

Germany's shift on Bosnia policy



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A combination of strategic impatience and a lack of will led to the international community's attempt to square the circle in 2005, when it announced a transition to the phase of EU integration and in doing so defined the Bosnian condition according to its own paradigm shift and not the reality on the ground

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During the government formation crisis in Bosnia-Herzegovina (BiH) at the end of 2010, the office of German Chancellor Angela Merkel launched a round of talks on constitutional reforms with the country's political leaders, in Berlin. In light of what has since become known as the Merkel initiative, political commentators in BiH and beyond started to talk about the "return of Germany to Bosnia."¹ Among those few politicians in Berlin who had remained committed to Bosnia, hopes were rekindled that Germany would finally take a leadership position inside the EU, and together with other like-minded members (such as Britain) develop a serious European policy to address the challenges facing Bosnia.

Yet, in two separate rounds of talks completed at the end of 2010 and the beginning of 2011, these hopes have been dashed. Not only were the negotiations fruitless, but the performance of the Chancellor's office also produced quite a bit of irritation in both Bosnia and the EU (the talks were meant to be secretive – no coordination was made with other European governments thanks to a strange disassociation between the Chancellor's office and the German foreign office). Instead of facilitating solutions, Merkel's initiative actually exacerbated the government formation crisis after the October 2010 elections.

GERMANY LEADS THE SOFT-LINER CAMP

The Merkel initiative was in fact the continuation of another EU leadership role that the German government had already taken on. Since the current German government took office at the end of 2009, it has moved to the front of the soft-liner camp on Bosnia inside the European Union. It joins France, Italy, Sweden, and the larger part of the EU's bureaucracy in Brussels (both the Commission and the Council – and now the new External Action Service) in this group, which, in an odd alliance with others (including Russia) has largely defined the terms of EU engagement in Bosnia since the middle of the last decade. Soft-liners' policies have made the EU the policy actor most responsible for Bosnia's worst political crisis since the 1995 Dayton Peace Accords were signed. Due to a lack of political

will to deal with Bosnia on its own complicated political terms, and to develop a strategy commensurate with real need, this leading EU camp has consistently endeavored to ignore the on-the-ground reality. Instead, it has tried, against growing evidence, to apply Brussels' bureaucratic logic and the standard toolbox of EU integration that evolved through the accession processes of Central European states, despite overwhelming evidence that this standardized approach – based on the “magic formula” of EU integration – has not had the desired effect. As a result of this doctrinaire approach, this group has waged a subversive war against those international institutions mandated by Dayton with executive directives that do not fit into this toolbox and philosophy – the Office of the High Representative (OHR) and the EU military force (EUFOR). This has rendered international policy in Bosnia weak, disarmed, and disunited.

The peculiar reaction of official Berlin to a Bosnian political crisis that, since 2009,² has forced itself upon both the EU and the US, has gone through several stages. In all of them, the outcomes have reflected EU policy before Germany took leadership – unsuccessful and furthering a deepening crisis:³

1. In late 2009, German representatives tried to evade the strictures of implementation of the 5+2 objectives and conditions, set in 2008 as the hurdles for BiH politicians to clear before closure of the OHR and the transition to a strictly EU presence. Berlin – along with Moscow, Rome, and Paris, as well as Brussels – instead pushed to simply declare victory on 5+2.
2. In April 2010, at the NATO summit in Tallinn, the German government was among the most reluctant to grant Bosnia and Herzegovina a Membership Action Plan (MAP).
3. In May 2010, in recognition of the fact that the political crisis is blocking implementation of 5+2 reforms in BiH, Berlin heavily lobbied inside the EU and among other Peace Implementation Council (PIC) members to give up on the 5+2 agenda on the premise that it is “blocking the EU-integration setting to be put in place” and as “we have set these conditions... we can annul them” – again without success.⁴
4. Thus, in early summer 2010, Berlin shifted toward a policy of “decoupling” the EU Special Representative (EUSR) from the OHR and moving its staff and finances to a “reinforced EU presence” at the EU Delegation, aimed at eroding both the OHR and the 5+2 agenda without being forced to forge unity among EU and PIC member states.



Christoph Heusgen: Chancellor Angela Merkel's foreign policy-maker

Hence, Berlin has begun pushing for the OHR to be defunded and moved, amounting to transition by stealth. This current government's policy toward Bosnia must be seen in the context of Germany's Bosnia policy during the previous decade. It has evolved from a Bosnia non-policy into some kind of engagement and then to disengagement over the last 10 years, with the current ruling coalition's engagement marking a kind of preliminary climax.

A DECADE OF BOSNIA NON-POLICY

In the first decade of the 21st Century, Germany's Western Balkans policy was determined largely by regime changes, first in Croatia, and then more notably in Serbia, with the fall of Milosevic on October 5, 2000. This led to a more prominent role for the region in foreign policy and to a strong fixation on Serbia in dealing with the region as a whole. While Berlin remained engaged (though to a lesser extent) in Croatia, Germany's Bosnia policy shifted toward disengagement. Berlin continued to contribute to the international community's civil and military missions in Bosnia and Herzegovina, but the Red-Green coalition that ruled during the first half of the decade pursued a Bosnia non-policy. Green Foreign Minister Joschka Fischer practiced disengagement from the Bosnia issue – based on the cynical, yet true, assessment that due to Bosnia's complex post-Dayton political conditions it was ill-suited to produce success stories for German foreign policy that could improve Germany's reputation as a global player – and his Social Democratic coalition partner was preoccupied with ties to Serbia.



Berlin should take the initiative in Bosnia and Herzegovina

With the incoming grand coalition led by Chancellor Angela Merkel, which ruled for the rest of the decade, this non-policy shifted in 2005 toward a policy that can best be described as “disengaging from engagement.” This policy was intensified under changed circumstances after Merkel formed a conservative-liberal alliance in the fall of 2009. In September 2005, Merkel nominated the only conservative politician with a reputation in the Western Balkans, Christian Schwarz-Schilling, to become the new High Representative. With a German also soon occupying the post of EUFOR commander in BiH, Germany moved into a leadership position in Bosnia.

This occurred at a moment of paradigm shift for the international community – from post-Dayton engagement toward a non-executive, EU-lead engagement defined as the “Brussels phase.” Since the US effectively handed over responsibility in the Western Balkans to Europe after 9/11, the EU has struggled to deal with the two existing philosophies and instruments in Bosnia: the state-building tools of the half-protectorate that evolved out of institutions staffed with executive mandates (OHR, EUFOR), and the EU-integration toolbox. The latter has presented additional challenges in the Balkans due to the fact that preconditions which had formed its basis in Central and Eastern Europe – sovereign states with political elites and populations that had

a joint interest and strong will to join the EU – were largely not in place, especially in Bosnia.

A combination of strategic impatience and a lack of will led to the international community’s attempt to square the circle in 2005, when it announced a transition to the phase of EU integration and in doing so defined the Bosnian condition according to its own paradigm shift and not the reality on the ground. Political elites were declared mature, executive mandates unnecessary, and the closure of the OHR and the future dissolution of its executive Bonn powers were announced to the Bosnian public eight months *ahead* of the general elections. The results were fatal: the international community had created a vacuum that was filled by nationalist politics, and the shift created an opening for Milorad Dodik to become the new strongman in the Serb entity and the single biggest destabilizing political factor, leading to the most serious political crisis since the end of the war – a threat to the integrity and security of the country – and making the EU the single most responsible actor in the current political crisis.

It is remarkable both how Germany has moved into a leading position at this breaking point and how it has performed. Schwarz-Schilling was nominated by Merkel even before the grand coalition was formed, while negotiations over details of the coalition agreement be-

tween the CDU and SPD were still ongoing. That the population of top posts was aimed more at improving Germany's reputation on the global scene than at the needs of Bosnia can be seen in the fact that appointment decisions were not accompanied by any actual intensification of Germany's engagement in Bosnia. When Schwarz-Schilling struggled with his "mission impossible" assignment and with the new political crisis his own weak mandate had created on the ground – and needed to use the Bonn powers – he was undermined by the same Western governments that had ushered him in, including his own.⁵

Schwarz-Schilling failed in record time: less than one year. He was told his mandate would not be renewed in January 2007. It was convenient for the PIC Steering Board to place all responsibility for the policy failures on his shoulders, despite their own clear liability. When he left office in 2007, the symbolic failure of Germany's episodic engagement in Bosnia passed almost without notice among the German public and political elite.

THE BALKAN WARS AS A GERMAN TRAUMA

This national ignorance can only be understood against the backdrop of the Yugoslav wars and the trauma they inflicted on both German society and the country's foreign policy in the 1990s. Germany's Cold War foreign policy had largely been determined by its national socialist past and the results of the Second World War. Germany, that is Western Germany, came out of the war with a collective social imperative of "*nie wieder Krieg*" (war never again) and with transatlantic integration into the Western bloc. Thanks to the US, citizens of the Federal Republic of Germany enjoyed life on a kind of a security island where they could develop a strong pacifist tradition. At the same time, due to its specific geopolitical position, Germany had little practical foreign policy of its own, but for the so-called *Ostpolitik* (Eastern policy) aimed at dialogue with the Soviet bloc. Additionally, in the shadow of its Nazi past Western Germany could not develop its self-identity and policy through national means. Inside Europe, instead of leading a national interest-driven policy, Germany evolved into a motor of European integration in the establishment and development of the European Community. Along with Turkey, Germany was among the few countries in Europe that had to invent its foreign policy anew; it did not have any relevant traditions on which to build.

With the unexpected events of 1989, which radically changed Europe's landscape and the world order, a post-unification Germany became a global player against its

own will. Since then, it has had a hard time accepting that role, fulfilling it, and reinventing itself in the foreign and security policy arenas. And, to this day, Germany has an especially hard time discussing national interests.

The Yugoslav wars of the 1990s not only put an end to the notion that had dominated in the West following the fall of the Berlin wall that the world had reached the "end of history" and the beginning of a new era of global peace and democracy, it also represented a specific trauma to German society and politics. The bloody wars and ethnic violence in the Balkans were a shock to German pacifism, and proved that old pacifist dogma didn't fit into the post-Cold War world. The heated political and public debates that marked Germany's discourse on the Balkan wars were thus more about internal German struggles played out through the lens of the Balkans than about the Balkans and what was going on there.⁶ They reflected the underlying resistance of a society that had lived for 45 years in a security bubble to an unfolding new global reality and new world disorder.

In the face of this resistance, it was a small group of politicians and Balkan correspondents that compelled a partial shift in public perception and laid the groundwork for the later policy shift. Among those politicians were CDU Telecom and Post Minister Christian Schwarz-Schilling and a number of Green Party MPs, among them the one-day Foreign Minister Joschka Fischer. These Green politicians came out of a party that had developed directly from Germany's pacifist movement. What linked conservative rebels like Schwarz-Schilling⁷ with these Greens was Germany's Nazi legacy. Schwarz-Schilling's activism on Bosnia was linked to his personal history in the Second World War,⁸ and Fischer and his Green colleagues' activism was motivated by their history in the 1968 student movement that pressed German society to confront its Nazi past. The turning point was the Srebrenica massacre in July of 1995. The addition of German troops to NATO military missions abroad represented a radical departure from Germany's Cold War security dogma that the Bundeswehr be employed only for national – territorial – defense. It was Joschka Fischer who compared Srebrenica to Auschwitz in 1995, laying the ground for Germany's participation in a war on foreign soil. Four years later, when Fischer was Foreign Minister, he again made use of Germany's historical baggage to justify intervention. Fully aware that an Auschwitz reference, an evocative but false analogy, could break German society's strong resistance against a new 21st-Century reality, its use made pragmatic sense from a political point of view. But this choice also had long-lasting distortional effects on the shift of foreign policy: it underpinned the

shift with a highly problematic historical analogy and it legitimized future foreign and security policy based solely on moral, not political, grounds.

All these factors converged in 1999 when the '68 generation took power and the first Red-Green alliance in German history was formed under Chancellor Gerhard Schröder. Upon taking office, the new government – along with the first Green foreign minister, Fischer – was immediately challenged by the war over Kosovo. Germany agreed to take part in NATO's actions there, marking its first post-war participation in a foreign military engagement. The experience was traumatic, both for German political elites and the general population, and one that had even more impact than later experiences related to the events on 9/11. While the war in Kosovo was ill-designed both politically and militarily, the Alliance was happy in the end to emerge successful on both the political and military fronts. Yet, where NATO's operation failed to a large extent was in its moral rationalization,⁹ which had served as Berlin's basis for legitimizing both its war participation and its shift in security policy.

That paradoxical defeat, borne in the context of success, had two consequences on German foreign and security policy: First, it created the basis for Germany's strong fixation on Serbia in its policy toward the Western Balkans in the subsequent decade; the initiation of the Stability Pact for Southeastern Europe by the German Foreign Minister in July 1999, however useful and necessary, was strongly motivated by an underlying premise of moral compensation. Second, ruling elites refrained from initiating public debate on the new realities of the global "disorder" and the new position and role of Germany in it. This led to a suppression of the Bosnian war in German public consciousness, even of events such as Srebrenica which had once had such influence on Germany's policy development.

This partly explains the recent German non-policy on Bosnia. But, another piece of this puzzle is the current shift occurring in German foreign policy under the Merkel government.

THE EURO CRISIS AND THE GERMAN FOREIGN POLICY SHIFT

Surprisingly, the events that followed 9/11 have only served to increase the gap between Germany's post-Balkan wars foreign and security policy and any public discourse that could lead to a collective understanding of Germany's new international role. Disagreement with the Bush administration's Iraq policy was employed as

a populist tool for domestic political use, mobilizing latent anti-American sentiment in German society¹⁰ and leading to a rift between Washington and Berlin. At the same time, reaction to the policy papered-over the still-existent need for German society to discuss its new role in the world.

That cover was peeled back in 2009 when the new Obama administration took office. The timing coincided with the world economic crisis and the eurozone crisis, and the resistance of Merkel's (conservative-liberal) government to a bail-out for Greece brought Germany up against its traditional European partners, like France. It marked not the first, but the most vocal, departure by Berlin from its traditional post-1989 role as the EU's motor. Commentators throughout Europe and from the foreign policy community in Berlin have tried to define this foreign policy shift, mostly concluding that Germany is "finally becoming normal" as it moves toward a national interests-based European (and wider foreign) policy.

One finds little real evidence in favor of such an interpretation of this shift. Instead, Germany seems to be caught in a twilight zone: it has moved away from its tradition of proactive European policy, but has not developed a national interests-based foreign policy either. It seems to be caught in a reactive and defensive position that implies a lack of clear vision.¹¹ Simultaneously, one can detect a strong and growing pull among both elites and the general population to cling to that comfortable old notion of a security island, of an era long past.

Such trends seem to correlate with the character of the current Merkel government and with Merkel's personal political style – one based on cogitation, not on leadership or policy vision. Subsequently, Germany's current role inside the EU is one that defends and prevents rather than one that creates or leads. That is accompanied by a weak foreign minister, Westerwelle, who loses more and more of his mandate to the Chancellor's office and Merkel's foreign policy advisor Christoph Heusgen. To be fair, this is a general tendency in almost all EU member states due to the integration process. But this is extraordinarily significant in the current constellation of the German government.

THE MERKEL INITIATIVE IS THE HEUSGEN INITIATIVE

Berlin's current failed initiative on Bosnia thus appears to be the preliminary stages of a climax of distorted policy, in which several more deeply-seated trends converge: an engrained aversion to the hardware of foreign and se-

curity policy (deterrence, and executive mandates such as those of the OHR and EUFOR) by German political elites, German society's uneasy relationship with Bosnia and Bosnian war heritage, a current government that prefers to "manage" rather than solve political problems, and a bureaucratization of foreign policy that is linked to its institutional shift toward the Chancellor's office.

This last point explains why the so-called Merkel initiative has been, and in fact still is, really a Heusgen initiative. When Merkel took office in 2005 she chose Heusgen as her main foreign policy advisor from Brussels, where he had held a top bureaucratic post; Heusgen built his career by moving up the bureaucratic ladder of the European Commission. And that's where the hardware and software for the Bosnia initiative is actually located – with EU apparatchiks, of which a large number originate from the team of the former High Representative for Foreign and Security Policy Javier Solana, who played a key role in creation of the "magical" EU integration-driven Bosnia policy that lies at the heart of the Bosnian political crisis. It was telling that Heusgen invited Miroslav Lajčák to most of the talks he held with political leaders in Berlin. It was Schwarz-Schilling's successor Lajčák who failed as the HR/EU Special Representative in selling Solana's "EU elixir" to Bosnian political elites, and instead gave away the Stabilization and Association Agreement without its conditions fulfilled. Later, he practically fled from office to a better post as the Slovak Foreign Minister. It was no less telling that only weeks after the first Berlin meeting, Lajčák was appointed the Managing Director for Russia, Eastern Neighborhood and the Western Balkans in the EU's newly established External Action Service.

The Heusgen initiative points to the only possible way to make the EU more seriously focused on Bosnia: First, Germany needs to take real initiative in Bosnia, both for the sake of Bosnia and for itself, and not least for the future of European security. Second, that initiative can only come from the highest level of governance, either from the Chancellor and/or the Foreign Minister. And third, taking leadership on this issue inside the EU means first addressing those governments that already take Bosnia policy seriously, as opposed to worrying about Brussels. How that may look in practice has been seen in the Westerwelle-Hague initiative on Kosovo from September 2010.¹² If this doesn't happen, bureaucrats in Brussels and in European capitals will continue to risk European security with negligent policy in Bosnia. ■

NOTES:

- ¹ See, for example: <http://www.6yka.com/evropa-bih-vlada>
- ² In May 2009, after the new Obama administration had taken office, Vice President Joseph Biden went directly to Sarajevo on his first trip to Europe, where he told political elites that the country was heading in the wrong direction. With that, he forced the EU to openly admit that it was facing a serious political crisis in Bosnia.
- ³ For more details on the evolution of the German government's Bosnia policy, see: Kurt Bassuener, and Bodo Weber, "Are we there yet? International impatience vs. A long-term strategy for a viable Bosnia," Democratization Policy Council (May 2010) <http://democratizationpolicy.org/2010/06/02/are-we-there-yet-new-dpc-policy-brief-on-bosnia/>
- ⁴ DPC interviews with government representatives, Berlin, May 2010.
- ⁵ Rathfelder, Erich, and Carl Bethke, eds., *Bosnien im Fokus. Die zweite politische Herausforderung des Christian Schwarz-Schilling* (Berlin: Tübingen, 2010) 295-297.
- ⁶ For a good illustration, see especially: Frank Schirrmacher, ed., *Der westliche Kreuzzug: 41 Positionen zum Kosovokrieg* (Stuttgart 1999).
- ⁷ Schwarz-Schilling left the conservative government of Helmut Kohl during the Bosnian war out of protest against his government's inaction.
- ⁸ Rathfelder and Bethke, *Bosnien...* 21-26.
- ⁹ When the incoming German government joined the war it signaled to its NATO partners that this break with its security dogma and previous social consensus excluded the use of ground troops. This turned the war against Serbia over Kosovo into a type of aerial warfare diplomacy aimed at pressuring the Milosevic regime to back down. When Milosevic did not react as expected the alliance found itself trapped: It was forced to expand its air attacks from military infrastructure to mixed military and civilian use infrastructure, slowly running out of targets and risking the rise of civilian casualties; at the same time, aerial warfare proved to be a limited means to stop/prevent ethnic cleansing. All of these developments substantially undermined the moral justification Berlin used for its war participation.
- ¹⁰ On German Antiamericanism see: Dan Diner, *Verkehrte Welten: Antiamerikanismus in Deutschland* (Frankfurt: Main, 1993).
- ¹¹ "Germany: A shifting Weltanschauung," *Financial Times*, April 7, 2010.
- ¹² It was a joint initiative of Britain's and Germany's foreign ministers, whose subsequent travels to Belgrade in September 2010 prevented a conflict that could have broken out between Serbia and the West following the ruling of the International Court of Justice (ICJ) over Kosovo's declaration of independence and turned into an ongoing schism.