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## **MOTION FOR A RESOLUTION**

further to the Council statement

pursuant to Rule 103(2) of the Rules of Procedure

by Jan Marinus Wiersma

on behalf of the Committee on Foreign Affairs

on the European Union military operation 'ALTHEA' in Bosnia and Herzegovina

**European Parliament resolution on the European Union military operation 'ALTHEA' in Bosnia and Herzegovina**

*The European Parliament,*

- having regard to the Council Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina,<sup>1</sup>
  - having regard to Article 21 of the Treaty on European Union,
  - having regard to its resolution of 10 April 2002 on the European Security and Defence Policy (ESDP) and EU-NATO relations,<sup>2</sup>
  - having regard to its resolutions on the Common Foreign and Security Policy (main aspects and basic choices), in particular those of 26 September 2002<sup>3</sup> and 23 October 2003,<sup>4</sup>
  - having regard to its resolution of 13 March 2003 on the ESDP operation in the Former Yugoslav Republic of Macedonia,<sup>5</sup>
  - having regard to its resolution of 10 April 2003 on the new European security and defence architecture,<sup>6</sup>
  - having regard to Rule 103(2) of the Rules of Procedure,
- A. noting the Council Joint Action of 12 July 2004 and the announcement by the European Council of an ESDP mission, code-named 'Althea', to Bosnia and Herzegovina, which will be the first European Union military mission on a larger scale with approximately 7 000 military personnel in comparison to the smaller earlier missions 'Concordia' (approx. 350 military personnel) in FYROM-Macedonia and 'Artemis' (approx. 1,400 military personnel) in the Congo,
- B. believing that any EU operation that can resort to the use of force beyond the functions of the existing EU Police Mission to Bosnia and Herzegovina should strive to achieve broad public support and meet the highest standards of democratic legitimacy,

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<sup>1</sup> OJ L252 of 28.7.2004, p. 10.

<sup>2</sup> OJ C127 E of 29.5.2003, p. 579.

<sup>3</sup> OJ C379 E of 14.11.2003, p.295.

<sup>4</sup> P5\_TA(2003)0460.

<sup>5</sup> OJ C61 E of 10.3.2004, p. 379.

<sup>6</sup> OJ C64 E of 12.03.2004, p.599.

- C. recalling United Nations Security Council Resolution 1551 (adopted on 9 July 2004), which reminds the parties that they have committed themselves to cooperate fully with the International Tribunal for the Former Yugoslavia in order to surrender for trial all persons indicted by the Tribunal,
- D. noting the support of the United Nations Security Council for this mission<sup>1</sup>, which will take over the majority of tasks carried out by the Stabilisation Force (SFOR) operation of the North Atlantic Treaty Organisation (NATO) by the end of 2004,
- E. noting that the common costs of the operation are estimated to be €71.7 million and that these are to be charged to Member States directly in accordance with Article 28(3) of the Treaty on European Union and administered by 'ATHENA', the mechanism established by Council Decision 2004/197/CFSP of 23 February 2004,<sup>2</sup>
- F. noting that the security situation in Bosnia and Herzegovina has improved significantly since the end of the war in 1995, but that there are still a number of threats to security in the country which require attention, in particular those emanating from organised crime and corruption, international terrorism, civil unrest and ethnic tension,
- G. pointing out that the present fragile institutional framework, which came out of the Dayton Accords of 1995, does not enable the state of Bosnia and Herzegovina to cope effectively and successfully with the above-mentioned threats,
- H. noting furthermore that hundreds of thousands of refugees have not yet been able to return and that one of the reasons is that large parts of the territory are contaminated with landmines, both anti-personnel and anti-vehicle, and are therefore extremely unsafe; adding that mine-clearing is a critical precondition for economic development and stability, especially with regard to tourism and agriculture,
- I. strongly recommending the adoption of a peace agreement between Bosnia and its neighbouring countries, which revises the Dayton Accords and creates mutual trust, alongside formal bilateral cooperation treaties, before starting negotiations on EU membership; noting that peace agreements can be prepared by an international conference that brings together all the countries in the region, EU Member States, the UN and the United States,
- J. acknowledging that the NATO-led Stabilisation Force (SFOR) played a vital role for maintaining peace and security in Bosnia and Herzegovina, helping to ensure maintained stability and deterring a renewed outbreak of violence,
- K. noting that NATO will keep a headquarters in Sarajevo with some 250 military and civilian staff whose primary role will be to continue NATO's dialogue with Bosnia and Herzegovina on defence reform, to have joint responsibilities with the EU for counter-terrorism activities and all matters regarding the search for indicated war criminals; underlines that the capture and bringing to justice of indicted war criminals is a test of the credibility of the international community, of NATO, and ultimately, of the European

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<sup>1</sup> UNSCR 1551 (2004) adopted on 9 July 2004.

<sup>2</sup> OJ L63 of 28.2.2004, p. 68.

Union, and a prerequisite for further reconciliation,

- L. stressing that the stabilisation of Bosnia and Herzegovina is of enormous importance for the stability of the whole region and that the strengthening of its institutions could contribute decisively to the solution of the pending institutional and statehood issues in the bordering countries,
1. Welcomes the new coordinated and coherent approach of the EU to Bosnia and Herzegovina which includes a comprehensive Strategy for BiH<sup>1</sup>, a new mandate for the EU Special Representative<sup>2</sup>, the civilian aspects such as the Stabilisation and Association Process (SAP) and Community Assistance for Reconstruction, Development and Stabilisation (CARDS) programmes, the European Union Police Mission<sup>3</sup> as well as the coming military stabilisation force 'Althea';
  2. Deplores once again the non-involvement of the European Parliament, the treaty limits on the right of Parliament to be consulted and the limited provision of information;
  3. Regrets the decision to finance this mission by contributions outside the normal budget of the European Union;
  4. Believes that the 'Althea' operation should reinforce the EU's comprehensive approach towards Bosnia and Herzegovina and should support that country's progress towards eventual EU membership; welcomes also the statements to the effect that this action is intended to strengthen local policing capacity and the fight against organised crime, with a gradual handing over of responsibility for security to the local authorities;
  5. Supports the 'Stabilisation and Association Process' in Bosnia and Herzegovina, which constitutes an essential framework for that country's journey towards the EU; welcomes the new mandate of the EU Special Representative, Lord Ashdown, to implement the comprehensive support package for Bosnia and Herzegovina, but recalls once again that Bosnia Herzegovina must rely principally on its own efforts;
  6. Welcomes the decision of the EU to have recourse to NATO assets and capabilities for the 'Althea' mission, thereby confirming the collaboration between the two organisations and implementing the agreement of December 2002 on EU access to NATO planning and command facilities ("Berlin Plus");
  7. Advocates the closest cooperation between the EU Stabilisation Force in Bosnia and Herzegovina and the residual NATO presence in that country to ensure a clear delineation of the roles and responsibilities between the two organisations;
  8. Welcomes the maintenance of a NATO presence in Bosnia and of a separate NATO HQ in Sarajevo in the context of NATO's Partnership for Peace Programme but insists that, in addition to the turn-over of the peacekeeping mission, the responsibility for

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<sup>1</sup> The comprehensive strategy for BiH was outlined in the 14 June 2004 External Relations Council and adopted by the European Council 17-18 June 2004. Council of the EU, 10099/04, Brussels 15 June 2004

<sup>2</sup> Council Joint Action 2004/569/CFSP, July 12 2004. Official Journal of the EU L252/7, 28 July 2004, pp. 7-9

<sup>3</sup> Council Joint Action 2002/210/CFSP of 11 March 2002; OJ L70, 13.3.2002, p. 1.

counterterrorism operations as well as the apprehension of war criminals should also be handed over to the European Union;

9. Recommends to the EU Special Representative not only to closely coordinate with the EU Force Commander but also to invite NATO representation to the EUSR coordination group in order to ensure coordination and coherence across the range of EU activities in Bosnia and Herzegovina;
10. Welcomes the intention of third states to participate in the EU military operation;
11. Considers that this operation should establish further the collective capacity for planning and management of European military operations at EU level in the perspective of developing the EU Civil-Military Planning Cell; welcomes the intention to link military action with other aspects of the EU's role in Bosnia and Herzegovina, including policing, development and training;
12. Calls for the Althea mission to undertake to abide by Community and international human rights legislation;
13. Considers it important for the EU force to include a robust 'gendarmierie-type' element (the Integrated Police Unit) in order to perform those tasks for which the military have not generally been trained and which normal police forces cannot perform, especially since the EU Police Mission has a non-executive mandate under which it can only give advice and monitor developments; underlines in this context the importance of the stepping up of efforts to create a local, multiethnic police force that enjoys the confidence of all communities in the country;
14. Urges the EU's military and police forces as well as the civilian authorities in Bosnia and Herzegovina to collaborate closely in searching energetically for war criminals and in fighting against any kind of terrorism;
15. Recommends that the EU force will continue the recent practice of SFOR to deploy a network of small military teams to live among the population in 'host houses' in order to maintain its situation awareness and its deterrent presence despite a reduction in troop levels, from 12 000 to 7 000 in June 2004;
16. Underlines the importance of clear responsibilities over the command chain between the EU force commander in Bosnia and Herzegovina and the EU operation commander which is DSACEUR in SHAPE; welcomes the fact that an EU Command Element will be established at NATO's regional headquarters in Naples, Italy;
17. Demands in view of the more integrated and coordinated civil-military aspects of operation 'Althea' to be kept up-to-date by the EUSR as well as to be informed at regular intervals by the chairman of the Political and Security Committee (PSC) which exercises the political and strategic direction of the EU military operation;
18. In order to prevent situations such as those in that arose Kosovo in March 2004, the committee demands information about the plans for how decision making will operate between the different EU organs in situations of spontaneous outbreak of violence; calls on the Council for specific information on the 'operational capacity' and the 'rules of

engagement' for the ALTHEA mission;

19. Hopes that the establishment of an EU Civil-Military Planning Cell will be an important step forward in providing analysis and lessons learned from operation 'Althea' with the objective to make the EU a more efficient civil-military crisis management actor;
20. Calls for coordination on intelligence, and recommends that a specific mechanism should be implemented for coordinating information flows on the probability of ethnic tensions between the EU, NATO, the United States and other actors engaged in the region;
21. Calls on the Council to define and upgrade the role of the EU Monitoring Mission in Bosnia and Herzegovina, in order to make it suitable, and to integrate this civilian component into the ALTHEA mission;
22. Welcomes that a review of the operation will be conducted after 6 months and calls on the EUSR and chairman of the PSC to provide a statement on that review to the parliament;
23. Invites its Conference of Presidents to authorise the competent committee to send a fact-finding delegation to Bosnia and Herzegovina in order to evaluate progress;
24. Instructs its President to forward this resolution to the Council, the Commission and the Parliaments of the Member States and third countries, as well as to the parliaments and governments of Bosnia and Herzegovina.