



As ever-more EU countries express their deepening concern over recognising Kosovo's unilateral declaration of independence and deploying an EU mission to replace that of the UN mission in Kosovo (Unmik), both without UN security council authorisation, Europe must urgently re-evaluate how these decisions will impact the development of a common foreign and security policy (CFSP) to meet the challenges of the 21st century and an enlarged EU of 27.

Supporting Kosovo's independence, contrary to both UN security council resolution 1244 and Europe's own stated foreign policy objectives, will only serve to weaken the CFSP's foundations.

It is essential, therefore, that a common EU foreign policy evolves not from its own internal political dynamics, but from a coherent vision founded in its defining principles and practices. As such, Europe must look inward and project outward the core of its political identity.

By supporting independence for Kosovo, the EU is abandoning one of the fundamental objectives of its CFSP, as outlined in the Amsterdam treaty; namely, that of preserving peace and strengthening international security, "in accordance with the principles of the United Nations Charter, as well as the principle of the Helsinki Final Act and the objectives of the Paris Charter, including those on external borders".

Disregarding the fundamental principles and norms of international law subverts the very underpinnings of the EU's CFSP. By putting the interests of individual member states, or coalitions of member states, before its collective principles, the EU is harming the carefully constructed cohesiveness of its own CFSP, thereby diluting its capacity to make future foreign policy decisions.

With respect to the second of the five fundamental CFSP objectives - "to strengthen the security of the Union in all ways" - the argument that delaying a status decision will breed further instability overlooks the repercussions of independence for Kosovo. Violating the twin notions of sovereignty and territorial integrity will only serve to erode Europe's ability to contend with issues of self-determination and re-integration elsewhere.

Supporting a unilateral declaration of independence will freeze or exacerbate other conflicts within and beyond the EU's own expanding borders. The European perspective of the western Balkans will be complicated by the refusal of Serbia, Bosnia and Herzegovina and several EU member states to recognise Kosovo; Cyprus will struggle to contend with the implications of independence for its unrecognised Turkish Republic of Northern Cyprus, while immediate ramifications will be felt in Europe's new neighbouring aspirants, Georgia and Moldova. Kosovo is not a unique case and its precedent will not be deterred by reiterations of this sort.

Those EU member states who tentatively support independence for Kosovo do so on the basis of the Ahtisaari plan and its implementation. By prescribing independence as a solution, albeit "supervised", the plan failed to conform to UN security council resolution 1244 and was withdrawn in the face of Russian opposition. In spite of this, the EU has continued to prepare the deployment of a mission to implement the Ahtisaari plan.

In the absence of UN security council authorisation, however, any EU mission will be at the behest of the Kosovo government and therefore deprived of formal executive powers. Consequently, international supervision will be unable to provide adequate protection for minority rights. Despite Ahtisaari's proposal requiring increases in the budgets of Serb-majority municipalities, the Kosovo government continues to plan further cuts. Similar reductions have also been made in the annual budget for returnees, further weakening the position of non-Albanians in the province. The failure of Unmik's "standards before status" policy demonstrates that unauthorised supervision of Kosovo's independence will do little to "develop and consolidate democracy and the rule of law", nor to safeguard "respect for human rights and fundamental freedoms" - a third fundamental CFSP objective.

The EU's voice and effectiveness in international affairs derives from its pooled sovereignty, consensual decision-making and instruments of soft power. In relation to Kosovo, the unique position of the EU vis-a-vis both the US and Russia provides it with the leverage to achieve a negotiated resolution; the foundation for which lies in those integrative innovations in sovereignty and autonomy that have contributed to the EU's very own evolution. It is Europe's capacity for transforming and softening conflict dynamics through a combination of negotiation and partnership - including development cooperation, external assistance, trade relations and social policy instruments - that provides the basis for lasting peace and stability throughout the western Balkans.

For Europe to "make its voice heard in world affairs", it must remain committed to the UN system and the principles of international law. The EU will define itself as a global player not by acting decisively through "constructive abstentions" to support an act that violates international

## The EU's greatest dilemma

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legal standards, but by articulating and projecting European principles and practices, including a commitment to complex, multiple layers of shared and limited sovereignty, so as to overcome fragmentation and division. The EU's stance over Kosovo fails in this regard.

A common foreign and security policy for the EU should be just that; one founded upon shared objectives, pursued in accordance with the UN system and international law. As such, Europe must immediately re-affirm that solutions to Kosovo's status lie in constructive dialogue based upon the EU's own stated foreign policy objectives and UN security council resolution 1244. The time has come for Europe to provide real leadership over Kosovo.