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The European Union and Conflict Resolution

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Today, the European Union (EU) plays an important role in preventing conflicts, as the EU's role facilitating dialogue between Kosovo and Serbia shows. But the EU's role as regional peacebuilder could suffer drawbacks as a result of internal turbulences cases by the Brexit and other lingering disintegrationalist forces.

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Introduction

The European Union has expanded its role in preventing conflicts and building peace, but its institutional practices remain insufficiently conceptualized. In this piece we argue that, drawing from a strong self-perception toward a neo-functionalist interpretation of its own history, the EU has started to use its own internal model of governance as an approach for resolving protracted disputes, through deconstructing highly political issues into technical meanings in order to achieve mutually acceptable agreements. We illustrate this by examining the EU's approach in facilitating a dialogue for normalising relations between Kosovo and Serbia. However, the EU's role as regional peacebuilder can suffer drawbacks as a result of internal turbulences cases by the Brexit and other lingering disintegrationalist forces.

The EU's approach to resolving conflicts and building peace

In the past ten years, the European Union (EU) has increased its role in resolving conflicts and building peace in its neighbouring regions and beyond. However, analysis of the EU peacebuilding work has placed EU practice almost entirely within traditional instruments of security governance, such as conflict prevention and mediation, crisis management, post-conflict stabilization and normative frameworks, such as human rights, human security and civilian protection. This is largely because scholars have argued that the EU's peacebuilding framework does not yet represent a coherent intellectual project and relies on existing liberal peacebuilding frameworks affiliated with restoring security, strengthening the rule of law, supporting democratic processes, delivering humanitarian assistance, and supporting economic recovery. Yet the EU's peace support operations should not only be studied through the lens of liberal peacebuilding, but should also be seen as self-mirroring its internal dynamics of neo-functional integration and consolidation. Thus, the EU's external actions are partly based on the externalization of its own model of integration, especially neo-functionalism which accounts for the incremental convergence of self-interest through economic and technocratic co-operation in a particular sector, which then can spill over to other sectors and enable broader political co-operation and integration.

The EU's peacebuilding approach is different to that of other international actors, mainly due to the contextual factors regarding how it has transformed internally, how its complex institutional and multi-layered governance works and what capacities, norms and practices it invokes in dealing with external situations. The domination of new alternative accounts, such as liberal intergovernmentalism, in explaining the EU's common foreign and security policy, as well as the complex unfolding of EU enlargement, development, and peacebuilding policies, have overshadowed neo-

functionalism's space in exploring developments in EU peacebuilding. Liberal intergovernmentalism grants more agency to the national preferences of member states than the EU institutions in shaping internal and external policy.

In peacebuilding studies, there is a tendency to avoid neo-functionalism, because it can be associated with technocracy – the rule of experts and bureaucratic procedures, based on universal blueprints, privileging of external knowledge and imposition of frameworks for governing societies.

Despite its overshadowed academic relevance, neo-functionalism continues to be an underlining frame of reference and culture of practice among EU policy-makers and bureaucrats. Neo-functionalism accounts for the incremental convergence of self-interest through economic and technocratic co-operation in a particular sector, which can spill over to other sectors and enable broader political co-operation and integration. The increased role of the EU in merging peace, development and security speaks to the neo-functionalist evaluation of EU governance of external security. Neo-functionalism, therefore, is not only relevant for theorizing regional integration, but can also help us understand the EU's peace support practices.

Neo-functional peace: Kosovo-Serbia Dialogue

The EU's neo-functionalist approach has played a crucial role in normalizing relations between Kosovo and Serbia, and in resolving a range of outstanding political disputes. In policy discourse, the Kosovo–Serbia dialogue was presented as a major success of European foreign policy and evidence that the EU was a reliable partner of the UN. But, how has the EU managed to resolve one of the protracted conflicts in Europe?

First, as prescribed by neo-functionalists, background conditions need to be conducive for a peace process to work. In the case of Kosovo and Serbia, the background conditions were ripe for both sides to initiate a peace process, whereby the normalization of relations between Kosovo and Serbia emerged as a key condition for advancing the stalled EU integration process for both countries. The peace processes between Kosovo and Serbia in the past two decades are marked by several missed opportunities. The EU's integration perspective for Kosovo and Serbia has been the driving force for both sides to engage in dialogue. Hence, despite its unpopularity now in Europe, the enlargement of the EU in the Western Balkans is key to transforming protracted conflicts.

Second, neo-functionalist approaches prefer technical dialogue and agreements in areas of 'low politics', which permit confidence-building, socialization and development of mutual commitments. A key feature of Kosovo–Serbia Dialogue was the conversion of sensitive political issues into technocratic process. The essence of this process was to find a mutually agreeable solution, leading to Serbia's removal of its parallel institutions in Kosovo and de facto acceptance of Kosovo's legal and political authority territory Kosovan territory, but also as an independent state in the region. Equally important and sensitive was Serbia's demand to expand political rights and the scope of local self-governance of the Serb community living in Kosovo. The technical dialogue has resulted in a number of important agreements on regional co-operation and representations, integrated border management, regulation of customs steps, return of cadastral records and civil registry and recognition of university diplomas. The agreements were written in technical language but had far-reaching political implications.

Third, in neo-functionalist logic, technical agreements had a spill over effect which launched a high-level political dialogue and resolved numerous outstanding sensitive political issues. After each agreement, the EU outlined the need for continuing dialogue, for pragmatism and for new agreements. The technical dialogue has facilitated a high-level political dialogue and in turn, the political dialogue later allowed new technical agreements. In fact, technical dialogue proved to be insufficient without upgrading the process to the highest political level that would ensure stronger political commitment, domestic legitimacy and faster progress in implementing the outcomes of the dialogue. The key breakthrough in the Kosovo–Serbia Dialogue was the negotiation of the 'First Agreement Governing the Principles for Normalisation of Relations', which permitted progress on sensitive political issues, such as sovereignty and regional membership, without negatively affecting the self-interest and domestic legitimacy of parties.

Fourth, neo-functionalist interactions are often embedded in multi-meaning liminalities to enable each party to interpret agreements in their own terms. While Kosovo utilized them to strengthen sovereignty, Serbia utilized the agreements to improve and advance the rights of Serbs in Kosovo and enhance its EU accession agenda. If, however, a highly political vocabulary was used to describe the contentious issues, neither party would have been able to reach any agreement. Liminality was chosen to reduce the potential politicization of these issues and create space for both parties to sell to their domestic audiences these technical agreements as favourable deals in their national interest. For instance, the agreement on the freedom of movement provides that citizens of Kosovo and Serbia would cross the border not with passports but with ID cards, accompanied only by a written entry/exit. In this

way the question of recognizing the Kosovo passport was avoided, by using alternative national documents.

Another interesting example is the IBM agreement, which for Kosovo is referred to as integrated border management, while Serbia refers to it as integrated boundary management. The substance of this agreement is in favour of Kosovan sovereignty, as it is a de facto demarcation of the border, setting the permanent border crossing between two countries where each party recognizes the jurisdiction on their respective sides.

Fifth and final feature, as the EU's desire to reward intentions and rhetorical commitments, rather than tangible results and outcomes of the peace process, which does not exclude the possibility for encapsulation, spillback and retrenchment of all sides in the peace process. From the EU's perspective, just the fact that the parties are talking to each other and the dialogue has not failed completely constitutes a promising basis for success. The EU has tried to promote positive conditionality and delivered some benefits irrespective of actual implementation. The facilitative role of the EU has proven to be more effective than the previous imposing nature of UNMIK in Kosovo. Nevertheless, conditionality and incentives for EU integration have certainly been key ingredients that have transformed the conflicting positions of actors.

Conclusion

Despite numerous achievements, the dialogue between Kosovo and Serbia was not without challenges. The agreements deriving from technical dialogue have only partially been implemented. Each side has delayed the implementation of certain parts of agreements that were not seen to be in their best interests. Both Kosovo and Serbia ran into domestic legal and institutional

complications, especially in cases which required legislative change. There is some evidence (but still limited to date) that the agreements have improved people's lives. The main critical uncertainty is how the implementation of agreements will reshape political and institutional life in Kosovo and what role it will have in fostering local peacebuilding and ethnic reconciliation. Another critical uncertainty is the EU integration dynamics of Serbia and Kosovo, which serve as a key incentive for both sides' engagement in the normalization dialogue. The rise of euroscepticism, refugee crises and regional instability has made enlargement unpopular within the European Union. Most importantly, Brexit and other internal challenges can hold back EU's role as regional peacebuilder. Moreover, it remains uncertain what the endgame of the dialogue will be, especially the regulation of diplomatic relations between Kosovo and Serbia. Despite these difficulties, the progress made since 2011 compared to previous international engagement is clear, especially in opening the prospects for resolving key outstanding issues. Nevertheless, these future uncertainties show that this neo-functional peace could experience setbacks, but is a promising approach through which to view the EU's engagement in the resolution of protracted conflicts.

The key principles of neo-functionalism, such as the interplay between technical and political, deconstructing of larger political issues into smaller technical decisions, spillover effects and shifting grounds of interests – when decontextualized and modified from their original usage to describe the EU integration process – are a useful means to conceptualize how the EU addressed the protracted conflict around the sensitive questions of sovereignty, recognition and political autonomy. This neo-functional approach does not seek to make progress by avoiding sensitive issues and focusing on something else; rather, it seeks to deconstruct the contentious issues into

acceptable technical and everyday decisions. Another distinct feature of EU's neo-functionalist approach is the extensive involvement of local actors and ownership of the process. While liberal and technocratic peacebuilding is often associated with the imposition of external blueprints and template-like solutions, and suppressing local alternative dispute resolution approaches, EU's approach can be different. It can be a situational strategy, where the local actors are the main parties that decide on the form and substance of agreements and implementation.

EU's neo-functionalist distinctiveness lies in its ability to transform disagreement by deconstructing language and practice and translating their meaning differently, by providing facilitative space through third parties. This sequential approach to the peace process has been first and foremost a practice and process-driven approach. Technocracy in this context does not depoliticize issues, but it helps reframe, temporarily at least, the meaning of things in such a fashion that it enables the transformation of hostilities and building of interdependent co-operation. It is this logic from its own history which makes neo-functional approach again a useful way to think about EU peace support practices. This approach deserves more merit and needs to explore how it can be utilised in contemporary peace-making and mediation efforts, especially in frozen and protracted conflicts.

Image by Nicolas Raymond via Flickr.

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