

# **The Kosovo Conflict and Europe's Security Architecture: A Swiss Perspective**

Heiko Borchert  
Reckenbuehlstrasse 2  
6005 Lucerne  
Switzerland

Phone +41 (0)41 312 07 40

Fax +41 (0)41 312 07 44

Email hb@horchert.ch

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## Summary

The aim of this paper is to analyze Swiss policy during the conflict in Kosovo and the subsequent peace-building process necessary to reconstruct the war-torn region. For this purpose it is necessary to look at the international level first and then focus on Switzerland's contribution. The paper starts from two assumptions. First, a robust, coherent and long-term civilian and military framework will be necessary to rebuild Kosovo and Serbia, and to assist the FYR of Macedonia, Montenegro and Albania. A solution comparable to the Dayton Peace Agreement (DPA) will have to be implemented. However, as will be demonstrated below, lessons learned from Bosnia should be applied carefully. The paper therefore advocates an integrated approach to peace-building in Kosovo that will abandon the DPA model of institutional separation in favor of a common international peace-building mission with a unitary civilian and military command structure. Second, Switzerland's options to support this process are limited because of the country's abstention from most relevant international organizations. Switzerland's participation in the EU sponsored "Stability Pact for South-Eastern Europe" is therefore important. Apart from this multilateral process Switzerland can make valuable contributions to the ongoing international aid efforts provided it selects the right niches. The paper consequently advocates the establishment of a peace-building unit with civilian staff that would provide the technical backbone of an international peace-building mission. Furthermore, Switzerland should provide technical assistance to a number of international activities (e.g. support of the UNHCR and the UN in administrating the refugee camps and the necessary Property Claims Commission). Before the war Kosovo was an agricultural state, and therefore it is very likely that, given the country's demining is completed, people will turn to agriculture to earn their living. Switzerland could make a major contribution by providing not only technical assistance but also by transferring its know-how to establish subsistent agricultural structures. Finally, Switzerland itself will need to draw some lessons from the Kosovo crisis. In this respect the paper will focus on the Kosovo crisis' implications for Switzerland's security policy.

## Bringing Peace to Kosovo\*

If things go well, the following scene could become the press photography of the year 1999: Acting EU President Gerhard Schröder standing in front of the Cologne conference building on 3 June 1999 awaiting the EU's special envoy - and incoming EU President - the Finish President Maarti Athissari. When Mr. Athissari climbed out of his car he was welcomed by Mr. Schröder with his arms wide open and both men embraced each other as old friends celebrating a rare occasion. It was an emotionally moving welcome to the Finish special envoy so different from the briefings of the international press corps witnessed during the past weeks. It seemed as if both men had been relieved of a heavy burden, although they knew quite well that a lot of hard work remains to be done. Then, hours later, Mr. Athissari confirmed what international news services had already cabled: The Serb parliament and government had fully accepted the international peace proposal submitted by Mr. Athissari and Russian Special Envoy Viktor Chernomyrdin. The proposal which was worked out together with US Deputy Secretary of State Strobe Talbott built on earlier drafts by the G-8 and a plan by German Foreign Minister Joschka Fischer. Among other things Slobodan Milosevic agreed to an immediate and verifiable end of the massacres, a verifiable withdrawal of the Serb military and para-military forces, the establishment of an international security force with a strong NATO element, the establishment of a transitory international administration. He was also prepared to begin a political process giving Kosovo more political autonomy within the Federal Republic of Yugoslavia.

Let us turn back the clock. At the beginning of 1998, fighting between the Kosovo Liberation Army (KLA) and Serb forces broke out. In October, after months of intensive diplomatic efforts, former US Special Envoy Richard Holbrooke managed to broker a deal with Slobodan Milosevic. It foresaw the establishment of the Kosovo Verification Mission under the aegis of the OSCE. The unarmed verifiers were expected to monitor "activities related to compliance of all parties in Kosovo with the requirements set forth by the international community with regard to the solution of the crisis in Kosovo".<sup>1</sup> But, as had happened many times before in Bosnia-Herzegovina, Milosevic broke his promise. Fighting became every more intense, and the head of the KVM, American diplomat William Walker, ordered the withdrawal of the OSCE experts in March 1999.<sup>2</sup>

On 15 January 1999, news services reported the massacre of 45 civilians in Racak. Mr. Walker instantly accused the Serb Forces of committing the crime. It took about fourth months until an EU-led team of forensic experts confirmed his accusation. For many diplomats and politicians this was a turning point comparable to the mortar attack on a market in Sarajevo in Spring 1995. International endeavors to find a diplomatic solution were geared up. In February 1999, French president Jacques Chirac opened the Rambouillet peace talks. Like at the Dayton, Ohio, the international community tried to get both sides of the conflict to agree on a peace plan developed by Western diplomats. The first round of talks produced no results, and a second round was necessary. Negotiations were difficult for a couple of reasons. The Serbs seemed to have strict order from Belgrade not to agree to

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\* Research for this paper was completed on 10 June 1999. I thank Jürg Martin Gabriel for helpful comments on an earlier version of this paper.

<sup>1</sup> Decision of the OSCE Permanent Council, 15 October 1998. See also: UN Security Council Resolutions 1160 (1998) and 1199 (1998).

<sup>2</sup> See Press Release 31/1999 by the Press Office of the Kosovo Verification Mission, dated 19 March 1999 (electronically available at: <http://www.osceprag.cz/e/kosovo.htm>). On 8 June 1999 the OSCE Permanent Council decided to establish a Transitional Task Force for Kosovo to focus on preparation for a new OSCE mission in Kosovo (Press Release 40/1999, dated 9 June 1999).

anything. The Kosovars were split between the more moderate, Ghandi-style Ibrahim Rugova and the more militant representative of the KLA, Hashim Thaci.<sup>3</sup>

The agreement was very detailed (see Table 1) and explicitly drew upon the Dayton experience. It envisaged almost complete autonomy for the 1,8 million Kosovars inside the Federal Republic of Yugoslavia, the removal of the Serb forces, and the demilitarization of the KLA. In addition, the OSCE would have been given the task of establishing an international transitory administration in Kosovo. Unfortunately, the second round of Rambouillet did not produce the desired outcome either. On 23 February 1999, Rugova and Thaci signed the agreement but the Serbs refused to do the same. During the negotiations Western representatives made it clear to Slobodan Milosevic that they would be unwilling to accept the ongoing violence in Kosovo as well as his refusal to sign the agreement. They threatened to launch an air campaign against his forces in the Kosovo and, if necessary, against military targets in Serbia itself. It seems that Milosevic underestimated the willingness of Western politicians to use force. On the eve of 23 February 1999 NATO started its air attacks against Yugoslav territory. The Alliance then conducted "Operation Allied Force", an air campaign that Europeans have not witnessed since the end of the World War II.

At present, after almost ten weeks of NATO bombing, the decision to launch the twin strategy of military force and diplomatic vigor seems to produce the intended results. Although NATO countries remain split regarding the necessity of launching a ground attack it seems that the threat of such a force finally brought Milosevic to accept the proposal carried to him by Messrs. Athisaari and Chernomyrdin.<sup>4</sup> On 5 June 1999 talks between the military leaders of NATO and the Federal Republic of Yugoslavia begun in northern Macedonia. They have led to the signing of a Military Technical Agreement containing the details of the Serb troop withdrawal. Five days later, NATO Secretary General Javier Solana instructed General Wesley Clark (SACEUR) to suspend NATO's air operation.

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<sup>3</sup> For two interesting background accounts of the peace negotiations see: Gunter Hofmann, "Wie Deutschland in den Krieg geriet", *Die Zeit*, 12 May 1999, pp. 17-21; Tim Judah, "Inside the KLA", *The New York Review of Books*, 10 June 1999, pp. 19-23.

<sup>4</sup> At an international conference taking place in Austria on 5/6 June 1999 this argument seems to have been confirmed by well informed sources, the *Neue Zürcher Zeitung* reported. See: *NZZ*, 7 June 1999, p. 1.

<b>Interim Agreement for Peace and Self-Government in Kosovo</b> Rambouillet, February 23, 1999	
<b>Framework</b>	
Article I:	Principles
Article II:	Confidence-Building Measures
<b>Chapter I: Constitution</b>	
Article I:	Principles of Democratic Self-Government in Kosovo
Article II:	The Assembly
Article III:	President of Kosovo
Article IV:	Government and Administrative Organs
Article V:	Judiciary
Article VI:	Human Rights and Fundamental Freedoms
Article VII:	National Communities
Article VIII:	Communes
Article IX:	Representation
Article X:	Amendment
Article XI:	Entry into Force
<b>Chapter 2: Police and Civil Public Security</b>	
Article I:	General Principles
Article II:	Communal Police
Article III:	Interim Police Academy
Article IV:	Criminal Justice Commissions
Article V:	Police Operations in Kosovo
Article VI:	Security on International Borders
Article VII:	Arrest and Detention
Article VIII:	Administration of Justice
Article IX:	Final Authority to Interpret
<b>Chapter 3: Conduct and Supervision of Elections</b>	
Article I:	Conditions for Elections
Article II:	Role of the OSCE
Article III:	Central Election Commission
<b>Chapter 4: Economic Issues</b>	
<b>Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development</b>	
<b>Chapter 5: Implementation I</b>	
Article I:	Institutions
Article II:	Responsibilities and Powers
Article III:	Status of Implementation Mission
Article IV:	Process of Implementation
Article V:	Final Authority to Interpret
<b>Chapter 6: The Ombudsman</b>	
Article I:	General
Article II:	Jurisdiction
Article III:	Powers and Duties
<b>Chapter 7: Implementation II</b>	
Article I:	General Obligations
Article II:	Cessation of Hostilities
Article III:	Redeployment, Withdrawal and Demilitarization of Forces
Article IV:	VJ Forces
Article V:	Other Forces
Article VI:	Ministry of Interior Police (MUP)
Article VII:	Notifications
Article VIII:	Operations and Authority of the KFOR
Article IX:	Border Control
Article X:	Control of Air Movements
Article XI:	Establishment of a Joint Military Commission
Article XII:	Prisoner Release
Article XIII:	Cooperation
Article XIV:	Notification to Military Commands.
Article XV:	Final Authority to Interpret
Article XVI:	K-Day
Appendix A:	Approved VJ/MUP Cantonment Sites
Appendix B:	Status of Multi-National Military Implementation Force
<b>Chapter 8: Amendment, Comprehensive Assessment, and Final Clauses</b>	
Article I:	Amendment and Comprehensive Assessment
Article II:	Final Clauses
Source: <a href="http://www.alb-net.com/kcc/interim.htm">http://www.alb-net.com/kcc/interim.htm</a>	

**Table 1: Rambouillet- Agreement**

**What remains to be done?:** It goes without saying that the international community is facing a great challenge in Kosovo, the Federal Republic of Yugoslavia and the neighboring. Let me dwell upon this a by distinguishing what remains to be done from a military, a political and an economic perspective.

*Military Tasks:* From a military point of view the international community will have to deal at least with four problems. The first problem relates to the withdrawal of the Serb forces and, tightly connected with it, the organization of the international security force to go in on the ground. In fact this is a question of time management because the withdrawal must not create a vacuum from which

the KLA could benefit by entering into places where the Serb forces had been before. NATO commanders and the Serb commanders will have to work out the timetable and the sequencing of the withdrawal. With regard to the international security force itself two tricky questions remain to be solved. On the hand there is the question of integrating non-NATO military forces especially those of Russia. On the other hand there is the question of who will control which sector in the field. The second problem deals with the future role of the KLA. It is quite clear that the KLA will play an important role, but it should be confined to political, not military matters. The peace plan established by Atisaari, Chernomyrdin and Talbott stipulates the complete demilitarization of the KLA. Implementing this goal will need immense political will and pressure because of opposition by the KLA. It is a task for the international security forces since there is nobody else around who could handle it. A third problem that is linked with the KLA's demilitarization is the need to guarantee the safety of the Serbs still living in Kosovo. One does not have to be a prophet to argue that any kind of Kosovar revanchism will greatly destabilize the situation and make things even more difficult. Unless an adequate police force will be established this task will probably be the duty of the security force. And finally, there is demining. As in Bosnia, it will take years if not decades to uncover all the mines left behind by Serb forces. It is to be hoped that they still have their mine planes to facilitate the task. In the beginning the security force will have to handle the necessary mine clearance in order to guarantee the safety of the troops and of the first incoming humanitarian aid organizations. However, in the long run demining must be done by the local parties.

*Civilian Tasks:* Almost all western countries regard the repatriation of refugees and displaced persons as a top priority. The International Crisis Group, a Brussels-based non-governmental organization, has argued that the prospects for repatriation look somewhat better in Kosovo because refugees will not be returning to occupied properties. However, most buildings will be destroyed, and the huge number of mines or booby traps poses another great obstacle for their safe return. In addition, most people have been stripped of their identity documents which will require the establishment of a "Property Claims Commission with powers to make interim awards to claimants whose papers have been stolen."<sup>5</sup> Running the international interim administration is a second problem. The Rambouillet agreement delegated this task to the OSCE, but the European Union and the United Nations are other candidates ready to shoulder the burden. While different solutions are possible, it will be necessary to take into account some of the lessons learned in Bosnia, as will be described in the next section. A third set of problems can be summarized by "building up democratic institutions". First, this refers to the governmental infrastructure necessary to run an autonomous Kosovo. Second, special emphasize will have to be given to the establishment of police forces. Among other things, they will have to take over from the military security force the task of protecting the remaining Serbs. A strong international commitment is of paramount importance because the KLA is the strongest local force only too keen on serving as a local police force. Needless to say, for the sake of a successful peace process any kind of KLA dictatorship needs to be avoided. Third, bolstering civil society by NGO activities and building up a free media system not stirring nationalist or xenophobic feelings will also require the international community's attention.

*Economic Tasks:* By alleviating the burden of daily existence economic support has the potential to speed up the peace process. The West must make sure that economic aid has a price : verifi-

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<sup>5</sup> International Crisis Group (ICG), "Kosovo: Let's learn from Bosnia. Models and methods of international administration", ICG Report, 17 May 1999, p. 17 (available at: <http://www.crisisweb.org/projects/sbalkans/reports/kos21repa.htm>).

able political progress. In the short run, Kosovo will need financial emergency help to rebuild the infrastructure (e.g. roads, electricity, water supply, sanitary facilities) and establish programs to encourage subsistent agriculture.<sup>6</sup> At the same time the international community will have to pay attention to the danger of state corruption that could undermine the peace process.<sup>7</sup>

It is clear that these steps are the beginning of a long process of economic reconstruction and cooperation that needs to extend to all countries of the Balkan region. Estimates for post-war Balkan reconstruction range from \$30 billion (European Commission) to \$100 billion (Joseph Stiglitz, chief economist of the World Bank).<sup>8</sup> It seems more than obvious that the money needed to finance the reconstruction will come from OECD countries. But money will not suffice. What is needed is a political process that helps reconciling the conflicting parties. Western Europe's own historic experience has led many experts to advocate the establishment of a Marshall-Plan for South-Eastern Europe tied to the prospect of becoming a member of the European Union. The logic behind this proposal has been nicely captured by a recent report of the Brussels-based Center for European Policy Studies (CEPS):

The need is to bring South-East Europe to join in the way the map of modern Europe is being redrawn. This is about extending the area of jurisdiction of key rules of the modern European political and economic order. These rules govern large areas, overarching national frontiers. As these jurisdictions become more important, so also the significance of national frontiers is diminished, especially as people have complete freedom of choice where to live and work. This is of course the exact and total anti-thesis of ethnic cleansing, where people are moved forcibly to make the national/ethnic frontiers even more important.<sup>9</sup>

It is against this background that German foreign minister Joschka Fischer advanced his proposal of a "Stability Pact for South-Eastern Europe" in April 1999. Like a similar plan launched by then French Prime Minister Eduard Balladur in 1993, the Fischer plan should be initiated as part of the EU's Common Foreign and Security Policy and should be implemented under the aegis of the OSCE. Fischer's Stability Pact aims at launching an ongoing process which contributes to the stable and peaceful development of the region by democratizing the political systems, by laying the ground for economic prosperity, and by increasing regional cooperation. The participants would consist of the countries of the region, EU members, other interested third countries and representatives of international and sub-regional organizations. So called "round tables" should be established to discuss, *inter alia*, minority issues, the repatriation of refugees, economic cooperation, and the establishment of civil societies.<sup>10</sup> Needless to say that Fischer's aim is challenging and will take years to be realized. But who would have guessed that the French and the Germans, staunch opponents during much of

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<sup>6</sup> ICG, "Kosovo: Let's learn from Bosnia", p. 24 (electronic version).

<sup>7</sup> Center for European Policy Studies (CEPS), "A System for Post-War South East Europe. Plan for Reconstruction, Openness, Development and Integration", Working Document, no. 131, 3 May 1999.

<sup>8</sup> The Economist, 29 May 1999, p. 38.

<sup>9</sup> CEPS, "A System for Post-War South-East Europe", p. 31.

<sup>10</sup> For more details see the fact sheet "Ein Stabilitätspakt für Südosteuropa", dated 9 April 1999, prepared by the German Ministry of Foreign Affairs ([http://www.auswaertiges-amt.de/6\\_archiv/inf-kos/hintergr/stabdt.htm](http://www.auswaertiges-amt.de/6_archiv/inf-kos/hintergr/stabdt.htm)).

the 19th and the first part of the 20th century, could once become one of the driving forces behind Europe's integration process?

**How it should be done?:** In Bosnia-Herzegovina the international community faces one of the toughest political challenges in recent years. No wonder that politicians and academics alike turn to the Bosnian experience as a model for future missions of the same kind. In what follows I will deal with some aspects of Bosnian peace-building, first, by addressing some of the lessons to be learned, and, second, by discussing some organizational aspects of the peace-building mission to be established in Kosovo.

*Learning from Bosnia:* As mentioned the problems to be solved by the international community in Kosovo are similar to those it had to tackle in Bosnia-Herzegovina. Therefore the Bosnian experience should be analyzed carefully. This is especially true for the civilian implementation of any Kosovo peace plan and for the coordination of civil-military relations in the field. In this regard the following lessons should be taken seriously:<sup>11</sup>

- Coordination between the civilian and military part of the peace-building activities needs improvement. On the one hand this requires a better balance between the governments' contribution to both parts. On the other hand this implies a more task oriented management of civil-military relations in the field.
- Like the military command structures the organization and management structures of the civilian side must be designed with one central authority responsible for the whole civilian sector.
- When preparing the mandate the different cooperative tasks among international organizations should be taken into account by adopting a number of guiding principles (e.g. nomination of liaison officers, establishment of coordination offices, joint press conferences).
- Whether the civilian and military operate under one hat or not, the respective heads should be given executive powers and the right to take decision on behalf of the conflicting parties as long as they are not able to agree on necessary solutions.
- More integrated approaches for planning, implementing and evaluating international peace-building missions should be developed with all relevant international organizations.
- In the start up phase of the peace-building mission special emphasize should be given to synergies accruing from sharing infrastructure among all international organizations.
- Lead agency concepts should be developed in order to reduce the number of involved actors. In every area of peace-building (e.g. demilitarization, elections, economic recovery) one international organization should act as the chief coordinator and should be given executive power towards other international organizations engaged in the same area.
- The flow of information must be more task oriented by deliberately abandoning the carefully protected principle of "institutional autonomy" in favor of sharing information.
- International organizations should establish more joint working groups that facilitate the coordination of their programs and policies in advance.

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<sup>11</sup> See also: Heiko Borchert, "Den Friedensaufbau professionalisieren: Die internationale Zusammenarbeit verbessern", Paper delivered at the 2nd meeting of the "ad hoc working group OSCE" of the German Society for Political Science, Hamburg, Institute for Peace Research and Security Policy, 12 February 1999; ICG, "Let's learn from Bosnia"; Georgios Kostakos, "Division of Labor Among International Organizations: The Bosnian Experience", *Global Governance*, 1998, vol. 4, no. 4, pp. 461-484; Michael C. Williams, *Civil-Military Relations and Peacekeeping*, Oxford, Oxford University Press, 1998 (Adelphi Paper, no. 321).

- Lessons learned in international peace-building missions should be systematically analyzed. Relevant insights should be extensively circulated among all international organizations involved.

*The Kosovo Peace-building Mission:* Given the Bosnian experience the International Crisis Group recently argued that "as long as organizational vanity, and the difficulty of working together, are allowed to determine the form of international activity in such complicated tasks [such as rebuilding and administrating Bosnia-Herzegovina, HB], the international 'community' seems likely to fall short of what it could achieve."<sup>12</sup> From this the ICG's experts follow that the "helping hand" approach chosen in Bosnia-Herzegovina will probably fail in Kosovo. Hence it should be replaced by a more robust approach which gives more power to the civilian head of implementation.

While I agree with this proposal it is unfortunately not what the drafters of the Rambouillet accord had in mind. Although it seems quite certain at the moment that the Rambouillet accord is outdated it nevertheless reflects the political will of the international community to get involved in the political process of rebuilding Kosovo. When comparing the powers of the Chief of the Implementation Mission (CIM) with the ones given initially to the High Representative in the Dayton Accords<sup>13</sup> one sees that the international drafters did not think of strengthening the position of the chief civilian in the field. Especially noteworthy is the CIM's complete authority to take decisions that are binding on the conflicting parties. The High Representative was granted this right by the Peace Implementation Council in 1997 and has since made use of it to achieve progress. If, as seems likely at the moment, the United Nations will dispatch the future head of the implementation mission - according to the Rambouillet agreement it would have been the OSCE's task - this weakness in the head's mandate should be eliminated.

Before discussing the structural design of an international peace-building mission a second crucial point must be mentioned: the relationship between the civilian and the military part of the implementation mission. At the moment everything is set for the Dayton approach, which means that in Kosovo civilian and military implementation will be separated.<sup>14</sup> When discussing the mandate of the international implementation mission in the UN Security Council this should be reconsidered. Before Bosnia, peace-building missions under the mandate of the United Nations had a unitary command structure, which means that the head of mission was at the same time its chief commander and head of the civilian unit. This was the case in Cambodia (UNTAC) and in Eastern Slavonia (UNTAES). Experience with the unitary approach was good because fundamental disagreements between the two sides as well as political reluctance of one side acting on behalf of the other could be avoided.<sup>15</sup> From the history of the Dayton Agreement we know that the US diplomats who hammered out most

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<sup>12</sup> ICG, "Kosovo: Let's learn from Bosnia", p. 19 (electronic version).

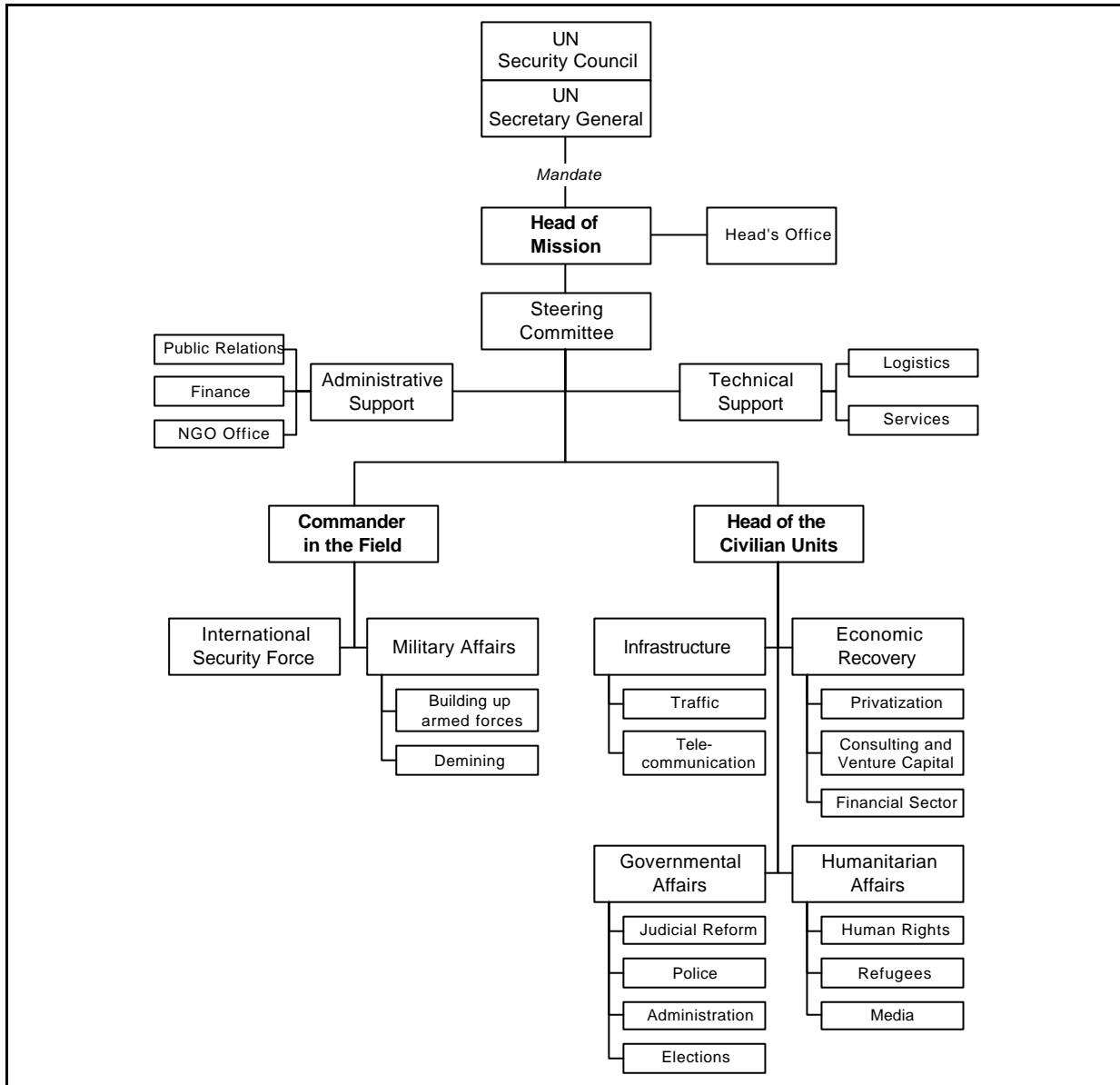
<sup>13</sup> Chapter 5 of the Rambouillet Agreement (online at: <http://www.alb-net.com/kcc/interim.htm>) and Annex 10 of the Dayton Accords (online at: <http://www.ohr.int>).

<sup>14</sup> While writing this paper it seemed likely that General Michael Jackson, Commander of NATO's Allied Command Europe Rapid Reaction Corps (ARRC), would become the head of the troops entering Kosovo (NZZ, 7 June 1999, p. 3).

<sup>15</sup> Steven R. Ratner, "The United Nations in Cambodia: A Model for Resolution of Internal Conflicts?", in Lori Fisler Damrosch (ed.), *Enforcing Restraint. Collective Intervention in Internal Conflicts*, New York, Council on Foreign Relations Press, 1993; Michael W. Doyle and Jan Müller, "Anatomie eines Erfolgs. Die UN-Mission in Ostslawonien", *Internationale Politik*, 1998, vol. 53, no. 6, pp. 34-38; Michael W. Doyle, *UN Peacekeeping in Cambodia: UNTAC's Civil Mandate*, Boulder, Lynne Rienner Publishers, 1995.

parts of the accords were especially determined to separate the civilian from the military side. The reason was the problems arising from a split chain of command when requesting NATO air strikes to guarantee the safety of the UN safe areas. While separation might increase the military efficiency of IFOR/SFOR it certainly has diminished the standing of the High Representative *vis-à-vis* the conflicting parties because they know that he does not have any military means at hand. It seems fair to assume that the situation in Kosovo is rather different. There should not be any war fighting, or at least not of the kind that will make it necessary to rely on NATO air strikes for months, when the international forces enter Kosovo. Thus, the primary reason for the Dayton solution, to safeguard the unity of command in order to avoid military ineffectiveness and political intrusion into military deliberations, no longer shines as prominently as in Bosnia. Hence, the international community should change its mind and appoint one head of mission.

This brings us to the organizational structure of the Kosovo peace-building mission. If the question of how the mission's head will be appointed is put aside for the moment, two basic options are possible. The "Dayton approach" suggests that we will see a rather weak civilian head of mission acting as the liaison between the UN Secretary General, the military forces, the international organizations that will provide humanitarian help in the field and the local parties. At the same time it can be expected that certain issues such as the organization and observation of elections, the economic recovery and the repatriation of refugees and displaced persons will be handed over to the OSCE and the Council of Europe, to the European Union and other international financial institutions (e.g. World Bank, IMF, EBRD), and to the UNHCR, respectively. This solution is sure to create the same "organized chaos" that can be observed in Bosnia. The international community should therefore adopt a more "integrated approach" as shown in Figure 1.



**Figure 1:** Kosovo Peace-building Mission

As things now stand we can expect the Head of Mission (HoM) to operate on behalf of the UN Secretary General under a mandate of the Security Council adopted under Chapter VII of the Charter. Let us also assume that the Head will at the same time preside over the military and civilian part of the mission and that he will be granted extensive executive powers (i.e. the right to take decision on behalf of the conflicting parties). It is to be assumed that the HoM will regularly have to inform the UN Security Council and other international institutions such as the Stability Pact for South-Eastern Europe. To do his job he would be supported by his own staff.

Managing the mission and adopting the necessary strategies and decisions would come under the responsibility of the Steering Committee. This would consist of the HoM acting as the Committee's chairman, his deputy who would at the same time head the civilian parts of the implementation mission, and the acting military commander. The military commander would head the International Security Force, but he would also be chief coordinator for such "interlocking" tasks as building up democratic armed forces, rebuilding infrastructure, and demining. To analyze the situation in the field and to adopt decisions, the Committee would consult with the heads of the different subordinate units

organized along different issue areas as Working Groups. These Working groups would be composed of local and international experts as well as experts assigned from other international organizations in their respective field of competence (e.g. OSCE election observers, UNHCR refugee experts, IMF banking specialists etc.). These Working Groups would be responsible for implementing the Committee's strategies and decisions. There could be a Working Group dealing with military issues such as the democratic control of armed forces. Other groups could deal with questions of infrastructure, rebuilding the economy, supporting the government and handling humanitarian affairs. Of course, problems such as the repatriation of refugees are handled by various Working Groups therefore requiring coordination. Finally, technical and administrative support would come from two separate units.

Establishing such an International Peace-building Mission has many advantages: By working together coordination will be facilitated drastically, personal communication will be easier, and the sharing of resources will improve efficiency. Situation analysis will be facilitated because information flows will come together in the Steering Committee, which could also be given the right to rely on satellite information provided by NATO and the WEU. Since such a mission would be organized jointly, difficulties in logistics or the provision of additional resources could be handled more easily. Finally, there should be no doubt that the image of an international community acting coherently will influence the parties to the conflict.

## **Switzerland's contributions: Present and future**

Besides having to cope with a growing number of refugees at home, Switzerland's government has launched numerous programs to support the international community (see Table 2). The Department of Defense, Civil Protection and Sports (DDPS) has deployed three "Super-Puma" helicopters and a number of fortification guards responsible for the mission's security. Their mission is to support the UNHCR. Together with other countries the Swiss Agency for Development and Cooperation (SDC) has launched an international humanitarian assistance program called "Focus" that has so far transported more than 900 tons of food and other commodities to the region. Experts of the Swiss Disaster Relief Unit, which is part of the SDC, concentrate on coordinating humanitarian aid in the field and on supporting the local refugee camps, primarily in Albania and Macedonia.<sup>16</sup>

Although these activities are valuable the overall record of Switzerland's policy towards the Kosovo conflict is mixed. On 21 May 1999, Alexander Tschäppät, the Head of the Control Commission of the National Council, a parliamentary watchdog committee, correctly criticized that "every Federal Councilor seems to act on its own" and that Switzerland's policy lacks the necessary coherence. One Federal Councilor, he said, is playing hard ball with the refugees (former Councilor Arnold Koller), while another Councilor transports refugees from the Kosovo in her airplane. The critique aimed at Ruth Dreifuss, acting President of the Federal Council. Furthermore he criticized the lack of coordination between the SDC sponsored "Focus" program and the International Committee of the Red Cross (ICRC). Apart from a lack of adequate information Tschäppät also referred to the institutionally weak position of the President of the Federal Council as one the main reasons causing

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<sup>16</sup> For more up to date information on Switzerland's humanitarian activities see the weekly "Balkan Newsletter" jointly issued by the Federal Department of Foreign Affairs, Justice and Police, and Defense, Civil Protection and Sports (online at: <http://www.eda.admin.ch/site/g/publikationen/balkanbulletin.htm>) and the "Focus" homepage ([http://194.6.168.112/en/humanitare/human/\\_focu.html](http://194.6.168.112/en/humanitare/human/_focu.html)).

problems: "If the Federal Council has to cope with something 'explosive' one gets the impression that his work is becoming uncoordinated", Tschäppät argued.<sup>17</sup>

While the institutional weakness of the "Federal executive" is familiar, Tschäppät's critique could be developed one step further. The lack of coherence can also be attributed to the inconsistent application of Switzerland's foreign policy principles as laid down in the Foreign Policy report issued in 1993 (*Bericht '93*).<sup>18</sup> Instead of emphasizing the traditional goal of sovereign independence the report stipulated five different aims: (1) peace and security, (2) human rights, democracy and the rule of law, (3) economic welfare, (4) social justice and (5) a healthy environment. With regard to achieving these results the report undertakes an important shift. So far neutrality had been the main instrument of Switzerland's foreign policy and primacy of independence was the ultimate goal. The new report talks about the need to carefully balancing different ends and means. The report makes strong commitments in favor of acting in solidarity with the international community, in supporting international organizations, and particularly in bolstering the collective security system of the United Nations as well as regional security regimes such as the OSCE and the European Union's Common Foreign Policy (CFSP). Multilateralism is given much more weight while neutrality is used only when all other instruments fail and the international order has collapsed.<sup>19</sup> The following foreign policy options are declared compatible with Switzerland's status as a neutral country: Joining the United Nations and the European Union, participating in the development of the Union's CFSP, joining the North Atlantic Cooperation Council (now called Euro-Atlantic Partnership Council) and NATO's Partnership for Peace program, participating in economic sanctions of the United Nations and the EU, participating in peacekeeping operations and granting the UN and NATO the right of transit.<sup>20</sup>

This paper is not the place to discuss all aspects of Switzerland's foreign policy in the Kosovo conflict. However, it is evident that the policy is characterized by a combination of forward- and backward-oriented elements.<sup>21</sup> The Department of Defense has to be applauded for acting on the principles set forth by the *Bericht '93*. This is especially true for the decision to launch "Operation ALBA" and to arm individual Swiss soldiers stationed in a combat zone. In doing so the Department operated at the limits of Swiss law.

Despite its humanitarian assistance program the Department of Foreign Affairs plays a more ambivalent role. On the one hand then Foreign Minister Flavio Cotti was amongst the first to morally condemn the policy of ethnic cleansing and expulsion in the Kosovo. On the other hand and contrary to the *Bericht '93*, Switzerland has not fully backed the sanctions imposed by the European Union against the Federal Republic of Yugoslavia due to incompatibility with the law of neutrality.<sup>22</sup> The

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<sup>17</sup> NZZ, 22 May 1999, p. 13.

<sup>18</sup> *Bericht über die Aussenpolitik der Schweiz in den 90er Jahren, Anhang zur Neutralität vom 29. November 1993*, BBl 1994 I 153 (quoted according to the off-print ? 93.098).

<sup>19</sup> *Bericht über die Aussenpolitik der Schweiz in den 90er Jahren, Anhang zur Neutralität vom 29. November 1993*, pp. 20-46.

<sup>20</sup> For a critical assessment see: Jürg Martin Gabriel, "Neutralität für den Notfall: Der Bericht des Bundesrats zur Aussenpolitik der Schweiz in den 90er Jahren", in Jürg Martin Gabriel, *Sackgasse Neutralität*, Zürich, vdf Hochschulverlag, 1997, pp. 129-158.

<sup>21</sup> I thank Jürg Martin Gabriel for suggesting this point to me.

<sup>22</sup> A further hint that this problem will persist in the future is given by the new "Security Policy Report 2000" released on 10 June 1999. Following the *Bericht '93* the report says that as a full member of the EU Switzerland could participate in formulating and deciding upon Europe's security policy, and would have to back common policies. This seems to cause headaches in Bern because the report further stipulates: "By referring to the principle of constructive abstention, [Switzerland] would not have to back actions that it deems in-

Department decided not to support the ban of oil transports to Yugoslavia but stipulated that such transports would have to be notified. The government also decided not to join the EU states in their ban against the Yugoslav airline JAT, which was justified with reference to Swiss asylum policy. It was argued that sanctions against JAT would endanger the possibility of repatriating refugees with the airline's help. These explanations sound somewhat strange, they stand in stark contrast to solidarity and multilateralism as stipulated in the *Bericht '93* and suggest that there are differences within the administration with regard to the application of these principles.<sup>23</sup>

The record of the of the Department of Police and Justice is similarly ambivalent. Its cooperation with the United Nations High Commissioner for Refugees is certainly in line with the report's principle of actively supporting international organizations. However, the Department's strategy of making Switzerland more and more unattractive as a "safe heaven" for refugees and the discussion of "emergency legislation" to restrict access to the labor market and health and education services create an unpleasant feeling. There is no doubt that with welcoming about 50'000 refugees from the Kosovo and 140'000 to 150'000 permanent and temporary residents from the region Switzerland is shouldering a large burden.<sup>24</sup> However, we should not forget that countries like Albania or Macedonia, which received more than 400'000 and almost 250'000 refugees in the past months, are paying a much higher tribute than Switzerland.<sup>25</sup> It seems as if in this case solidarity is competing with domestic politics and an eye on the elections in autumn of this year.

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compatible with its own policy" (p. 44). Hence, even before joining the EU, Switzerland is already referring to the principle of constructive abstention. Has anyone ever used the word "solidarity" with the Union's CFSP?

<sup>23</sup> Before the decisions on supporting the EU's sanctions were taken, the *Neue Zürcher Zeitung* reported that there were in deed differences within the Department of Foreign Affairs. While the Political Direction argued in favor of completely backing the sanctions the Direction for International Law had its doubts whether such a decision would be compatible with the law of neutrality. See: NZZ, 17 May 1999, p. 13.

<sup>24</sup> Press release by the Department of Police and Justice, 8 April 1999.

<sup>25</sup> Figures by the UNCHR, dated 3 June 1999, quoted in the "Balkan Newsletter" jointly issued by the Department of Foreign Affairs, Police and Justice, Defense, Civil Protection and Sports, 4 June 1999.

*31 March 1999:* The Federal Council grants a supplementary credit of 20 million Swiss francs for humanitarian aid to support the Swiss Disaster Relief Unit, the UN High Commissioner for Refugees (UNHCR) and the ICRC. The money is needed for emergency shelter, aid for the refugees and their medical treatment.

*6 April 1999:* Three Super-Puma helicopters of the Swiss Air Force start their international mission to support the UNHCR in Albania (Operation ALBA). It is the first mission of this kind for Switzerland's armed forces. The mission was launched on a request by the Euro-Atlantic Disaster Response Coordination Center (EADRCC) which coordinates the humanitarian aid actions of PfP countries. In order to guarantee logistical support the Department of Defense rents a transport aircraft (CASA 235) from the Spanish Air Force.

*7 April 1999:* In reply to a request by the UNHCR, the Federal Council decides to receive Yugoslav citizens living in the Kosovo and seeking asylum in Switzerland.

*14 April 1999:* Switzerland intensifies its help with a program called "Cash for Shelter" worth 10 million Swiss francs. The program aims at financially supporting families in Kosovo's neighboring countries willing to receive refugees. Additionally, the government decides to prolong the Army's mission in supporting asylum camps and reception centers in Switzerland.

*19 April 1999:* The Federal Council bans the transit of NATO airplanes involved in NATO's Operation Allied Force but allows transit for humanitarian purposes.

*19/20 April 1999:* Swiss President Ruth Dreifuss visits Kosovo. Her decision to return with about 40 refugees from the Kosovo who will be received by their relatives in Switzerland creates political upheaval. Later it becomes clear that the relevant authorities in Bern had been informed about this step.

*21 April 1999:* The Federal Council decides to prolong "Operation ALBA" until the end of July. In a press conference, Defense Minister Adolf Ogi says "Operation ALBA" had proved the importance of long range air transportation capabilities. He suggest that the next armament procurement program should foresee the acquisition of a transportation aircraft.

*28 April 1999:* The Federal Council decides to establish two new institutions (a special committee and the position of an information coordinator) aimed at improving the Council's ability to react quickly in times of emergency. For the provision of humanitarian assistance, Switzerland, Russia and Greece set up the "Steering Group for Humanitarian Relief" which coordinates the humanitarian aid program "Focus". "Focus" aims at helping victims, both in the Kosovo and in Serbia.

*19 May 1999:* After carefully analyzing the compatibility with Switzerland's status as a neutral country, the Federal Council decides to join the EU in some of their sanctions against the Federal Republic of Yugoslavia. Switzerland supports the freezing of bank accounts, the ban of private export credits, the export ban on goods and technology and refuses the entry of about 300 high ranking Yugoslavs politicians and their relatives. At the same time the government refuses to support the ban of oil transport and the sanctions taken against the Yugoslav airline JAT.

*26 May 1999:* Minister of Justice Ruth Metzler appoints Urs Hadorn deputy head of the Federal Office for Refugees to coordinate all measures necessary in the issue are of migration caused by the Kosovo conflict.

*31 May 1999:* The government decides the following measures: to continue relying on the armed forces for protecting diplomatic representations and for supporting refugee camps, to prepare emergency legislation restricting the refugees' access to the labor market as well as to health and education services, to organize a national asylum conference with the Cantons, to envisage a better international burden sharing with regard to receiving refugees, and to receive UNHCR contingents only when Swiss capacities allow to do so.

*2 June 1999:* While visiting the Former Yugoslav Republic of Macedonia, Swiss Foreign Minister Joseph Deiss declares that Switzerland will support the "Cash for Shelter" program with one million Swiss Francs. The "Cash for Education" and "Cash for Health" program will each receive two million Swiss Francs. Additionally, ten million Swiss Francs should help support Macedonia's balance of payments and should compensate for some of the trade and investment loss caused by the Kosovo conflict.

*4 June 1999:* Switzerland answers a NATO request for support of the alliance's international security force to be established in Kosovo. The Department of Defense suggests an unarmed force of 50 to 100 men for rebuilding the infrastructure (electricity, water distribution) and says that a transportation unit with helicopters, probably the "Super-Puma" unit, could also be deployed.

*5 June 1999:* Austria joins the "Focus" team. The four "Focus" partners sign a Memorandum of Understanding with the Federal Republic of Yugoslavia in Moscow. The partners agree to provide humanitarian aid in Kosovo as soon as possible.

*10 June 1999:* On invitation of the German EU Presidency, Swiss Foreign Minister Joseph Deiss is among the participants of the "Stability Pact for South-Eastern Europe".

**Table 2:** Swiss activities in the Kosovo conflict since March 1999

**Future activities:** What can be expected of Switzerland's future contribution? We should remember that at the international level Switzerland is a minor player, i.e. its means are limited. This holds true for any military commitment (Swiss armed forces are in fact unarmed forces internationally), for political support (due to the abstention from the relevant international organizations) and for economic activities as well (different budget cutting exercises are under way at home that make granting international credits more difficult).

Switzerland's future contributions to alleviate the negative consequences of the Kosovo conflict should be based on at least four principles: First, Switzerland should do everything it can to support the ongoing international aid programs. The international organizations should lead the way and Switzerland must act on their behalf. Second, the government must make it clear that international support is "help for self-help" and that aid is conditional on fulfilling certain principles (e.g. verifiable political progress, establishing democratic institutions, refrain from promoting hatred etc.). Third, Switzerland's contribution should aim at extending ongoing aid programs and should build on the experience gained in similar missions (e.g. Bosnia-Herzegovina). Finally, Switzerland's contribution should help in the repatriation of refugees and displaced persons to Kosovo and should allow for learning to cooperate multilaterally.

Following these four guidelines, the Federal Council will have to set priorities. It can be assumed that NATO will be the primary actor in the military field; the European Union and international financial institutions such as the World Bank, the International Monetary Fund (IMF) and the European Investment Bank (EIB)<sup>26</sup> will be the key players in the economic field. This does not imply that Switzerland should refrain from making contributions in these fields, but it signals that the government should focus on the civilian side of the peace-building process. Here help will be most urgently needed, and Switzerland can indeed make a number of valuable contributions. Let me discuss the possible contributions in more detail.

*Military tasks:* It has already been said (Table 2) that Switzerland is ready to support KFOR. The question of arming Switzerland's forces will probably be crucial to the domestic political debate and to the decision of NATO to accept the Swiss contribution. We should keep in mind that the fact of not arming Swiss soldiers in Bosnia-Herzegovina was decisive for NATO's decision not to include them in IFOR. In this regard the recent decisions of the General Staff to arm the fortification guards that guarantee the security of "Operation ALBA" is a welcome decision that has set a precedent. Whatever the final outcome of this discussion will be it is of paramount importance that Switzerland make a military contribution. Not because this contribution will greatly support KFOR but because the contribution will be the first litmus test for the new report on Switzerland's security policy. "Security through cooperation" is the new guideline for Switzerland's security policy, and "Operation ALBA" and the contingent to be established for KFOR are the first test cases.

*Civilian tasks:* While the international community is busy guaranteeing military security and strengthening a war-torn society's economy, the civilian aspects of peace-building tend to be underestimated. This holds true for the "organized chaos" that reigns among international and non-governmental organizations providing aid and humanitarian assistance, and it also holds true for the reluctance of the international community to support these organizations with the necessary re-

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<sup>26</sup> The EIB seems better suited to fulfill this task than the European Bank for Reconstruction and Development (EBRD), because the latter's financial capacity is still limited. Furthermore it also has to absorb some difficult operation conditions in the CIS caused by the Russian financial crisis. See: CEPS, "A System for Post-War South East Europe", p. 10.

sources. In this situation Switzerland can make a number of very useful contributions. First of all, the Swiss government should extend (temporarily unlimited) "Operation ALBA" to support the UNHCR and the help provided by the Swiss Disaster Relief Unit in the refugee camps. In addition, the government should think about the following options:

- **SWISS PEACE-BUILDING UNIT:** In 1996, the government decided to set up a Swiss Headquarters Support Unit (SHQSU) in Bosnia-Herzegovina to support the local OSCE mission. The SHQSU was responsible for the logistical support (including postal services) and for maintaining the OSCE's vehicles. This approach should be developed one step further by establishing a Swiss Peace-building Unit consisting of a Headquarters Support Unit (HSU) and a Civilian Reconstruction Unit (CRU). Both sub-units could be deployed either together or separately. The HSU should be interpreted as the nucleus for the administrative and technical support of the Kosovo Peace-building Mission discussed in the previous chapter. It would be staffed with the necessary experts (e.g. IT specialists, executive personnel, technical specialists) and would be given the necessary technological resources. Endowed with the facilities needed to quickly set up a mission's headquarters, the HSU would be an indispensable tool. The CRU would build on the experience and resources of the Swiss Disaster Relief Unit. It would be completed by legal and administrative experts, business consultants and, once elections will be held in the Kosovo, by election observers. Together with employees of international organizations these experts could set up a coordination center responsible for the management of international aid programs in the field.
- **PROVIDING INFORMATION TECHNOLOGY:** Notwithstanding the final decision on the Swiss Peace-building Unit the Swiss government should invest in the technical support of the international organizations and the local institutions to be established. Especially the UNHCR, responsible for managing the different refugee camps, has suffered from a lack of adequate technological resources that could have facilitated registering the refugees. The same will probably hold true for other local and international institutions to be established (e.g. Property Claims Commission, Mine Action Center). It is to be expected that the provision of the necessary information technology and experts would be greatly appreciated. Because proper information management will be the backbone of the international community working in the field, Switzerland should try to avoid single source solutions and should favor an integrated information concept.<sup>27</sup> The concept should aim at establishing a network of computers and providing central databases with access by all relevant international actors. The intranet created for the international community could henceforth allow the retrieval of all discussion minutes, timetables, resource plans, maps and decisions of the international organizations.
- **POLICE FORCES:** During the transition civilian police forces play a very important role. It has been argued before that the international community will have to maintain an international police force until the local forces are set up. However, police forces provided by the international community often lack the necessary training and know-how required in a certain mis-

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<sup>27</sup> To make it sure: The Swiss government should not aim at operating such a system itself. For this purpose it should bid a competition among professional IT providers. They would be financed by the government but would be responsible for the hard- and software as well as adequate staffing.

sion. The Swiss government could help improving the situation by offering, together with other governments, a training program comparable to the one already offered for military observers. In these courses international policemen would learn linguistic basics, would get accustomed with local habits and, if necessary, would learn how to use modern information technology and transportation vehicles.

*Economic tasks:* There can be no doubt that the lions share of international economic aid will be shouldered by the European Union and international financial institutions. It is equally obvious that the "Stability Pact for South-Eastern Europe" initiated by the German EU presidency will play the leading role in coordinating economic as well as political support. Switzerland has a natural interest in joining the Stability Pact. Besides the government, as it has already said, can extend financial assistance to countries neighboring the Kosovo and it can grant money in exchange for concrete measures undertaken there (e.g. "Cash for Shelter", "Cash for Education", "Cash for Health"). Once the economic infrastructure has been set up, the government can promote exports to the region by covering credit risks of the exporting Swiss companies. Until then, Switzerland should help building up subsistent agricultural structures. It has been argued in the first chapter that Kosovo was an agrarian society before the conflict broke out. It can therefore be assumed that most returning refugees will turn to agriculture. Cultivating the fields will only be possible after demining is completed and with the necessary means at hands. Providing these means is a job for the Swiss Agency for Development and Cooperation (SDC) and the *Schweizerische Hochschule für Landwirtschaft*. Again the principle of "help for self-help" means that Switzerland should provide the basic instruments and the necessary know-how of modern agricultural management. For this purpose one could think of establishing a training program for those refugees that are currently living in Switzerland. Educating them while they are in Switzerland and providing the necessary instruments and resources in Kosovo should create an incentive to return home.

**Lessons to be learned:** Besides supporting the international community the Swiss government will have to analyze which lessons must be learned from the Kosovo conflict. I can only hint at some points that should be kept in mind with regard to the ongoing process of reforming the country's security policy and its armed forces.

*Lesson No 1: The latest developments in European security policy will heavily affect Switzerland's security policy.* First, the Kosovo conflict has demonstrated what NATO will be in post cold war Europe. Second, the conflict has also made clear that with the partial exception of the UK and France, European armed forces lack the necessary capabilities for crisis management. This can be interpreted as the primary reason for the Franco-German decision to reactivate the Eurocorps and its new role as a rapid reaction force.<sup>28</sup> In addition, the fast-track plan to integrate the Western European Union into the European Union in order to back up the latter's military crisis management capability can also be traced back to recent events.<sup>29</sup> Finally, the ties between the European Union and NATO are getting closer, with NATO granting the Union access to its military capabilities.<sup>30</sup> It

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<sup>28</sup> NZZ, 31 May 1999, p. 3.

<sup>29</sup> European Council Declaration on Strengthening the Common European Policy on Security and Defense (Annex III), Presidency Conclusions, Cologne, 3/4 June 1999 (SN 150/99), pp. 33-42.

pabilities.<sup>30</sup> It has been argued during EU discussions that the position of the EU-neutrals will not be formally changed by the WEU's integration into the Union. However, it is quite clear that it will become more and more difficult to stay aside in core questions of European defense and security policy. To make it clear: EU and NATO membership are still two different things. Nevertheless, there will be growing political pressure from the Union to reduce differences in membership. This is due to the fact that the application of article V of the WEU treaty remains restricted to those EU countries that belong to NATO. The faster the Union is expanding eastwards and the longer it takes to build up the necessary military capabilities the greater will be the danger of so called "back door" security guarantees for the new members that Washington is not willing to give. Switzerland will have to take these developments into account when approaching the European Union by clarifying its attitude towards NATO and towards neutrality.

*Lesson No 2: Stand by your principles.* "Security through cooperation" is the new guideline for Switzerland's security policy in the next century. The country's government is to be applauded for the definition of this goal. However, we also know that it is one thing to define a goal and another thing to realize it. There are rumors that the Kosovo conflict has lead some high ranking officials in the DDPS to think aloud about distancing Switzerland from NATO and from its Partnership for Peace Program. Neutrality, for some, had been filled with new life during the Kosovo Conflict and Switzerland should again think twice about abolishing the principle that safeguarded its security for centuries. It is also an open secret that there is heavy disagreement among some proponents of the General Staff and the civilian leadership of the Department of Defence with regard to the necessity of participating in the PfP Program at all. Again, insiders argue that the political branch of the Department values the possibility of participating in NATO's EAPC, while the military branch still has to cope with the consequences of the PfP Program as it was launched in 1994. Needless to say that both trends are a bad omen for the ongoing reform process labeled "Army XXI". Hence, the lesson to be learned from the Kosovo conflict is that the Department's civilian leadership must stand by its principles. There is no alternative to security by cooperation and there is also no serious alternative to Switzerland's continuing integration into the Euro-Atlantic security institutions. This must be made crystal clear, even when it means that some members of the military leadership have to be dismissed.

*Lesson No 3: "Security through cooperation" must influence the army planning and armament procurement.* The Defense Department's analysis of the Kosovo conflict will have to make its way through to the new structure of the armed forces and into a new armament procurement strategy. Ranked according to their importance, the new *Security Policy Report 2000* distinguishes between (a) peace support and crisis management, (b) prevention and the capability to deal with existential dangers and (c) defense.<sup>31</sup> Although additional categories should have been added<sup>32</sup> and the domestic role of the army (see below) should have been more precisely defined, this is a good start. Shifting the focus from the primacy of territorial defense to increasing international military cooperation will have great consequences.

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<sup>30</sup> Washington Summit Communiqué, signed and issued by the heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C., 24 April 1999 (NAC-S(99)63), para. 9-10.

<sup>31</sup> *Sicherheit durch Kooperation. Bericht des Bundesrates an die Bundesversammlung über die Sicherheitspolitik der Schweiz (SIPOL B 2000)*, 7 June 1999, pp. 36-39.

<sup>32</sup> For a more detailed proposal see: Heiko Borchert and Jürg Martin Gabriel, "Die Schweizer Armee und die europäische Sicherheitsordnung: Herausforderungen und Aufträge", in Thomas Cottier and Alwin Kopse (eds.), *Der Beitritt der Schweiz zur Europäischen Union*, Zürich, Schulthess Polygraphischer Verlag, 1998, pp. 621-632.

First, the problem of arming troops abroad must finally be solved. While the Commission for Security Policy of the Swiss National Council has recently agreed to arming forces abroad,<sup>33</sup> no final decision has yet been taken. Second, Switzerland will have to decide in advance about the forces to be deployed to international peace support operations. This will lead to changes in armament procurement. It is a well known fact that peace support forces have different needs than forces of territorial defense. Among other things they require air transportation capabilities and armored vehicles. In addition they must be able to interact with NATO forces. As the experience of the three Swiss Super-Puma helicopters operating on behalf of the UNHCR in Kosovo has shown this is not yet the case. Because they lacked the necessary technical device they had to be accompanied by NATO helicopters in order to pass the "friend or foe" test by NATO's air defense and radar systems. Third, recruiting principles for peace support operations must be analyzed carefully. The militia system does not produce the amount of troops necessary for middle and long term international involvement. Hence, some sort of professionalization will be needed. In addition one will also have to think about the legal aspects. A recruiting system that requires doctors to become temporary members of the federal service before taking part in the UNHCR support mission<sup>34</sup> is simply too complicated and needs to be more flexible.

*Lesson No 4: New ideas are needed to deal with the army's domestic role.* So called "subsidiary operations" by the armed forces are politically difficult. There is good reason to rely on the armed forces in case of emergencies caused by natural catastrophes such as floods or avalanches. By contrast, the protection of foreign embassies in Switzerland or the surveillance of refugee camps is not a task that should be given to the armed forces. While it is true that such operations will have to be approved by the relevant civilian authorities, there is a tendency to rely on the armed forces too quickly.<sup>35</sup> For both tasks one should either think of outsourcing it to private security companies, establishing more robust police forces in the cantons thereby following the French or Italian pattern, or of beefing up the civil protection forces that could play a useful role in managing refugee camps.

*Lesson No 5: The management structures of the Department of Defense need to be totally overhauled and the primacy of politics has to be reaffirmed.* Steven Cambone of the Washington based Center for Strategic and International Studies (CSIS) has recently presented his analysis of the US national security policy planning structures. He argued that the structures are outdated and too much focused on military aspects of security.<sup>36</sup> The same can also be said about the structure of the Swiss Defense Department. Apart from the discussion about a Swiss National Security Council,<sup>37</sup> there are two basic structural problems that have so far been underestimated by the reformers.

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<sup>33</sup> NZZ, 12 May 1999, p. 13

<sup>34</sup> NZZ, 17 May 1999, p. 11.

<sup>35</sup> Verordnung über den Truppeneinsatz für den Ordnungsdienst (SR 513.71), Verordnung über den Truppeneinsatz für den Grenzpolizeidienst (SR 513.72), Verordnung über den Truppeneinsatz zum Schutz von Personen und Sachen (SR 513.73). The costs of such operations conducted by the armed forces tend to be underestimated. According to calculations by the Swiss General Staff operations provided by the Army in supporting and surveilling refugee camps could cost up to 100 million Swiss Francs. See: NZZ, 29 May 1999, p. 16.

<sup>36</sup> Steven A. Cambone, *A new structure for national security policy planning*, Connecticut, Praeger, 1998.

<sup>37</sup> Kurt R. Spillmann, "Sicherheitspolitik ist Chefsache der Exekutive. Überlegungen zur strategischen Neuausrichtung", NZZ, 15 March 1999, p. 11; *Sicherheit durch Kooperation. Bericht des Bundesrates an die Bundesversammlung über die Sicherheitspolitik der Schweiz (SIPOL B 2000)*, p. 67-69.

First, in Switzerland civil-military relations have for centuries been military-civilian relations. Most prominently this fact is reflected in the management structures of the Department. The top decision making units (*Geschäftsleitung* and *Geschäftsleitungssausschuss*) are dominated by high-ranking military officers.<sup>38</sup> By contrast, New Zealand's Ministry of Defense is headed by the Secretary of Defense and an Executive Board that consists entirely of civil managers. The Commanders of the Army, the Navy and the Air Force are subordinate to the Executive Board.<sup>39</sup> It comes as no surprise that the Swiss Defense Department can hardly adopt decision that the military oppose. This poses particular problems with regard to Switzerland's participation in NATO's PfP Program and with regard to the necessary reform of the recruiting system and the training of the soldiers.

Second, insiders have for long advocated the establishment of corporate structures at the top of the Department by dissolving the Secretariat General and reorganizing the administrative structures. This proposal takes into account the most recent security changes in Europe which no longer require the primacy of territorial defense. It is also a consequence of the declared aim of implementing the principles of new public management. Finally, establishing corporate structures is necessary to safeguard the Department's manageability. Following the principle of the primacy of politics the establishment of corporate structures will lead to a heavy reallocation of resources from the General Staff to the new civilian corporate structures. It is no surprise that opposition against this plan has intensified recently. However, the resistance of some members of the General Staff is problematic for two reasons. First, this is again a proof that at the top of the Department civil-military relations do not work. Second, the process of establishing the "Army XXI" is dominating the reform of the whole department. This puts management principles on their head and endangers the effective reform of the administrative structures and the successful integration of the two new branches. While the reform process of the armed forces can and should not be stopped, the Head of the Department has to make clear, that he is willing to introduce the new corporate structures and thereby reaffirming the primacy of politics also in military affairs.

## Conclusion

This paper has analyzed Switzerland's policy towards the Kosovo conflict in the context of ongoing international military and diplomatic efforts. It was argued that the record of Switzerland's policy in the Kosovo conflict has been mixed. Forward-oriented movements by the Department of Defense in supporting the UNHCR with three Super-Puma helicopters were contrasted by backward-oriented neutrality arguments brought forward by the Department of Foreign Affairs as well as an extremely tough attitude by the Department of Police and Justice probably motivated by domestic policy.

Two reasons were identified: First, institutional weaknesses at the level of the Federal Council render decision-making in situations of high political pressure highly difficult. Second, there were obvious differences in applying the foreign policy principles laid down in the *Bericht '93* between the Departments involved in the crisis. Taking these flaws into account it was furthermore argued that in

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<sup>38</sup> According to Article 3 of the *Militärorganisationsverordnung* (SR 510.21), the *Geschäftsleitung* consists of the Head of the Department, the Secretary General (both civilians), the Chief of the General Staff, the Chief of the Army, the Commanders of the Army Corps, the Chief of the Air Force (all military), and the Chief of the Procurement Unit (civilian). With the exception of the four Commanders, the same people also meet in the *Geschäftsleitungssausschuss*.

<sup>39</sup> For more on this see <http://www.defence.govt.nz/org/mod.htm>.

the future Switzerland should continue its support for the international community in the military, civilian and economic fields. The paper advocated a focus on the civilian side by establishing a Swiss Peace-building Unit, by providing technological support for the international and national institutions and by training international police forces.

In the years to come we will look back at the Kosovo conflict as a turning point in Europe's and Switzerland's foreign and security policy. It will then be argued that we either missed a great chance for reducing the political distance between Switzerland and Europe or that we seized the opportunity to close the gap. Let us hope that the latter will be the case!