



EUFOR: The West's Potemkin Deterrent in Bosnia and Herzegovina

**AI-DPC BiH Security Risk Analysis
Policy Note # 03**

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PREFACE

This DPC-Atlantic Initiative Policy Note is part of a series of occasional thematic papers which collectively compose the second edition of DPC and the AI's Security Risk Analysis Study. The first edition, published in October 2011, assessed a full spectrum of risk factors: the functionality of government institutions at all levels, political use of conflict rhetoric in the media, police, army, privately-held weapons, private security companies, religious and ethnic radicalism, socio-economic strain, juvenile delinquency and sports violence, and the posture of the international community in BiH.

This second edition assesses these same factors from the vantage point of the present day, including new information previously unavailable to the authors. These papers are not mere updates of the first edition; each Policy Note is a stand-alone assessment of the theme in question. However, where information from the 2011 edition remains relevant, it is included.

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

The EU's military deterrent force in Bosnia and Herzegovina (BiH), EUFOR/Operation Althea, is nearing the end of its 11th year of operation. It came into being in 2004 with great fanfare at a time of EU self-confidence and ambition, succeeding NATO in its role of maintaining a "safe and secure environment," as prescribed by the Dayton Peace Accords. It appeared then to be a mission of guaranteed success. At its current 600 troops, it is now less than one-tenth of its original mandated strength of over 7,000, which itself was about one-sixth of the strength of NATO's Implementation Force (IFOR) of 54,000 troops. The force has atrophied as the political will to maintain executive instruments has evaporated among most EU member states. Perversely, its decimation in strength correlates with an incremental regression in BiH's political atmosphere over the last 8 years; citizens feel less secure today than they did in 2006, according to EUFOR's own polling data. The country is now completely polarized by an upcoming referendum in the Republika Srpska on the legitimacy of the state-level judicial institutions which Western diplomats and numerous local political actors have declared a "fundamental violation" of the Dayton Peace Accords

Western military professionals assess EUFOR's deterrent and reaction capability as effectively nonexistent. Essentially, it is just a placeholder force to provide a foundation for external reinforcement. Were a crisis, such as organized interethnic violence, to erupt, it would require outside forces to respond, let alone contain. Many interviewees for this report dispute EUFOR's capacity to secure even Sarajevo International Airport.

The legal platform for EUFOR, a UN Security Council resolution, is up for annual renewal in early November. Last year, the Republika Srpska called for the mission to end, followed by a Russian diplomatic attack on the mission in the Security Council and an unprecedented abstention. Russia's veto in July of this year of the UK-sponsored Srebrenica commemoration resolution, in tandem with the overall tension between Russia and the West, most recently reflected in Russia's deployment to Syria, make a veto of the renewal a strong possibility.

The West, with the EU in a leading role, is responsible for the deterrence failure which has led to a dangerously degrading trajectory in BiH. The growing sense of insecurity has not only made durable progress impossible, but is leading to the increasing likelihood – and gravity – of political miscalculation by the BiH political leaders it has empowered. Renewed interethnic violence remains a real possibility. A credible Western deterrent force, be it under the EU or NATO umbrella, is not only essential to prevent disaster in BiH; it is a prerequisite to enabling a popular consensus in the country so that ultimately it no longer requires external guardians to ensure the peace. Now is the time for the West to take action to bolster its deterrent capability in BiH before, not after, events have spiraled out of control. Unless leading Western powers now forge a consensus on planning and action to fulfil the moral and legal obligations they undertook to maintain the peace in BiH, they will likely suffer the consequences of their failure.

DPC recommends the following actions for the immediate and near term:

- 1) Western leaders at the highest levels must effectively convey to the BiH public the need for and commitment to a stronger military presence in BiH as insurance against political malpractice. Citizens need reassurance that the terms of the Dayton Peace Accords will be enforced with the existing executive instruments (EUFOR and OHR) unless and until the Dayton framework is replaced by popular consent. There can be no expiration date to this commitment.
- 2) EU and NATO governments at the ministerial level must agree on a plan of action to maintain an executive military presence as long as is necessary, as per Annex 1A, in the event of a Russian veto. This commitment to maintain a safe and secure environment against all challenges, domestic and foreign, must be convincingly conveyed to the BiH public from the highest levels in Western capitals.
- 3) NATO should conduct a long-overdue threat assessment to determine the appropriate strength, capabilities, and deployment plan for a deterrent force capable of ensuring a safe and secure environment in BiH.
- 4) Preparations – political and legal – should proceed without delay for a Plan B executive mission, informed by the NATO threat assessment, to be based on NATO HQ in Sarajevo. All NATO members must be prepared politically for the potential of a Russian veto, and demonstrate their will to maintain and bolster an executive force in BiH in case of one. Russia must be made to understand that NATO and the EU intend to uphold Annex 1A with an executive force even in the event of a veto.
- 5) Members of the Quint, the EUSR and the High Representative should make preparations with all three members of the BiH Presidency for a bilateral agreement to maintain an executive mandate under NATO auspices as per Annex 1A, without an expiration date.
- 6) Reinforce EUFOR prior to the UNSC vote, pre-positioning operational forces in potential confrontation areas (Brčko, Mostar, eastern BiH) with company-strength units. The upcoming *Brzi Odgovor* exercise scheduled to take place in the Republika Srpska provides a perfectly-timed opportunity to reinforce the force in advance of the Security Council vote – and the Republika Srpska referendum. Force generation for the exercise should include a company of US troops (following the precedent of the Turkish contingent in EUFOR). Preparations should be made for a long-term deployment of an additional two battalions.
- 7) EU foreign ministers should adopt the 2012 Austrian proposal to deploy an EU battlegroup in BiH under the current EUFOR mandate, and if necessary to serve in a future NATO deterrent force.

Introduction and Brief History

EUFOR is authorized to maintain a safe and secure environment under Annex 1A of the Dayton Peace Accords¹ and has a Chapter 7 executive mandate from the UN Security Council (UNSC), which allows use of force to maintain international peace and security.² The EU force's mandate, last renewed on November 11, 2014, with a Russian abstention, is up for renewal by the EU's Member States this month, and by the UNSC by November 11. This Policy Note reviews the potential obstacles in both the EU and the UNSC, and proposes policy alternatives in the case of blockage within either body.

The operation was finally assembled under the "Berlin plus" formula, allowing the force to employ NATO assets and call upon NATO support and reinforcement if required.³ The force aimed to piggyback on the credibility of the preceding NATO operation (SFOR) by retaining its structure and capabilities while it simultaneously worked to publicly distinguish the new EU brand in the security arena as distinct from NATO. The EU behaved as if it had inherited a risk-free operation.⁴

The shift from SFOR to EUFOR in December 2004 did not require a massive rotation of forces: There is a great deal of overlap between the EU and NATO in terms of membership. NATO HQ in Sarajevo retained its Chapter 7 authorization, but without executive means, to assist in defense reform and military modernization. Apart from the departure of US forces, most of the SFOR contingents remained in the new 7,000 strong EUFOR, titled Operation Althea. Commanded by British Major General David Leakey, EUFOR maintained a similar operational structure to the preceding NATO mission, with headquarters in Sarajevo and three regional commands in Banja Luka, Tuzla, and Mostar. The promotional materials for the new EUFOR mission presented it as a continuation of the previous SFOR mission with merely a change of title and insignia.⁵ The force retained SFOR's Multinational Specialized Unit (MSU) – a gendarmerie unit capable of dealing with civil disturbances and heavy policing functions, under the new title of the Integrated Police Unit (IPU).⁶ The size of the force at that time was, and still remains, the largest ever European Security and Defense Policy (ESDP) operation,⁷ and had helicopter lift provided by a number of contributing states, including Switzerland, Great Britain, and later Macedonia. Turkey was the largest non-EU member state contributor and remains so to this day.

According to polls conducted in BiH by the force in 2006, roughly one-quarter of respondents feared renewed war if international troops were withdrawn, and a further one-third feared local outbreaks of

¹ See Annex 1A of the Dayton Peace Agreement at http://www.ohr.int/dpa/default.asp?content_id=368

² "Security Council, Adopting Resolution 2183 (2014), Renews European Union-led Multinational Stabilization Forces in Bosnia and Herzegovina for 12 Months," *United Nations Meeting Coverage, 7307th Meeting (PM)*, November 11, 2014, available at: <http://www.un.org/press/en/2014/sc11641.doc.htm>

³ See Gabriele Cascone, "ESDP Operations and NATO – Cooperation, Rivalry, or Muddling-through," in Michael Merlingen and Rasa Ostrauskaite, *European Security and Defence Policy – An Implementation Perspective*, Routledge, London and New York, 2008, pp 144-148.

⁴ The NATO HQ also holds a Chapter 7 mandate, but has no operational capacity.

⁵ See: <http://www.eusrbih.org/media/pic/images/eufor-billboard-eng.jpg> and <http://www.eusrbih.org/media/pic/images/eufor-citylight-eng.jpg>

⁶ See: Thomas Bertin, "The EU Military Operation in Bosnia," in Michael Merlingen and Rasa Ostrauskaite, *European Security and Defence Policy – An Implementation Perspective*, Routledge, London and New York, 2008, p. 67.

⁷ <http://www.isis-europe.org/pdf/July2011EUFORALTHEA.pdf>

violence.⁸ Roughly 30% of respondents believed external deterrent forces were no longer required in 2006, while a clear majority wanted EUFOR to remain in the country.⁹

Discussion within EU structures of a radical reduction of force strength began in 2006, during the BiH general electoral campaign. This was precisely when the downward political spiral began that continues to this day. At the time, the primary justification was one of more pressing international priorities, particularly the growing insurgency in Afghanistan, where major EUFOR contributors, such as Great Britain and the Netherlands, were engaged in combat operations.¹⁰ Despite the worsening political environment over the course of that year, which included threats of a referendum in the Republika Srpska, EU members provisionally decided in December 2006 “following the improved security situation” to reduce the force and affirmed their decision in February 2007.¹¹ This decision was also clearly linked to the plan to close OHR in June 2007 – that plan being postponed to June 2008 by decision of the Quint.¹² The concept of a hard closure date was ultimately abandoned with the adoption of the 5+2 objectives and criteria by the Peace Implementation Council (PIC) in 2008.¹³ There has never been a parallel reassessment of the military presence in BiH. Since EUFOR’s reduction, the divergence between the political assessments of OHR and the PIC Steering Board and the threat assessments of EUFOR has become ever wider.¹⁴

The force restructuring that took place in early to mid-2007 saw the closure of EUFOR’s three regional commands and other forward-operating bases throughout BiH in favor of a Sarajevo-centered force of 2,500. This was to be the absolute minimum force strength needed to provide for a safe and secure environment. EUFOR’s Maneuver Battalion (MNMB),¹⁵ which included four companies in 2007, along with a reconnaissance platoon and the IPU, would be at Butmir. To give the force field presence and visibility, Liaison and Observation Teams (LOTs) were initially deployed in roughly 40 locations throughout the country.¹⁶ However, these small deployments, consisting of a handful of personnel, have no operational capability, and would be hard pressed to even defend themselves *in extremis*. Helicopter lift was also reduced considerably, precluding any rapid reaction capability for operations outside the environs of Sarajevo, save perhaps evacuating individual LOTs.

Since this initial cutting down of EUFOR to a third of its original strength, it has been progressively

⁸ See Bertin, pp. 63-4.

⁹ Ibid.

¹⁰ Author’s discussions while at OHR in 2006.

¹¹ See Bertin, “The EU Military Operation in Bosnia,” p. 66.

See also: http://www.euforbih.org/index.php?option=com_content&view=article&id=15&Itemid=134

¹² The Quint consists of the five Western members of the Contact Group, which developed the basic outline (51/49 territorial division) peace plan that ultimately was adopted at Dayton in November 1995. These are the US, UK, France, Germany, and Italy (which joined post-Dayton). Russia is a member of the Contact Group, but not the Quint. The Quint has no formal legal role, but rather serves as a forum for policy coordination – or more recently, lack of it.

¹³ PIC SB Declaration, February 27, 2008, available at: http://www.ohr.int/pic/default.asp?content_id=41352

See “Bosnia - The Coming End of EUFOR,” by Ambassador Charles English, leaked diplomatic cable, March 27, 2009, accessed at: <http://dazzlepod.com/cable/09SARAJEVO385/>

¹⁴ Interviews with diplomats and international community officials, Sarajevo, Brussels and Berlin, 2009-15.

¹⁵ See http://www.euforbih.org/index.php?option=com_content&view=article&id=17:mnbm&catid=187:eufor-elements&Itemid=139

¹⁶ Ibid.

whittled-down further to its current size of 600 troops. Along the way, EUFOR ceased to mount patrols, based on a unilateral decision by Spanish COMEUFOR Major General Ignacio Martin Villalain that conducting them was “provocative,” according to his capital.¹⁷ Whatever the reason for the decision, as a consequence, some European embassies started to report back to their ministries that EUFOR was idle, which led to a questioning of the need for EUFOR by many EU governments eager to meet other commitments and for budget lines to cross out.¹⁸ Perhaps to compensate for this lack of operational presence, EUFOR amplified self-promotional activities that seemed far outside its essential deterrent remit – construction of billboards, sponsorship of competitions, involvement in educational programs, etc. By late 2008, professionals in the Armed Forces of BiH (AFBiH) were already calling EUFOR a “paper tiger” lacking the capability to respond to a crisis, noting that the Americans would need to intervene should one emerge.¹⁹ Maj. Gen. Villalain’s successor, Italian Major General Stefano Castagnotto, who assumed command in late 2008,²⁰ claimed that assessing the capabilities of private security companies and other unofficial potential conflict actors was a matter for domestic authorities and outside EUFOR’s mandate. This was a curious interpretation of the Annex 1A mandate.²¹

The withered strength of EUFOR is apparent to military professionals both in-theater and in Brussels. In early 2009, EU Operation Commander and NATO’s Deputy Supreme Allied Commander in Europe (DSACEUR)²² General Sir John McColl reportedly attempted a needs assessment and force generation effort,²³ only to be rebuffed by Member States. Several interviewees noted that Gen. McColl made a point of clarifying to EU Member States that they were undertaking political responsibility for maintaining an under-strength force.²⁴ Turkey has repeatedly offered to fill the gap between the mandated strength (then reduced to 2,000) and the actual strength; it has been repeatedly rebuffed by the EU.²⁵ The apparent concern is that the EU is unwilling to staff its own force and that EUFOR would effectively become a “TurkFOR.” Germany’s position became clear in late 2010 and early 2011: It did not share American or British concerns of the Republika Srpska’s secession or other security threats and would therefore withdraw unilaterally from EUFOR.²⁶ Upon succeeding Gen. McColl in March 2011, General Sir Richard Shirreff reportedly told the EU’s members in the Political and Security Committee (PSC) that to fulfill the safe and secure environment (SASE) mandate in BiH, a full brigade – roughly three times the force strength at the time – would be required.²⁷ In the opinion of an EU Member State military professional at the time, “The Europeans couldn’t care less. You can’t even describe the risk

¹⁷ Author discussions with senior international diplomats and officials, early 2009, HBS-DPC Bosnia Policy Roundtable, Berlin, May 2010. See also Kurt Bassuener, “EU deterrent evaporates as fears mount in Bosnia,” *Jane’s Defence Weekly*, 11 March 2009.

¹⁸ HBS-DPC Bosnia Policy Roundtable, Berlin, May 2010, report

available at: http://www.democratizationpolicy.org/uimages/pdf/DPC-HBD_Berlin_Workshop_Report.pdf

¹⁹ “Bosnia - Senior Military Commanders Concerned about Political Crisis Impact on Armed Forces,” Leaked US diplomatic cable, March 4, 2008, available at: <http://wikileaks.org/cable/2008/03/08SARAJEVO414.html>

²⁰ See: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/104501.pdf

²¹ Discussion with the author, January 2009.

²² This double-hatting is prescribed by the Berlin-plus formula. Cascone, p.146.

²³ Discussions with international officials, Sarajevo, February 2009.

²⁴ Discussions with international diplomats, officials, and military professionals, through September 2011.

²⁵ Discussions with senior NATO and EU member state officials, 2009-2011.

²⁶ Discussions with EU member state diplomats, Berlin, 2010-11.

²⁷ Discussions with international officials and NATO member state diplomats, early 2011.

factors because nobody's interested."²⁸

The most recent cuts were decided upon in 2011, with only Britain advocating an increase in force strength, then mandated at 1,300, and several Central European countries (Austria, Bulgaria, Hungary, Slovakia, and Slovenia) advocating a maintenance of the actual strength of 1,000 soldiers. However, a stronger grouping among EU Member States – France, Germany, Italy, Spain and Sweden – advocated abandoning the Chapter 7 mandate altogether and focusing solely on capacity building.²⁹ The political tradeoff within the EU for maintaining the mandate was to reduce the force to 600 troops – just half of its previous strength. This size and structure has made EUFOR reliant on “over the horizon” forces to augment its strength to respond to any crisis. (This is discussed further below.)

Disturbingly, two EUFOR Commanders in a row – four months apart in 2012 and 2013 – publicly *misstated* their mandated role to the BiH media. In the first case, COMEUFOR Major General Robert Brieger was quoted in the largest circulation daily in BiH, *Dnevni avaz*, that “we cannot intervene without the invitation of the Minister of Security of BiH... our mandate says we work at the invitation of the responsible government in BiH... We cannot act on our own initiative.”³⁰ This is clearly a misinterpretation of the EUFOR mandate – and particularly troubling since 1) this statement came at the end of his one-year tour and 2) it was stated in a newspaper previously owned by – and still close to – then-BiH Minister of Security, Fahrudin Radončić. When brought to the attention of one senior EU member state diplomat, the response was the following: “it turns out that Brieger was not misquoted, he just got it flat wrong. Rather than issue an embarrassing retraction, just on the eve of his departure... EUFOR decided to let his successor set out the actual position instead.”³¹ His successor, Major General Dieter Heidecker, at the instruction of Operations Commander General Richard Shirreff, was required to state that “of course EUFOR can intervene whenever the Commander judges it necessary to maintain the safe and secure environment.”³² Yet in late March 2013, General Heidecker made an almost identical statement to that made previously by Brieger: “In the event that there is a need for our intervention, we would do so, but only by invitation of the local authorities.”³³ When brought to the attention of an EU official dealing with EUFOR, he expressed shock and stated that this interpretation of the mandate was “complete bullshit.”³⁴ The author can only conclude that EUFOR Commanders are either poorly briefed as to their missions or that there is political pressure from Brussels and key EU Member States to de-emphasize the elements of the mission for which they would rather not have responsibility. There is reason to believe the latter is the case.

In June 2012, External Action Service Deputy Secretary General Maciej Popowski stated at a public

²⁸ Interview with international military professional, June 2011

²⁹ Discussions with Western diplomats and military professionals, 2011-2012.

³⁰ Sead Numanović, “EUFOR više ne može djelovati bez bh. Vlasti,” *Dnevni avaz*, November 23, 2012, p. 5.

³¹ Discussion via e-mail with senior EU member state diplomat, December 2012.

³² *Ibid.*

³³ “Sigurnosna situacija u BiH je zadovoljavajuća,” *Vijesti.ba*, March 27, 2013, available at: <http://vijesti.ba/clanak/137985/sigurnosna-situacija-u-bih-zadovoljavajuca>

³⁴ Discussion with EU official, April 2013.

forum that the EU wanted to move EUFOR into a capacity building role.³⁵ When asked if this meant that the EU wished to unilaterally abrogate a Chapter 7 peace enforcement obligation for which it campaigned and received after Berlin-plus arrangements were made with NATO, Popowski attempted to backtrack, stating it would not be unilateral – it would be up to the (then) 27 Member States. Yet this *still* would amount to a unilateral abrogation of a UN Security Council executive mandate. Another participant at the conference, moderator Damien Helly of the EU Institute for Security Studies, remarked in response to a related question that he looked forward to the day “when there are no more Chapter 7 missions in Europe.”³⁶

The following is paragraph 2 of the Security Council’s Conclusions from October 20, 2014 (emphasis added). The EU’s own recapitulation of EUFOR’s mandate reflects this reluctance to retain an enforcement responsibility:

“Council welcomes the continued presence of Operation Althea, focusing on capacity-building and training while also *retaining the capability to contribute to the Bosnia and Herzegovina authorities’ deterrence capacity if the situation so requires*. In this context, as part of the overall EU strategy for Bosnia and Herzegovina, the Council confirms the EU’s readiness to continue at this stage an executive military role to support Bosnia and Herzegovina’s authorities to maintain the safe and secure environment, under a renewed UN mandate.”³⁷

This formulation, frontloading the EU’s (unsolicited) capacity-building/training mission³⁸ and downplaying the deterrent role that is part and parcel of the Annex 1A/Chapter 7 mandate, has been standard practice for a number of years.³⁹ The wording has an obvious political logic, given the differentiation among Member States as to EUFOR’s proper size and role. But this logic breaks down when viewed from the BiH perspective. It is unclear what “BiH authorities’ deterrence capacity” the Council is referring to. The AFBiH’s deterrent would be wholly directed toward external adversaries (though it is ill-equipped to face such a challenge). The threat to the safe and secure environment in BiH is internal, where the AFBiH has no legal role. And if the BiH authorities implied in this formulation are law enforcement – be they state, entity, or cantonal – “deterrence” is an odd choice of language. As one interviewee asked just after the publication of the first edition of this study, “what if there’s an incident

³⁵ EUPM Legacy Seminar, June 7-8, 2012, available at: <http://www.eupm.org/Legacy.aspx>. The site contains the program and a number of the prepared statements of the speakers, but not questions and answers from the audience, which followed each panel.

³⁶ Ibid.

³⁷ Council Conclusions Bosnia and Herzegovina, October 20, 2014,

available at: http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145186.pdf

³⁸ A senior Western official questioned “the very premise of the EU training mission. The AFBiH was designed for NATO membership – light, deployable, with niche capabilities. NATO doctrine. There is no EU military doctrine. So what are they training these guys in? Platoon-level exercises? Do they need that shit? So the bullshit factor is pretty high.” Interview, July 2015. A Western military professional also noted “I don’t recall anyone asking EUFOR to do a training mission here... They’ve got a problem (in the event of a Russian veto). What they will happily do is give up the Chapter 7 mandate and then go into a training mission, only bigger.” Interview, July 2015.

³⁹ See Kurt Bassuener, “The EU and U.S. on Security in SEE: Divergence, Convergence, and Mutual Confusion,” in “A Future Security Architecture for Southeast Europe,” Aspen Institute, Berlin, Valeska Esch and Juliane Kabus, eds. p.144, available at: <http://www.aspeninstitute.de/wp-content/uploads/A-Future-Security-Architecture-for-Southeast-Europe.pdf>

and the police get involved the wrong way?”⁴⁰

The clear implication is that the Security Council has worded its interpretation of the mandate in such a way as to downplay a responsibility many members no longer wish to uphold. It also is likely to be perceived as a humiliation to have a peace enforcement mission in a country with a declared membership perspective.

Current Force Structure / Reinforcement Plans

With the departure of British reinforcements to EUFOR at the end of the UK fiscal year in March 2015, EUFOR’s strength in BiH is now roughly 600 troops,⁴¹ with the most potent element in the motorized infantry company, which shifted from Austrian to Hungarian command in August 2015.⁴² Non-EU personnel, primarily from Turkey, compose about one-third of the force.⁴³ The force in BiH lacks helicopter lift to move reaction forces to some predictable potential conflict areas, such as Mostar and Brčko. As presently constituted, EUFOR cannot present a credible deterrent.

No Western military or diplomatic professionals interviewed expressed belief that EUFOR, as currently constituted, could effectively react to a security challenge. This has been the case for some time, even when the force was twice its current strength and better resourced. “The reality of (the maneuver battalion) deploying to say, Goražde, without force enablers like helicopters and *political will*... They would just refuse to go,” said one interviewee in late 2011.⁴⁴ “There are no UAVs (unmanned aerial vehicles) here – they don’t know what’s on the other side of the hill. No intelligence, as we said before. So they’d be going in blind to a situation where they couldn’t be confident of backup – never mind the fact that it wouldn’t be in real time. No (possible) way the governments would accept that,” he concluded.⁴⁵

“The only mission of EUFOR is to secure (Sarajevo International Airport) for reinforcements,” one Western military professional stated – it could not react to a crisis in Mostar, for example, as currently configured without over-the-horizon reinforcement.⁴⁶ EUFOR could have complications in using the maneuver battalion in such a situation in any case, due to “rules of engagement, logistics... and national caveats,” stated one interviewee.⁴⁷ A Member State diplomat thought EUFOR would also act to secure weapons and ammunition stores in the event of a crisis, “because if those got distributed, it could really kick off.”⁴⁸ But he was the only interviewee who expressed belief this was a capability that EUFOR possessed. Another military professional explained that EUFOR had no capacity to deal with “serious

⁴⁰ Interview with Western military professional, October 2011. See also Bodo Weber’s forthcoming Policy Note in this series on police.

⁴¹ This is the most common number cited; see EUISS Yearbook of European Security (2015), available at: http://mercury.ethz.ch/serviceengine/Files/ISN/189961/...YES_2015.pdf, p.47.

⁴² Interviews with EU member state diplomats, Sarajevo, July 2015.

⁴³ EUISS Yearbook (2015), p. 47.

⁴⁴ Interview with Western military professional, October 2011.

⁴⁵ Ibid.

⁴⁶ Interview with Western military professional, July 2015.

⁴⁷ Interview with EU member state military professional, July 2015.

⁴⁸ Interview with senior Western diplomat, July 2015.

safe and secure environment (SASE) deterioration...(it is not equipped for) crowd and riot control. They don't have any heavy weapons, no armor, no helicopters for operations, no medium-range weapons. Just a light infantry capability... The most they can do is lay the ground for over-the-horizon forces. That's not easy to do... And I wonder how much the EU would support EU activity," adding that such a decision would not be up to COMEUFOR.⁴⁹ As another officer put it, COMEUFOR "can ask" for reinforcement, "but the Op Commander (DSACEUR) decides," subject to a political decision by Member States.⁵⁰ Another noted "COMEUFOR's request (for reinforcement) could get lost in politics."⁵¹

Several questioned EUFOR's ability to do little more than secure its base at Butmir.⁵² One senior Western official stated, "you know the terrain out there – aircraft would be vulnerable to MANPADS (man-portable air defense systems), etcetera. If you don't hold all of Sarajevo area, that's no good."⁵³ Another explained:

"Securing Butmir comes first, then maybe the airport. The airport is harder, they'd need support. For example, what if the airport workers have a strike? Then there is nobody to operate it to allow the reinforcements to fly in... So the primary concern is to secure Butmir as the reception area for the international community. You have to have rotation to ensure round-the-clock security. So that's the whole battalion. Securing the airport is certainly more than a company-level task, if you could spare it. Butmir and the airport are both battalion-level tasks."⁵⁴

Another Western military professional was even more skeptical of EUFOR's present capabilities. "They couldn't secure Butmir against anyone who really wanted it. They lost security capability for the airport long ago."⁵⁵

Exercises entitled "Rapid Response" (*Brzi odgovor*) have been held annually beginning in 2012 – and advertised heavily in BiH – to demonstrate that the EU could react quickly with "over the horizon" forces to challenges to a safe and secure environment. The latest will be held at Manjača, near Banja Luka, October 13-22 this year.⁵⁶ This year's exercise has been characterized by EU Operations Commander (and DSACEUR) General Adrian Bradshaw as being primarily focused on capacity building of the AFBiH – again, not the main mission of EUFOR according to its Annex 1A mandate. It is still unclear what countries will deploy to comprise the reserve forces battalion for the exercise. Worryingly, Gen. Bradshaw notes that EUFOR troops – *the contingent which would need reinforcement* – will participate

⁴⁹ Discussion with Western military professionals, July 2015.

⁵⁰ Interview with Western military professional, July 2015.

⁵¹ Discussion with Western military professionals, July 2015.

⁵² Interviews with Western military professionals, July-September 2015.

⁵³ Interview with senior Western official, July 2015

⁵⁴ Discussion with Western military professionals, July 2015.

⁵⁵ Interview with Western military professional, July 2015.

⁵⁶ "EUFOR: Vojna vježba 'Brzi Odgovor' od 13. to 22. oktobra na Manjači," *SRNA*, September 3, 2015,

available at: <http://www.nezavisne.com/novosti/bih/EUFOR-Vojna-vjezba-Brzi-odgovor-od-13-do-22-oktobra-na-Manjaci/323635>; "Čete rezervnih snaga EUFOR-a danas dolaze u BiH," *RTV7.ba*, May 29, 2014, available at: <http://rtv7.ba/arhive/2292>; "FOTO: Pogledajte kako je izgledala vježba 'Brzi Odgovor 2,'" *radiosarajevo.ba*, September 12, 2013, available at: <http://radiosarajevo.ba/novost/125119/foto-pogledajte-kako-je-izgledala-vjezba-brzi-odgovor-2>; (no broadcaster identification available, November 12, 2012) - <https://www.youtube.com/watch?v=bgJNYPN1XYU>

in an exercise designed to demonstrate how they could be reinforced with “over the horizon” forces.⁵⁷

In the case of need for reinforcement to EUFOR, NATO’s KFOR (Kosovo Force) is slated to be the first responder, but while there are air corridors between Kosovo and BiH, no interviewees believed KFOR had the helicopter lift on hand to send troops to BiH. So the reinforcements would drive either via Serbia or Montenegro. But this could be operationally problematic both for logistical and political reasons. While the most direct route would be via Serbia, “that’s been practiced once or twice. But Serbia never signed the transit agreement with NATO; it can be wrangled under an EU flag,” stated one Western official.⁵⁸ Other interviewees found this a dubious proposition. “They’re hoping their bluff isn’t called. This isn’t on the EUFOR planners – this goes higher,” remarked one Western observer familiar with the planning.⁵⁹ The alternative Montenegrin route – for which there is a transit agreement – would lead via Albania and Montenegro to BiH, though one military professional stated the best way would be to ferry the troops from Albania to Ploče in Croatia, “if you have time to plan it.”⁶⁰ A number of interviewees believed the mutual reliance between EUFOR and KFOR for backup created the potential for coordinated crises.⁶¹ “KFOR and EUFOR are to reinforce each other. This is very hard to do. Commanders don’t want to give up forces. Anyone can tell you that their most important troops are their reserves.”⁶²

The question of whether EU battlegroups would reinforce EUFOR elicited scattered, inconsistent responses from the interviewees. Austrian Defense Minister Norbert Darabos called for an EU battlegroup to deploy in BiH three years ago, but “this was rejected.”⁶³ “It is not decided that the battlegroups could do it,” remarked one interviewee,⁶⁴ while yet another stated that “battalion-strength EU battlegroups are slated to provide back-up. An Austro-German battlegroup, based in Austria, is on 7-day reserve for deployment to BiH if required. Another is on 30-day reserve.”⁶⁵ Another interviewee noted that “There are paper assignments of reserve function to EU battlegroups, but the actual forces are employed – in action – under national command.”⁶⁶ Britain and Austria have immediate response companies on reserve, “but more are needed for (full reinforcement).”⁶⁷

One interviewee bluntly stated “if you expect that EUFOR can handle anything without (American) backup, forget it.”⁶⁸ And NATO, under Berlin-plus arrangements, could also reinforce EUFOR in a crisis.⁶⁹ In a case of violent interethnic confrontation in BiH, the ability to respond quickly and forcefully matters. Even in the best case scenario foreseeable, this is unlikely.

⁵⁷ Ibid.

⁵⁸ Interview with Western official, July 2015.

⁵⁹ Discussion with Western military professionals, July 2015.

⁶⁰ Interview with Western military professional, September 2015.

⁶¹ Discussion with Western military professionals, July 2015.

⁶² Ibid.

⁶³ “Austria Wants EU Battlegroups Deployed in Bosnia,” *Bosnia Daily*, September 28, 2012.

⁶⁴ Interview with Western military professional, September 2015.

⁶⁵ Interview with EU member state military officer, July 2015.

⁶⁶ Discussion with Western military professionals, July 2015.

⁶⁷ Interview with Western military professional, September 2015.

⁶⁸ Interview with Western military professional, October 2015.

⁶⁹ NATO HQ in BiH retains a Chapter 7 mandate as well, but has no operational capacity.

Several interviewees expressed their concern for the lack of crisis planning. “There is a need to define red-lines, thresholds, so you know when and how to react to given situations,” stated one interviewee.⁷⁰ “We need planning and gaming of scenarios... To be fair, EUFOR has its own planning. But this is done in isolation, without any political backup – military, yes. Most accurately, we can say ‘we see no evidence of it.’”⁷¹ Another noted, “Within EUFOR, we had a planner state outright ‘the emperor is naked,’ in so many words.”⁷²

BiH Politics and Events since 2011

The terms of the state and Federation governments from 2011-2015 were characterized by institutional dysfunction and little to no reform progress, while the Republika Srpska Government continued its progressive escalation of challenging state institutions and international peace enforcement mandates.⁷³ Significantly, the Republika Srpska, which had previously maintained its support at the highest levels for maintaining an executive EUFOR while calling for the closure of OHR, shifted its stance in May 2014, after the Russian annexation of Crimea and the beginning of the Russian-fomented war in eastern Ukraine. In its regular (though unsolicited) report to the UN Security Council, the Republika Srpska Government stated that the EUFOR Chapter 7 mandate was no longer necessitated by the situation on the ground. The entire relevant passage of the report⁷⁴ reads as follows:

“V. The Security Council should end the application of Chapter VII, which has no factual or legal basis.

96. After more than 18 years of peace in BiH, there is no justification for the Security Council to continue invoking Chapter VII of the UN Charter. Article 39 of the UN Charter allows the Security Council to take certain measures “to maintain or restore international peace and security” if it has determined “the existence of any threat to the peace, breach of the peace, or act of aggression.” There is simply no factual evidence that the situation in BiH meets any of these bases for invoking Chapter VII. Indeed, the most recent two Security Council resolutions on BiH acknowledged that “the security environment has remained calm and stable.” This is not a new development. As Security Council Resolution 2019 (2011) noted, “the overall security situation in Bosnia and Herzegovina has been calm and stable for several years.”

97. It is past time for the Security Council to recognize the international consensus that the situation in BiH does not threaten international peace and security and cease acting under Chapter VII of the UN Charter.”

The latest report makes the same argument.⁷⁵ This sits in odd juxtaposition with the report’s portraying

⁷⁰ Discussion with Western military professionals, July 2015.

⁷¹ Ibid.

⁷² Ibid.

⁷³ DPC’s analyses and articles document this process throughout. See www.democratizationpolicy.org

⁷⁴ “11th Report to UN Security Council,” Government of Republika Srpska, May 8, 2014, available at: <http://www.bihdaytonproject.com/?p=2586>

⁷⁵ “13th Report to the UN Security Council,” Government of Republika Srpska, May 8, 2014, p.21, available at: <http://www.vladars.net/sr-SP-Cyrl/Documents/13th%20Report%20to%20UNSC.pdf>

the lone gunman attack on the Zvornik police station in spring 2015 as an example of the “growing terrorist menace” in BiH and its characterization of the country as a main supplier of volunteers for ISIS.⁷⁶

It was the view of numerous interlocutors interviewed by DPC at the time that this policy shift either originated from Moscow, or was driven by an attempt by an increasingly financially strained Republika Srpska Government to curry favor with Moscow.⁷⁷ Banja Luka’s stifling of BiH’s alignment with the EU’s policy on the Ukraine war and sanctions on Russia bolster this view. Yet “there was no EUFOR reaction to it. It may be being discussed elsewhere,” one interviewee noted.⁷⁸ The author actually *informed* a member of COMEUFOR’s staff last year of the policy shift, five months after it was announced.⁷⁹

The February 2014 protests, which began in Tuzla and soon spread to Sarajevo and other municipalities, primarily in Bosniak-majority areas in the Federation,⁸⁰ were motivated by deep socio-economic grievances, but directed at the country’s political elites due to widespread perception of corruption and a lack of accountability. The demonstrations, which initially were characterized by vandalism on public and private property, had serious security implications, and were targets of political attempts to exploit them and couch them in an ethnically polarizing frame.⁸¹ Luckily, this did not lead to incidents of interethnic violence. But it wasn’t for lack of political effort that this remained the case.

In this critical period, EUFOR was effectively confined to barracks. COMEUFOR Gen. Dieter Heidecker was advised by EU Special Representative (EUSR) Peter Sørensen to not be visible.⁸² High Representative Valentin Inzko earned the ire of many protesters and other BiH citizens for suggesting that EUFOR might need to be deployed to prevent further destabilization.⁸³ But there were no serious calls for EUFOR’s operational engagement. However, the EU’s Operations Commander (and DSACEUR), General Richard Shirreff, was reportedly appalled that EUFOR did not deploy forces to observe developments and provide situational awareness to DSACEUR or COMEUFOR at the time.⁸⁴ Numerous diplomats observed the demonstrations and the plenums which followed. Yet EUFOR and its superiors in Brussels were effectively flying blind, particularly in Sarajevo, throughout the height of the demonstrations.

The protests apparently created a sense of insecurity among diplomatic representatives of the international community and other foreigners, though there was never any indication that foreign nationals were actual targets for this mass frustration. One interviewee gave an evocative example of

⁷⁶ Ibid, pp. 18-19.

⁷⁷ Interviews with Western diplomats and officials, June 2014 to date. See also Bodo Weber and Kurt Bassuener, “The Western Balkans and The Ukraine Crisis – a changed game for EU and US policies?,” DPC Policy Brief, Berlin and Sarajevo, September 2014, available at: http://www.democratizationpolicy.org/pdf/briefs/DPC_Policy_Paper_Western_Balkans_&_Ukraine_crisis.pdf

⁷⁸ Discussion with Western military professionals, July 2015.

⁷⁹ Interview with Western military professional, October 2014.

⁸⁰ See Bodo Weber and Kurt Bassuener, “EU Policies Boomerang: Bosnia and Herzegovina’s Social Unrest,” DPC Policy Brief, February 2014, pp. 3-4, available at: http://www.democratizationpolicy.org/pdf/briefs/DPC%20Policy%20Brief_Bosnia-Herzegovina's%20Social%20Unrest.pdf

⁸¹ Ibid, pages 6-7.

⁸² Interviews with EU member state diplomats and military personnel, February, March, and April 2014.

⁸³ This was immediately following the arson on the Presidency building and Cantonal Sarajevo HQ. “Inzko pojašnjava izjavu o trupama EU-a u BiH,” *Al Jazeera Balkans*, February 11, 2014, available at: <http://balkans.aljazeera.net/vijesti/inzko-pojasnjava-izjavu-o-trupama-eu-u-bih>

⁸⁴ Interviews with EU member state diplomats and military officers, February and March, 2014.

this: “In February 2014 we got hundreds of calls – IC personnel wanted to park their cars at Butmir. Not official vehicles – private cars.”⁸⁵ As reported in the first *Security Risk Analysis*, in early 2011 EUFOR informed embassies with which it had a contractual relationship that it no longer had the capability to evacuate their personnel.⁸⁶ “There is still training of the Multinational Battalion (MNBN) to protect embassy compounds, etc. – they do reconnaissance on it. But it’s your responsibility to get to the reception area,” one interviewee noted.⁸⁷

The flooding that BiH suffered in May 2014 proved an excellent diagnostic tool on the country’s governance. Aside from the actions of some municipal governments and of the AFBiH (which has been on a starvation diet since birth – see Policy Note #4 in this series), the picture was depressing across the board: total systemic failure at the cantonal, entity, and state levels. EU Member States and EUFOR participated in flood relief and rescue.⁸⁸

Great Britain deployed a reconnaissance squadron of approximately 100 soldiers in July 2014, to provide EUFOR (and the EU) greater situational awareness, following the February protests.⁸⁹ Its high visibility in its armored vehicles garnered some negative press and questions as to whether they were to intimidate civic demonstrations.⁹⁰ But the new contingent was soon replaced in November 2014 with a smaller contingent, and this was withdrawn at the end of the fiscal year in March 2015.⁹¹ According to one source, the reason was political. “The support for keeping the British company here evaporated after the German-British initiative was launched, despite DSACEUR support.”⁹²

In theory, EUFOR’s Liaison and Observation Teams, located throughout BiH, should provide situational awareness to headquarters and beyond.⁹³ But this is apparently spotty at best. “Of course, EUFOR is multinational (and the chain of command breaks into national ones),” one interviewee observed. “So we might not hear any messages coming from a LOT. They’d go to their capital – no discussion in EUFOR.”⁹⁴

The Threat of a Russian Veto

The worsening war in eastern Ukraine continued to further polarize global politics, increasing concern

⁸⁵ Discussion with Western military professionals, July 2015.

⁸⁶ Azinović, Bassuener, and Weber, *A Security Risk Analysis*, p. 73, available at: http://www.democratizationpolicy.org/uimages/pdf/DPC-AI_BiH%20Security_Study.pdf

⁸⁷ Discussion with Western military professionals, July 2015.

⁸⁸ “Continuing EUFOR support to flood relief,” *EUFOR Press Release*, May 21, 2014, available at: http://eeas.europa.eu/csdp/missions-and-operations/althea-bih/pdf/20140521-eufor-emergency-support_en.pdf

⁸⁹ Interviews with Western diplomats and military professionals, March-July 2014.

⁹⁰ Citizens protested in Zavidovići against local authorities’ failure to prepare for and react appropriately to the floods. British EUFOR troops came to observe with their heavy equipment, which was interpreted by many demonstrating as an attempt to intimidate them. <https://www.gov.uk/government/news/additional-uk-troops-join-eufor-operation-in-bosnia-herzegovina> One Western military professional observed in July 2015, “these (“Jackal” reconnaissance vehicles) were designed for Afghanistan. So deploying them here justified keeping them. It was fit to the mission. They could have had a lower profile.”

⁹¹ Interview with Western diplomat, July 2015.

⁹² Discussion with Western military professionals, July 2015.

⁹³ The location of LOT houses, and links to their individual sites, are available here: http://www.euforbih.org/?option=com_content&view=category&id=107:lot-houses&Itemid=141&layout=default&fontstyle=f-larger

⁹⁴ Ibid.

that Russia would cast a veto in the UN Security Council when EUFOR's Chapter 7 mandate came up for renewal in November 2014.⁹⁵ Debate in the Security Council on the mandate was sharper than ever before, with Russia's position explicitly linked to wanting to prevent further Euro-Atlantic integration of countries in the region. Russia's UN Ambassador Vitali Churkin stated the position thus:

"EUFOR had played an important role... but we are against having an international presence (in BiH) in the field of security which could be viewed as an instrument to accelerate the integration of the country in the European Union and NATO."⁹⁶

Russia chose to abstain rather than cast a veto. But its point that it could torpedo the mandate was abundantly clear.

Several interviewees both prior to and following the vote reported that the threat was cause for concern in their capitals and headquarters.⁹⁷

"They didn't cast a veto last year – why not? That's the question... We had this fear back in 2008 over Georgia and Kosovo – they were pissed off then. So it's not a new issue, but it didn't happen yet. ... There was a great deal of concern last November back (in the capital). But they thought that the Russians would refrain from pulling the trigger. I wasn't so sure. In the end, they were right. But I'm not sure why – or what made them think/know it would come out that way."⁹⁸

There is a widespread understanding that given the prevailing geopolitical ferment and increased frictions between Russia and the West, the loss of the Chapter 7 mandate would be permanent. "(The mandate is) being kept as an *insurance policy*," according to one interlocutor. "If the mandate goes, it won't come back."⁹⁹

There had been earlier indicators of Russia's intent. On September 13, 2014, just prior to a visit by Dodik and Cvijanović to Moscow,¹⁰⁰ Russian Foreign Minister Sergei Lavrov stated that "the EU supreme representative (sic) plays a harmful role as he possesses dictatorial powers, which should have been abolished a long time ago. If the EU supported Bosnia-Herzegovina's election as a non-permanent member of the U.N. Security Council, it would be absurd to leave it under protectorate."¹⁰¹ In a statement published two weeks later in *Dnevni avaz*, Lavrov attacked the prospects of NATO's membership expanding to Montenegro, BiH and Macedonia as "mistaken politics and provocation by

⁹⁵ Kurt Bassuener and Bodo Weber, "EUFOR: In Urgent Need of a Plan B," *DPC Policy Brief*, October 2014, available at: <http://www.democratizationpolicy.org/pdf/briefs/DPC%20Policy%20Brief%20-%20EUFOR%20-%20In%20Urgent%20Need%20of%20a%20Plan%20B%20-%20%20Oct%202014.pdf>

⁹⁶ *Bosnia Daily*, November 13, 2014. See also "Russia Balks at UN support for Bosnia amid Ukraine rift," *Agence France Presse*, November 11, 2014, available at: <http://www.eubusiness.com/news-eu/bosnia-un-russia.ypsAgence>

⁹⁷ Interviews with Western diplomats, officials, and military professionals, Sarajevo, Berlin, Washington, London and Brussels, 2014-2015.

⁹⁸ Interview with Western official, July 2015.

⁹⁹ Discussion with Western military professionals, July 2015.

¹⁰⁰ ITAR-TASS, "Putin hails ties with Republika Srpska entity of Bosnia-Herzegovina," September 18, 2014, available at: <http://en.itar-tass.com/russia/749438>

¹⁰¹ ITAR-TASS, "Lavrov warns against revision of Dayton Agreement," September 13, 2014, available at: <http://en.itar-tass.com/russia/749438>

the North Atlantic military alliance.”¹⁰²

Yet, despite this concern about this predictable – and predicted – risk, there remained no serious contingency planning on what to do if the mission were vetoed. Prior to the vote, the greatest concern was whether EU Member States would support continuing the mandate; while German opposition to extending the executive role had faded by 2014 (after its unilateral withdrawal from the force and success in hollowing the force out), France was late to accept the extension and may have been inclined to pre-emptively end the executive role to avert a Russian veto.¹⁰³ According to some sources, French advocacy for ending the executive mandate continues.¹⁰⁴ According to one European source, France “always” wants to end the EUFOR mandate.¹⁰⁵ “But there is an informal political deal – there’s a EUFOR mission in the Central African Republic. France gets that for the EUFOR mission here” in exchange.¹⁰⁶ In interactions and advocacy in autumn 2014, the author found that the most common reaction from diplomats and officials to raising the possibility of a Russian veto and the need for contingency planning was that it was unwelcome. The mood could be summarized as “don’t speak of the devil – he may hear you and come to the door.” “I suspect (the West) will do nothing (to prepare), just like last year,” remarked one Western military professional.¹⁰⁷

The risk is even greater this year, as recognized in at least some quarters. On July 8, 2015, Russia vetoed the British-sponsored resolution in the Security Council to commemorate the 20th anniversary of the commission of genocide at Srebrenica.¹⁰⁸ “After the Russian veto, we need to pay attention...they’ve broken the taboo,” one interviewee stated.¹⁰⁹

As it was last year, there is a divergence of opinion as to whether or not the veto will be cast. “I’m told that wiser heads think that the resolution will go through, no problem. I’ve been told not to worry about it,” said one Western military professional.¹¹⁰ One Western diplomat, when asked about contingency planning for a Russian veto of the Chapter 7 mandate renewal, replied “not that I’m aware of.”¹¹¹ The surprise and velocity of Russia’s direct, expanding, and ongoing military intervention in Syria has only amplified tensions between Russia and the West since these recent interviews. The likelihood of a Russian veto of the EUFOR mandate appears even greater now than it did just a few weeks ago.

As was the case last year, there remains a spectrum of views as to what could be done in that eventuality, reflecting a worrying degree of disconnect among organizations and countries which should have a common policy. Some interlocutors argue that as long as Annex 1A remains valid, the enforcement mandate that the EU took over from NATO remains valid, even without a UNSC

¹⁰² Erol Avdović, “Moskva protiv NATO-a na Balkanu,” *Dnevni avaz*, September 29, 2014, p. 9.

¹⁰³ Interviews with EU member state diplomats, September 2014.

¹⁰⁴ Interviews with Western diplomats and military professionals July-September 2015.

¹⁰⁵ Discussions with Western military professionals, July 2015.

¹⁰⁶ *Ibid.*

¹⁰⁷ Interview with Western military professional, July 2015.

¹⁰⁸ “Russia vetoes UN move to call Srebrenica ‘genocide,’” *BBC News*, July 8, 2015, available at: <http://www.bbc.com/news/world-europe-33445772>

¹⁰⁹ Interview with senior Western diplomat, July 2015. This interlocutor also agreed that the decision was likely to be made by President Vladimir Putin.

¹¹⁰ Interview with Western military professional, September 2015.

¹¹¹ Interview with senior Western diplomat, July 2015.

mandate.¹¹² “There is a strong argument that Dayton is Dayton. But without Chapter 7, what would the legal standing of EUFOR action be under Annex 1A?,” one interviewee asked.¹¹³ Another argument offered is that since the Security Council mandate only explicitly mentions EUFOR, the NATO HQ’s mandate would remain in force. Still others dispute this, calling the argument tenuous. Another noted that while NATO HQ, which has bilateral agreements with BiH for its non-executive support role, conducted contingency planning for a Russian veto last year, “I don’t know of any planning in EUFOR.”¹¹⁴ In any case, it is difficult to imagine that the EU – or NATO – would summon the will to act *in contravention* of a UNSC decision. Both the EUFOR and NATO HQ’s status-of-forces-agreements (SOFAs) would come into question were the mandate to be retracted.

Yet, there are operating assumptions among some EU military professionals. “The veto question is more in the EUFOR mindset now. COMEUFOR has had closed-door meetings,” according to one.¹¹⁵ “If a veto were cast, it would go bilateral with local institutions, like EULEX (EU Rule of Law Mission) in Kosovo,” noting that the mission would seek a bilateral agreement with the BiH Presidency.¹¹⁶ “There is definitely a Plan B being worked on.”¹¹⁷ Yet the prevailing assumption of those working in EUFOR is that “(the force would be) NATO, *definitely*. EU would do military advisory – call themselves a military advisory group or something...a complete reorientation.”¹¹⁸

What is less clear is whether these ground-level assumptions are backed with political preparation. There has yet to be any indication of a discussion on the mandate question at the ministerial level in either the EU or NATO, roughly a month from the vote. As one interviewee recently related with a dry laugh, “I heard from Euro-Atlantic sources on the mandate: we’ll apparently know by the end of October (what the Russians will do)... So that’s what – two weeks before the vote?... There is no plan.”¹¹⁹

Bosnia and Herzegovina Views

Several BiH interviewees noted the importance of the Chapter 7 mandate. “We want to keep the EUFOR mandate. Some want to change the mandate. It’s psychological. *Reassurance*, not deterrence. We are not insisting on numbers, but real aspects of the mandate. Brits and others demonstrate the ability to reinforce. It’s not possible to achieve more,” as one BiH official stated in an interview.¹²⁰ An officer in the AFBiH expressed his concern – and rationale for it – pointedly:

“It’s important to keep Chapter 7 authorization. The politicians, all the people in charge, are lacking responsibility. You need to press them to make them responsible. Dodik became what he is because he ceased feeling pressure from you guys. Be here, stay here, show the flag, keep

¹¹² Interviews with international military personnel, July 2015.

¹¹³ *Ibid.*

¹¹⁴ Interview with Western official, September 2015.

¹¹⁵ Discussion with Western military professionals, July 2015.

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ *Ibid.*

¹¹⁹ Interview with Western military professional, September 2015.

¹²⁰ Interview with senior BiH official, June 2015.

Chapter 7. You don't know what these bandits will do."¹²¹

EUFOR polling indicates that these interlocutors are not alone among BiH citizens in their concerns. According to a poll conducted in late 2014, 70 percent of respondents described the current security situation as “fragile, instable (sic), or critical.”¹²² Twenty-five percent characterized the security situation as “somewhat stable,” with only 4 percent deeming it “very stable.”¹²³ The same poll indicated that 62 percent of respondents in the Federation found EUFOR's continued presence “crucial” (30 percent) or “very important,” (32 percent) while in the Republika Srpska two-thirds of those polled believe that EUFOR's presence is not important or harmful (38 percent).¹²⁴ In terms of how much longer EUFOR should remain in BiH, in the Federation 39 percent said EUFOR should stay as long as necessary and an additional 21 percent said it should remain 3-5 years. In the Republika Srpska, 47 percent said it should withdraw immediately, with an additional 19 percent calling for its withdrawal in 1-2 years.¹²⁵ Disaggregated by ethnic affiliation, Bosniaks were consistently more positive about EUFOR, more supportive of its remaining in BiH in the medium to long-term, and more concerned about the security situation than were Croats or Serbs.¹²⁶

Conclusions & Recommendations

EUFOR's strength has already fallen well below the threshold of credibility as a deterrent, or even ability to *react* to potential security risks without reinforcement, which may take days, even weeks, to arrive in sufficient strength. Its troop strength has perversely declined in inverse proportion to the level of political tension and polarization over the past decade in BiH, but particularly emanating from the Republika Srpska. Or, read conversely, the Republika Srpska Government has ratcheted-up its rhetoric and anti-state actions in direct proportion to its perception of the EU's weakness of its will to resist it politically or, if necessary, deter it militarily. This can have dangerous consequences.

But anemic though it may be, EUFOR's presence and executive mission remain essential. Without the Chapter 7 mandate, the EU – and the wider West – will lose its legal justification to intervene in BiH to maintain the peace without the need for international approval. Maintenance of the Chapter 7 mandate preserves the EU's ability to re-commit and get serious.

Given the fraught international climate, keeping the mandate is far from the sure thing it seemed to be until last year. Up until then, the most likely way that EUFOR could have lost its executive mandate was by its abrogation by EU Member States. Instead, as has been the case over the same period of time with the other executive institution mandated by Dayton – the OHR – the policy of EU Member States that wish to see these roles end has been to starve it of resources and the ability to act.

The confluence of Russia's increasing assertiveness in the Balkans and the deterioration of the wider

¹²¹ Interview with AFBiH officer, July 2015.

¹²² “Ten Years of EUFOR” polling, EUFOR, report seen by author in September 2015.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

regional and global political situation, with a long-threatened referendum in Republika Srpska on the legitimacy of the state judiciary scheduled for November 15, ought to focus the minds of those in Brussels, Berlin, London, Paris, and Washington on the need to retain the ability to maintain security in BiH. While Russia's disposition prior to the vote on November 8 cannot be definitively known or assured in advance,¹²⁷ decisions on how to ensure an executive force to enforce Annex 1A of the Dayton Peace Accords can be made now.

If the West wants to maintain its ability to prevent violent destabilization in BiH, or to suppress it should it erupt, retaining an executive mandate from the UNSC – or demonstrating the political will to act to uphold Annex 1A of Dayton without one – is essential. The West must demonstrate unwavering unity in its commitment to maintaining the peace in BiH and the country's territorial integrity. Ultimately, this is a political decision to be made by the Alliance and the EU together and the time to make that decision is now.

To this end, DPC recommends the following:

- 1) Western leaders at the highest levels must effectively convey to the BiH public the need for and commitment to a stronger military presence in BiH as insurance against political malpractice. Citizens need reassurance that the terms of the Dayton Peace Accords will be enforced with the existing executive instruments (EUFOR and OHR) unless and until the Dayton framework is replaced by popular consent. There can be no expiration date to this commitment.
- 2) EU and NATO governments at the ministerial level must agree on a plan of action to maintain an executive military presence as long as is necessary, as per Annex 1A, in the event of a Russian veto. This commitment to maintain a safe and secure environment against all challenges, domestic and foreign, must be convincingly conveyed to the BiH public from the highest levels in Western capitals.
- 3) NATO should conduct a long-overdue threat assessment to determine the appropriate strength, capabilities, and deployment plan for a deterrent force capable of ensuring a safe and secure environment in BiH.
- 4) Preparations – political and legal – should proceed without delay for a Plan B executive mission, informed by the NATO threat assessment, to be based at NATO HQ in Sarajevo. All NATO members must be prepared politically for the potential of a Russian veto, and demonstrate their will to maintain and bolster an executive force in BiH in case of one. Russia must be made to understand that NATO and the EU intend to uphold Annex 1A with an executive force even in the event of a Russian veto.
- 5) Members of the Quint, the EUSR and the High Representative should make preparations with all three members of the BiH Presidency for a bilateral agreement to maintain an executive

¹²⁷ A compromise on language for the Srebrenica resolution was reportedly arrived at in New York days prior to the vote; Putin personally ordered the veto. Interview with Western diplomat, July 2015.

mandate under NATO auspices as per Annex 1A, without an expiration date.

- 6) Reinforce EUFOR prior to the UNSC vote, pre-positioning operational forces in potential confrontation areas (Brčko, Mostar, eastern BiH) with company-strength units. The upcoming *Brzi Odgovor* exercise scheduled to take place in the Republika Srpska provides a perfectly-timed opportunity to reinforce the force in advance of the Security Council vote – and the Republika Srpska referendum. Force generation for the exercise should include a company of US troops (following the precedent of the Turkish contingent in EUFOR). Preparations should be made for a long-term deployment of an additional two battalions.
- 7) EU foreign ministers should adopt the 2012 Austrian proposal to deploy an EU battlegroup in BiH under the current EUFOR mandate, and if necessary to serve in a future NATO deterrent force.