EU presents EUPM as a success story, most of the experts argued that the police reform mission has failed (Marijan & Guzina, 2014; Tolksdorf, 2013; Venneri, 2013).

213

Because of several factors such as the lack of a clearly defined mandate, the lack of a clear benchmarking system (Juncos, 2007) and dropping the police reform as a part of the conditionality process, effectiveness levels of EUPM has been low. Despite ten years of efforts by international, the EU and domestic actors, constitutional reform did not take place in Bosnia, and as there has been no significant improvement during the process and as a result the effectiveness has been low.

For EUFOR Althea, on the other hand, we observe a high level of improvement. Despite some problems regarding the size of its troops and some coordination problems, there has been significant improvement regarding the safety and security in Bosnia. For the case of Kosovo, the effectiveness levels of the EU accession process and EULEX remained low. There has been some progress made concerning the implementation of the SAA and the visa liberalization process, but the latter has still granted to Kosovo. For the case of EULEX, the effectiveness of the latter has been limited because of the non-application of the principle of local ownership, corruption on political interference. For the Belgrade-Pristina Dialogue, we observe a medium improvement. The implementation of the Agreement on the Association/Community of Serb Majority Municipalities" remains a major issue blocking the process. Let's analyse the effectiveness results of the cases more in detail.

The most determining factor that affects the vertical coherence of the EU's foreign policy has been to achieve at least the minimum level of coherence or more specifically to be able to prevent a member state or a group of member states blocking the decisions at the Council and in turn the implementation of the foreign policy instruments of the Union. On the other hand, in some cases, individual actions of member states can pave the way for the EU to act as a whole. In the case of Bosnia, the German-UK initiative of 2014 is a perfect example supporting this view. The initiative of Germany and the UK aimed at focusing on socio-economic reforms has been instrumental to "un-block" Bosnia's long-stalled EU integration (Weber, 2017). Even though the success of the Reform Agenda is debatable and many experts qualify it as "fake progress" (Bodo Weber, personal communication, September 2017) it is a perfect example showing the power of a group of member states to move forward the Union's foreign policy during stagnant periods.

In the case of Kosovo, the approach of the five EU member states not recognizing Kosovo has been a been a crucial factor achieving the "minimum" level of coherence for the EU foreign policy to be operational. Despite its ambiguities, the Stabilization and Association Agreement has entered into force with Kosovo on April 2016. It is certain that the non-recognition of five EU member states is a hampering factor for the making further progress on the EU accession process as Kosovo cannot become an official candidate without being recognized by all the EU member states. However, despite the non-recognition issue and not achieving fully the vertical coherence, there has been a minimal progress in the Kosovo-EU relations. During the Belgrade-Pristina Dialogue, the high vertical coherence levels achieved by EU member states by recognizing and supporting the mediator role of the EU's HR/VP has been beneficial for the Dialogue. All of the five EU member states not recognizing also supported the Dialogue. As a result, there were no "internal challenges" and no opposition within the EU during the process. After the signing of the "historical" Brussels Agreement, from 2013 to 2016, with the mediation of the EU, the dialogue reached deals on 23 points. There has been considerable progress made during the process. The high vertical coherence has been a supportive factor for the progress made in other words for the effectiveness of the process.

Regarding institutional coherence and the constitutional reform in Bosnia, the lack of coordination between different EU institutional actors had a negative impact on the effectiveness of the EU. EU agents in Brussels and the ones in Bosnia were not coordinated during the reform process. One of the most concrete examples of the lack of coordination occurred when the EU Special Representative Christian Schwarz-Schilling "tried to initiate a new constitutional debate" within the EU and that "he was withheld by political committees in Brussels" (Tolksdorf, 2015: 407). Despite the advice of the European Parliament and the European Commission, the EU never took "the initiative to start constitutional reform negotiations" (Tolksdorf, 2015: 407). EU institutions addressed the need for independence separately[162] in their meetings and press releases but these efforts remained uncoordinated and the EU never managed to

---

[162] See for example Council of the EU, 2756th Council Meeting General Affairs and External Relations (Brussels: Council of the EU, 2006, similarly in 2014, the Commissioner for Enlargement Stefan Fühle expressed his "deep disappointment" with the failure of the process (European Parliament Research Service: 2015).

mediate the process. During the EUPM, the lack of clear goals, strategies and impact assessment has impacted negatively the effectiveness of the mission. The vague and limited mandate of the EUPM was another factor that limited the success of the EUPM. In EUFOR Althea, the fact that the latter was a continuation of the previous NATO mission SFOR has helped institutional coherence and in turn the effectiveness of the mission.

The coordination problems between the EU actors in Kosovo is related with the amount of overlap, with different actors engaged on the same issue with the very same counterparts (EULEX Officer, Personal communication, May 2017, Mitrovica). This creates inter-institutional competition between the EU actors and as a result, Kosovar officials become adept at balancing the different interests and objectives of the various EU actors. Within EULEX the fact that latter staff is not contracted by the EU supranational institutions (CSDP/CFSP or EULEX for that matter) but rather seconded by the member states created a problem of continuity and in turn, negatively affected the effectiveness of the mission.

As Tolksdorf (2015: 402) argued during the constitutional reform process in Bosnia, the Union "has not acted in a coordinated manner and applied its conditionality inconsistently". The characteristics of the Bosnian constitution is not only a divisive one fostering the ethnic nationalism in the country but it also prevents the adoption of necessary EU reforms by the Bosnian Parliament. The governance system in Bosnia constitutes a vicious cycle. While the country's "complicated institutional set-up" creates an ethnically divisive political system composed of ethnic political parties, these parties continue to block the potential constitutional reform in order to consolidate the existing political system (Vogel, 2014; De Vesci, 2017). Despite its rhetoric that indicating that a constitutional reform is needed to end the "reign of ethnically divisive" governance structures in Bosnia, the dropping of EU conditionality on the reform has helped to the continuation of the status quo regarding the constitution in the country. As a result, the constitutional reform attempts became ineffective. The EU has preferred to indirectly "encourage the political elites" in Bosnia by preferring the status-quo over insisting on conditionality and as a result "Bosnian politicians have preferred to reject EU-driven reforms for fear of angering domestic constituencies" (De Vesci, 2017).

When it comes to EU-Kosovo relations and more specifically the EU accession process of Kosovo, the signature and the coming into force of the Stabilization and Association Agreement has been the most important achievement so far. The SAA was signed between the government of Kosovo and the EU institutions and not with EU member states because of the non-recognition issue. This fact creates an ambiguity and damages the horizontal coherence of the EU. On the hand, it can also be considered as a temporary solution preventing the EU accession process to be deadlocked. However, this ambiguity cannot last forever. Political elites use the lack the horizontal coherence of the EU institutions as an excuse not to take the necessary steps to make progress on regarding the visa liberalization. The border demarcation with Montenegro has been ratified in March 2018 after a long delay. The persistence of the EU not dropping the conditionality played a crucial role in making the Parliament of Kosovo ratifying the agreement.

Regarding EULEX, despite the fact that EU institutions have achieved partial horizontal coherence among themselves, the effectiveness of the mission remained low. Belgrade-Pristina Dialogue has been instrumental for regarding the EU accession process of Kosovo and Serbia as both sides aimed to "win EU appeal in the dialogue process to improve their prospects of future membership" (Bergmann & Niemann, 2015). The achievement of horizontal coherence between the instrument of accession and dialogue diplomacy had a positive but limited impact on the effectiveness of the dialogue. The leverage of EU accession has been crucial to start the process but less influential during the course of it.

5.3. The relationship between coherence and effectiveness regarding the EU Foreign Policy in Bosnia and Kosovo

After having analysed the results of EU foreign policy coherence regarding various foreign policy instruments of the EU, and the effectiveness of these instruments, we will now focus on the relationship between coherence and effectiveness in the cases of Bosnia and Kosovo which is one of the main aims of this research.

5.3.1 The trade-off between coherence and effectiveness

The current literature regarding the issue of effectiveness focuses mainly on the internal dynamics between the EU actors (Bickerton, 2011; Thomas, 2011) rather than the perceptions of local perceptions (Ejdus & Juncos, 2017: 2). However, as Lucarelli and Fioramonti (2010: 2) posit,

> [T]he way in which the EU is perceived by other countries is likely to have a direct bearing on its success as a player in the international arena". How the locals see the EU is a decisive factor "in facilitating or opposing the achievements of EU-sponsored policies (Lucarelli & Fiaramonti, 2010: 2).

Can we trace a correlation between the perceived coherence of the Union and the effectiveness of the EU foreign policy in Bosnia and Kosovo? The way the internal (institutional, horizontal and vertical) coherence and perceived coherence impact each other will also shape the effectiveness of the EU in Bosnia and Kosovo. In this section, we will focus on the relationship between different concepts used throughout this research.

Analysing the relationship between coherence and effectiveness is not an easy endeavour. First of all, as there are four types of coherence in this study, we need to focus one by one on the impact different types of coherence have or more specifically have had so far in the effectiveness in Bosnia and Kosovo. Secondly, coming up with a generalization might not be scientific in the sense that the way coherence has impacted the effectiveness of EUFP in Bosnia and Kosovo does not mean that the correlation between coherence and effectiveness might not occur the same way in other foreign policy cases of the EU. However, considering the importance of the Western Balkans region historically and currently[163] for the EUFP, the cases of Bosnia and Kosovo will provide crucial lessons for the EU regarding the coherence and effectiveness of its foreign policy.

---

[163] Western Balkans is a priority for the Bulgarian 2018 Presidency. See "The Western Balkans – biggest priority of the Bulgarian Presidency", available at http://bulgarianpresidency.eu/western-balkans-biggest-priority-bulgarian-presidency/

5.3.1.1 Internal coherence, perceived coherence and effectiveness

The implementation of the EU foreign policy such as the EU police reform in Bosnia, the visa liberalization in Kosovo and the constitutional reform, depend highly on the actions of local actors which is shaped by their perceptions of the EU foreign policy. Even though the principle of "local ownership" became the motto of the CSDP in recent years, as Ejdus and Juncos (2017: 2), "local dynamics and how the local might shape and interact with EU dynamics have been largely overlooked" by the EU actors being the EU institutions and the EU member states. As we have analysed in the case study parts of this research, when locals (being both political elites and civil society organization members in Bosnia and Kosovo) perceive a considerable difference between the rhetoric and the practice of the EU regarding local ownership, they lose their enthusiasm and their belief in the EU enlargement process. As a consequence, they tend to support less enthusiastically the necessary EU reforms that would pave the way to the membership.

The way the local elites perceive the internal coherence shapes the behaviour of political elites in Bosnia and Kosovo. When political elites perceive that the EU actors do not act in a coordinated unitary actor during the conditionality process, the implementation of the reforms slows down. Ethno-national governing elites in Bosnia and Kosovo portray an incoherent and unfair image of the EU to their electoral bases and legitimize their behaviour of not making the needed reforms. As a result, governing elites use a strategy of "blame the EU" and use a rhetoric of "double standards" to escape from criticisms of not making sufficient progress on EU reforms which are part of the conditionality process. A perfect example of this view would be the visa liberalization and more specifically the border demarcation problem between Kosovo and Montenegro. The border demarcation agreement has been signed between Kosovo and Montenegro but has not been ratified by the Kosovo parliament. The ratification of the agreement "is an important cog in the direction of European integration for Kosovo with the agreement a requirement of visa liberalisation" (Krasniqi, 2017). Opposition parties of Kosovo namely "Vetëvendosje (Self-determination), but also the Alliance for the Future of Kosovo (AAK)" contended that the Brussels agreement would force Kosovo to lose a part of its lands (Krasniqi, 2017).

In order to support the reasoning for not ratifying the demarcation agreement with Montenegro, Kosovar politicians give the example of the existing border dispute between the EU member states Slovenia and Croatia. On June 2017, Croatia announced that it refuses the by an international tribunal in the Netherlands, which delivered a verdict on an outstanding sea and land border dispute with Slovenia" (Nielsen, 2017). Former Minister of European Integration Bekim Collaku (personal communication, May 2017, Pristina) posited that the EU shows a politics of incoherence and double standard regarding the visa liberalization of Kosovo.

A similar case of perceived incoherence affected negatively the effectiveness of the EU Police Reform in Bosnia. EUPM was "a priority criterion for opening negotiations on a Stabilization and Association Agreement (SAA) between the EU and Bosnia and Herzegovina (BiH)" (Vettori, 2013: 57). The mandate of the EUPM states that the main objective of the mission was to establish "sustainable policing arrangements under BiH ownership in accordance with best European and international practice, and thereby raising current BiH police standards" (Council of the European Union, 2002). However, the vagueness and "too general" character of the EUPM created cacophonies among different EU actors and between the EU and the local officials in Bosnia. There are no common "European standards" in other words there is no standardized police structure for the EU member states and not all of member states have a centralized police structure. In the Netherlands, there are "25 regional police units and 1 central one" (European Stability Initiative, 2007). Governing elites in Republika Srpska under the leadership of Milorad Dodik, used the vague mandate of EUPM to preserve the status quo. Despite the fact that EUPM was "a priority criterion for opening negotiations on a Stabilization and Association Agreement (SAA)", and that the EUPM did not achieve the aimed goals, SAA came into force. Bosnian governing elites saw the incoherence of the EU regarding the conditionality process and they have chosen to preserve the existing police structures in order to prevent a discontent among the local police forces.

In spite of the lack of reforms, the EU moved on with the conditionality process. As Tolksdorf (2014: 414) argues, "the intransigent political elites in BiH are responsible for the failure of constitutional reform efforts since 2006". However, the inconsistent application of the conditionality instrument by the EU has also been a preventive factor

for achieving an effective reform process in Bosnia. How can the EU be perceived coherent as a unitary actor if it continues to drop the conditions determined before? These two examples mentioned above show the relationship between the internal coherence (institutional, horizontal, vertical), perceived coherence and the effectiveness of the EU foreign policy in Kosovo and Bosnia.

Internal Coherence (Institutional, Horizontal, Vertical)

impacts

Perceived Coherence

impacts
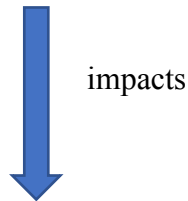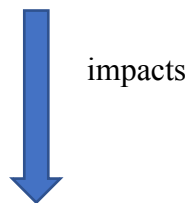
Effectiveness

Figure 1 Coherence-Effectiveness Relationship

When the rhetoric of local ownership does not meet the practice of EUFP in Bosnia and Kosovo, the perceived coherence is negatively affected and so is the implementation of the reforms. As a result, the effectiveness cannot be fully achieved. Why should the perceived coherence be important for the successful implementation of EUFP in a region or country? As Elsgström (2007: 952) points out: "to actually exert leadership, it is not enough for the EU to say that it is a leader. It also has to be constructed as a leader by the actors in its negotiation environment". The Union's foreign policy would have a bigger impact when the receivers (in our case Bosnians and Kosovars) agree to become followers of the considered EU foreign policy instruments (enlargement and CSDP) in their country (Elgström, 2007). The degree of following increases if the Union's policies are seen as coherent and consistent and if they are considered legitimate (Vogt, 2006: 5; Rhodes, 1998: 6 as cited in Elgström, 2007: 952). In the case of Bosnia and Kosovo, both state and non-state actors should perceive that the EU provides coherent guidance regarding the Union's enlargement

and CSDP instruments in their countries. When the EU fails to portray an image of a "coherent guide", the successful implementation of EU policies in Bosnia and Kosovo becomes more problematic.

The incoherence between the "rhetoric and practice of the local ownership" principle (Ejdus, 2017c) by the EU has also impacted the Union's foreign policy in Kosovo and Bosnia negatively. Effectiveness is the path towards the realization of goals. Regarding the EU foreign policy, local ownership is not a goal in itself but a principle specifying the way the goals should be achieved. However, in for some foreign policy tools such as EULEX, local ownership should also be seen as a goal. The mission statement of EULEX states that

> EULEX KOSOVO shall assist the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and multi-ethnic police and customs service.164

According to this mission statement, EULEX aims to create an independent justice system in Kosovo, a system controlled by the people of Kosovo to serve the people of Kosovo. To achieve this aim, in other words for EULEX to be effective, perceptions of locals regarding the actions of the EU in Kosovo or more exactly, the perceived coherence of the Union in the view of locals becomes a determining factor. Accordingly, in the case of EULEX, we can trace a direct relationship between perceived coherence and effectiveness. According to this argument, we can contend that the low perceived coherence stemming from the non-application of the local ownership principle had a negative impact on the effectiveness of EULEX.

Similarly to EULEX, the low perceived coherence had a negative impact on the effectiveness of the EUPM in Bosnia. The EU had to cooperate with the political elites from both the Federation of Bosnia and Republika Srpska, more specifically with the high police officers and the representative's ministry of interior of each region. (Gippert, 2018: 11). There was a considerable difference between the perceived

---

164 Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo.

coherence of the governing elites from the Bosnian Federation and the elites from Republika Srpska. One of the common problems of the implementation of the EU reforms in Bosnia has been the manipulation of political elites. According to many experts, governing elites in the Western Balkan countries "have learned" to shape the requirements of the EU accession process according to their own needs (Bassuener & Weber, 2013; Štiks, 2013; Vachudova, 2014).

5.4 Concluding remarks

Using membership as a power of attraction, has been used by the EU as the main foreign policy instrument in the Bosnia after the failure the 1990s (Tzifakis; 2012: 131). As the Commissioner for Enlargement (now DG NEAR) has stated: "enlargement policy is the EU's most important soft power tool. The power of attraction exerted by the EU has acted as an incentive for stability and democracy, first in Central and Eastern Europe, and now in the Balkans" (Rehn, 2008).

The enlargement path of Bosnia and Kosovo has been different than the path followed by previous enlargement countries. In the cases of Bosnia and Kosovo, the objective of the EU "was first to stabilize and then to associate the countries on the EU membership track, a two-step policy which did not occurred in the previous waves of enlargement" (Barbulescu & Troncota, 2013: 70). Accordingly, bilateral relations between the EU and Bosnia have been generally revolved around the Stabilization and Association Process (SAP) (in order to "stabilize" the country) and through "the conditionality attached to the financial assistance to the country" (Juncos, 2011: 92). The Union has favoured using positive rather than negative conditionality in Bosnia (Tocci, 2007: 11). However, it is highly questionable whether the "golden carrot" of conditionality has been an effective foreign policy tool for the EU to bring Bosnia and Kosovo closer to the EU (Börzel, 2011: 4). Enlargement conditions used for the Central and Eastern Europe countries have not caused the expected results in the Western Balkans (Barbulescu & Troncota, 2013: 70). As we have analysed before, even though the SAA was signed in 2008 between the EU and Bosnia, it did not enter into force because of the deadlocks in preconditions such as the police and the constitutional reforms. Even if Bosnia has not realized these reforms the EU has

decided to lower the bar and changed its approach towards Bosnia by focusing on social and economic problems rather than on conditionality technicalities.

In the case of Kosovo, the problems of vertical coherence have been a key factor slowing down the accession process. The developments at the geostrategic sphere of the international system had also considerable impact on other actors's influence on the Western Balkans in turn, on Bosnia and Kosovo. These systemic developments had also an impact on the Union's approach towards the Western Balkans. Even though Jean-Claude Juncker has announced clearly in 2014 with his "infamous and unnecessary statement (of the obvious) that enlargement would not take place during the legislature of 2014-2019 (Balfour, 2017: 17), with the initiative of EU member states, the EU has increased its commitment for the integration process of Bosnia and Kosovo after 2014. However according to many, this change in the foreign policy of the EU was not solely related with the aim of improving the social and economic conditions in Bosnia and Kosovo but more with geostrategic and security related matters such as "migration along the Balkan route, threats of Islamic radicalization, and Russian geopolitical activism" (Bona & Martino, 2017). International actors, namely China, Russia and several Arab states have recently started to invest in Western Balkan countries "Montenegro, Macedonia, Serbia and, to a lesser extent, Bosnia and Herzegovina and Albania" (Vit, 2017: 2).[165] Regarding Islamic radicalization, "more than one thousand foreign fighters from Kosovo, Bosnia-Herzegovina, Albania and the former Yugoslav Republic of Macedonia" joined ISIS in Syria and Iraq (Dokos, 2017: 107).

The EU's foreign policy in Bosnia and Kosovo now depends more and more, not only on its institutional and member state level foreign policy choices but also the systemic influences of other major global actors. In the Balkans, the EU effectiveness has weakened in recent years. The transformative power has diminished. Public opinion in the EU is against enlargement, populist parties rising. There need to be a much more hands on approach by the EU to regain transformative power and effectiveness. It should not be forgotten that the incoherence regarding the conditionality procedures have contributed to the ineffectiveness of the process. The Union's inconsistency

---

[165] Regarding China's investment in the region see http://www.atimes.com/article/china-in-the-balkans-montenegro-bosnia-herzegovina-open-new-frontiers/

regarding "measurements of progress and the unclear benchmarking procedures" has undermined the credibility of the Union in the eyes of the political elites in Bosnia (Gordon, 2009: 332).

In sum, Bosnia and Kosovo, both potential EU candidates, have been two crucial cases to test two major foreign policy instruments of the EU: enlargement and CSDP missions. However, the coherence and effectiveness of these instruments have been debatable.

CHAPTER VI

CONCLUSION

6.1 Thesis Statement and Hypothesis

This thesis aimed to analyse the foreign policy coherence and effectiveness of the EU in Bosnia and Kosovo by focusing on the EU accession process and civilian and military missions initiated by the EU. Regarding the coherence of the EU accession process and the EU missions in Kosovo, this study focused on the internal coherence between the EU policies, institutions and the member states and the coherence perceived by the local actors, being Bosnians and Kosovars. Accordingly, this research introduced the notion of perceived coherence, focusing on the degree of coherence perceived by the political elites and civil society organizations in Bosnia and Kosovo. This study examined how the internal coherence of the Union's foreign policy actors and policies has shaped the perceived coherence of local agents in the cases of Bosnia and Kosovo. The second part of the analysis focused on the effectiveness of the foreign policy instruments used by the EU in Bosnia. After having investigated the effectiveness of these instruments, the thesis examined the relationship between the coherence and the effectiveness concerning the foreign policy of the Union in Bosnia and Kosovo.

The research argues that the coherence between the EU institutions, policies and member states, shapes the perceived coherence of political elites and the civil society organizations in the country receiving the EU foreign policy. As a result, the perceived coherence of the local agents becomes a crucial factor affecting the implementation or in other words the effectiveness of the EU foreign policy instruments. Therefore, in the cases of Bosnia and Kosovo, the perceived coherence of the local actors has been a determining factor for the effectiveness of the EU foreign policy instruments of EU accession process and the EU civilian and military missions.

6.2 Executive Summary

In order to answer these research questions, this thesis was structured in five chapters. In the introductory chapter, after having introduced the concept of coherence, we have defined the theoretical framework of the research. After the introduction of research questions, the first chapter continued with the methodology section that presented the research questions, the reasons for case selection and the explanations for using the comparative case study method.

The second chapter made a comprehensive review of the literature focusing on European foreign policy. The first part of the chapter examined the literature on the formal governance of the European foreign policy. This section investigated the inception and the evolution of EU foreign policy by analysing the literature on the CFSP, the actorness and the strategic culture of the EU. A specific part has been dedicated to the emergence of the new institutional actors after the Lisbon Treaty, more specifically the HR/VP and the EEAS. The second part of the review analysed the literature on the informal governance of the European foreign policy and the scholarly works examining the emergence of local actors.

The third chapter focused on the first case study of this thesis which is the EU foreign policy coherence and effectiveness in Bosnia. Before analysing the coherence of the EU in Bosnia, the chapter introduced the historical and political background of Bosnia, the emergence of the EU as an international actor in the country, the importance of the Dayton Agreement and the Stabilization and Association Process. After presenting

foundations of EU-Bosnia relations, the third chapter continued with the analysis of different types of coherence, namely the institutional, horizontal, vertical and perceived coherence. Three crucial cases have been chosen to focusing on the types of EU coherence in Bosnia. These cases have been the EU police reform (EUPM), the constitutional reform and the EU military mission EUFOR Althea. The chapter continued with the analysis on the impact of the creation of the EEAS and the HR/VP on the foreign policy coherence of the EU in Bosnia. The third chapter continued by examining the effectiveness of the EU foreign policy during the EU police reform, the constitutional reform and the EUFOR Althea. The last part of the Bosnia case has been concluded with an emphasis on the EU Reform Agenda.

The fourth chapter focused on the second case study of this thesis which is the EU foreign policy coherence and effectiveness in Kosovo. In this chapter, we first introduced the background of the Kosovo problem, the emergence of the EU's foreign policy in Kosovo and the issue of the declaration of Kosovo's independence which played a crucial role for the analysis of Union's foreign policy coherence in Kosovo. After having introduced the "basics" of EU-Kosovo relations, the chapter continued by analysing the institutional, horizontal, vertical and perceived coherence during the EU accession process, the EU rule of law mission and the Belgrade-Pristina dialogue that tested the impact of the HR/VP as a mediator during the dialogue. In the final part, we examined the effectiveness of the EU during the EU accession process, the EU rule of law mission and the Belgrade-Pristina dialogue.

In the fifth and final chapter of our analysis, we compared the results of EU foreign policy coherence and effectiveness in Bosnia and Kosovo. Finally, we concluded the analysis by investigating if there has been a trade-off between coherence and effectiveness regarding the EU foreign policy in Bosnia and Kosovo.

6.3 Main Findings

This research has asked the following research questions:
1) How coherent have the EU foreign policy instruments of enlargement, CSDP missions and diplomacy been in Bosnia and Kosovo?
2) How effective has the EUFP been in Bosnia and Kosovo?

3) How have the changes made after the Lisbon Treaty, more specifically appointment of the HR/VP and the creation of for the EEAS impacted the foreign policy coherence of the EU in its action over Bosnia and Kosovo?

4) Has there a trade-off between coherence and effectiveness in EU foreign policy domain in the cases of Bosnia and Kosovo?

5) Under what circumstances is such a trade-off manifested?

In order to answer these research questions, this thesis adopted a comparative case study method to compare the coherence and effectiveness of foreign policy instruments used by the EU in Bosnia and Kosovo. We used a three-level scale of coherence, "low, partial and high", to measure the four types of coherence institutional, horizontal, vertical and perceived. For the measurement of effectiveness, a scale of "low, medium and high" is used to measure the progress regarding the foreign policy instruments analysed.

In Bosnia, the coherence of the EU has been "partially" coherent concerning the institutional, vertical and perceived coherence. On the other hand, the horizontal coherence remained low. In the case of Kosovo, while the institutional, horizontal and vertical coherence remained partially coherent, the perceived coherence has been "low" during all of the foreign policy instruments used by the Union.

In the case of Bosnia, the police reform and consequently the EU police mission (EUPM) became a crucial part of the conditionality process. During the EUPM, the lack of an acquis communautaire on police-related issues (Bieber, 2010) has lowered the institutional coherence. During the constitutional reform, the divisions between the Commission and the Council have negatively affected the reform process (Sebastian, 2009: 344). As a result, the level of institutional coherence remained low. Similarly, during the EUFOR Althea, institutional "competition" between the Commission and the EUSR has prevented the EU from being fully coherent.

As regards to the institutional coherence of the EU accession process of Kosovo, the level of coherence has been "partial" and even approaching high levels because of the good coordination between the instruments the Commission and the CSDP

instruments. However, there were coordination issues between the Council and the Commission related with the non-recognition of the independence of Kosovo by five EU member states. During EULEX, has been a negative factor preventing the formation of an "esprit de corps"[166] on the institutional level (Van der Borgh, Le Roy, & Zweerink, 2016: 34). During the Belgrade-Pristina Dialogue, the coordination has been generally high at the beginning of the process with the positive. During the course of the process, the Dialogue has lost its momentum and internal and external crises such as Brexit and the refugee crisis lowered the coherence between the EU actors.

As regards to horizontal coherence, in the case of Bosnia, conflicting mandates between the EUPM and Althea damaged the coherence levels. When it comes to the constitutional reform, the incoherence between the rhetoric of the EU has prevented to achieve coherence between different foreign policy instruments of the Union in Bosnia. In the case of Kosovo, the division of labour between the EU actors has been relatively well defined between the EU accession process and the CSDP. As a result, the horizontal coherence of the in Kosovo has remained partially coherent. During EULEX there were some coordination problems between the rule of law and the issues of enlargement and migration. The levels of vertical coherence have been similar in Bosnia than Kosovo. In the case of Bosnia, during the EUPM and Althea despite minor disagreements between member states, the mandate of the mission was supported by all of the EU member states. During the constitutional reform, the coherence between of EU member states and EU institutions were high as a result of a well-coordinated process. The perceived coherence in all foreign policy instruments used by the EU in Bosnia and Kosovo apart from the EUFOR Althea where the perceived coherence of the Union remained high.

The changes made after the Lisbon Treaty, more specifically appointment of the HR/VP and the creation of for the EEAS had a "limited impact" to improve the foreign policy coherence in Bosnia and Kosovo. The creation of the delegation in Bosnia and the EU Office in Pristina increased the perceived coherence of the Union in the country by creating an EU "institutional figure" in the countries. However, the complicated

---

[166] "The common spirit existing in the members of a group and inspiring enthusiasm, devotion, and strong regard for the honour of the group" (Merriam-Webster Dictionary)

nature of the division of labour between the EU actors on the ground and the double-hatted system of EUSR/Head of Delegation generally impeded the internal coherence of the EU. In the case of Kosovo, the adoption of the mediator role by the HR/VP of the EU during the Belgrade-Pristina Dialogue can be considered as a positive step to increase the foreign policy actorness of the EU.

How effective the EU foreign policy has been in Bosnia and Kosovo? Has there been a trade-off between coherence and effectiveness? This chapter aimed also to answer these questions. Here are the key findings of this research.

The toolbox of the conditionality in the Western Balkans was born with the Central Eastern enlargement (CEE) of 2005. However, in the CEE, the number of preconditions was minimal. The CEE was mainly a technical process, monitoring reforms, adoption of the Acquis, "box ticking" until the beginning of the accession negotiations with Bulgaria and Romania. Even with the latter, the political and economic situation of the countries considered was not difficult as they were not passing from a state-building period like Bosnia and Kosovo. For Bosnia and Kosovo, the EU accession process became a "learning process" for the Union. In order to apply the conditionality toolbox in the Western Balkans, the EU needed an adjustment and adaptation period. In CEE countries, elites and citizens were ready to realize the EU reforms. In Bosnia and Kosovo, or more specifically in the Western Balkans, citizens were ready, but elites were not. It was "just a lip service" (Bodo Weber, personal communication, September 2017, Brussels). In Bosnia especially, there was a dysfunctional system based on corruption. Political conditionality has not been successful regarding the statebuilding of Bosnia and Kosovo. Accordingly, there was a need to modify the conditionality toolbox. A political process in addition to the technocratic EU policies was needed. Implementing solely formalistic reforms were not enough for the Western Balkan case. (Aybet & Bieber, 2011: 1917).

The effectiveness of the EU integration in Bosnia does not only depend on the coherence of foreign policy tools or the synergy of the EU actors in Bosnia. Political parties in Bosnia and Kosovo tend to see the conditions set by the EU "touching on sensitive issues of statehood and national identity" (Vettori, 2013: 18). As a result, the effectiveness of EU conditionality in Bosnia and Kosovo decreases. In other words,

EU integration in Bosnia and Kosovo will only become effective when the Bosnian and Kosovar "political parties do not consider the EU conditions a threat to their vital interests" (Dzihic & Wieser: 2011: 1810).

In Bosnia and Kosovo, the governing elites they all first agree on realizing the necessary reforms of EU conditionality. The representatives of political parties agree on "general commitments" of EU integration-related reforms but then they "fail to take substantive steps to implement the reforms and move forward in the EU integration process" (Vettori, 2013: 23). However, regarding the implementation process, politicians in Bosnia and Kosovo have chosen the status quo over reform. In the case of the constitutional reform in Bosnia, as Flessenkemper (2016: 263) stressed, "not even the authority of the ECtHR or the offers of the EU managed to achieve a change of approach in domestic actors".

One of the most important problems preventing the effectiveness of the EU's policy of integration of Bosnia and Kosovo, has been the Union's relationship with the political elite in Bosnia. Only a small part of the population the political and economic elite "enjoy the benefits of an unreformed status quo" while on the other hand the rest of the population desperately wait the stagnation period to end (Donais, 2013: 202). After the war and the transition to the market economy, only the political leaders in the country benefits from the "employment opportunities" whereas the rest of the population does not benefit from the financial aid of the EU aiming to improve the economic sphere in Bosnia (Chivvis & Dugo, 2010: 110).

6.4 The State of Play

The EU path for Bosnia started in 2000 with a "Road Map" based on 18 key conditions to be fulfilled and to start the Stabilization and Association Process (Grünther-Decevic, 2017). Bosnia has become a potential candidate in 2003. The SAA was signed in 2008 and entered into force in 2015. Finally, Bosnia has received the accession questionnaire from the European Commission in December 2016. However, despite these "historical" developments, Bosnia's EU accession process is far from promising. Bosnia suffers from highly challenging economic problems. The large trade deficit, repayment of loans, lack of revenues apart from "taxes, new loans and

the selling of state assets" and the lack of foreign direct investment is used by political elites to use ethnic nationalism to distract the Bosnian problems from the economic and social difficulties of the country (Nechev, 2017: 26).

The Reform Agenda initiated by Germany and the UK, later supported by the EU has brought a "considerable momentum" to the EU accession reforms on Bosnia (Weber, 2017). However, as Weber (2017) argues the impact of the EU accession reforms has been very "limited" and the current socio-economic and political situation of the country is not promising. Considering the fact that 2018 is the elections year, it would be hard to expect the Bosnian politician being either Bosniak, Serb or Croat, to focus on EU reforms. In order to rapidly consolidate their electoral basis, they will continue their ethno-nationalistic rhetoric. As a result, the EU integration process would be de facto halted. The compromise of the EU on the conditionality would also harm the EU integration process of Bosnia (Weber, 2017). The incoherence of the EU regarding the conditionality by lowering the accession conditions had a negative impact on the effectiveness of the Union's foreign policies in Bosnia. Despite the Union's foreign policy instruments and increased actorness in Bosnia, the latter's path towards the EU remains problematic. It would be unrealistic to argue that the EU's foreign policy in Bosnia has been effective. Ethno-nationalism and socio-economic problems continue to be the most significant obstacles towards the progress regarding the EU accession process of the country.

In Bosnia, 2018 has started with "negative" developments. On January 9, the influential political and media leaders in Republika Srpska have organized a "pride parade in Banja Luka, marking the inception of Republika Srpska in 1991" (Ciric, 2018). This tension was a clear sign of the continuation of the "divisive rhetoric" of the Republika Srpska leader Milorad Dodik (Ciric, 2018). The government of Republika Srpska, under the leadership of Milorad Dodik, "has recruited the services of Russian-backed paramilitaries" to show its "authority" (Mujanovic. 2017). The legitimacy of the general elections can become questionable because of the authoritarian show off of political elites in Bosnia (Mujanovic, 2017).

Since its "partially" recognized independence, "Kosovo has made European integration one of its key foreign policy objectives" (Dessus, Rexha, Merja & Stratulat.

2017:1). Notably, the signature of the Stabilization and Association Agreement in 2015 and the coming into force of the latter in 2016, the relations between the EU and Kosovo has been "institutionalized". However, Kosovo is far from obtaining the candidate status and the effectiveness of the Union's foreign policy in the country can be considered as mediocre at best. The socio-economic and political situation of Kosovo is not promising. The economy suffers from many structural problems. Much of foreign assistance over the last decade has focused on building the institutional architecture of the new state and key physical infrastructure such as roads, which was undoubtedly important. However, key social issues like education, health, and poverty have somewhat been left behind. These issues have been not only a symptom of underdevelopment but also a drag and a cause (for example poor workforce skills). People have not felt much of the financial assistance because quite a lot of it has gone for technical assistance (going mostly back to donor countries) or has been oriented towards economic sectors monopolized by elites and the system of clientelism (Agon Maliqi, 2017, Personal communication, May 2017, Pristina). The sway of conditionality will weaken, particularly after visa liberalization. The possibility of EU membership seems so "far away" for both the governing elites and the civil society members in the country. As a result, this creates a bleak picture of EU-Kosovo relations for the local stakeholders.

The EU's internal crises also embolden the sense of cynicism towards the EU. Recent political developments in Kosovo do not look promising regarding the normalization of relations between the Albanian and Serbian communities in the country. On 16 January 2016, Kosovo Serb politician Oliver Ivanovic, Oliver Ivanovic was shot in North Mitrovica. Ivanovic was "the head of the Kosovo Serb citizen initiative SDP, was seen as a peacemaker between Albanians and Serbs" (Pristina Insight,16 January 2018). Regarding the importance and the potential consequences of the assassination of Ivanic, Krenar Gashi (2018, personal Twitter account) stated:

> Oliver Ivanovic's assassination shows that we have all failed. The Serbs failed to construct a social reality where progressives like Ivanovic could thrive. The Albanians, as the majority that lead the rule of law institutions, failed to protect him. Not to mention the EU now...

Right after the assassination of the Kosovar Serb leader in North Mitrovica Kosovo, the President of Serbia has visited Kosovo and "urged the Serbian population not to give up on Kosovo" and added: "we will protect the Serbs" (The New York Times, 21 January 2018). We can expect that the assassination of Ivanovic will damage the normalization of relations between Kosovo and Serbia.

The EU is losing its leverage and "attractiveness" based on the potential EU membership. Making the Western Balkans a priority of the 2018 Bulgarian Presidency is a positive but insufficient development. The EU Commission launched the New Enlargement Strategy for the Western Balkans" on 6 February 2018. "Joining the EU is far more than a technical process" the new strategy says. 167 The launch of the new strategy can become a catalyst for EU-Western Balkan relations if the EU sees the conditionality more than merely a box-ticking process (Fraczek, Huszka, & Körtvélyes, 2016). Civil-society actors should be included more effectively in the process. Local ownership should be the practice and not only the rhetoric of the EU. The governing elites should not be immune to criticism by the EU. If the EU wants Bosnia and Kosovo to make progress in the rule of law, the EU should challenge the "stabilitocracy" system serving the governing elites both in Bosnia and Kosovo (Pavlovic, 2017). As Bieber (2018) argued, "Europe's new plan is promising but not tough enough". Unless the EU assures the coherence between its discourse and practice in the Western Balkans while at the same time increasing the perceived coherence of its policies in the region, the foreign policy coherence of the Union can hardly be effective.

In the summer of 2018, Presidents of Serbia and Kosovo, Aleksandar Vučić and Hashim Thaci respectively, expressed their views on potentially swapping lands between the countries based on ethnic lines.[168] So far, the EU has not opposed to the idea of border swap as the EU Commissioner for Neigbourhood Policy and Enlargement Negotiations Johannes Hahn said: "I think it is too early to talk about it. They are still negotiating. Some ideas have come up, let us just say that" (European

---

167 See "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans" European Commission (2018)

[168] See https://www.politico.eu/article/aleksandar-vucic-hashim-thaci-serbia-kosovo-balkans-eu-enlargement-alpbach-forum/

Western Balkans, 2018) This incoherent attitude of the EU that has been supporting a solution respecting the multi-ethnic character of Kosovo during the Belgrade-Pristina Dialgue until now, can lead to very dangerous consequences such as the renewal of ethnic conflict.[169] As Adnan Cerimagic argued "redrawing Balkan borders would be a fatal mistake".[170]

6.5 Policy Recommendations

In light of the previous analyses made on the EU foreign policy coherence and effectiveness, and the state of play, this thesis has some policy recommendations for the near future of the relations of the EU with Bosnia and Kosovo. These policy recommendations are as follows:

1. EU policy makers should take into consideration the perceptions of local political actors and civil society organizations to increase the effectiveness of the Union's foreign policy in Bosnia and Kosovo. The EU should create new platforms to increase the participation of civil society organizations during the SAP process and the Belgrade-Pristina Dialogue. "Closed-doors" strategy decreases the transparency of the EU and creates uncertainty and in turn resistance by the local actors.

2. Staying consistent during the conditionality process is crucial for the implementation of the accession reforms. The Union's commitment to the ratification of the border demarcation line agreement between Kosovo and Montenegro led the Kosovar Parliament to ratify the agreement and make progress towards the EU accession. The EU should use this type of commitment strategy to prevent political elites to use ethno-national rhetoric blocking the EU accession process. Effectiveness cannot/should not merely be a "ticking boxes" process. In the words of the former European Commissioner for Enlargement and Neighbourhood Policy Štefan Füle, "for countries in transformation, enlargement is not just about ticking boxes but about implementation" (European Commission, 2013: 3).

---

[169] See https://www.theguardian.com/world/2018/aug/22/serbia-kosovo-could-land-swap-between-lead-conflict
[170] See https://www.politico.eu/article/balkans-redrawing-borders-would-be-a-fatal-mistake/

The EU and more specifically the Commission perceives the effectiveness of the EU's policy in Bosnia as merely a technocratic issue with the "usage" of the conditionality instrument. As Juncos (2012: 63) notes, "Commission officials, would like to see themselves as detached from the political". However, while focusing on technical issues of conditionality, the EU should never ignore the bigger political picture of the country "because enlargement is an inherently political process" (Juncos (2012: 63). If the EU wants to have an effective foreign policy in Bosnia and Kosovo, it should re-evaluate its relationship with the local governments and condemn openly the rhetoric of the latter based on ethnic nationalism. Dropping the conditionality has been used by the EU to maintain the "stability" in the country. However, we cannot even talk about a "stabilitocracy"171 in the Western Balkans anymore. Ethnic tensions are rising, Russia and Serbia have been increasing their influence on Republika Srpska.

3. Progress before stability should be the new motto of the EU in Bosnia and Kosovo. International state-builders and notably the EU has chosen to focus on the economic and social reform when "they do not know what else to do" (Soeren Keil, personal communication, 2017, Brussels). The reason for choosing the economic reform is that all the sides in Bosnia and most importantly the Republika Srpska, and in the case of Kosovo, the Serbian Kosovars, would agree as the economic reform is not seen a "threat" to their national sovereignty. Since 2014, the last years, there is much more hesitation of the EU to engage in the Balkans because of internal and external developments. The main reason is that the EU has always been focused on stability than progress. As a whole, there has been stability in terms of security in the Balkans. Accordingly, the EU should focus on progress and not only stability. The EU should challenge the sectarian political leaders and authoritarian leaders in the Western Balkans (Soeren Keil, personal communication, September 2017, Brussels). The stability in the Western Balkans, in Bosnia especially, is a fake one. The current stability is a result of people tired of being in a conflict rather than an improvement of political and economic situation in the country.

4. The EU should reduce uncertainty to prevent local resistance. Another factor undermining the effectiveness of the conditionality process is not directly related with

---

171 See Pavlovic, 2017.

the coherence of the Union in Bosnia and Kosovo. The "uncertainty" regarding the potential EU membership lowers the capabilities of conditionality to motivate the governing elites in Bosnia to realize the necessary reforms toward the EU integration (Gordon, 2009). As a result, the conditionality process becomes less effective than envisaged. Assuring the coherence of political conditionality does not necessarily lead to effectiveness. As Schimmelfennig (2008: 921) argues, the coherence "has to be accompanied by favourable domestic conditions". In other words, the cost of political compliance should be low for the target government, which is Bosnia and Kosovo for our case (Schimmelfennig, 2008: 921). The foreign policy of the EU towards Kosovo and Bosnia has been characterized by uncertainties regarding the future of the accession process of both countries. For instance, because of the non-recognition of Kosovo by five EU member states, Kosovo cannot obtain the status of candidate countries even if Kosovo meets the accession criteria. As a result, the open-ended process leads to uncertainty and the process stagnates.

5. Clearer benchmarks are needed. As we have analysed during the previous parts of this research, the lack of clear benchmarks during the EUPM in Bosnia, the visa liberalization process in Kosovo, is a crucial factor that impedes the effectiveness of the EU foreign policy instruments in both countries. Accordingly, benchmarks should be defined more clearly to evaluate the progress of the process.

6. The EU should have a more determined approach to focus on the rule of law issue in Bosnia and Kosovo (Erwan Fouéré, 2016, personal communication, Brussels). The rule of law became a priority for the EU but the issue is still not handled by effective measures. As a result, no desired effect occurred so far. The tendency of the EU to focus on stability and security solely creates failure in the issues of rules of law and democratic standards. The situation in Bosnia is dysfunctional. Frequent visits of important EU figures such as Federica Mogherini in Bosnia and Kosovo show that the EU has realized that it should focus more on the political dimension of its relations with the Western Balkans.

6.6 Implications for Future Research

Future academic research should continue to investigate the interaction between the EU actors as the initiators or "providers" of the EU foreign policy and the local actors being the receivers of the policies considered. The concept of coherence is a concept with a high explanatory power to analyse the internal-external interaction, or more specifically relationship between the way the EU internally projects its foreign policy instruments and the way, the locals perceive this projection. As a result of this process, locals either comply or resist to the foreign policy tools used by the EU. Accordingly, new research focusing on this "internal-local" dimension of EU foreign policy can make valuable contribution to the literature.

New literature focusing on the EU's regional foreign policies, should focus on different sides of the process, being the internal institutional dynamics of the EU, the interaction between the EU member states and the EU and the local reactions to the internal dynamics of the EU. Accordingly, the theoretical framework of this thesis can be used for future research focusing on various EU foreign policy instruments such as the EU enlargement and the European Neighbourhood Policy (ENP).

REFERENCES

Abellan, M., & Medina, M. (2002). The Coherence of the European Foreign Policy: A Real Barrier of an Academic Term. Institut Universitari D'Estudis Europeus Working Paper No. 27. Retrieved from https://ddd.uab.cat/pub/worpap/2002/hdl_2072_204352/N._27.pdf

Ağır, B.S., & Gürsoy, B. (2016). The European Union's State-Building Efforts in The Case of Bosnia And Herzegovina. *Ankara Avrupa Çalışmaları Dergisi*, 15(1), 1-27. Retrieved from http://dergiler.ankara.edu.tr/dergiler/16/2122/21960.pdf

Allen, D. (1996). *The European Rescue of National Foreign Policy?' In C. Hill (Ed.). The Actors in Europe's Foreign Policy*. (pp. 288-304). London: Routledge.

Allen, D. (1998). Who Speaks for Europe? The Search for an Effective and Coherent External Policy. In J. Peterson & H. Sjursen. (Eds.) *A Common Foreign Policy for Europe? Competing Visions of the CFSP*, (pp. 41-58). London and New York: Routledge.

Allen, D., & Pijpers, A. (Eds.) (1984). *European Foreign Policy-making and the Arab-Israeli Conflict*. Leiden: Martinus Nijhoff Publishers

Allen, D., Rummel, R., & Wessels, W. (Eds.). (1982). *European Political Cooperation: Towards a Foreign Policy for Western Europe*. London: Butterworths.

Anastasakis, O. (2008). The EU's political conditionality in the Western Balkans: towards a more pragmatic approach. *Southeast European and Black Sea Studies*, 8(4), 365, 377. https://doi.org/10.1080/14683850802556384

Armakolas, I. (2017). Greece. In J.K Lindsay & I Armakolas. (2017). Lack of Engagement: Surveying the Spectrum of EU Member State Policies Towards Kosovo, Kosovo Foundation for Open Society.

Armstrong, D., & Gilson, J. (2011). Introduction: civil society and international governance. In D. Armstrong, V. Bello, J. Gilson & D. Spini (Eds.), *Civil Society and International Governance The role of non-state actors in global and regional regulatory frameworks*, (pp. 1-13). New York: Routledge.

Armstrong, D., Bello, V., & Spini, D. (Eds.). (2010). *Civil Society and International Governance*. London: Routledge.

Art, R. J. (2004). Western Europe Hedges its Bets. In T.V. Paul, T.V, J. Wirtz,. & N. Fortmann (Eds.). *Balance of Power: Theory and Practice in the Twenty-First Century*, (pp. 179-213). Stanford, CA: Stanford University Press.

Art, R. J. (2005). Soft Balancing Against the United States. *International Security*, 30, (1), 7-45.

Ashdown, P. (2005). Remarks by High Representative Paddy Ashdown, 10th Anniversary of Dayton: Small Steps or Giant Leaps' roundtable. Bosnian Institute, London. Retrieved from http://www.ohr.int/ohr-dept/presso/presssp/default.asp?content_id=35862

Ashton, C. (2010). HR/VP Catherine Ashton presents vision for European External Action Service. Retrieved from http://europa.eu/rapid/press-release_IP-10-373_en.htm

Augustin P, A., & Tuhina, G. (2016). The Upshot of the SAA: Kosovo-EU Relations. Kosovo Foundation for Open Society. Retrieved from http://kfos.org/wp-content/uploads/2016/11/MSA-ENG_TEXT-2.compressed.pdf

Aybet, G., and Bieber, F. (2011). From Dayton to Brussels: The Impact of EU and NATO Conditionality on State Building in Bosnia & Hercegovina. *Europe-Asia Studies*, 63(10), 1911-1937.https://doi.org/10.1080/09668136.2011.618706

B92 News Agency. (2013). Serbia Does Not Accept Kosovo's UN Membership. Retrieved from https://www.b92.net/eng/comments.php?nav_id=87789

Babuna, A. (2014). European Integration, Bosnia-Herzegovina and Stability in the Western Balkans: A New Strategy. *Perceptions*, 1-32. Retrieved from http://sam.gov.tr/wp-content/uploads/2015/01/01-32-aydin-babuna.pdf

Bajrami, A. (2013). Analysis of Serbian municipalities: From a tool of integration to a disaster in the making. Policy Note 05/2013. Pristina Group for Legal and Political Studies. Retrieved from https://www.files.ethz.ch/isn/175329/Policy%20Note%2005%202013.pdf

Bajrami, A. (2013). Kosovo-Serbia dialogue: Windows of opportunity or a house of cards. Policy Analysis No. 03/2013. Pristina: Group for Legal and Political Studies. Retrieved from http://www.legalpoliticalstudies.org/kosovo-serbia-dialogue-windows-of-opportunity-or-a-house-of-cards/

Balfour, R. (2017). What Role for Resilience. In S. Lange, Z. Nechev & F. Trauner, F. Enlargement, *Resilience in the Western Balkans*, (pp. 17-23). Pris: EUISS

Balfour, R., & Ojanen., O. (2011). Does the European External Action Service Represent a Model for the Challenges of Global Diplomacy? IAI Working Papers,11 (7). Retrieved from http://www.iai.it/sites/default/files/iaiwp1117.pdf

Balfour, R., & Raik, K. (2013). The European External Action Service and National Diplomacies. 73, EPC Issue Paper. Retrieved from http://www.epc.eu/documents/uploads/pub_3385_the_eeas_and_national_diplomacies.pdf?doc_id=1342

Balfour, R., Carta, C., & Raik, K. (2015). *The European External Action Service and National Foreign Ministries*. Farnham: Ashgate.

Balkan Insight. (2015). Mass Depopulation Threatens Bosnia's Future. Retrieved from http://www.balkaninsight.com/en/article/mass-depopulation-threatens-bosnia-s-future

Balkans in Europe Policy Advisory Group. (2015). Policy Western Balkans and the EU: Beyond the Autopilot Mode. Retrieved from http://www.suedosteuropa.uni-graz.at/sites/default/files/article_attach/BIEPAG-Western-Balkans-and-the-EU-Beyond-the-Autopilot-Mode.pdf

Balkans Policy Research Group. (2016). The Association of Serb Municipalities: Understanding conflicting views of Albanians and Serbs. Retrieved from http://balkansgroup.org/wp-content/uploads/2017/09/Association-of-Serb-Municipalities-Understanding-Conflicting-Views-of-Albanians-and-Serbs.pdf

Barber, T. (2010). The Appointments of Herman van Rompuy and Catherine Ashton. *JCMS*, 48(1), 55–67. https://doi.org/10.1111/j.1468-5965.2010.02093.x

Barbulescu, I.G., & Troncota, M. (2013). EU's "Laboratory" in the Western Balkans. Experimenting Europeanization without Democratization. The Case of Bosnia and Herzegovina. *Revista Española de Ciencia Política*, 31, 63-99.

Bartlett, L., & Vavrus, F. (2012). Comparative Case Studies: An Innovative Approach. *Nordic Journal of Comparative and International Education*, 1(1), 5-17.

Bassuener, K. (2009). How to pull out of Bosnia-Herzegovina's dead-end: A strategy for Success. Democratization Policy Council. Retrieved from http://www.democratizationpolicy.org/pdf/policybrief2.pdf

Bassuener, K., & Weber, B. (2013). Not yet a done deal: Kosovo and the Pristina-Belgrade Agreement. Democratization Policy Council Policy Paper.

Batora, J. (2011). European External Action Service as a Litmus Test of the Emerging Foreign Policy Making System in the EU: An Organization Theory Approach. WP2, EUFORPOL.

Bauerova, H. (2013). European Integration as a challenge for Bosnia and Herzegovina, *The Journal of the Central European Political Science Association*, 9(2), 51-65.

Bechev, D. (2004). Between Enlargement and CFSP: the EU and the Western Balkans. Paper prepared for the LSE European Foreign Policy Conference. Retrieved from http://www.lse.ac.uk/internationalrelations/centresandunits/efpu/efpuconferencepapers2004/bechev.doc

Bechev, D. (2011). Enlargement as usual? EU policies and politics towards South East Europe. In C. Francis and S. Ramel. (Eds.) *From peace to shared political identities – Exploring pathways in contemporary Bosnia-Herzegovina*, (pp. 27-43). Brussels: ULB.

Belloni, R. (2009). Bosnia: Dayton is Dead! Long Live Dayton! *Nationalism and Ethnic Politics*, 15, 355–375. https://doi.org/10.1080/13537110903372367

Bergmann, J., & Niemann, A. (2015). Mediating International Conflicts: The European Union as an Effective Peacemaker? *Journal of Common Market Studies*, 53(5), 957-975. doi.org/10.1111/jcms.12254

Bergmann, J., & Niemann, A. (2015). What the Belgrade-Pristina Dialogue says bout the EU's role as a peace mediator. Retrieved from http://blogs.lse.ac.uk/europpblog/2015/12/12/what-the-belgrade-pristina-agreement-says-about-the-eus-role-as-a-peace-mediator/

Bertea, S. (2005). The Arguments from Coherence: Analysis and Evaluation. *Oxford Journal of Legal Studies*, 25, 369-391. https://doi.org/10.1093/ojls/gqi020

Bertin, T. (2008). The EU Military Operation in Bosnia. In M. Merlingen, & R. Ostrauskaité (Eds.) *European Security and Defence Policy; An implementation Perspective*, (pp. 61-77) London: Routledge.

Beysoylu, C. (2017). The European Union and Peace Implementation: The case of Brussels Dialogue between Kosovo and Serbia, In I. Armakolas (Ed.) *State - building in post- independence Kosovo: Policy Challenges and Societal Considerations*. (pp. 189-215). Kosovo Foundation for Open Society.

Bicchi, F. (2012). The European external action service: a pivotal actor in EU foreign policy communications? *The Hague Journal of Diplomacy*, 7(1), 81-94.

Bickerton, C. (2011). *European Union foreign policy: From effectiveness to functionality*. Basingstoke: Palgrave Macmillan.

Bickerton, C. J. (2011). Towards a Social Theory of EU Foreign and Security Policy. *JCMS*, 49 (1), 171-190. https://doi.org/10.1111/j.1468-5965.2010.02134.x

Bieber, F. (2006). *Post-War Bosnia: Ethnic Structure, Inequality and Governance of the Public Sector. Ethnicity, Inequality and Public-Sector Governance*. Palgrave Macmillan: London.

Bieber, F. (2010). Constitutional reform in Bosnia and Herzegovina: preparing for EU accession. EPC Policy Brief. Retrieved from http://www.epc.eu/documents/uploads/1087_constitutional_reform_in_bosnia_and_herzegovina.pdf?doc_id=1077

Bieber, F. (2010). Policing the Peace after Yugoslavia: Police Reform between External Imposition and Domestic Reform. GRIPS Policy Research Center Discussion Paper, prepared for the GRIPS State-Building Workshop.

Bieber, F. (2011) Building impossible states? State-building strategies and EU membership in the Western Balkans. Europe-Asia Studies, 63(10), 1783–1802. https://doi.org/10.1080/09668136.2011.618679

Bieber, F. (2015). The Serbia-Kosovo Agreements: An EU Success Story? *Review of Central and East European Law*, 40, 285-319.

Bieber, F. (2018). Europe's new plan is promising but not tough enough. Foreign Affairs. Retrieved from https://www.foreignaffairs.com/articles/baltics/2018-02-06/way-forward-balkans?cid=int-fls&pgtype=hpg

Biehl, H., Giegerich., B., & Jonas, A. (2013). *Strategic cultures in Europe. Security and Defence Policies Across the Continent*. Wiesbaden: Springer.

Bieri, M. (2016). Bosnia: Standstill Despite New Strategic Significance. ETH Zurich. Retrieved from http://www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/CSSAnalyse-190-EN.pdf

Biermann, R. (2014). Coercive Europeanization: the EU's struggle to contain secessionism in the Balkans, *European Security*, 23(4), 484–508. doi.org/10.1080/09662839.2014.918035

Biermann, R. (2014). Coercive Europeanization: the EU's struggle to contain secessionism in the Balkans, *European Security*, 23(4), 484–508. https://doi.org/10.1080/09662839.2014.918035

Bindi, F. (2010). *The Foreign Policy of the European Union: Assessing Europe's Role in the World*. Washington D.C: Brookings Institution Press.

BIRN Kosovo Center for Research. (2014). Transparency and Accountability, and Internews Kosovo's Civilized Monotony. Retrieved from https://www.balkaninsight.com/en/file/show/BIG%20DEAL%20FINAL%20ENG.pdf

Biscop, S., & Coelmont, J. (2012). *Europe, strategy and armed forces: the making of a distinctive power*. London: Routledge.

Bislimi, F. (2010). EU Foreign Policy towards Balkans: An Opportunity or a Challenge? *The Western Balkans Policy Review*,1(1), 29- 48. Retrieved from http://www.kppcenter.org/WBPReview2010-1-1-Bislimi.pdf

Bislimi, F. (2012). International Statebuilding in Kosovo: The Shifting Trend in the Level of US – EU Involvement. *The Western Balkans Policy Review*, 2(2), 48-72. Retrieved from http://www.kppcenter.org/WBPReview2012-2-2-Bislimi.pdf

Blagovcanin, S. (2016). The EU as state builder in the process of European integration - the case of Bosnia and Herzegovina. Friedrich-Ebert-Stiftung BiH. Retrieved from http://library.fes.de/pdf-files/bueros/sarajevo/13349-20170504.pdf

Blockmans, S. (2012). The European External Action Service one year on: first signs of strengths and weaknesses. TMC Asser Institute.

Blockmans, S. (2013). Kosovo-Serbia deal shows value of EU diplomatic service. Retrieved from https://euobserver.com/opinion/119903

Blom T., & Vanhoonacker, S. (2014). The European External Action Service (EEAS), the new kid on the block. ECPR Glasgow. Retrieved from https://ecpr.eu/Filestore/PaperProposal/98cc7b8e-cdb6-44e0-a4f8-87bc3b70867d.pdf

Bona M., & Francesco M. (2017). Political instability in the Balkans: the remedies are long-term. ISPI. Retrieved from https://www.ispionline.it/it/pubblicazione/political-instability-balkans-remedies-are-long-term-17167

Bono, G. (2010). The European Union and "Supervised Independence" of Kosovo: A Strategic Solution to the Kosovo/Serbia Conflict? *European Foreign Affairs Review*, 15, 249–264.

Börzel, T.A. (2010). Why you don't always get what you want: EU enlargement and civil society in Central and Eastern Europe. *Acta Politica*, 45(1), 1-10.

Böttger, K., & Falkenhain, M. (2011). The EU's policy towards Azerbaijan: what role for civil society? SPES Policy Papers. Retrieved from http://iep-berlin.de/wp-content/uploads/2014/08/SPES_Policy_Paper_2011__The__EUs__policy__towards_Azerbaijan_BOETTGER_FALKENHAIN.pdf

Bowen, G, A. (2009). Document Analysis as Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27-40. https://doi.org/10.3316/QRJ0902027

Branka, M., & Guzina, D. (2014). The politics of the "unfinished business": Bosnian police reform. CIGI. Retrieved from https://www.cigionline.org/sites/default/files/cigi_pb_42.pdf

Bretherton, C., & Vogler, J. (1999). *The European Union as a Global Actor*. London: Routledge.

Bretherton, C., & Vogler, J. (2006). *The European Union as a Global Actor*. 2nd Edition. London: Routledge.

Brljavac, B. (2011 c). Europeanization Bosnian Style? *The Central European Journal of International and Security Studies*, 3, 120- 140.

Brljavac, B. (2011a). Europeanisation Process of Bosnia and Herzegovina: Responsibility of the European Union? *Balkanologie*, 13(1), 1-19.

Brljavac, B. (2011b). Europeanization of Bosnia and Herzegovina: European Union (Non) Actorness. *Marmara Journal of European Studies*, 19(2), 93-116.

Brljavac, B. (2012) Assessing the European Criteria in Bosnia and Herzegovina. *Journal of Comparative Politics*, 5(1), 4-23.

Burckhardt, C. (2013). The European Union as an Actor in International Trade Relations. In A. Boening, J. Kremer & A. Van Loon, *Global Power Europe*, (pp. 271-289). Berlin: Springer Link.

Burg, S. L., & Shoup, P.S. (1999). *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*. London: M.E Sharpe.

Caporaso, J A., Cowles, M.A., & Risse-Kappen, T. (2001). *Transforming Europe: Europeanization and Domestic Change*. Ithaca, NY: Cornell University Press.

Capussela, A. (2015). EULEX's Performance of its Executive Judicial Functions. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2561856

Carbone, M. (2013). Between EU Actorness and Aid Effectiveness: The Logics of EU Aid to Sub-Saharan Africa. *International Relations*, 27 (3), 341–355. https://doi.org/10.1177/0047117813497300

Chappell, L., Mawdsley., J & Petrov, P. (2016). *The EU, Strategy and Security Policy*. London: Routledge.

Cherrier, N. (2012). EU Diplomacy at 27: United in Diversity? LSE Europe in Question Discussion Paper Series, 48. Retrieved from http://www.lse.ac.uk/europeanInstitute/LEQS%20Discussion%20Paper%20Series/LEQSPaper48.pdf

Chivvis, C., & Dogo, H. (2010). Getting back on track in Bosnia-Herzegovina. *The Washington Quarterly*, 33(4), 103–118. https://doi.org/10.1080/0163660X.2010.516605

Christiansen, T. (2001). Intra-institutional politics and inter-institutional relations in the EU. *Journal of European Public Policy*, 8(5), 747-769. https://doi.org/10.1080/13501760110083491

Cierco, T., & Reis L. (2014). EULEX's Impact on the Rule of Law in Kosovo. *Revista de Ciencia Política*, 34(3), 645-663. Retrieved from http://www.redalyc.org/pdf/324/32433390007.pdf

Ciric, M. (2018). Murder, Measles and New Tanks. Balkan Insight. Retrieved from http://www.balkaninsight.com/en/article/murder-measles-and-new-tanks-01-17-2018

Clark, W, K. (2002). Waging Modern War: Bosnia, Kosovo and the Future of Conflict. Cambridge MA: Public Affairs.

Collandes-Celador, G. (2009). Becoming 'European' through police reform: a successful strategy in Bosnia and Herzegovina? *Crime Law Social Change* 51, 231–242

Commission of the European Communities. (2006). The Stabilization and Association Process and CARDS Assistance 2000 to 2006. European Commission Paper for the Second Regional Conference for South Eastern Europe.

Community Research and Development Information Service, European Commission. (2017). Local Ownership in Security Sector Reform Activities Within CSDP Operations of the EU. Retrieved from https://cordis.europa.eu/project/rcn/195366_en.html

Cooley, L, P. (2013). Transformation or regulation: the European Union's approach to conflict resolution in Bosnia and Herzegovina, Macedonia and Kosovo. Birmingham: University of Birmingham.

Cosgrove, C. A., & Twitchett, K.J. (Eds.) (1970) *The New International Actors: The UN and the EEC*. London: Macmillan.

Council Decision (EU) 2016/342 of 12 February 2016 on the Conclusion, on Behalf of the Union, of the Stabilization and Association Agreement Between the European Union and the European Atomic Energy Community, of the One Part, and Kosovo*, of the Other Part.

Council of Ministers. (2007). Preparing for the future international and EU presence in Kosovo. Retrieved from http://www.consilium.europa.eu/uedocs/cmsUpload/070206-bis-ICO-EUSR_and_ESDP.pdf

Council of the European Union Joint Action. (2004). 2004/570/CFSP on the European Union military operation in Bosnia and Herzegovina.

Council of the European Union Joint Action. (2004). 2004/570/CFSP on the European Union military operation in Bosnia and Herzegovina, 12 July, 2004.

Council of the European Union, (2004). European Security Strategy: Bosnia and Herzegovina, Comprehensive Policy. 15 June 2004.

Council of the European Union. (1995). No.10, Council conclusions on guidelines for former Yugoslavia, Bulletin of the European Union", October 1995.

Council of the European Union. (2004). European Security Strategy: Bosnia and Herzegovina/ Comprehensive Policy. 15 June 2004.

Council of the European Union. (2006). Coordination and coherence between the EU Special Representative (EUSR), the EU military operation (EUFOR-Althea) and the EU Police Mission (EUPM) in Bosnia and Herzegovina (December 2004-August 2006): lessons learnt. 15376/06, 2006.

Council of the European Union. (2007). Council Joint Action of 19 November 2007 amending Joint Action 2007/87/CFSP amending and extending the mandate of the European Union Special Representative in Bosnia and Herzegovina.

Council of the European Union. (2011). EU Facilitated Dialogue: Serb Delegation Not Ready to Continue the Talks Today. Press Statement 14857/11, Brussels, 28 September 2011.

Council of the European Union. (2012). Council Conclusions on Enlargement and Stabilisation and Association Process. General Affairs Council Meeting, Brussels, 11 December 2012.

Council Secretariat. (2012). Factsheet. EU military operation in Bosnia and Herzegovina (Operation EUFOR ALTHEA). Althea/28.

Craven. M. (1996). The European Community Arbitration Commission on Yugoslavia. *British Yearbook of International Law*, 66, 333-413.

Crawford, G. (1997). Foreign aid and political conditionality: Issues of effectiveness and consistency. Democratization, 4(3), 69-108. https://doi.org/10.1080/13510349708403526

Cremona, M. (2008). Coherence through Law: What difference will the Treaty of Lisbon make? *Hamburg Review of Social Sciences*, 3(1), 11-36.

Cremona, M. (2009). Enhanced Cooperation of Common Defense and Security Policies of the EU. EUI Florence.

Daalder, I. H. (2000). *Getting to Dayton. The making of America's Bosnia policy*, Washington D. C: Brookings.

Dapo, E., & Ridic, O. (2015). What Does the EU's New Approach Bring to Bosnia and Herzegovina? *Epiphany: Journal of Transdisciplinary Studies*, 8(2), 227, 236.

Davidshofer, S. (2009). State-of-the Art Review of Scholarly Research on the CFSP/ESDP and the Shifting Nature of the External Border. PRIO International Peace Research Institute, Oslo.

Davignon Report. (1970). Retrieved from http://www.cvce.eu/obj/davignon_report_luxembourg_27_october_1970-en-4176efc3-c734-41e5-bb90- d34c4d17bbb5.html

De Almagro Iniesta, M.M. (2013). EU Engagement with Local Civil Society in the Great Lakes Region. IAI Working Papers. Retrieved from http://www.iai.it/sites/default/files/iaiwp1317.pdf

De Baere, G. (2008). *Constitutional Principles of EU External Relations*. Oxford: Oxford University Press.

De Coning, C., & Friis, K. (2011). Coherence and Coordination the Limits of the Comprehensive Approach. *Journal of International Peacekeeping*, 15, 243-272.

De Jong S., & Schunz, S. (2012). Coherence in European Union External Policy Before and After the Lisbon Treaty: the Cases of Energy Security and Climate Change. *European Foreign Affairs Review*, 17 (2), 169-186.

De Schoutheete de Tervarent, P. (1988). The Presidency and the Management of Political Cooperation. In A. Pijpers, P. Regelsberger, & W. Wessels. *European Political Cooperation in the 1980s*, (pp. 71-84). Dordrecht: Martinus Nijhoff

De Vesci, O. (2017). The Dayton Straightjacket: Bosnia's Accession to the European Union. The Globe. Retrieved from http://theglobegwu.com/2017/03/27/dayton-straightjacket-bosnias-accession-european-union/

Deighton, A., & Mauer, V. (Eds.). (2006). *Securing Europe? Implementing the European Security Strategy*, Zürich, Center for Security Studies. Retrieved from https://www.research-collection.ethz.ch/bitstream/handle/20.500.11850/569/eth-29012-01.pdf

Delreux, T. (2009). The EU negotiates multilateral environmental agreements: explaining the agent's discretion. *Journal of European Public Policy*, 16(5), 719-737. https://doi.org/10.1080/13501760902983432

Dessus, Z., Rexha, A., Merja. A., & Stratulat. C. (2017). Kosovo's EU candidate status: a goal within reach? EPC Discussion Paper. Retrieved from http://www.epc.eu/documents/uploads/pub_7812_kosovoseucandidatestatus.pdf

Dialer, D. (2014). Shaping the institutional setup of the EEAS. In D. Dialer, H. Neisser, & A. Opitz (Eds.), *The EU's External Action Service: Potential for a one voice foreign policy*, (pp. 47-570). Innsbruck University Press.

Dijkstra, H. (2011a). *The Role of the Council Secretariat and the European Commission in EU Foreign Policy*. Universiteit Maastricht.

Dijkstra, H. (2011b). The Planning and Implementation of the Rule of Law Mission of the European Union in Kosovo. *Journal of Intervention and Statebuilding* 5(2): 193-210.

Dijkstra, H. (2013). *Policy-Making in EU Security and Defense: An Institutional Perspective*. London: Palgrave Macmillan.

Dijkstra, H., & Vanhoonacker, S. (2017). The Common Foreign and Security Policy. In *Oxford Research Encyclopedia of Politics*. Retrieved from http://politics.oxfordre.com/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-155?print=pdf

Dijkstra, H., Mahr, E., Petrov, P., Đokić, K., & Zartsdahl, P. (2017). Partners in conflict prevention and peacebuilding: How the EU, UN and OSCE exchange civilian capabilities in Kosovo, Mali and Armenia. Maastricht University.

Dobrikovic, B. (2012). *EU Conditionality in Post-Conflict States: A Comparative Analysis of Bosnia-Herzegovina and Cyprus*. Budapest: Central European University.

Donais, T. (2013). Power Politics and the Rule of Law in Post-Dayton Bosnia. *Studies in Social Justice*, 7(2): 189–210. https://doi.org/10.26522/ssj.v7i2.1043

Douçot-Rubigny, S. (2014). Western Balkans Security within the EU Enlargement Perspective and the Kosovo-Bosnia and Herzegovina Cases. *Eurolimes*, 18, 145-166.

Dougan, M. (2008). The Treaty of Lisbon 2007: Winning Minds, not Hearts. *Common Market Law Review*, 45(3), 617–703.

Dover, R. (2005). The EU and the Bosnian Civil War 1992-95: The Capabilities-Expectations Gap at the Heart of EU Foreign Policy. *European Security*, 14(3), 297-318. https://doi.org/10.1080/09662830500407770

Duchêne, F. (1973). The European Community and the Uncertainties of Independence. In M. Kohnstamm & W. Hager (Eds.) *A Nation Writ Large? Foreign Policy Problems Before the European Community*, (pp. 1-21). London: Macmillan.

Duke, S. (2012). European External Action Service: Antidote against Incoherence. *The European Foreign Affairs Review*, 17(1), 45-68.

Dziewulska A. (2010). An Impossible Pasodoble: The EU and Bosnia Today. *Yearbook of Polish European Studies*, 175-194.

Dzihic, V., & Wieser, A. (2011). Incentives for Democratisation? Effects of EU Conditionality on Democracy in Bosnia & Hercegovina. *Europe-Asia Studies*, 63(10), 1803-1825. https://doi.org/10.1080/09668136.2011.618681

Dzihic, V., and Kramer, H. (2009). Kosovo After Independence. Friedrich Ebert Stiftung.

ECFR. (2014). Eight inconvenient truths on Bosnia and EU policy in the Western Balkans. available at http://www.ecfr.eu/article/commentary_eight_inconvenient_truths_on_bosnia _and_eu_policy_in_the_west333

Ejdus, F. (2014). The Brussels Agreement and Serbia's National Interests: A Positive Balance Sheet? Konrad Adenauer Stiftung. Retrieved from http://www.kas.de/wf/doc/kas_12788-1442-1-30.pdf?140428121637

Ejdus, F. (2016). Rhetoric and Practice of the Local Ownership Principle in EU-Supported. Conference paper presented at the 41st BISA Annual Conference, Edinburgh Retrieved from https://www.bisa.ac.uk/index.php?option=com_bisa&task=download_paper &no_html=1&passed_paper_id=528,

Ejdus, F. (2017a). Local ownership as international governmentality: Evidence from the EU mission in the Horn of Africa. *Contemporary Security Policy*, 39(1), 28—50. https://doi.org/10.1080/13523260.2017.1384231

Ejdus, F. (2017b). The EU Rule of Law Mission in Kosovo: Lessons for the EU. European Western Balkans. Retrieved from https://europeanwesternbalkans.com/2017/10/09/bsf-eu-rule-law-mission-kosovo-lessons-eu/

Ejdus, F. (2017c). Here is your mission, now own it! The rhetoric and practice of local ownership in EU interventions. *European Security*, 27 (4), 261–484. https://doi.org/10.1080/09662839.2017.1333495

Ejdus, F., & Juncos, A. (2017). Reclaiming the local in EU peacebuilding: Effectiveness, ownership, and resistance, *Contemporary Security Policy*, 39(1), 1-25. https://doi.org/10.1080/13523260.2017.1407176

Elgström, O. (2007). Outsiders' Perceptions of the European Union in International Trade Negotiations. *JCMS*, 45(4), 949–67. https://doi.org/10.1111/jcms.12150

Elgström, O., & Chaban, N. (2015). To Study External Perceptions of the EU: A Conceptual Approach, in Looking. In M. Muller & V. Bachmann (Eds.). *From the Outside: Perceptions of the EU in Eastern Europe and Sub-Saharan Africa*, (pp.17–33). Basingstoke: Palgrave McMillan.

Elsig, M. (2013). The EU as an effective trade power? Strategic choice of judicial candidates in the context of the World Trade Organization. *International Relations*, 27(3), 325–340. https://doi.org/10.1177/0047117813497301

Erlanger, S. (2011). Europe's Foreign Policy Chief, Struggling for Mandate, Faces Criticism on Uprisings. The New York Times. Retrieved from https://www.nytimes.com/2011/02/11/world/europe/11europe.html

EU–Western Balkans Summit (2003). Declaration of the EU–Western Balkans Summit. Retrieved from http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/misc/76291.pdf

EULEX Kosovo (2015). Short History of EULEX. Retrieved from http://www.eulex-kosovo.eu/?page=2,44,197

EULEX Website (2015). Executive Division. Retrieved from http://www.eulex-kosovo.eu/?page=2,2

EULEX. (2014). EU Rule of Law Mission in Kosovo. Retrieved from http://eeas.europa.eu/archives/docs/csdp/missions-and-operations/eulex-kosovo/pdf/factsheet_eulex_kosovo_en.pdf

EULEX. (2015). EULEX Achievement Booklet. Pristina: EULEX.

EULEX. Implementation of Rule of Law Report. (2015). Retrieved from http://www.eulex-kosovo.eu/eul/repository/docs/missionaccomplishments_2.pdf

Euractiv. (2010). EU wants to militarily disengage from Bosnia. Retrieved from https://www.euractiv.com/section/enlargement/news/eu-wants-to-militarily-disengage-from-bosnia/

Euronews. (2015). Kosovo corruption "omnipresent" despite EU's €111m-a-year mission. Retrieved from http://www.euronews.com/2015/05/27/eu-failed-to-lay-foundations-to-fight-corruption-in-kosovo

European Commission. (2000). The Commission and Non-Governmental Organisations: Building a Stronger Partnership. 11 final.

European Commission. (2001). The Stabilisation and Association Process and CARDS Assistance 2000 to 2006. European Commission Paper for the Second Regional Conference for South Eastern Europe.

European Commission. (2003). Report from the Commission to the Council on the preparedness of Bosnia and Herzegovina to negotiate a Stabilisation and Association Agreement with the European Union. COM (2003) 692 final, 18 November 2003.

European Commission. (2006). Bosnia and Herzegovina 2006 Progress Report. SEC(2006) 1384 final, Brussels, 08.11.2006.

European Commission. (2006). Regional cooperation in the Western Balkans, 2006. Available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/nf5703249enc_web_en.pdf

European Commission. (2008). Bosnia and Herzegovina 2008 progress report. Commission Staff Working Document, SEC(2008) 2693 final, 5 November 2008. http://ec.europa.eu/enlargement/pdf/ press_corner/key-documents/reports_nov_2008/bosnia_herzegovina_progress_report_en.pdf

European Commission. (2009). Bosnia and Herzegovina 2009 Progress Report. Retrieved from https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2009/ba_rapport_2009_en.pdf

European Commission. (2010). The stabilisation and association process. Retrieved from http://eur-lex.europa.eu/legal-content/GA/TXT/?uri=LEGISSUM%3Ar18003

European Commission. (2012). Communication from the Commission to the European Parliament and the Council on a Feasibility Study for a Stabilization and Association Agreement between the European Union and Kosovo. Brussels 10 October 2012.

European Commission. (2013). Enlargement in perspective: how do candidate and potential candidate countries perceive accession in the light of the current crisis?

European Council. (2000). Joint action on the meeting of heads of state or of government in Zagreb. OJ L 290, 17.11.2000, 54–54. Retrieved from http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32000E0717 .

European Council. (2003). Thessaloniki summit presidency conclusions. Retrieved from https://www.consilium.europa.eu/media/20847/76279.pdf

European Council. (2004). European Security Strategy - Bosnia and Herzegovina / Comprehensive Policy. Retrieved from http://www.operationspaix.net/DATA/DOCUMENT/3546~v~European_Security_Strategy_-_Bosnia_and_Herzegovina___Comprehensive_Policy.pdf

European Council. (2013). Conclusions of the European Council (19/20 December 213). Retrieved from http://data.consilium.europa.eu/doc/document/ST-217-2013-INIT/en/pdf

European Court of Auditors (ECA). (2012). European Union Assistance to Kosovo Related to the Rule of Law. Special Report no 18. Luxembourg: European Court of Auditors.

European External Action Service. (2014). EULEX Kosovo: EU Rule of Law Mission in Kosovo Factsheet. Retrieved from http://eeas.europa.eu/csdp/missions- and-operations/eulex-kosovo/pdf/factsheet_eulex_kosovo_en.pdf

European External Action Service. Capacity Building and Training. Retrieved from http://www.euforbih.org/eufor/index.php/ eufor-elements/eufor-capacity-building-and-training

European Forum for Democracy and Solidarity Kosovo. (2017). Retrieved from http://www.europeanforum.net/country/kosovo

European Integration Working Group. (2009). The European External Action Service: The Nucleus of a Strong European Foreign Policy. Friedrich-Ebert-Stiftung: Berlin. Retrieved from http://library.fes.de/pdf-files/id/ipa/06326.pdf

European Parliament Research Service. (2015). Bosnia and Herzegovina: The "Sejdić-Finci case Bosnia. Retrieved from http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/559501/EPRS_ATA(2015)559501_EN.pdf

European Stability Initiative. (2007). The Worst in Class. How the international protectorate hurts the European future of Bosnia and Herzegovina. Retrieved from https://www.esiweb.org/pdf/esi_document_id_98.pdf

European Stability Initiative. (2014). Bosnia Herzegovina and the EU. 2014, Retrieved from http://www.esiweb.org/index.php?lang=tr&id=542

European Western Balkans Archives. (2015). Mogherini and Hahn on the adoption of the Reform Agenda in Bosnia and Herzegovina. Retrieved from https://europeanwesternbalkans.com/2015/07/28/mogherini-and-hahn-on-the-adoption-of-the-reform-agenda-in-bosnia-and-herzegovina/

European Western Balkans. (2018) Hahn: We should leave Serbia and Kosovo to discuss the issue of territory. Retrieved from https://europeanwesternbalkans.com/2018/09/04/hahn-leave-serbia-kosovo-discuss-issue-territory/

EUSR in Kosovo. (2009). EULEX Kosovo Fact Sheet. Financial Times. Bosnia role boosts EU military ambitions.

EUSR. Retrieved from http://www.eusrinkosovo.eu/pdf/090406%20EULEX%20FOC.pdf

Fakiolas, E.T & Tzikafis, N. (2017). Establishing the Rule of Law in Kosovo and Bosnia and Herzegovina: The Contribution of the EU Civilian Missions. In S. M, Fish, G. Graeme & M. Petrovic, (2017). *A Quarter Century of Post-Communism Assessed*, (pp. 187-216). Springer.

Ferati, V. (2012). Critical Discourse Analysis (De-) Constructing EULEX Discourse. Kosovar Center for Security Studies (KCSS). Retrieved from http://www.qkss.org/repository/docs/Critical_Discourse_Analysis_(De-)_Constructing_EULEX_Discourse_194466.pdf

Fernandez, O., Perry, V. & Bassuener, K. (2015). Making the Market on Constitutional Reform in BiH in the Wake of the EU Initiative. DPC Policy brief. Retrieved from https://docs.house.gov/meetings/FA/FA14/20180418/108176/HHRG-115-FA14-20180418-SD012.pdf

Ferrero-Turrion, R. (2017). Spain. In L.J Ker & I Armakolas. (Eds.). Lack of Engagement: Surveying the Spectrum of EU Member State Policies Towards Kosovo. Kosovo Foundation for Open Society.

Financial Times. (2003). Bosnia role boosts EU military ambitions. 25 February.

Flessenkemper, T. (2013). Support to the Organized Crime and Corruption. In T. Flessenkemper & D. Helly (Eds.) Ten years after: lessons from the EUPM in Bosnia and Herzegovina 2002-2012, (pp. 27-34) EUISS. Retrieved from https://www.iss.europa.eu/sites/default/files/EUISSFiles/EUPM_report_0.pdf

Flessenkemper, T. (2016). Bosnia and Herzegovina. In A. Fruhstorfer & M. Hein. *Constitutional Politics in Central and Eastern Europe*, (pp. 243-267). Berlin: Springer.

Foradori, P., Rosa, P., & Scartezzini, R. (Eds.). (2007). *Managing a Multilevel Foreign Policy: The EU in International* Affairs. Lexington Books.

Fouéré, E. (2013). Thessaloniki ten years on: Injecting momentum into the enlargement process for the Western Balkans. CEPS Commentary. Retrieved from https://www.ceps.eu/publications/thessaloniki-ten-years-injecting-momentum-enlargement-process-western-balkans

Fraczek, S., Huszka., B & Körtvélyesi, Z. (2016). The role of human rights in the EU's external action in the Western Balkans and Turkey. Frame. Retrieved from http://www.fp7-frame.eu/wp-content/uploads/2016/09/Deliverable-6.2.pdf

Frattini, F. (2010). The European External Action Service: a look into EU diplomat training. *European View*, 9(2), 219-227.

Freedom House. (2017). Krenar Gashi. Nations in Transit. Retrieved from https://freedomhouse.org/report/nations-transit/2017/kosovo

Freire, M.R. (2008). The European Security and Defense Policy History, Structure and Capabilities. In M. Merlingen, & R. Ostrauskaite. *European Security and Defence Policy. An Implementation Perspective*, (pp-9, 25). Routledge.

Friesendorf, C., & Penksa, S. (2008). Militarized law enforcement in peace operations: EUFOR in Bosnia and Herzegovina, *International Peacekeeping*, 15(5), 677–694. https://doi.org/10.1080/13533310802396277

Furness M. (2012). The Lisbon Treaty, the European External Action Service and the Reshaping of EU Development Policy. In S. Gänzle, S. Grimm & D. Makhan (Eds.). *The European Union and Global Development.* (pp. 74-93). Palgrave Macmillan: London.

Furness, M. (2013). Who Controls the European External Action Service: Agent Autonomy in EU External Policy. *European Foreign Affairs* Review,18(1), 103-126.

Furness, M., & Ganzle, S. (2015). EU Foreign Relations after Lisbon: Tackling the Security-Development Nexus? German Development Institute/Deutsches Institut für Entwicklungspolitik (DIE) Bonn, Germany.

Furness, M., & Ganzle, S. (2017). EU Foreign Relations after Lisbon: Tackling the Security-Development Nexus? *Development Policy Review* 35 (4), 475-492

Galyan, A. (2014). The European Union's Involvement in Constitution Building in the Post-conflict Western Balkans. IDEA. Retrieved from https://www.idea.int/sites/default/files/publications/the-european-unions-involvement-in-constitution-building-in-the-post-conflict-western-balkans.pdf

Gashi, K. (2013). *The Foreign Policy of the European Union in Kosovo: A Commitment-Expectation Gap*. MA Thesis Sussex University.

Gashi, K. (2014). Nations in Transit: Democratization from Central Europe, Freedom House.

Gashi, K., Musliu, V., & Orbie, J. (2017). Mediation Through Recontextualization: The European Union and The Dialogue Between Kosovo and Serbia. *European Foreign Affairs Review*, 22(4). 533–550.

Gashi, S., & Novakovic, I. (2017). From Technical Negotiations to Comprehensive Normalization Relations Between Belgrade and Pristina. Friedrich Ebert Stiftung. Retrieved from http://library.fes.de/pdf-files/bueros/belgrad/13820.pdf

Gauttier, P. (2004). Horizontal Coherence and the External Competences of the European Union. *European Law Journal*, 10(1), 23-41. https://doi.org/10.1111/j.1468-0386.2004.00201.x

Gebhard, C. (2011). Coherence. In C. Hill & M. Smith (Eds.) *International Relations and the European Union*, (pp. 101-127). Oxford: Oxford University Press.

Gehring, T., Oberthür, S., & Mühleck, M., (2013). European Union Actorness in International Institutions: Why the EU is Recognized as an Actor in Some International Institutions, but Not in Others. *JCMS*, 51(5), 849–865. https://doi.org/10.1111/jcms.12030

George, A. L. (1979). Case studies and theory development: The method of structured, focused comparison. In. P. G. Lauren (Ed.), *Diplomacy: New approaches in history, theory, and policy* (pp. 43-68). New York: Free Press.

Gippert, B, J. (2018). The interaction between local and international power in EU police reform in Bosnia and Herzegovina, *Contemporary Security Policy*, 39(1). 1-21. https://doi.org/10.1080/13523260.2017.1398529

Glenny, M. (1996). *The Fall of Yugoslavia*. London: Penguin Publishing.

Göldner-Ebenthal, K., & Dudouet, V. (2017). From Power Mediation to Dialogue Support? Assessing the European Union's Capabilities for Multi-Track Diplomacy. Berghof Foundation. Retrieved from https://www.berghof-foundation.org/fileadmin/redaktion/Publications/Papers/Berghof_Woscap_MTD_Goeldner-Ebenthal_Dudouet.pdf

Goodrick, D. (2014). Comparative Case Studies. Methodological Briefs Impact Evaluation No. 9, UNICEF Office of Research. Retrieved from https://www.unicef-irc.org/publications/754-comparative-case-studies-methodological-briefs-impact-evaluation-no-9.html

Gordon, C. (2009). The Stabilization and Association Process in the Western Balkans: An Effective Instrument of Post-conflict Management? *Ethnopolitics*, 8(3), 325–340. https://doi.org/10.1080/17449050903086930

Gordon, C., &, Sasse, G. (2008). Specific report on the EU policies in the Stabilisation and Association process. Report for Project Human and Minority Rights in the Life Cycle of Ethnic Conflicts. Retrieved from http://www.eurac.edu/en/research/autonomies/minrig/Documents/Mirico/24_SAP.pdf

Gordon, P. H. (1997). Europe's Uncommon Foreign Policy. *International Security*, 22(3), 74-100. https://doi.org/10.1162/isec.22.3.74

Grabbe, H. (2006). *The EU's Transformative Power. Europeanisation through Conditionality in Central and Eastern Europe*. London: Palgrave Macmillan.

Gray, C. (1981). National Style in Strategy: The American Example, *International Security*, 6(2), 21-48.

Greenwood, J. (2007). Organized Civil Society and Democratic Legitimacy in the European Union. *British Journal of Political Science*, 37(2), 333-357, https://doi.org/10.1017/S0007123407000166

Greiçevci, L. (2011). EU Actorness in International Affairs: the Case of EULEX Mission in Kosovo. *Perspectives on European Politics and Society*, 12(3), 283-303. https://doi.org/10.1080/15705854.2011.596307

Grevi, G, Helly, D., & Keohane, D. (Eds.) (2009). *European Security and Defence Policy: the first ten years*, (1999-2009). ISS: Paris.

Gross, E., & Rotta, A. (2011). The EEAS and the Western Balkans. IAI Working Papers. Retrieved from http://www.iai.it/sites/default/files/iaiwp1115.pdf

Group for Legal and Political Studies and DPC. (2014). EULEX Towards an integrated exit strategy-Strengthening the rule of law through EU integration. Retrieved from http://www.democratizationpolicy.org/pdf/EULEX%20Exit%20Strategy_DPC-GLPS%20Policy%20Report%20%2804-14%29_ENG.pdf

Group for Legal and Political Studies. (2015). Rock and Rule: What Went Wrong EULEX. Kosovo Foundation for Open Society. Retrieved from http://kfos.org/wp-content/uploads/2013/06/ROCK-AND-RULE-Dancing-with-EULEX-ENG.pdf

Grünther-Decevic, M. (2017). A Never-Ending Process? Bosnia-Herzegovina and the EU, *Green European Journal*. Retrieved from https://www.greeneuropeanjournal.eu/a-never-ending-accession-process-bosnia-and-herzegovinas-long-road-to-the-eu/

Haas, E. B. (1958). *The Uniting of Europe: Political, Economic, and Social Forces, 1950-1957*. Stanford: Stanford University Press.

Haas, E. B. (1961). International Integration: The European and the Universal Process. *International Organization*, 15(3), 366-192. https://doi.org/10.1017/S0020818300002198

Haas, E. B. (1964). *Beyond the Nation State: Functionalism and International Organization*. Stanford: Stanford University Press.

Haas, P.M. (1992). Introduction: Epistemic Communities and International Policy Coordination, *International Organization*, 46(1), 1-35.

Hadeshian, N. (2010). European Union's External Relations: More Consistency? *Yearbook of Polish European Studies*, 13, 107-127.

Hadfield A., & Fiott, D. (2013). Europe and the Rest of the World. *JCMS*, 51, 168-182.

Hamiti, U. (2015). Pristina-Belgrade Agreement Promotes Political Dialogue. EJIS *Journal of Interdisciplinary Studies*, 2(1), 45-48. http://dx.doi.org/10.26417/ejis.v2i1.p45-48

Hasić, J &Karabegović, D. (2018) Elite responses to contentious politics on the subnational level: the 2014 Bosnian protests. Southeast European and Black Sea Studies, 18(3), 397-30 https://doi.org/10.1080/14683857.2018.1489609

Helleiner, G. (2002). Local Ownership and Donor Performance Monitoring: New Aid Relationships in Tanzania? *Journal of Human Development*, 3(2), 251-261. https://doi.org/10.1080/14649880220147338

Helwig, N. (2014). Legitimacy of the EEAS. In D. Dialer, H. Neisser & A. Opitz (Eds.), *The EU's External Action Service: Potential for a one voice foreign policy*, (pp. 67-78). Innsbruck: Innsbruck University Press.

Helwig, N. (2015). The High Representative of the Union: The Quest for Leadership in EU Foreign Policy. In D. Spence & J. Batora (Eds.) *The European External Action Service, European Diplomacy Post-Westphalia*, (pp. 87-104). Basingstoke: Palgrave.

Helwig, N., & Rüger, C. (2014). In Search of a Role for the High Representative: The Legacy of Catherine Ashton. *The International Spectator*, 49(4), 1-17. https://doi.org/10.1080/03932729.2014.956423

Helwig, N., Ivan, P., & Kostanyan, H., (2013). The New EU Foreign Policy Architecture: Reviewing the first two years of the EEAS. CEPS: Brussels. Retrieved from https://www.ceps.eu/publications/new-eu-foreign-policy-architecture-reviewing-first-two-years-eeas

Henökl, T. (2005). The European External Action Service: Torn apart between several principals or acting as a smart "double-agent"? *Journal of Contemporary European Research*, 10(4), 381-401. https://doi.org/10.1080/00358533.2015.1063847

Henökl, T. (2013). *Inside the External Action Service: Institutional change and the European Political Order*. Kristiansand : University of Agder.

Hill, C. (1983). *National Foreign Policies and European Political Cooperation*. London: George Allen & Unwin.

Hill, C. (1993). The Capability-Expectation Gap, or Conceptualizing Europe's International Role. *JCMS*, 31(3), 305-328. https://doi.org/10.1111/j.1468-5965.1993.tb00466.x

Hill, C., & Smith, M. (Eds.). (2005). *International Relations and the European Union*. Oxford: Oxford University Press.

Hillion, C. (2008). Tous Pour Un, Un Pour Tous! Coherence in the External Relations of the European Union. In M. Cremona (Ed.). *Developments in EU External Relations Law*. (pp. 10-36). Oxford: Oxford University Press.

Hix S. (1999). *The Political System of the European Union*. Oxford: Oxford University Press.

Hix, S. (2008). The EU as a New Political System. In D. Caramani (Ed.), *Comparative Politics*, (pp. 573-601). Oxford: Oxford University Press.

Hoffman, S. (1965). *The State of War: Essays on the Theory and Practice of International Politics*. New York: Praeger.

Hoffmann, S. (1966). Obstinate or Obsolete? The Fate of the Nation-State and the Case of Western Europe. *Tradition and Change*, 95(3). 862-915

Holland, M. (Ed.). (1997). *Common Foreign and Security Policy: The Record and Reforms*. London: Pinter Pub. Ltd.

Holsti, K. J. (1996). *The State, War and the State of War*. Cambridge: Cambridge University Press.

Hooghe, L., & Marks, G. (2008). A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus. *British Journal of Political Science*, 39, 1-23.

Howorth, J. (2000). European Integration and Defense: The Ultimate Challenge? Chaillot Paper 43, Paris: ISS. Retrieved from https://www.peacepalacelibrary.nl/ebooks/files/chai43e.pdf

Howorth, J. (2007). *Security and Defence Policy in the European Union*. Basingstoke: Palgrave Macmillan.

Howorth, J. (2009). Supranational Intergovernmentalism in the EU: a case study of the Political and Security Committee. International Relations Seminar. University of Bath.

Howorth, J. (2011). The New Faces of Lisbon: Assessing the Performance of Catherine Ashton and Herman van Rompuy on the Global Stage. *European Foreign Affairs Review*, 16(3), 303-323.

Hurwitz, L. (1975). The EEC in the United Nations: The Voting Behavior of Eight Countries, 1948-1973. *JCMS*, 13, 224-243.

Hurwitz, L. (1976). The EEC and Decolonization. The Voting Behavior of Nine in the UN General Assembly. *Political Studies*, 24(4), 435-447.

Hussein, A. (2009). The use of Triangulation in Social Sciences Research: Can qualitative and quantitative methods be combined? *Journal of Comparative Social Work*, 1, 1-12.

ICG. (2010). Federation of Bosnia and Herzegovina – A parallel crisis (Europe Report N8209). Retrieved from http://www.crisisgroup.org/~/media/Files/europe/209%20Federation%20of% 20Bosnia%20and% 20Herzegovina%20—%20A%20Parallel%20Crisis.pdf

IISS. (2014). *The Military Balance: The annual assessment of global military capabilities and defence economics*, Retrieved from http://www.iiss.org/en/publications/military-s-balance

International Centre for Migration Policy Development and TC Consult (2004). Final assessment report—financial, organisational and administrative assessment of the BiH Police forces and the state border service. Sarajevo.

International Commission on the Balkans (Amato Commission). (2005). The Balkans in Europe's Future. Brussels 7, April 2005.

Ioannides, I. (2013). EU peace support operations in the Western Balkans since 2003', In E. Prifti (Ed.). *The European Future of the Western Balkans. Thessaloniki at 10 (2003-2013)*, (pp. 55-65). EUISS: Paris

Ioannides, I. (2017a). Cyprus. In L, J. Ker & I. Armakolas. (2017). Lack of Engagement: Surveying the Spectrum of EU Member State Policies Towards Kosovo. Kosovo Foundation for Open Society.

Ioannides, I. (2017b). Cyprus and EU enlargement to the Western Balkans: a balancing act. Southeast European and Black Sea Studies, 17(4), 631-647. https://doi.org/10.1080/14683857.2017.1397955

Ioannides, I., & Collandes-Celador, G. (2011). The internal–external security nexus and EU police/rule of law missions in the Western Balkans. *Conflict, Security & Development*, 11 (4), 415-445

Irrera, D. (2010). EU and Civil Society: The Case of NGOs in Peace Missions and Humanitarian Interventions. *Romanian Journal of European Affairs*, 10(1), 1-16.

Ivan, P. (2017). Romania. In L.J, Ker & I Armakolas. (2017). Lack of Engagement: Surveying the Spectrum of EU Member State Policies Towards Kosovo, Kosovo Foundation for Open Society.

Jenne, E, K. (2009). The Paradox of Ethnic Partition: Lessons from de facto Partition in Bosnia and Kosovo, *Regional & Federal Studies*, 19(2), 273-289. https://doi.org/10.1080/13597560902789853

Jönsson, C., & Strömvik, M. (2005). Negotiation in Networks. In O. Elgström & C. Jönsson (Eds.) *European Union Negotiations. Processes, Networks and Institutions*, (pp. 13-28). London: Routledge.

Joseph, M. (2005). Post-conflict Reconstruction through State- and Nation-building: The Case of Bosnia and Herzegovina. European Diversity and Autonomy Papers - EDAP, 4, Retrieved from http://www.eurac.edu/edap

Juhasz, K. (2013). The European Union's Crisis Management Activity in Bosnia and Herzegovina. Institute for Cultural Relations.

Juncos, A. E. (2006). Learning by doing: civil-military co-ordination in EU crisis management policies. Paper prepared for the Third Pan-European Conference of the ECPR Standing Group on EU Politics.

Juncos, A. E. (2007). Police Mission in Bosnia and Herzegovina, In M. Emerson & E. Gross (Ed., *Evaluating the EU's Crisis Missions in the Balkans*, Centre for European Policy Studies: Brussels, 51-52.

Juncos, A. E. (2007). *Cometh the "hour of Europe", cometh the institutions?: coherence and effectiveness of the EU's common foreign and security policy in Bosnia and Herzegovina (1991-2006)*. Loughborough University

Juncos, A. E. (2013). *EU Foreign and Security Policy in Bosnia: The Politics of Coherence and Effectiveness*. Manchester: Manchester University Press, 2013.

Juncos, A. E. (2016). CSDP strategy in the Balkans and the Eastern neighbourhood. In Search for a Strategy? In L. Chappell, J. Mawdsley, & P. Petrov, (Eds.) *The EU, Strategy and Security Policy: Regional and Strategic Challenges*, (pp. 19-35) London: Routledge.

Juncos, A. E., & Pomorska, K (2011). Invisible and unaccountable? National Representatives and Council Officials in EU foreign policy. *Journal of European Public Policy*, 18, 1096-1114. https://doi.org/10.1080/13501763.2011.615197

Juncos, A.E. (2005). The EU's post-Conflict Intervention in Bosnia and Herzegovina: (re)Integrating the Balkans and/or (re)Inventing the EU? *Southeast European Politics*. 6(2), 88-108.

Juncos, A.E. (2011). Europeanization by Decree: The Case of Police Reform in Bosnia. *JCMS*, 49(2), 367-389. https://doi.org/10.1111/j.1468-5965.2010.02144.x

Jupille, J. (1999). The European Union and International Outcomes. *International Organization*, 53(2), 409- 425.

Jupille, J., & Caporaso, J. (1998). States, agency and rules: The European Union in Global Environmental Politics. In C. Rhodes (Ed.), *The European Union in the World Community*. (pp- 213-229). Boulder, CO: Lynne Rienner.

Justaert A., & Keukeleire. S. (2012). Informal Governance and Networks in EU Foreign Policy. In T. Christiansen, & C. Neuhold, *International Handbook on Informal Governance*, (pp. 558-590). Edward Elgar.

Kaarbo, J., & Beasley, R.K. (1999). A Practical Guide to the Comparative Case Study Method, *Political Psychology*, 20(2), 369-391.

Kappler, S. (2012). *The European Union Peacebuilding Framework and Local Spaces of Agency in Bosnia-Herzegovina*. University of St. Andrews.

Kappler, S., & Richmond, O. (2011). Peacebuilding and culture in Bosnia and Herzegovina Resistance or emancipation? *Security Dialogue*, 42(3), 261-278.

Keck, M. E., & Sikkink, K. (1998). *Activists beyond Borders: Advocacy Networks in International Politics*. Cornell University Press.

Keil, S., & Perry, V. (Eds.) (2016). *State-building and Democratization in Bosnia and Herzegovina*. Routledge.

Kentas, G. (2012). Cyprus: Position paper on Kosovo. In Kosovo calling: international conference to launch position papers on Kosovo's relation with EU and regional non-recognising countries. Pristina: Kosovo Foundation for Open Society and British Council.

Keohane, D. (2009) EUFOR ALTHEA (Bosnia and Herzegovina) The European Union military operation in Bosnia and Herzegovina. In G. Giovanni, D. Helly & D. Keohane (Eds.), *European Security and Defence Policy: the first ten years (1999-2009)*, (pp. 211-220). ISS.

Keukeleire, S., & Delreux, T. (2014). *The Foreign Policy of the European Union*, Basingstoke: Palgrave Macmillan.

Keukeleire, S., Arben K., & Çollaku, A. (2014). The EU and Kosovo: Structural Diplomacy in Action - but on the basis of one-sided paradigms? DG Education and Culture, Policy Paper 4.

Keukeleire, S., Justaert, A., Kalaja, A., & Collaku, B. (2011). Conceptualizing and Analyzing Structural Diplomacy – Case-studies: Kosovo and DR Congo. International workshop on Conceptualizing and Analyzing Strategic and Structural Diplomacy, Leuven.

Kirschner, E. (2013). Common Security and Defense policy peace operations in the Western Balkans, *European Security*, 22(1), 36-54. https://doi.org/10.1080/09662839.2012.749865

Knaus, G & Martin, M. (2003). Lessons from Bosnia and Herzegovina. *Journal of Democracy*, 14(3), 60–74.

Koehler, K. (2010). European Foreign Policy After Lisbon: Strengthening the EU as an International Actor. *Caucasian Review of International Affairs*, 4(1), 57-72.

Koenig-Archibugi, M. (2004). Explaining Government Preferences for Institutional Change in EU Foreign and Security Policy. *International Organization*, 54(1), 137-174.

Koeth, W. (2010). State Building without a State: The EU's Dilemma in Defining Its Relations with Kosovo. *European Foreign Affairs Review*, 15, 227–247.

Koeth, W. (2013). Bosnia, Kosovo and the EU: Is Accession Possible without Full Sovereignty? EIPA. Retrieved from https://www.eipa.eu/wp-content/uploads/2017/11/WKO_Eipascope2012.pdf

Koha Ditore. (2015). Interview published in Koha Ditore in November 6, 2015.

Kohler-Koch, B. (2010). Civil society and EU democracy: "Astroturf" representation? *Journal of European Public Policy*, 17(1), 100-116, https://doi.org/10.1080/13501760903464986

Koneska, C. (2014). *After Ethnic Conflict Policy-making in Post-conflict Bosnia and Herzegovina and Macedonia*, Farnham: Ashgate.

Konitzer, A. (2011). Speaking European: Conditionality, Public Attitudes and Pro-European Party Rhetoric in the Western Balkans. *Europe-Asia Studies*, 63(10), 1853-1888.

Koops, J. & Varwick, J. (2009). The European Union and NATO: Shrewd Interorgationalism in the Making. In K.E. Jørgensen (ed.), *The European Union and International Organizations*, 1st Edition. (pp. 101-130). London: Routledge.

Koops, J. (2011). *The European Union as an Integrative Power*. IES: Brussels.

Korkut, H., & Mulalic, M. (2012). Implications of Dayton Peace Agreement on Current Political Issues in Bosnia-Herzegovina. *Journal of Social Sciences*, Special Issue on Balkans, 2, 107-117.

Kosovar Civil Society Foundation. (2013). Civil society contribution to European Commission progress report for Kosovo. Retrieved from http://www.kcsfoundation.org/repository/docs/Commentary_II_EC_Progress_Report_2013_KCSF.pdf

Kosovar Civil Society Foundation. (2014). Civil society contribution to European Commission progress report for Kosovo. Retrieved from http://www.kcsfoundation.org/repository/docs/14_10_2014_4427857_KCSF_input_for_EC_Progress_Report_2014_eng.pdf

Kosovo Civil Society Foundation. (2016). The Kosovar Civil Society Index. Pristina: KCSF. Retrieved from http://www.kcsfoundation.org/repository/docs/05_11_2016_4070877_Kosovar_Civil_Society_Index_2016_KCSF.PDF

Kostanyan, H. (2013). The EEAS and the European Neighborhood Policy. Neighborhood Policy Paper.

Kostanyan, H. (2014). The Rationales behind the European External Action Service: The Principal-Agent Model and Power Delegation. *Journal of Contemporary European Research*, 10(2), 166-183.

Krastev, I. (2002). The Balkans: Democracy without Choices. *Journal of Democracy*, 13(3), 39–53.

Kurki, M. (2011). Governmentality and EU Democracy Promotion: The European Instrument for Democracy and Human Rights and the Construction of Democratic Civil Societies. *International Political Sociology*, 5(4), 349–366, https://doi.org/10.1111/j.1749-5687.2011.00139.x

Kursani, S. (2013). A Comprehensive Analysis of EULEX. KIPRED. Retrieved from http://www.kipred.org/en/news/A-COMPREHENSIVEANALYSIS-OF-EULEX-WHAT-NEXT-135

Laatikainen, K.V. & Smith, K.E. (Eds) (2006) *The European Union at the United Nations: Intersecting Multilateralisms*. Basingstoke: Palgrave Macmillan.

Ladrech, R. (1994). Europeanization of Domestic Politics and Institutions: The Case of France. *JCMS*, 32(1), 69-88. https://doi.org/10.1111/j.1468-5965.1994.tb00485.x

Lajcak, M. (2008). Reward BiH in Line with Progress on Reforms", OHR/EUSR, 29 March 2008. Retrieved from http://www.ohr.int/ohr-dept/presso/pressr/default.asp?content_id¼41510

Larivé, M. (2012). From speeches to actions: EU involvement in the war in Afghanistan through the EUPOL Afghanistan Mission. *European Security*, 21(2), 185-201. https://doi.org/10.1080/09662839.2012.665883

Larsen, H. (2002). The EU: A Global Military Actor? *Cooperation and Conflict*, 37(3), 283–302.

Lasheras, F. B. (2014). Once again, Bosnia is a wake-up call for Europe. European Council on Foreign Relations Commentary. Retrieved from ecfr.eu/content/entry/commentary_once_again_bosnia_is_a_wake_up_call_for_europe

Leonardsson, H., & Rudd, G. (2015). The "local turn" in peacebuilding: a literature review of effective and emancipatory local peacebuilding. *Third World Quarterly*, 36(5), 825-839. https://doi.org/10.1080/01436597.2015.1029905

Lewis, J. (2000). The methods of community in EU decision-making and administrative rivalry in the Council's infrastructure. *Journal of European Public Policy*, 7(2), 261-289. https://doi.org/10.1080/135017600343197

Lianos, P. (2008). *European strategic culture: assessing the ESDP years (1998-2005)*. Leicester: University of Leicester.

Lijphart, A. (1977). *Democracy in plural societies: A Comparative Exploration*. New Haven: Yale University Press.

Lindemann, B. (1976). Europe in the Third World: The Nine at the United Nations. *The World Today*, 32(7), 260-269.

Lindley-French J. (2002). In the shade of Locarno? Why European Defense is Failing. *International Affairs*, 78(4), 789-811. https://doi.org/10.1111/1468-2346.00280

Lucarelli, S. (2010). *Europe and the Breakup of Yugoslavia. A Political Failure in Search of a Scholarly Explanation*. The Hague: Kluwer Law International.

Lucarelli, S., & Fioramonti, (2010). Introduction: the EU in the Eyes of the Others: Why bother?. In S. Lucarelli & L Fioramonti (Eds.) *External Perceptions of the European Union as a Global Actor*. (pp. 1-10). London: Routledge.

Lynch, D. (2005). Communicating Europe to the World: What Public Diplomacy for the EU? European Policy Center, Working Paper No. 21.

Lyon, J. (2005). EU's Bosnia police mission is laughing stock. Politico. Retrieved from https://www.crisisgroup.org/europe-central-asia/balkans/bosnia-and-herzegovina/eus-bosnia-police-mission-laughing-stock

Mahncke, D., & Gstöhl, S. (2012). *European Union Diplomacy, Coherence, Unity and Effectiveness*. College of Europe Studies.

Majone G. (Eds). (1996). *Regulating Europe*. London, Routledge.

Majone, G. (2009). *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth*. Oxford: Oxford University Press.

Majstorović, D., Vučkovac, Z., & Pepić, A. (2016). From Dayton to Brussels via Tuzla: post-2014 economic restructuring as Europeanization discourse/practice in Bosnia and Herzegovina. *Southeast European and Black Sea Studies*, 15(4), 1-22. https://doi.org/10.1080/14683857.2015.1126093

Manners, I. (2002). Normative Power Europe: A Contradiction in Terms? *JCMS*, 40(2), 235-258. https://doi.org/10.1111/1468-5965.00353

Manners, I. (2008). The Normative Ethics of the European Union. *International Affairs*, 84(1), 45–60. https://doi.org/10.1111/j.1468-2346.2008.00688.x

Marangoni, A.C. (2012). High-Representative-Vice President? The Coherence of EU's External Policies after Lisbon. *EU External Affairs Review*, 4-18.

Margaras, V. (2009). Working Together, Thinking Differently? A Presentation on the Development of the Strategic Culture of the EU through the Study of ESDP. *Market Law Review*, 45, 617–703.

Marini, A. (2017). EU Expects the Impossible from Bosnia and Herzegovina. Retrieved from http://www.euinside.eu/en/blog/eu-expects-the-impossible-from-Bosnia-and-Herzegovina

Matlary, J. H. (2006). When Soft Power Turns Hard: Is an EU Strategic Culture Possible? *Security Dialogue*, 37(1), 105 – 121.

Matthiesen, P. H. (2004). EUFOR follows SFOR – risk or chance for Europe? *South-East Europe Review for Labour and Social Affairs*, 4, 107-110.

Mayer, H. (2013). The Challenge of Coherence and Consistency in EU Foreign Policy. In T. Mario & F. Ponjaert (Eds.) The EU's Foreign Policy: What Kind of Power and Diplomatic Action, (pp.105–117). Farnham:Ashgate.

McCormack, T. (2015). Kosovo and Bosnia: The EU's Iraq. Retrieved from
http://www.spiked-online.com/newsite/article/kosovo-and-bosnia-the-eus-
iraq/16869#.WlnzclQ-ffY

McMahon, P. C., & Western, J. (2009). The Death of Dayton: How to Stop Bosnia
From Falling Apart. *Foreign Affairs*, 69-83.

Mérand, F., Hofmann. S.C., & Irondelle, B. (2010). Transgovernmental Networks in
European Security and Defense Policy. European Integration Online Papers,
14. Retrieved from http://eiop.or.at/eiop/pdf/2010-005.pdf

Merlingen, M. (2009). EUPM Bosnia and Herzegovina. In G. Grevi, D. Helly & D,
Keohane, (Eds.) *European Security and Defence Policy: the first ten years*
1999-2009, (pp. 161-173). EUISS. Retrieved from
https://www.iss.europa.eu/sites/default/files/EUISSFiles/ESDP_10-
web_0.pdf

Merlingen, M. (2011). From Governance to Governmentality in CSDP: Towards a
Foucauldian Research Agenda. *JCMS*, 49(1), 149–169.
https://doi.org/10.1111/j.1468-5965.2010.02133.x

Merlingen, M. (2012). *EU Security Policy: What it Is, how it Works, Why it Matters*.
Boulder: Lynne Riener.

Merlingen, M. (2013). A Toolkit for Evaluating the Design and Implementation of
European Union Security and Defence Policy Mandates. *Review of European
Studies*, 5(3), 41-46.

Merlingen, M. & Ostrauskaite, R. (2005). Power/Knowledge in International
Peacebuilding: The Case of the EU Police Mission in Bosnia. *Alternatives*,
30, 297–323.

Meyer, C. (2006). *The quest for a European strategic culture: changing norms on
security and defence in the European Union*. Basingstoke: New York.

Mezzafiore, G. (2017). Paddy Ashdown: Bosnia Failure is Fault of EU. Retrieved
from http://www.ibtimes.co.uk/paddy-ashdown-bosnia-failure-fault-eu-
1442932

Michta, A. (2000). Five Years of Peacekeeping in the Balkans: What Have We
Achieved. Retrieved from http://www.wilsoncenter.org/publication/218-nato-
after-the-kosovo A-campaign-and- the-kfor-peacekeeping-operations-what-
has-changed

Missiroli, A. (2001) European Security Policy: The Challenge of Coherence.
European Foreign Affairs Review, 6(2), 177-196.

Missiroli, A. (2010). Implementing the Lisbon Treaty: The External Policy
Dimension. Bruges Political Research Papers. Retrieved from
http://aei.pitt.edu/14448/1/wp14_Missiroli.pdf

Moore, A. (2014). CSDP Police Missions: Comparing Bottom-up and Top-down Approaches, *European Foreign Affairs Review*, 19(2), 283-306.

Möpert, M. (2015). The German–British Reform Initiative for Bosnia and Herzegovina: A fresh start or lowering the standards of conditionality for European Union membership? International Journal of Rule of Law, 6(6),115-128.

Moravscik, A. (1998). *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*. Ithaca, N. Y.: Cornell University Press.

Muehlmann, T. (2007). Policing Restructuring in Bosnia – Herzegovina: Problems of Internationally-Led Security Sector Reform”, in Inside the Bosnian Crisis: Documents and Analysis. *Journal of Intervention and Statebuilding*, 1(1), 37-61.

Muehlmann, T. (2008). Police Restructuring in Bosnia-Herzegovina: Problems of Internationally led Security Sector Reform. *Journal of Intervention and Statebuilding*, 2 (1), 1–22.

Muguruza, C. (2003). The European Union and Humanitarian Intervention in Kosovo: A Test for the Common Foreign Policy. In Bieber, F. and Daskalovski Z. (Eds.) *Understanding the War in Kosovo* (pp. 237-257). London: Frank Cass Publishers.

Mujanovic, J. (2016). Bosnia-Herzegovina’s EU Candidacy: Symbolic or Substantive? ECFR Commentary. Retrieved from http://www.ecfr.eu/article/commentary_bosnia_herzegovinas_eu_candidacy_symbolic_or_substantive_6011

Mujanovic, J. (2017). The EU is Watching the Balkans Come Undone. Balkan Insight. Retrieved from http://www.balkaninsight.com/en/article/the-eu-is-watching-the-balkans-come-undone-01-23-2018

Mujkic, A. (2007). *We, The Citizens of Ethnopolis*. Sarajevo: University of Sarajevo Human Rights Center.

Müller, P. (2013). The Europeanization of France’s foreign policy towards the Middle East Conflict. *European Security*, 2(1), 113-128. https://doi.org/10.1080/09662839.2012.698266

Müller, P., & Falkner, G. (2014). The EU as a policy exporter? The conceptual framework. In G. Falkner & P. Müller (Eds.), *EU Policies in a Global Perspective: Shaping or Taking International Regimes?* (pp. 1-19). London: Routledge.

Musliu, V., & Geci S. (2014). Deconstructing and Defining EULEX. CEJISS.V. Retrieved from http://www.cejiss.org/issue-detail/deconstructing-and-defining-eulex

Musliu, V., & Orbie, J (2016). MetaKosovo: Local and International Narratives. *British Journal of Politics and International Relations*, 18(1), 1-17.

Mustonen, J. (2008). Coordination and Cooperation on Tactical and Operational Levels. *Finland Civilian Crisis Management Studies*, 1(1), 1-37.

Nechev, Z. (2017). What if…Bosnia-Herzegovina Disintegrates. EUISS Report No. 34. Retrieved from https://www.iss.europa.eu/content/what-if-conceivable-crises-unpredictable-2017-unmanageable-2020

Niedźwiedzki, S. (2014). The Role of the High Representative Catherine Ashton in the Normalization of a Situation in the Western Balkans and European Perspectives of Serbia. Yearbook of the Institute of East-Central Europe.

Nielsen, N. (2017). Croatia ignores ruling on Slovenia border dispute. EU Observer. Retrieved from https://euobserver.com/justice/138398

Niemann A., & Huigens, J. (2014) The European Union's role in the G8: a principal-agent perspective. *Journal of European Public Policy*, 18(3), 420-442. https://doi.org/10.1080/13501763.2011.551080

Niemann, A., & Bretherton, C. (2013). EU external policy at the crossroads: The challenge of actorness and effectiveness. *International Relations* 27(3), 261-275.https://doi.org/10.1177/0047117813497306

Norvanto, E. (2016). *Institutional coherence and implementation of Comprehensive Approach Case*. Kuopio: University of Eastern Finland Library.

Noutcheva, G. (2009). Fake, partial and imposed compliance: The limits of the EU's normative power in the Western Balkans. *Journal of European Public Policy*, 16 (7), 1065–1084. https://doi.org/10.1080/13501760903226872

Novaky, N. (2014). Deploying EU military crisis management operations: a collective action perspective. *European Security*, 1-18.

Novaky, N.I.M. (2014). Deploying EU military crisis management operations: a collective action perspective. *European Security*, 24(4), 1-18. https://doi.org/10.1080/09662839.2014.982063

Nuttall, S. (1988). Where the European Commission Comes in. In Pijpers, E. Regelsberger, & W. Wessels, *European Political Cooperation in the 1980s*. Dordrecht: Nijhoff Publishing.
.
Nuttall, S. (2005). Coherence and Consistency. In C. Hill & M.E. Smith (Eds.). *The European Union and International Relations*. (pp. 91-112). Oxford University Press: Oxford.

O'Brennan, J. (2013). The European Commission, Enlargement Policy and Civil Society in the Western Balkans. In V. Bojicic-Dzelilovic, J. Ker-Lindsay & D. Kostovicova, *Civil Society and Transitions in the Western Balkans*, (pp. 29-46), Basingstoke: Springer.

O'Sullivan, D. (2011). Setting up the EEAS. Speech delivered at IIEA, Dublin. Retrieved from http://www.eeas.europa.eu/archives/docs/speeches/2011_1201_dos_iiea_en.pdf

Office of the Committee of European Integration. (2008). The Western Balkans and the European Integration, Warsaw.

Oproiu, M. (2015). Conflict and Cooperation in the EU's Foreign Policy Coherence: The Quest for Post-Lisbon Coherence. Challenges of the Society, Political Sciences, *European Studies and International Relations*, 845-859.

Oproiu, M. (2015). Current Challenges for EU Coherence in Promoting the Rule of Law in Kosovo. *Europolity*, 2, 147-178.

Orum, A. M., Feagin, J. R., & Sjoberg, G. (1991). Introduction: The nature of the case study. In, J. R. Feagin, A. M. Orum, & G. Sjoberg (Eds.), *A case for the case study*, (pp. 1-26). Chapel Hill, NC: University of North Carolina Press.

OSCE. (2008). Four Years Later: Follow up of March 2004 Riots Cases before the Kosovo Criminal Justice System. Retrieved from http://www.osce.org/kosovo/32700

OSCE. (2012). Independence of the Judiciary in Kosovo, Institutional and Functional Dimensions. Retrieved from http://www.osce.org/kosovo/87138

Ozan, L. (2017). *Germany and Turkey's Communicative Soft Power in Kosovo*. Ankara: Bilkent University.

Palm, T. (2017). The changing character of EUFOR Althea: power politics or learning? *Cambridge Review of International Affairs*, 30(1), 1-20. https://doi.org/10.1080/09557571.2016.1256947

Palokaj, A., and Tuhina, G. (2016). The Upshot of the SAA: Kosovo EU Relations. Kosovo Foundation for Open Society. Retrieved from http://kfos.org/wp-content/uploads/2016/11/MSA-ENG_TEXT-2.compressed.pdf

Palosaari, T. (2016). From "Thin" to "Thick" Foreign Policy Europeanization: Common Foreign and Security Policy and Finland. *European Foreign Affairs Review*, 21(4), 579-599.

Panighello, E. (2010). Between Localisation and Europeanization: Non-Governmental Organizations in Bosnia and Herzegovina. In D. Armstrong., Bello, D., Gilson, J., & Spini, D. (Eds.) *Civil Society and International Governance*. Routledge, (pp. 92-106). London: Routledge.

Panighello. E. (2011). Between localisation and Europeanisation: non-governmental organisations in Bosnia and Herzegovina. In D. Armstrong, V. Bello, J. Gilson & D. Spini (Eds.), Civil Society and International Governance The role of non-state actors in global and regional regulatory frameworks, (pp. 92-107). London: Routledge.

Papadimitriou, D. (2001). The European Union's Strategy in the Post-Communist Balkans: Of Carrots, Sticks and Indecisiveness. *Southeast European and Black Sea Studies*, 1(3), 69-94. https://doi.org/10.1080/14683850108454653

Papadimitriou, D., Petrov, P., & Greçevçi, L. (2007). To Build a State: Europeanization, EU Actorness and State-Building in Kosovo. *European Foreign Affairs Review*, 12, 219–238.

Pape, R. A. (2005). Soft Balancing Against the United States. *International Security*, 30(1), 7-45.

Pavlovic, S. (2017). West is Best: How Stabilitocracy undermines democracy building in the Balkans. Retrieved from http://blogs.lse.ac.uk/europpblog/2017/05/05/west-is-best-how-stabilitocracy-undermines-democracy-building-in-the-balkans/

Perković, A.J. (2014). The European Union and the Democratization Process of the Western Balkans. *Southeast Europe*, 38, 112- 133.

Perritt, H. (2008). *Kosovo Liberation Army: The Inside Story of an Insurgency*. Chicago: University of Illinois Press.

Perry, V. (2015). Constitutional Reform in Bosnia and Herzegovina: Does the Road to Confederation go through the EU? *International Peacekeeping*, 22(5), 490-510.

Persaud, M.C. (2016). *Interpreting at War: A Case Study on EUFOR BiH Althea*. Sevilla: Universidad Pablo Olavide Sevilla.

Peskin, V. (2008). *International Justice in Rwanda and the Former Yugoslavia: Virtual Trials and the Struggle for State Cooperation*. Cambridge: Cambridge University Press.

Peter, M. (2012). Double-hatting in EU External Engagements EU Special Representatives and the Question of Coherence Post-Lisbon. German Institute for International and Security Affairs. Retrieved from https://www.swp-berlin.org/fileadmin/contents/products/comments/2012C46_ptr.pdf

Peters, S. (2010). Strategic Communication for Crisis Management Operations of International Organisations: ISAF Afghanistan and EULEX Kosovo. College of Europe Diplomacy Papers.

Planitz, E. (2017). EU Mediation in the Belgrade-Pristina Dialogue Framing Mediation Success. Paper presented at European Union Studies Association (EUSA) Conference Miami, Florida.

Pohl, B. (2009). Why ALTHEA? Paper Presented during the Conference of the Netherlands Institute of Government, Leiden: The Netherlands.

Portela, C., & Raube, K. (2009). (In-)Coherence in EU Foreign Policy: Exploring Sources and Remedies. Paper presented at the European Studies Association Bi-annual Convention. Los Angeles. Retrieved from http://aei.pitt.edu/33122/1/portela._clara_(2).pdf

Portela, C., & Raube, K. (2012). The EU Polity and Foreign Policy Coherence. *Journal of Contemporary European Research*, 8(1), 3-20. Retrieved from http://ink.library.smu.edu.sg/cgi/viewcontent.cgi?article=2393&context=soss _research

Posen, B. (2004). ESDP and the Structure of World Power. *International Spectator*, 39(1), 5-17. https://doi.org/10.1080/03932720408457057

Posen, B. (2006). European Union Security and Defence Policy: Response to Unipolarity? *Security Studies*, 15(2), 149-186. https://doi.org/10.1080/09636410600829356

Pristina Insight. (2018). Kosovo Serb politician killed in North Mitrovica. Retrieved from http://prishtinainsight.com/kosovo-serb-politician-killed-north-mitrovica/

Pulko, I. B, Muherina, M & Pejič, N. (2016). Analysing the Effectiveness of EUFOR Althea Operation in Bosnia and Herzegovina. *European Perspectives*, 8(2), 87-116.

Putnam, R. D. (1998). Diplomacy and Domestic Politics: The Logic of Two-Level Games. *International Organization*, 42(3), 427-460.

Qehaja, F., & Prezelj, I. (2017). *Issues of local ownership in Kosovo's security sector*. *Southeast European and Black Sea Studies*, 3, 403-419. https://doi.org/10.1080/14683857.2017.1324279

Quinn, P. (2012). The Lisbon Treaty: Answering the Call for Greater Coherence in EU External Relations? In D. Mahncke & S. Gstöhl, S. (Eds.) *European Union Diplomacy, Coherence, Unity and Effectiveness*. (pp- 45-63). Bruges: College of Europe Studies.

Raik, K. (2006). Promoting Democracy through Civil Society: How to Step up the EU's Policy towards the Eastern Neighbourhood. Centre for European Policy Studies, CEPS working Document.

Rangelov, I. & Marika Theros, M. (2009). Transitional Justice in Bosnia and Herzegovina: Coherence and Complementarity of EU Institutions and Civil Society. In A. Kai, J. Large & M. Wierda, *Building a Future on Peace and Justice*, (pp. 357-389). Berlin: Springer.

Raube, K. (2008). The Construction of the European External Action Service. ARENA: University of Oslo. Retrieved from http://graspe.eu/document/Raube_ARENA2009.pdf

Rayroux, A., & Wilén, N. (2014). Resisting ownership: The paralysis of EU peacebuilding in the Congo. *African Security*, 7, 24–44. https://doi.org/10.1080/19392206.2014.880030

Regelsberger, de Schoutheete de Tervarent., & Wessels, W. (1997). *Foreign Policy of the European Union. From EPC to CFSP and Beyond*. London: Lynne Rienner Publishers.

Rehn, O. (2008). The EU – from Civilian Power to Premier League Security Policy Player? Speech at the Forum of Heads of Mission, Helsinki, 27 August 2008.

Rehn, Oli. (2007). Speech of. Retrieved from http://europa.eu/rapid/press-release_SPEECH-07-459_en.htm

Reljic, D. (2015). EU Facilitated Dialogue: Another exercise in constructive ambiguity. CEPS. Retrieved from https://www.ceps.eu/system/files/CEPS%20Commentary%20Dusan%20Reljic%20EU%20Facilitated%20Dialogue.pdf

Reynaert, V. (2012). The European Union's Foreign Policy since the Treaty of Lisbon: The Difficult Quest for More Consistency and Coherence. *The Hague Journal of Diplomacy*, 7(2), 2017-226.

Rodt, A.P., & Wolff, S. (2012). European Union Conflict Management in the Western Balkans. *Civil Wars*, 14(3), 414- 430.

Ron, J. (2000). Boundaries and violence: Repertoires of state action along the Bosnia/Yugoslavia divide. *Theory and Society*, 29, 609-649.

Rynning, S. (2003). The European Union: Towards a Strategic Culture? *Security Dialogue*, 34(3), 479-496. https://doi.org/10.1177/0967010603344007

Rynning, S. (2005). Less May be Better: The EU and Defense Policy. *Oxford Journal on Good Governance*, 2(1), 45-50.

Salvador L., & Andrada, F S. (2015). EULEX: a mission in need of reform and with no end in sight. Retrieved from http://www.realinstitutoelcano.org/wps/portal/web/rielcano_en/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_es/zonas_es/europa/ari41-2015-llaudes-sanchezandrada-eulex-mission-need-reform-no-end-in-sight

Sandholtz, W., & Sweet, A.S. (1998). *European Integration and Supranational Governance*. Oxford: Oxford University Press.

Schimmelfenig, F., & Wagner, W. (2004). Preface: External Governance in the European Union. *Journal of European Public Policy*. 11(4), 657-660.

Schimmelfennig, F. (2008). EU Political Accession Conditionality after the 2004 Enlargement: Consistency and Effectiveness. *Journal of European Public Policy*, 15 (6), 918–937. https://doi.org/10.1080/13501760802196861

Schimmelfennig, F. (2015). Liberal intergovernmentalism and the euro area crisis. *Journal of European Public Policy*. 22 (2), 177- 195. https://doi.org/10.1080/13501763.2014.994020

Schimmelfennig, F., Engert, S., & Knobel, H. (2006). *International Socialization in Europe: European Organizations, Political Conditionality, and Democratic Change*. Basingstoke: Palgrave Macmillan.

Schmidt P., & Zyla, B. (2013). *European Security Policy and Strategic Culture*. Oxford: Routledge.

Schmidt, J. (2012). The High Representative, the President and the Commission— Competing Players in the EU's External Relations: The Case of Crisis Management. In P.J. Cardwell. *EU External Relations Law and Policy in the Post-Lisbon Era*, (pp. 161-180). The Hague: TMC Asser Press.

Schmidt, J. (2014). Between Irrelevance and Integration? New Challenges to Diplomacy in the 21st Century and the Role of the EEAS. College of Europe, EU Diplomacy Paper.

Schmidt, P., & Zyla, B. (2013). *European Security Policy and Strategic Culture*. New York: Routledge.

Sebastian, S. (2007). Leaving Dayton Behind: Constitutional Reform in Bosnia and Herzegovina. FRIDE. Retrieved from http://fride.org/download/WP46_Dayton_Bosnia_Herzegovina_EN_nov07.pdf

Sebastian, S. (2009). The role of the EU in the reform of Dayton in Bosnia-Herzegovina. *Ethnopolitics*, 8(3), 341–354. https://doi.org/10.1080/17449050903086948

Sebastian, S. (2011). Breaking the Impasse: Constitutional Reform in Bosnia. FRIDE Policy Brief. Retrieved from https://www.files.ethz.ch/isn/131346/PB_69_Bosnia_Eng.pdf

Single European Act. (1987). Retrieved from http://eur-lex.europa.eu/resource.html?uri=cellar:a519205f-924a-4978-96a2-b9af8a598b85.0004.02/DOC_1&format=PDF

Sjöstedt, G. (1977). The External Role of the European Community, Farnborough: Saxon House, 1977 as cited in G. Lisanne & A. Niemann. (2013). The European Union at the Copenhagen Climate negotiations: A Case of Contested EU Actorness and Effectiveness. *International Relations*, 27(3), 308-342.

Skara, G. (2017). The Bumpy Road of EULEX as an Exporter of Rule of Law in Kosovo. *Academicus*, 16, 69-87.

Smith, K. (1998). The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective. *European Foreign Affairs Review*, 2, 253-274.

Smith, K. (2000). The End of Civilian Power EU: A Welcome Demise or a Cause for Concern. *The International Spectator*, 35(2), 11-28.

Smith, K. (2005). Beyond the Civilian Power Debate. LSE Research Online. Retrieved from http://eprints.lse.ac.uk/812/1/BeyondPDF.pdf

Smith, K. A. (2008). The EU in the World: Future Research Agendas. European Foreign Policy Working Paper 2008/1, The London School of Economics and Political Science.

Smith, K. A. (2014). *European Union Foreign Policy in a Changing World*. London: Polity Press.

Smith, M A. (2004b). Institutionalization, Policy Adaptation and European Foreign Policy Cooperation. *European Journal of International Relations*, 10(1), 95-136.

Smith, M E. (2013). The European External Action Service and the security–development nexus: organizing for effectiveness or incoherence? *Journal of European Public Policy*, 20(9), 1299-1315. https://doi.org/10.1080/13501763.2012.758441

Smith, M. E. (2004a). *Europe's Foreign and Security Policy*. Cambridge: Cambridge University Press.

Smith, M. E. (2009). The European Foreign Policy as a Research Field: An Historical and Conceptual Overview. EUSA Conference Paper.

Smith, M.E. (2004b). Toward a theory of EU foreign policymaking: multi-level governance, domestic politics, and national adaptation to Europe's common foreign and security policy. *Journal of European Public Policy*, 11(4), 740–758.

Snyder, J. L. (1977). *The Soviet Strategic Culture: Implications for Nuclear Options*. Santa Monica: Rand Corporation.

Solana, J. (2000). Intervention by Javier Solana to the General Affairs Council. Public debate on Western Balkans. Retrieved from http://www.consilium.europa.eu/ueocs/cms_data/docs/pressdata/en/discours/gac%2010.7%20en.doc.html

Solana, J. (2013). Foreword. In T. Flessenkemper & D. Helly (Eds.) *Ten years after: lessons from the EUPM in Bosnia and Herzegovina 2002-2012*, (pp. 3-7) EUISS. Retrieved from https://www.iss.europa.eu/sites/default/files/EUISSFiles/EUPM_report_0.pdf

Sorheim, I. (2014). Kosovo's Present Challenges. Trondheim. Retrieved from https://brage.bibsys.no/xmlui/bitstream/handle/11250/268832/739937_FULL TEXT01.pdf?sequence=1

Stavridis, S. (2001). Militarising the EU: The Concept of Civilian Power Europe Revisited. *The International Spectator*, 36(4), 43-50. https://doi.org/10.1080/03932720108456945

Steinberg, G. B. (2016). EU Foreign Policy and the Role of NGOs: The Arab-Israeli Conflict as a Case Study. *European Foreign Affairs Review*, 21(2), 251-268.

Štiks, I. (2013). We are All in This Together: A Civic Awakening in Bosnia-Herzegovina. Open Democracy. Retrieved from http://www.opendemocracy.net/igor-Štiks/'we-are-all-in -this-together'-civic-awakening-in-bosnia-herzegovina

Strauss, A., & Corbin, J. (2008). *Basics of qualitative research: Grounded theory procedures and techniques*. (3rd ed.). Newbury Park, CA: Sage

Surroi, V. (2015). Çka Pas MSA-Së Mes BE-Së Dhe Kosovës [What after the SAA between the EU and Kosovo]. Koha Ditore, April 29 edition. Retrieved from http://koha.net/?id=31&o=647.

Sweeney, S. (2015). *Explaining the European Union's Common Security and Defence Policy (CSDP): Power, Bureaucratic Politics and Grand Strategy*. Leeds: University of Leeds.

T. Christiansen, A. Follesdal & S. Piattoni. (2003). Informal Governance in the European Union: An Introduction, In T. Christiansen & S. Piattoni (Eds.). *Informal Governance in the European Union*, (pp. 1-21). Cheltenham: Edward Elgar.

TACSO (Technical Assistance for Civil Society Organisations). (2014). TACSO 2 brochure. Technical Assistance for Civil Society Organisations. Retrieved from http://tacso.org/doc/doc20140123_brochure_ january2014.pdf

Tamminen, T. (2016). Challenges: EU Civilian Crisis Management and the Objective of Impact Assessment—Kosovo as an Example of Complexity In Brusset E., de Coning C. & Bryn, C (Eds.) *Complexity Thinking for Peacebuilding Practice and Evaluation*, (pp. 111-139), London: Palgrave Macmillan.

Tardy, T. (2007). The European Union: From Conflict Prevention to "Preventive Engagement", Still a Civilian Power Lacking a Strategic Culture. *International Journal*, 62(3), 539–55.

Tellis, W. (1997). Introduction to Case Study. *The Qualitative Report*, 3(2), 1-14.

Tercovich, G. (2104). The EEAS Crisis Response System. *Journal of Contingencies and Crisis Management*, 22(3), 150-157. https://doi.org/10.1111/1468-5973.12051

Thaler, P. (2015). *Unpacking "Coherence" in EU Foreign Policy: How Policy Setting and Policy Content Shape EU External Relations Towards Russia*. Budapest: Central European University.

The European Council. (2003). European Security Strategy. A Secure Europe in a Better World. Retrieved from https://europa.eu/globalstrategy/en/european-security-strategy-secure-europe-better-world

The New York Times. (2018). A Death in Kosovo Stokes Fears and Threatens Peace. 21 January. Retrieved from https://www.nytimes.com/2018/01/21/world/europe/serbia-kosovo-aleksandar-vucic.html

Tholens, S. (2012). Which and whose authority? EU support to security governance in Aceh. *European Security*, 21(2), 294-309. https://doi.org/10.1080/09662839.2012.665888

Thomas, D. C. (2011). Still Punching below its Weight? Coherence and Effectiveness in EU Foreign Policy, UCD Dublin European Institute Working Paper. Retrieved from https://www.ucd.ie/t4cms/11-3%20Thomas.pdf

Thomas, D. C. (2012). Still Punching below Its Weight? Coherence and Effectiveness in European Union Foreign Policy. *JCMS*, 50(3), 457-474. https://doi.org/10.1111/j.1468-5965.2011.02244.x

Tierney, S. (2011). The Long Intervention in Kosovo: A Self-Determination Imperative? In J. Summers (Ed.), Kosovo: A Precedent? *The Declaration of Independence, the Advisory Opinion and Implications for Statehood, Self-Determination and Minority* (pp. 249-279), Leiden: Brill.

Tietje, C. (1997). The Concept of Coherence in the Treaty on European Union and the Common Foreign and Security Policy. *European Foreign Affairs Review*, 2, 211-233.

Tocci, N. (2007). *The EU and Conflict Resolution: Promoting Peace in the Backyard*, London: Routledge.

Tolksdorf, D. (2012). The Role of EU Special Representatives in the Post-Lisbon Foreign Policy System: A Renaissance? Brussels: Institute for European Studies.

Tolksdorf, D. (2013). EU and U.S. cooperation in rule of law assistance in Kosovo. Paper prepared for presentation at the 8th Pan-European Conference on International Relations, Warsaw.

Tolksdorf, D. (2013). The Institutional Genesis of the EUPM. In T. Flessenkemper & D. Helly (Eds.) *Ten years after: lessons from the EUPM in Bosnia and Herzegovina 2002-2012*, (pp. 13-20) EUISS. Retrieved from https://www.iss.europa.eu/sites/default/files/EUISSFiles/EUPM_report_0.pdf

Tolksdorf, D. (2014). Incoherent Peacebuilding: The European Union's Support for the Police Sector in Bosnia and Herzegovina, 2002–8. *International Peacekeeping*, 21 (1), 56-73. https://doi.org/10.1080/13533312.2014.885710

Tolksdorf, D. (2015). The European Union as a Mediator in Constitutional Reform Negotiations in Bosnia and Herzegovina. *Nationalism and Ethnic Politics*, 21(4), 401–421. https://doi.org/10.1080/13537113.2015.1095045

Tomic, N. (2017). The EU as a Learning Organization: Local Ownership, Resilience and External Legitimacy in CSDP Missions and Operations in the Horn of Africa and the Mediterranean. EUSA Fifteenth Biennial Conference.

Tonra, B., & Christiansen, T. (2004). *Rethinking European Foreign Policy*. Manchester: Manchester University Press.

Torun, Z. (2016). Strengths and Weaknesses of the European Union Police Mission in Bosnia-Herzegovina. *Avrasya Etüdleri*, 20, 7- 24.

Troncota, M. (2015). Still Waiting for Godot in Sarajevo. In N. Papakostas & N. Pasamitros. *An Agenda for the Western Balkans: From Elite Politics to Social Sustainability*, (pp.95-119). New York: Ibidem Press.

Trueb, B. (2012). Boost or Backlash? EU Member States and the EU's Latin America Policy in the Post-Lisbon Era. In Cardwell, P.J. (Ed.) *EU External Relations Law and Policy in the Post-Lisbon Era*, (pp. 265-287). TMC Asser Press.

Trzaskowski, R.O., Osica, O., &, Popielawska, J.A. (2012). The European External Action Service: Consequences for EU Institutions and Foreign Relations. In N. Tzifakis (Ed.). *International Politics in Times of Change*, (pp. 79-98). Heidelberg: Springer.

Tzifakis, N. (2012). Bosnia's Slow Europeanisation. Perspectives on European Politics and Society, 13 (2), 131–148. https://doi.org/10.1080/15705854.2012.675649

Tzifakis, N. (2013). The European Union in Kosovo. *Problems of Post-Communism*, 60(1), 43-54. https://doi.org/10.2753/PPC1075-8216600104

UNDP Early Warning Report No. 26, Fast Facts. (2009). Retrieved from http://hdr.undp.org/sites/default/files/nhdr_kosovo_2010_english.pdf

UNDP Kosovo. Retrieved from http://www.ks.undp.org/repository/docs/Fast_Facts_26_English.pdf

Vachudova, M, A. (2014.) EU Leverage and National Interests in the Balkans: The Puzzles of Enlargement Ten Years On. *JCMS*, 52(1), 122-138. https://doi.org/10.1111/jcms.12081

Van der Borgh, C., le Roy, P., & Zweerin, F. (2016). *EU peacebuilding capabilities in Kosovo after 2008: an analysis of EULEX and the EU-facilitated Belgrade-Pristina Dialogue*. Utrecht: Centre for Conflict Studies, Utrecht University.

Van Elsuwege, P. (2017). Legal Creativity in EU External Relations: The Stabilization and Association Agreement Between the EU and Kosovo. *European Foreign Affairs Review*, 22(3), 393–410.

Van Schaik, L. (2013). *EU Effectiveness and Unity in Multilateral Negotiations More than the Sum of its Parts?* Basingstoke: Palgrave.

Vanhoonacker, S., & Pomorska, K. (2013). The European External Action Service and Agenda-setting in European Foreign Policy. *Journal of European Public Policy*, 20(9) 1316–31. https://doi.org/10.1080/13501763.2012.758446

Venneri, G. (2010). *From International to EU-Driven State-building: The Reorganization of Sovereignty in Post-Dayton Bosnia and Herzegovina*. University of Trento.

Venneri, G. (2013). "Conquered' vs. "Octroyée" Ownership: Police Reform and Conditionality in the EU's Peace/Statebuilding of Bosnia and Herzegovina. *Review of European Studies*, 5(3), 57-72.

Vennesson, P. (2010). Competing visions for the European Union grand strategy. *European Foreign Affairs Review*, 15, 57–75.

Vettori, E. (2013). EU Conditionality on Nationality Sensitive Matters in Bosnia and Herzegovina: Promoting Democracy or Maintaining the Status Quo? European Diversity and Autonomy Papers.

Vit, M. (2017). The Western Balkans on their way to the EU – status quo regardless of refugees. Europeum Policy Paper. Retrieved from http://europeum.org/data/articles/vit-the-western-balkans-on-their-way-to-the-eu.pdf

Vllahiu, A. (2011). Kosovo and the EU. *Democracy and Security in Southeastern Europe*, 6(7), 29-33.

Vogel, T. (2014). The end of conditionality in Bosnia-Herzegovina. Retrieved from http://www.biepag.eu/2015/03/16/the-end-of-conditionality-in-bosnia-herzegovina/

Voltolini, B. (2012). The Role of Non-state Actors in EU Policies Towards the Israeli-Palestinian Conflict, ISS Occasional Paper.

Von Der Gablentz, O. (1979). Luxembourg Revisited or the Importance of European Political Cooperation. *Common Market Law Review*, 4, 685-669.

Voorhoeve, J. (2007). *From War to the Rule of Law: Peacebuilding after Violent Conflicts*. Amsterdam: Amsterdam University Press.

Wakelin, E. (2014). The End of EU Conditionality: What next for the EU enlargement process? New Horizons in European Studies.

Wallace, W. (1983). *Policy-Making in European Community*. Hoboken. John Wiley.

Walt, S. (2005). *Taming American Power: The Global Response to US Primacy*. New York: Norton.

Weber, B & West, L. (2014). EULEX-Towards and Integrated Exit Strategy. Group for Legal Studies and DPC. Retrieved from http://www.democratizationpolicy.org/pdf/EULEX%20Exit%20Strategy_DPC-GLPS%20Policy%20Report%20%2804-14%29_ENG.pdf

Weber, B. (2014). Substantial Change on the Horizon? A Monitoring Report on the EU's New Bosnia and Herzegovina Initiative. DPC Policy Paper.

Weber, B. (2015). Progress Undone? Trading Democracy for Solving the Status Dispute in Kosovo. Berlin. Retrieved from http://www.democratizationpolicy.org/pdf/DPC%20Policy%20Paper%20Trading%20Democracy%20in%20Kosovo.pdf

Weber, B. (2017a). BiH's un-reformable public administration – an instrument of state capture. Heinrich Böll Stiftung.

Weber, B. (2017b). Brussels is Letting Bosnia's Reform Agenda Slip Away. Retrieved from http://www.balkaninsight.com/en/article/brussels-is-letting-bosnia-s-reform-agenda-slip-away-04-05-2017

Wessel, R. A. (2000). The Inside looking out: Consistency and Delimitation in EU External Relations. *Common Market Law Review*, 37, 1135-1171.
White, B. (2011). *Understanding European Foreign* Policy. New York: Palgrave.

Whitman, R. (1998). *From Civilian Power to Superpower? The International Identity of the European Unio*n. London: Macmillan.

Wijsmuller, R. (2013). *Bridging the gap to represent: The EEAS and Coherence in European Foreign Policy*. Leiden University.

Wisniewski, E. (2013). The Influence of the European Parliament on the European External Action Service. *European Foreign Affairs Review*, 18(1), 81-102.

Woelk, J. (2012). Bosnia-Herzegovina: Trying to Build a Federal State on Paradoxes. In M Burgess & A. Tarr (Eds.), *Constitutional Dynamics in Federal Systems: Sub- national Perspectives*, (pp. 109-139). Montreal: McGill-Queen's University Press.

Wouters, J., Coppens, D., & De Meester, B. (2008). The European Union's External Relations after the Lisbon Treaty. In S. Griller& J. Ziller (Eds.), *Lisbon Treaty: EU Constitutionalism without a Constitutional Treaty?* (pp. 143–203). Springer.

Wright, N. (2011). The European Union: What Kind of International Actor? *Political Perspectives*, 5(2), 8-32.

Wunderlich, C. (2013). Moving beyond neutrality: Sweden's changing attitude towards the military use of force. In A. Geis, H. Müller & N. Schörnig (Eds.), *The militant face of democracy. Liberal forces for good*, (pp. 269-304). Cambridge: Cambridge University Press.

Yabanci, B. (2016). The (Il)legitimacy of EU state building: local support and contention in Kosovo. *Southeast European and Black Sea Studies*, 345-373, doi.org/10.1080/14683857.2016.1156345

Yabancı, B. (2014). *Legitimation of EU Conflict Resolution through Local Actors: Cases of Kosovo and North Cyprus*. University of Bath.

Yannis, A. (2009). The Politics and Geopolitics of the Status of Kosovo: The Circle Is Never Round. *Southeast European and Black Sea Studies*, 9(1), 161–170. https://doi.org/10.1080/14683850902723470

Yin, R. (1994). *Case study research*. Beverly Hills, CA: Sage.

Yin, R.K. (1984). *Case Study Research: Design and Methods*. Beverly Hills: Sage Publications.

Zafar, S. (2012). Serbia's Association to the EU: The Kosovo Issue. *Journal of European Studies*, 72-86. doi.org/10.1080/01402382.2012.706415

Zainal, Z. (2008). Case Study as a Research Method. *Jurnal Kemanusiaan*, 5(1), 1-6.

Zanon, F. (2005). The European Parliament: an autonomous foreign policy identity? In E. Barbe & A. Herranz (Eds.), *The role of parliaments in European foreign policy: debating on accountability and legitimacy*. (pp. 108-123). Barcelona: Office of the European Parliament in Barcelona.

Zdeb, A. (2016). Prud and Butmir Processes in Bosnia and Herzegovina: Intra-ethnic Competition from the Perspective of Game Theory. *Ethnopolitics*, 16(4), 369-387. https://doi.org/10.1080/17449057.2016.1143661

Zeqiri, A., Troch, P., & Kabashi. T. (2016). The Association/Community of Serb-Majority Municipalities. European Centre for Minority Issues Kosovo.

Zielonka, J. (1998). *Explaining Euro-Paralysis. Why Europe is Unable to Act in International Politics*. Basingstoke: Macmillan.

Zielonka, J. (2008). Europe as a Global Actor: Empire by Example? *International Affairs*, 84(3), 471-484. https://doi.org/10.1111/j.1468-2346.2008.00718.x

Zupančič, R., Pejič, N., Grilj, B. & Rodt, A.P. (2017). The European Union Rule of Law Mission in Kosovo: An Effective Conflict Prevention and Peace-Building Mission? *Journal of Balkan and Near Eastern Studies*, 1-19. doi.org/10.1080/19448953.2017.1407539
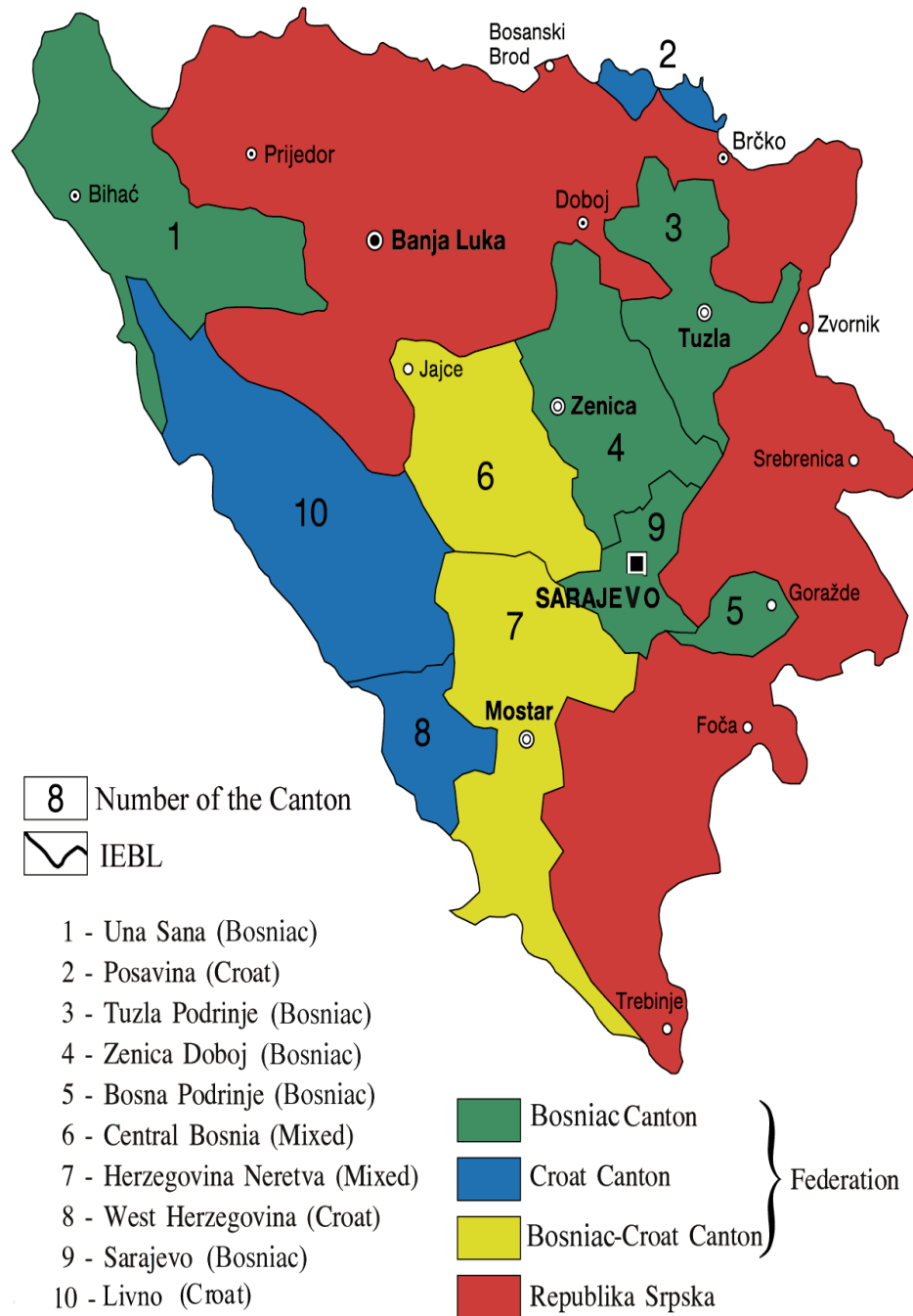
Zupančič, R., & Pejič, N. (2018*). Limits to the European Union's Normative Power in a Post-conflict Society*. Cham: Springer.

Appendices

Appendix A: Map of Bosnia and Herzegovina

Federation of BiH

8 — Number of the Canton

⋁ — IEBL

1 - Una Sana (Bosniac)
2 - Posavina (Croat)
3 - Tuzla Podrinje (Bosniac)
4 - Zenica Doboj (Bosniac)
5 - Bosna Podrinje (Bosniac)
6 - Central Bosnia (Mixed)
7 - Herzegovina Neretva (Mixed)
8 - West Herzegovina (Croat)
9 - Sarajevo (Bosniac)
10 - Livno (Croat)

Bosniac Canton
Croat Canton } Federation
Bosniac-Croat Canton
Republika Srpska

Source: http://asusilc.net/scr101/les1/1culture.htm

Appendix B: People and Society in Bosnia and Herzegovina

Population:	3,861,912 (July 2016 est.)
Nationality:	Noun: Bosnian(s), Herzegovinian(s) Adjective: Bosnian, Herzegovinian
Ethnic groups:	Bosniak 50.1%, Serb 30.8%, Croat 15.4%, other 2.7%, not declared/no answer 1% note: the methodology remains disputed and Republika Srspka authorities refuse to recognize the results; Bosniak has replaced Muslim as an ethnic term in part to avoid confusion with the religious term Muslim - an adherent of Islam (2013 est.)
Languages:	Bosnian (official) 52.9%, Serbian (official) 30.8%, Croatian (official) 14.6%, other 1.6%, no answer 0.2% (2013 est.)
Religions:	Muslim 50.7%, Orthodox 30.7%, Roman Catholic 15.2%, atheist 0.8%, agnostic 0.3%, other 1.2%, undeclared/no answer 1.1% (2013 est.)

Source: https://www.cia.gov/library/publications/the-world-factbook/geos/bk.html

Appendix C: Kosovo Facts:

Population: 1,883,018 (July 2016 est.)

Nationality noun: Kosovar (Albanian), Kosovac (Serbian) adjective: Kosovar (Albanian), Kosovski (Serbian)

Ethnic groups: Albanians 92.9%, Bosniaks 1.6%, Serbs 1.5%, Turk 1.1%, Ashkali 0.9%, Egyptian 0.7%, Gorani 0.6%, Roma 0.5%, other/unspecified 0.2%

Source: CIA available at: https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html

Annex D: Information on Local Governance: Nations in Transit Ratings and Averaged Scores for Kosovo

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
National Democratic Governance	5.50	5.25	5.50	5.75	5.75	5.75	5.50	5.50	**5.50**	**5.50**
Electoral Process	4.50	4.50	4.25	4.50	5.00	5.00	4.75	4.75	**4.75**	**4.75**
Civil Society	4.00	4.00	3.75	3.75	3.75	4.00	3.75	3.75	**3.75**	**3.75**
Independent Media	5.50	5.50	5.50	5.75	5.75	5.75	5.75	5.50	**5.25**	**5.00**
Local Democratic Governance	5.50	5.25	5.00	5.00	4.75	4.75	4.75	4.75	**4.50**	**4.50**
Judicial Framework and Independence	5.75	5.75	5.75	5.75	5.50	5.50	5.50	5.75	**5.75**	**5.50**
Corruption	5.75	5.75	5.75	5.75	5.75	6.00	6.00	6.00	**6.00**	**5.75**
Democracy Score	**5.21**	**5.14**	**5.07**	**5.18**	**5.18**	**5.25**	**5.14**	**5.14**	**5.07**	**4.96**

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).

Source: Freedom House 2017, available at: https://freedomhouse.org/report/nations-transit/2017/kosovo

Appendix E: Map of Kosovo

Source: http://mapsof.net/uploads/static-maps/kosovo_political_divisions.jpg