# THE EUROPEAN UNION'S INVOLVEMENT IN CONFLICT RESOLUTION IN BOSNIA-HERZEGOVINA AND GEORGIA. A COMPARATIVE ANALYSIS

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#### Abstract:

The article will present the European Union's involvement in the two conflict-ridden states of Bosnia-Herzegovina and Georgia. Secondly, it intends to provide a comparative analysis of the two case studies, both in terms of the distinct international status of the two states and of the particularities in the EU's involvement. The purpose of the article is to analyze the effectiveness of the EU's use of socialization as a means of tackling the two conflicts, as well as to provide a prognosis of the conflict resolution process. It also aims at analyzing the extent to which the use of socialization on its own is enough for the EU to ensure an effective peacebuilding process in its near abroad and whether other means of conflict resolution are needed to render the EU's involvement more successful.

**Keywords:** Bosnian fragmentation, secessionism in Georgia, socialization, conflict resolution, leverage

#### Introduction

The end of the Cold War and the dissolution of the Soviet Union produced political and social turmoil in the ex-Soviet republics seeking their independence – the countries in the Caucasus among them – and created the conditions for ethnic conflicts and separatist movements in Yugoslavia. The aim of this article is to provide a comparative analysis of the European Union's involvement in two conflict-ridden states, namely Bosnia-Herzegovina and Georgia.

After a brief presentation of socialization as the EU's main means of conflict resolution, the article provides a comparison between the two cases

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of EU involvement. Based on these findings, the conclusion comparatively presents the prospects of conflict resolution in the two cases, while also attempting to provide scholarly results for the following research questions: Is the EU's approach to conflict resolution, based on the socialization of actors into a discourse of peace, effective enough to bring about a stable peace in its near abroad? Does the EU need to complement this approach with other, more coercive means of conflict resolution?

## EU means of conflict resolution

The European Union fits Joseph Nye's description of soft power, as it exhibits "the ability to get what you want through attraction rather than coercion or payments". Other authors also refer to the EU as a normative power, which means that it has the capacity to "shape conceptions of what is normal in international relations by the force of ideas." With regard to conflict resolution and peacebuilding in third countries, what the EU perceives as "normal behaviour" is expressed in Article I-3 of the Constitutional Treaty: "In its relations with the wider world, the Union shall uphold and promote its values and interests. It shall contribute to peace, security, [...] solidarity and mutual respect among peoples [...]."

The EU has at its disposal top and grassroots-oriented instruments for peacebuilding in third countries, both of which imply the socialization of actors into a "European" discourse, based on the promotion of peace.

Depending on the amount of leverage the EU enjoys in third countries, it combines to different degrees the "socialization of policymakers in conflict regions into a European discourse"<sup>4</sup> with the

<sup>2</sup> Anna Michalski, "The EU as a Soft Power: the Force of Persuasion", in Jan Melissen (ed.), *The New Public Diplomacy: Soft Power in International Relations*, Hampshire: Palgrave Macmillan, 2005, p. 126.

<sup>&</sup>lt;sup>1</sup> Joseph Nye, Soft Power: The Means to Success in World Politics, New York: Public Affairs, 2004, p. x.

<sup>&</sup>lt;sup>3</sup> *Treaty Establishing a Constitution for Europe* [http://europa.eu/eu-law/decision-making/treaties/pdf/treaty\_establishing\_a\_constitution\_for\_europe/treaty\_establishing\_a\_constitution\_for\_europe\_en.pdf], 7 November 2015.

<sup>&</sup>lt;sup>4</sup> Thomas Diez, Stephan Stetter, Mathias Albert, *The European Union and the Transformation of Border Conflicts. Theorising the Impact of Integration and Association*, p. 17 [http://www.birmingham.ac.uk/Documents/college-social-sciences/government-

involvement of the civil society in peacebuilding, which certain authors term "constructive impact." The former can be most successfully used in cases where the EU has more leverage on the political leaders and is even able to use conditionality to a certain extent – *e.g.* in relation with Association or candidate countries-, while the latter is employed where the political leadership is hostile to the EU's involvement and socialization at the people level is the most appropriate – or possible – way to disseminate European ideas. As the case studies will show, the degree in which these two socialization instruments are used highly impacts on the effectiveness of the EU's involvement in conflict resolution.

#### EU involvement in Bosnia-Herzegovina

The EU's involvement during the war in Bosnia and in the first stages of peace implementation was very limited and unsuccessful, despite the perception of the Yugoslav Wars as being the "hour of Europe", as stated by Jacques Poos in 1991.6 Yugoslavia's dissolution provoked inconsistence and cleavages in the international community.7 When Slovenia and Croatia first started to voice their wish for independence, all the major powers declared their support for maintaining the territorial integrity of Yugoslavia. Several reasons account for this initial stance. The most important one was related to the danger that secessionist movements in Yugoslavia posed to the territorial integrity of the Soviet Union, which the West, for strategic reasons, wanted to preserve (e.g. the political stability that the Cold War provided both inside the Western states and internationally).8 Another reason was the belief that dealing with one

society/polsis/research/eu-border-conflict/wp01-eu-transformation-of-border-conflicts.pdf], 7 November 2015.

<sup>6</sup> Apud Jacques Rupnik, "The Balkans as a European question", in *Chaillot Papers*, no. 126, 2011, p. 18.

<sup>&</sup>lt;sup>5</sup> *Ibidem*, p. 15.

<sup>&</sup>lt;sup>7</sup> See for example, Laura Herta, "Intra-state Violence in Bosnia Herzegovina and the Mixed Reactions from the International Community - An Analysis of the Ambivalence of the Transatlantic World", *Romanian Review of International Studies*, 2/2014, [http://dsi.institute.ubbcluj.ro/docs/revista/126\_en.pdf], where the author emphasizes the ambivalences, discontinuities and mixed reactions to the Bosnian war.

<sup>&</sup>lt;sup>8</sup> Tom Gallagher, *The Balkans after the Cold War. From tyranny to tragedy,* London: Routledge, 2003, p. 34.

unitary state was much easier than dealing with several small states in the Balkans. However, while the official position of the European Community was in favor of maintaining Yugoslavia, the opinions of the Member States were divergent, with Germany and Belgium – supported by Austria, then a non-Member State - supporting the independence movements in Slovenia and Croatia on the basis of the principle of self-determination. Although the United States and the Soviet Union backed the anti-secessionist stance of the EC, this lack of a common European voice on the matter was a vulnerable point, as it allowed the Serb leadership in Belgrade to manipulate the actions of the West.

In the post-Dayton context, the EU was able to contribute to the consolidation of peace by launching its first European Security and Defence (ESDP) mission, EU Police Mission (EUPM) Bosnia. The EU took the opportunity to compensate for its lack of an effective intervention during the 1992-1995 war and to "demonstrate that the Union was finally ready to assume greater responsibility as a security actor in the Western Balkans."

When the EU took over, the country was still faced with organized crime, an ineffective police system and a democratic deficit caused by the way the Dayton Constitution distributed powers in the state.

The EU Police Mission in Bosnia has to be viewed in the larger frame of EU involvement in the country. The EU's efforts comprise other instruments such as the Stabilization and Association Agreement signed between the EU and Bosnia, whose negotiation until 2008 provided the EU with more leverage on the Bosnian authorities. Also, the EUPM should not be regarded in the narrow sense of an instrument of police reform. It was not police reform *per se* which constituted the main goal of the EU's mission, but more generally, state building. Morally speaking, the BiH police was known to have participated in the ethnic cleansing campaigns during the war. Even after the peace was signed, the police remained under considerable political influence, which led to incidents between the police

<sup>&</sup>lt;sup>9</sup> Peter Radan, *The Break-up of Yugoslavia and International Law*, London: Routledge, 2002, pp. 161-162.

<sup>&</sup>lt;sup>10</sup> Michael Merlingen, Rasa Ostrauskaite, *European Union Peace Builiding and Policing*, New York: Routledge, 2006, p. 60.

forces and the refugees returning to their homes after the war.<sup>11</sup> What makes police reform crucial for state consolidation in Bosnia is the centrality of the police system in the implementation of the political leaders' initiatives, many of which are based on nationalistic interests.

The EU chose to base its mission on the "principle of local participation in the reform process"<sup>12</sup>, so that local authorities could have a say in the design of policies and could be explained why reform was important. As a soft power, the EU realized that the "local ownership" of the reforms had to increase in order for the mission to be perceived as trustworthy and unbiased by the locals.

The main measure adopted for enhancing the local ownership of the reform process was the creation of the Police Steering Board (PSB), "composed of the most senior local police managers as well as the head of the EUPM and other EUPM officers." The aim of this structure was to provide "fora in which the EUPM consulted with local police on reform priorities and projects and in which the progress of the reforms was jointly monitored, assessed and recommendations for further improvement were developed." We may recognize here the mechanisms of socialization employed by the EU. Through dialogue and cooperation, both EUPM and local staff were able to understand each other's viewpoints and the latter were given the opportunity to become acquainted with the best European practices.

Apart from its engagement with the police forces, the EUPM also attempted at engaging with the local population and disseminating best European practices at the society level. The aim was to increase the legitimacy of its actions and to make the mission be perceived as transparent and citizen-oriented. Such initiatives included campaigns for facilitating the cooperation between the citizens and the police in tackling crime and even "visits by and lectures to local schools and universities by

<sup>14</sup> Ibidem, loc. cit.

<sup>&</sup>lt;sup>11</sup> Tija Memisevic, "EU conditionality in Bosnia and Herzegovina: police reform and the legacy of war crimes", in *Chaillot Papers*, no. 116, 2009, p. 57.

<sup>&</sup>lt;sup>12</sup> Merlingen and Ostrauskaite, op. cit., p. 63.

<sup>&</sup>lt;sup>13</sup> Ibidem, loc. cit.

EUPM commanders and senior staff, who also organised training courses and competitions for schoolchildren."<sup>15</sup>

# EU involvement in Georgia

Many authors point to a very discrete, if not absent, political involvement in the secessionist conflicts from the 1990s to 2008. The EU's priorities with regard to Georgia in the 1990s are well summarized by Damien Helly:

"Throughout the 1990s the European Union prioritized four main areas: support to transition towards a market economy, assistance in resolving the so-called frozen conflicts, contribution to domestic security and governance (including rule of law and democratization) and addressing social consequences of transition." <sup>16</sup>

These priorities form what Iskra Kirova calls "an inoffensive, development centric logic, focusing on bottom-up non-politicized initiatives", while "the EU did not have much of a security and political profile in the region." This low political profile can be partly explained by the EU's internal fragmentation, with certain Member States unwilling to antagonize Russia and partly by the EU's interest in developing a distinct role in conflict resolution as compared to other international actors such as the UN, US, OSCE and Russia. While the latter were involved through military means on the ground the EU sought a more community-centred approach, meant to socialize the parties into a discourse of peace. Nathalie Tocci mentions a third reason for the EU's low profile, namely the fact that

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<sup>&</sup>lt;sup>15</sup> Srećko Latal, "Has policing changed? And if not, why not? – Local community perception" in Tobias Flessenkemper and Damien Helly (eds.), *Ten years after: lessons from the EUPM in Bosnia and Herzegovina 2002-2012 (Joint Report)*, Paris: European Union Institute for Security Studies, 2013, p. 56, [http://www.iss.europa.eu/uploads/media/EUPM\_report.pdf], 5 November 2015.

<sup>&</sup>lt;sup>16</sup> Damien Helly, "EUJUST *Themis* in Georgia: an ambitious bet on rule of law", in *Chaillot Papers*, no. 90 (*Civilian crisis management*: the EU way), 2006, p. 88, [http://www.iss.europa.eu/uploads/media/cp090.pdf], 10 November 2015.

<sup>&</sup>lt;sup>17</sup> Iskra Kirova, "Public Diplomacy and Conflict Resolution: Russia, Georgia and the EU in Abkhazia and South Ossetia" in *CPD Perspectives on Public Diplomacy*, Paper 7, 2012, p. 44 [http://uscpublicdiplomacy.org/sites/uscpublicdiplomacy.org/files/legacy/publications/pers pectives/CPDPerspectivesConflict%20Resolution.pdf], 8 November 2015.

<sup>&</sup>lt;sup>18</sup> Nathalie Tocci, *The EU and Conflict Resolution. Promoting Peace in the Backyard,* New York: Routledge, 2007, p. 140.

"Georgia's conflicts – unlike those in the Balkans or in the Middle East – have not struck a moral chord amongst European publics." We may add that during the 1990s, Georgia was not yet a close neighbour of the EU and therefore the conflicts in the entities and the organized crime in the region did not pose a direct threat to the Union.

The EU's contractual relationship with Georgia, as a means of deploying its soft power, started with the Partnership and Cooperation Agreement (PCA) signed in 1996 and entered into force in 1999. This was, however, a very loose agreement, containing no special clause related to conflict resolution. This contractual agreement was upgraded in 2004 with the inclusion of Georgia in the European Neighbourhood Policy (ENP), meant to strengthen the country's relations with the EU. The Action Plan signed through the ENP contains a special clause related to conflict resolution under Priority 6.<sup>20</sup>

As Georgia's inclusion in the ENP clearly signalled the country's Western orientation, the entities became more reluctant to accept its peace proposals. Most European programs initiated through the ENP have been limited to Georgia, but could not be extended to Abkhazia and South Ossetia. Thus, projects aimed at bringing the conflicting communities together have been rare and unsuccessful. The closer the relation between the EU and Georgia, the more committed the two entities were to their independence and the more suspicious of the EU's intentions.

After the 2008 war, through its policy of "non-recognition and engagement", the EU has sought to "open space for interaction with their populations and the local authorities while precluding that such contact could entail a change in the EU's position on the non-recognition of the entities' proclaimed independence." The final aim has been "a diversification of narratives on conflict as a precondition for the long-term goal of conflict transformation." Although the projects have involved specialists and NGOs from both sides of the conflict, the EU's initiatives

<sup>&</sup>lt;sup>19</sup> *Ibidem*, p. 148.

<sup>&</sup>lt;sup>20</sup> EU/Georgia Action Plan, p. 10,

<sup>[</sup>http://eeas.europa.eu/enp/pdf/pdf/action\_plans/georgia\_enp\_ap\_final\_en.pdf], 9 November 2015.

<sup>&</sup>lt;sup>21</sup> Kirova, op. cit., p. 46.

<sup>&</sup>lt;sup>22</sup> Ibidem, loc. cit.

have remained largely unknown to the general public, which means that the socialization process has only impacted a small portion of the population: "largely confined to a small circle of active civil society participants with little trickle-down effect to broader segments of society."<sup>23</sup>

Under these circumstances, Russia had the opportunity to fully engage in the entities and to gain a level of trust among the population which the EU has never enjoyed.

#### A comparison between the two case studies

First of all, there is a significant difference as regards the international status of the two countries. Bosnia and Herzegovina, with its current organization, is a creation of the international community. Its territorial integrity is recognized, but so is its internal fragmentation. Bosnia's problems stem both from its recent past, marked by ethnic conflict, and from the way in which its internationally agreed constitution arranged its internal organization. Therefore, the challenge for the EU is to influence the subject positions of the ethnic groups, so that grievances can no longer be exploited by politicians, but also to use its leverage in order to have the leadership accept the need for constitutional reform and the country's reorganization. As far as Georgia is concerned, its territorial integrity is recognized by the international community (except Russia), but the question of the two entities' status remains unresolved. While the EU has little difficulty acting in Georgia, it is hard for it to extend its influence on the territory of the entities. Any EU initiative is hampered by the danger of giving legitimacy to the *de facto* governments. Its policy of non-recognition, on the one hand, and the need for governmental approval in implementing certain projects, on the other hand, results in poor EU performance in Abkhazia and South Ossetia. Because of the non-recognition policy, the EU is perceived as a "one-sided actor" favouring Georgia's control over the entities. Abkhazians and Ossetians "consider that the engagement with Europe is possible only if it does not pursue the goal of integrating the two break-away republics into Georgia."24

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<sup>&</sup>lt;sup>23</sup> Ibidem, p. 48.

<sup>&</sup>lt;sup>24</sup> Laura Herţa, Alexandra Sabou, "Frozen conflicts in the South Caucasus and their impact on the Eastern Partnership: The case of Georgia and its break-away Republics of Abkhazia and South Ossetia", in Valentin Naumescu and Dan Dungaciu (eds.), *The European Union's* 

Secondly, another difference concerns the external actors impacting on the two countries. In the case of Bosnia, the EU gradually became the only relevant actor and the only challenge has been the harmonization of its agenda with that of the local leaders. By contrast, in the case of the Georgian conflicts, the EU is rivalled by Russia, whose influence in the region is still unequalled. Whereas the EU has difficulty deploying its soft power in the entities, Russia is heavily engaged there through its recognition of their independence and through very effective public diplomacy instruments. Russia is a powerful, unitary actor having the interest of keeping any Western influence away from its borders. It can easily mobilize its hard power, as the 2008 war proved. The EU remains divided over the issue of whether to initiate measures which could affect Russia and it is definitely not prepared to engage in a conflict against the latter. Even if a certain strategy of conflict resolution was agreed upon at European level, the EU would still have to harmonize its initiatives with Georgia, which has until now proved problematic.

There is also a difference as to the type of contractual relationship that exists between the EU and the two countries. The Stabilization and Association Agreement signed with Bosnia is seen as a step towards future accession. While it is true that Bosnia is still far from fulfilling the criteria for becoming a candidate country, its potential candidate status enables the EU to better use its leverage. By contrast, the ENP and the Eastern Partnership (EaP) are "enlargement-light"<sup>25</sup> and it is hardly possible for Georgia to envisage becoming an EU Member State. Under these circumstances, it is difficult for the EU to convince Georgia of the need to review its conflict resolution strategies and to bring them in line with the European ones.

The EU clearly enjoys different levels of popularity in the targeted communities. In Bosnia, the EU's involvement is seen against the background of the local politicians' failure to design development measures at country-level. People are generally supportive of the country's EU orientation and are starting to pressure the political elite to design policies to improve the country's European prospects. By contrast, the EU

Eastern Neighbourhood Today, Newcastle upon Tyne: Cambridge Scholars Publishing, 2015, p. 140.

<sup>&</sup>lt;sup>25</sup> *Ibidem*, p. 55.

enjoys little popular support in the breakaway entities of Abkhazia and South Ossetia, the latter being particularly closed to international actors other than Russia. But even in Abkhazia's case, while some politicians may exhibit interest in the EU and in the diversification of external contacts, the population is not open to this option, not least because of the EU's absence on the ground. For example, when referring to the European Union's Monitoring Mission in Georgia (EUMM), Laura Herţa and Alexandra Sabou point out that

"Even though the mandate of the EU mission is to cover the entire territory of Georgia, one major pitfall is constituted by the fact that the EU monitors' access is denied by the *de facto* authorities of Abkhazia and South Ossetia throughout the territories under their control."<sup>26</sup>

## According to a former EUMM member, this constitutes

"A big challenge when it comes to implementing the mandate, maintaining the impartiality of the mission and assess[ing] the situation on both sides of the Administrative Boundary Lines (ABL)."<sup>27</sup>

In Bosnia, the initial purpose was the socialization of the authorities – starting with the police force – into a European discourse and disseminating best practices at the top level. However, the result was different, with the police force and the politicians still largely adopting nationalistic stances, but with the civil society growing increasingly aware of the benefits of European integration. In Abkhazia, because of the non-recognition issue, the EU has mainly targeted NGOs, with the expectation of a spillover effect on the society at large. But here too the result was different. The civil society is still largely ignorant of the EU, as the NGOs' lack of transparency has prevented a large scale dissemination of ideas.

Instead, it was exactly the *de facto* political leadership, which the EU had tried to circumvent in its involvement, which showed some (if little) interest in the cooperation with the EU.

# Conclusions: future prospects of conflict resolution

Taking everything into consideration, the EU's involvement in both conflicts has been limited and subject to interference from other actors. However, both during and after the conflict, the EU was more involved in

<sup>&</sup>lt;sup>26</sup> Herța and Sabou, op. cit., p. 139.

<sup>&</sup>lt;sup>27</sup> Alexandra Martin, quoted in *ibidem*, loc. cit.

Bosnia than in Georgia. During the Bosnian War, although unsuccessful and marked by contradictions between the Member States, the European Community (EC) did attempt to mediate between the parties. The creation of the Badinter Commission in 1991, meant to find a compromise between the principles of territorial integrity and self-determination, is an example in this sense.

"In applying *uti possidetis* to the case of the former Yugoslavia, the EC accepted Badinter's recommendation that the inter-republican borders become the legally recognized borders of the new states."<sup>28</sup>

By contrast, the launch of the EUMM in Georgia as a response to the 2008 war did not solve the problem of the two entities' status. As stated above, the EU's absence in Abkhazia and South Ossetia made it impossible for it to become more involved in conflict resolution.

In the post-conflict period, the EU's relation with Bosnia has been much more conducive to a successful socialization of the conflict parties than the relation between the EU and the breakaway entities of Abkhazia and South Ossetia. As a result, the prospect of conflict resolution in Bosnia is higher than the one in Georgia.

In the case of Bosnia, due to its proximity to the EU and the prospect of becoming an EU Member State, there are chances that the nationalist stances might be overcome. However, a greater exposure of the political elite to the EU discourse will be necessary and political accountability has to be encouraged. The EU will need to focus more on the people level and to encourage the building of a stronger civil society, able to voice its interests and to check the politicians' nationalist agenda. At the same time, the EU will have to voice its conditions more strongly and clearly and no movement forward on Bosnia's way to integration should be made without the politicians' reconsideration of their discourse and policies.

As far as Georgia is concerned, the prospects of conflict resolution are quite low given the modest impact that the EU's policies have on the evolution of the conflict. The EU's presence on the ground through the European Union Monitoring Mission may safeguard the implementation of

<sup>&</sup>lt;sup>28</sup> Nicholas Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*, New York: Oxford University Press, 2000, p. 248.

the ceasefire, but it is not enough to foster cooperation at the people level.

The EU is very much unknown to the general public in the entities.

The more the EU engages with Georgia, the more suspicious the population in the entities is that the EU's final goal is to bring them again under Georgia's control. For conflict resolution to be more effective, the EU would have to diversify its policies and to involve larger segments of the population.

While the EU's involvement in Bosnia stands better chances of success than in Georgia, one should bear in mind that even Bosnia still needs time to completely overcome the heritage of the war. Without constant and long-term EU involvement, the political elite will stick to its nationalist agenda, the process of state consolidation will be halted and the EU will lose its public support. The latter outcome is particularly dangerous, since Bosnia's "Europeanization" and pacification seems to rest on the civil society's mobilization. As for the other case, Russia's stance is unlikely to change and so is its position regarding Abkhazia and South Ossetia. Still unchanged will be the Member States' reluctance to antagonize Russia. It would be very difficult for the EU to reconcile its policies of non-recognition and engagement. Unless such a compromise is found, the Abkhazian authorities' support for a European orientation will fade, while the chances of reconciliation between Georgia and the closed entity of South Ossetia are even thinner.

Returning to our research questions, it is my argument that all of the above lead to the conclusion that the power of attraction and the use of socialization are not enough to ensure the adherence of third actors to the European discourse of peace. The EU needs to have a certain amount of leverage and to be able to provide third countries with attractive prospects in order to achieve its aims. This is precisely how Russia has managed to secure its control over Abkhazia and South Ossetia, while the EU's popularity in the entities and even in Georgia is low and unlikely to improve because of the lack of attractive European prospects. It is the use – or lack – of leverage that makes the difference between these two cases.

Also, it is the author's belief that in cases where the contractual agreement allows the EU to impose conditions, the latter should adopt a stronger stance in relation with the political leaderships and to establish

clear conditions for any benefits that the countries might enjoy from the Union.

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