Introduction

Co-operation in the field of conflict management has become an important challenge at the pan European level. Not only States co-operate together, but also International Organizations (IO). In 1999, the Organization for Security and Co-operation in Europe (OSCE) decided to create a Platform for Co-operative Security “in order to strengthen co-operation between the OSCE and other international organizations and institutions, thereby making better use of the resources of the international community”. Such initiative, to quote one, illustrates the change in International Organizations’ strategies. IOs have been developing their interactions and tend to make them more structured and more efficient as a response to global challenges such as community conflicts. Basically, it is now possible to identify a third level of community conflict management, situated at the International Organizations level that includes as well the European Union. This new level illustrates the process of pan-Europeanization of community conflicts management, temporally defined as a specific form of top-down internationalisation of community conflicts through the construction of structured interactions between IOs. The objectives of this article is twofold: first, to give a working definition of pan-Europeanization with regard to community conflicts. Secondly, to review the management of several community conflicts in order to draw some conclusions about the link between the kind of community conflicts and the degree of pan-Europeanization. Intuitively, one can think that a community conflict that challenges States’ external sovereignty should initiate a higher degree of pan-

Europeanization than a community conflict challenging internal States' sovereignty, but, as we will demonstrate, this assumption has to be nuanced. The issue at stake in a community conflict will influence not only the degree of pan-Europeanization but as well the configuration of pan-Europeanization, closely linked to the question of leadership. In that perspective, special attention will be paid to the shifts in leadership between the North Atlantic Treaty Organization (NATO), the Organization for Security and Co-operation in Europe (OSCE), the European Union (EU) and the Council of Europe (CoE) in the management of community conflicts. This contribution is thus divided into two parts. In the first part, we explore the concept of Pan-Europeanization of community conflicts, in particular with regard to others contiguous theories. In the second part, we will try to apply the notion of pan-Europeanization to three cases: the Baltic States with the Russian-speaking minorities, the Roma issue and the conflict in Kosovo.

1. DEFINING PAN EUROPEANIZATION OF COMMUNITY CONFLICTS

1.1. Community conflict management as a specific issue within the conflict management issue-area

Issue-areas are defined as a “sphere of activity that generates conflictive or co-operative political relations”\(^2\). Based on that definition, conflict management is a specific issue-area. Conflict management is a multi-faced field of activity that includes as well conflict prevention actions and conflict transformation actions\(^3\). The actors involved in conflict management have evolved as well: whereas conflict management has been for a long time the exclusive competence of States, it is now a global activity that involves both States and non-States actors. Indeed, since the publication of the Agenda for Peace in June 1992 and its Supplement a few years after, peace and security are as well under the International Organizations competencies. The United Nations Organization (ONU) has been for a long time the solely international actor active in that issue-area. Its role has been largely studied\(^4\). Now, at the regional level, regional organizations are as well fully involved in peace processes in a broad meaning. In A Supplement to An Agenda for Peace, the United Nations recognised that “As for regional organizations, Chapter VIII of the Charter defines the role they can play in the maintenance of peace and security. They have much contribute.”\(^5\). The role of the European Union and the impact of the process of Europeanization on the resolution of conflicts has been extensively reviewed\(^6\) as a corollary of the enlargement of EU’s functions in the field of conflict management\(^7\).

This evolution comes from the progressive adoption of a broader definition of security which includes internal conflicts as a direct threat to peace and security\(^8\). For instance, in the 2003 European Security Strategy, regional conflicts are identified as key threats. “Violent or frozen conflicts, which also persist on our borders, threaten regional stability. They destroy human lives and social and physical infrastructures; they threaten minorities, fundamental freedoms and human rights \(^9\). At the European level, the conflicts in the Balkans in the 90s have caused a crisis of awareness. European Governments and International Organizations realized that,

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\(^{3}\) See the 1997 Final report of the Commission Carnegie on Preventing Deadly Conflicts .

\(^{4}\) See for instance the first issues of the review International Organization.

\(^{5}\) « Supplement to an agenda for peace: position paper of the secretary-general on the occasion of the fiftieth anniversary of the united nations », Report of the secretary-general on the work of the organization, A/50/60 – S/1995/1, 3 January 1995, Title 1V.


\(^{8}\) For instance, in the UN's 2004 Report of the High-Level Panel on Threats, Challenges and Changes, Secretary-General Kofi Annan identified six clusters of security threats: economic and social threats; interstate conflicts; internal conflict; nuclear, radiological, chemical and biological weapons; terrorism; and transnational organised crime.

apart from the direct threat to human rights, these conflicts may create a regional destabilization throughout horizontal escalation; it was the European people’s interest to try to prevent such diffusion. MARTIN ESTEBANEZ M.A., underlines that « it was the conflict in the former Yugoslavia that brought the minority question to the forefront of the external activity of the Union.»10. This analysis is confirmed by the European Commission’s Communication on “The European Union and the external aspects of human rights: from Rome to Maastricht and beyond”, “there is a consensus that minority-related tensions are a direct threat to peace, security and stability”11. In 1998, the Permanent Council of the OSCE declared “that the crisis in Kosovo is not solely an internal affair of the FRY because of violations of OSCE principles and commitments on human rights and because it has a significant impact on the security of a region, as well as taking into account the need for immediate efforts by the international community to prevent further escalation”12.

Besides the conceptual evolution of security, there has been as well a qualitative redefinition of IOs’ missions and objectives. For instance, NATO is originally a collective defence organization that aims to protect the Members by political and military means. Since the end of the Cold war, NATO adopted in 1991 and in 1999 two new Strategic Concepts in order to respond to the modifications of the strategic environment. NATO’s missions and tasks have been profoundly modified in particular because NATO adopted a broader definition of security13. “The Alliance is committed to a broad approach to security, which recognises the importance of political, economic, social and environmental factors in addition to the indispensable defence dimension.”14. The situations that may threaten the Alliance’s Members are much more variable than before: « The security of the Alliance remains subject to a wide variety of military and non-military risks which are multi-directional and often difficult to predict. These risks include uncertainty and instability in and around the Euro-Atlantic area and the possibility of regional crises at the periphery of the Alliance, which could evolve rapidly. Some countries in and around the Euro-Atlantic area face serious economic, social and political difficulties. Ethnic and religious rivalries, territorial disputes, inadequate or failed efforts at reform, the abuse of human rights, and the dissolution of states can lead to local and even regional instability ». This approach is close to the OSCE’s global approach of security. In the Final Act of Helsinki, the CSCE recognizes « the close link between peace and security in Europe and in the world as a whole and conscious of the need for each of them to make its contribution to the strengthening of world peace and security and to the promotion of fundamental rights, economic and social progress and well-being for all peoples ». The same broad definition of security has been adopted in 2003 by the European Union. The European Security Strategy states that « The post Cold War environment is one of increasingly open borders in which the internal and external aspects of security are indissolubly linked ». The Council of Europe’s vision of peace is based on the principles of justice and international co-operation, which are affirmed in the Statute of the Council of Europe’s preamble.

Moreover, within the conflict management issue-area, community conflict management is a specific type of management because community conflicts are very special kind of conflicts15. First, community conflicts are intrastate conflicts. They can evolve into international conflicts through processes of diffusion, but originally they take place within the territory of a State. This is a crucial characteristic because, whereas interstate conflicts are regulated by the UN Charter, intrastate conflicts remain, by principle, in the national State sphere. Indeed, international relations are based on the principle of State sovereignty and non-interference in internal
affairs. These principles are often reaffirmed (see for instance the “Ten principles” of the Helsinki Final Act). In consequence, a conflict that would take place within the territory of a given State would normally be the matter of this State. However, during the last century, community conflicts have been internationalized; not only because the conflicting parties seek international support [bottom up internationalization], but also because third parties, like States or International Organizations get involved in the intrastate conflicts [top-down internationalization].

Second, community conflicts are very complex conflicts whose roots go much beyond the purely ethnic factor. The PEACE-COM project over Community Conflicts in Europe, provides a very useful point of departure to analyse community conflicts. According to this project, there are five main dimensions. The cultural dimension mainly derives from religious identity, cultural and/or linguistic differences between two communities. The political dimension refers either to a center-periphery conflict or to a security dilemma and access to the political scene, to a citizenship denial or because of elites’ manipulation. Territorial claims, socio-economical differences or conflicts linked to demography and population shifts reveal a third dimension which is the socio-economical and geographical dimensions. The last dimension, the external dimension, refers both to conflicts caused by the changes on the international scene especially after the Second World War (decolonization, imperialism etc.) and to conflicts caused by a kin-State, Diasporas and border communities.

Based on this typology, it is possible to identify four main dimensions. The cultural dimension remains the same, but the socio-economical and territorial dimension, according to us, should be shifted into two distinct dimensions. Indeed, territory is a central element in the understanding of community conflicts. The use of the territorial rhetoric by the conflicting parties illustrates, both at the internal and external level, the “reversal of the principal of territoriality” explained by Bertrand Badie. Badie identifies the “end of the territories” as the main cause of challenging of the national-state model. Territory is becoming the principal marker of identity, the natural prolongation of one group’s identity, erasing the political ideal of the Nation-State. Nation-States are being challenged by territorial claims. According to Badie, such evolution leads to the ethnicization of the world and the creation of Ethnic States or Ghetto States. Territory is thus a whole and complex dimension on its own and must be separated from the socio-economical dimension. In terms of issue, the territorial dimension refers to the challenging of the State’s sovereignty. Stephen Krasner has clustered sovereignty into four main dimensions. The domestic sovereignty which is internal, interdependence sovereignty is linked to the capacity of a State to control transnational movements. International legal sovereignty is the rule that a State recognizes another State. The last type of sovereignty, the Westphalian sovereignty, is the notion that States have the right to determine autonomously their own domestic authority structures. The corollary is the principle of nonintervention within a State’s internal affairs. According to this typology, the territorial dimension can be clustered into two main components. The first component refers to the

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18 Charter of the United Nations. Chapter I.
22 Adapted from FERON E., “Community Conflicts in Europe: A Review of the Literature – Mapping Conflict Dimensions”, Deliverable 1, PEACE-COM project.
24 Idem
claims made by a community within a Host-State. They can be either claims for autonomy, in a broad meaning, and as a challenge to the domestic sovereignty or claims for secession, closely linked the principle of self-determination. The difference between autonomy and secession comes from the challenge to territorial integrity. Autonomy, as a technique of internal organization, is an elastic concept that may refers to different degrees and forms of autonomy (federalism, consociation and so). But autonomy does not supposed any challenge to State’s sovereignty and supposed the maintenance of allegiance to central authority. At the same time, it is true that the recent development of paradiplomatic relations by regions constitute defies States’ sovereignty. Secession constitutes a direct challenge to international legal and Westphalian sovereignty because secessionist movements defies the principle of territorial integrity such as in Transnistria. The final aim of secession is the grant of international legal and Westphalian sovereignty. State’s sovereignty can be also challenged by the external territorial claims, mainly irredentist claims, made by external conflicting parties such as Diasporas, bordering communities or kin-states. This is the third component of the territorial dimension and it integrates the “external dimension” identified in the PEACE COM project. Irredentism, as we understand it, encompasses both territorial and cultural claims. For instance, Hungary’s politics with respect to Hungarians living outside of Hungary’s territory may be seen as a kind of interference into internal affairs. The program of the Government Office for Hungarians minorities Abroad includes “supporting Hungarian beyond the borders so that they can find prosperity, enforce their rights, keep their language and culture where they were born, reunification of the Hungarian nation within the framework of the enlarging European Union”.

The following table summarizes the main dimensions and related components:

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1.2. A new ontological level of analysis

Together with the exclusion of community conflicts management from the exclusive States’ competencies, the involvement of IOs has become greater and underlines the emergence of a new ontological level situated at the pan European level.

1.2.1. Does Pan-Europe exist?

In the Greek mythology, Pan is the God of wholeness, of the entire Nature. Logically, Paneurope refers thus to the entire Europe. The adjective “panEuropean” is now a fuzzy word even if nobody knows exactly to what it refers. Does Paneurope exist? And if, what is it and what are the limits? Actually, these questions are quite old. When Richard Coudenhove-Kalergi wrote in 1923 just after the First World War Paneurope, he promotes the idea of a united Europe in order to prevent war. “Europe as a political concept does not exist. La partie de ce monde qui porte ce nom recèle un chaos de peuples et d’Etats, une poudrière de conflits internationaux; elle est le creuset des guerres futures. The European question cannot be resolved without the union of all the peoples of Europe”33 The project of Coudenhove-Kalergi has been torpedoed by the arrival of Nazi regime but he is at the origin of the creation of the oldest European institution, the Council of Europe, created in 1949.34 This institution promotes the pan-European idea. Even if this idea is usually not defined, it refers to the idea of Michel Foucher’s “Great Europe” that encompasses the European Union territory, the Balkans and the Caucasus as well.35

More than a geopolitical concept, Great Europe is a political concept based on a common identity. Recently, the Council of Europe organized a colloquy on the ‘European identity’. One of the major conclusion of this 3-session-colloquy has been that “European identity is rooted in national diversity, and emerges at the point where countries realize that they share a common future. » and that « "Europe" [is] a community of shared values in a given geographical area »36. At the end, this vision is very much consistent with Zaki Laidi’s concept of space of meaning. A “space of meaning” is “définis comme des espaces aux frontières incertaines, mais désireux d’exprimer une identité collective singulière à des fins de différenciation identitaire, de pesée politique, de rationalisation économique, voire même de légitimation politique interne”.37 Walter Schwimmer, Secretary-General of the Council of Europe, underlined recently that there is a “consensus on the geographical scope” of Europe. “However, the two major questions – the Transcaucasia and the former Soviet Republics in Central Asia – have been answered. Armenia, Azerbaijan and Georgia are part of

34 He created in 1923 the pan European association that still exists. http://www.paneuropa.org/ch/index.html
36 Council of Europe Secretary General Walter Schwimmer said at the opening of the European identity Colloquy held on 20 and 21 September 2001 in Strasbourg
Europe - because that is what they finally wanted38 -, the Central Asian States are not. »39

In the present contribution, we will adopt the notion of Great Europe which is the synonym of the Council of Europe’s vision. The concept of “Paneurope” will not be a used hereinafter in order not to make any confusion with the Coudenhove-Kalergi’s concept of Paneurope which excludes Great Britain for instance.

1.2.2. The pan-European level

In the world portrayed by James Rosenau40, the “multi-centered world”, composed by International organizations and others international actors defies the World of States because it challenges States’ traditional sources of sovereignties. This duality illustrates the emergence of other international actors more or less autonomous from the States they originally depended on. On the European scene, even if EU is now an international actor41, it is not the only one active in Europe. The ongoing process of Europeanization seems to hide the fact that there are many other political International Organizations active in Europe. For instance, in a recent study over the Europeanization of secessionist conflicts, the authors underline that “It is […] critical to bear in mind that emphasizing the EU entails the risk of overlooking other important generators of change in the societies under discussion. In the context of conflict settlement and resolution, other framework organizations and players must be taken into consideration when analyzing the effects of Europeanization”.42 As a matter of fact, conflict management is as well a competence of the Organization for Security and Co-operation in Europe, the Council of Europe and the North Atlantic Treaty Organization.

Besides the equivalence in terms of objectives and missions, there is an overlap in terms of members. Many of the States members of the EU are at the same time members of these IOs. The result is a sort of cobweb of relations43, a network between these two poles of actors44. At the same time, the emergence of global commons (such as environment or human rights) or Global Public Goods45 has profoundly transformed the international scene. The importance of these global challenges on the reconstruction of the relations between international actors have been studied throughout the transnational or pluralistic paradigm that emphasizes the centrality of the concept of complex interdependence. For Keohane and Nye, interdependence is a situation of mutual dependence and “refers to situations characterized by reciprocal [costly] effects among countries or among actors in different countries46 where effects are international transactions such as flows of money, goods, peoples and messages. Complex interdependence is characterized by the absence of hierarchy among issues, the minor role of military issues and the existence of multiple channels (interstate, transnational and transgovernmental channels).47 This situation of interdependence is illustrated by the increased cooperation between IOs in certain field of activities, in particular conflict management. In the Supplement to the Agenda for Peace48,

We underline.

Statement of Mr Walter Schwimmer, Secretary-General of the Council of Europe on the occasion of the opening of the third part of the colloquy on the European identity, "Europe tomorrow: shared fate or common political future?" Final colloquy - Strasbourg, 18-19 April 2002


To be exhaustive, it would be important to add a third pole of actors, composed by all the non-governmental actors, such as international non-governmental organizations and etc.


Ibidem, p 24 and following.

the General-Secretary Boutros Boutros-Ghali made a specific chapter about the coordination of the UN action with other regional organizations. « Cooperation between the United Nations and regional organizations takes a number of forms. At least five can be identified: (a) Consultation [...] b) Diplomatic support: the regional organization participates in the peacemaking activities of the United Nations and supports them by diplomatic initiatives [...] (c) Operational support: the most developed example is the provision by NATO of air power to support the United Nations Protection Force (UNPROFOR) in the former Yugoslavia. [...] (d) Co-deployment: United Nations field missions have been deployed in conjunction with the Economic Community of West African States (ECOWAS) in Liberia and with the Commonwealth of Independent States (CIS) in Georgia; (e) Joint operations [...]». The conclusion of the General-Secretary on this point stresses that « If those experiments succeed, they may herald a new division of labour between the United Nations and regional organizations, under which the regional organization carries the main burden but a small United Nations operation supports it and verifies that it is functioning in a manner consistent with positions adopted by the Security Council ».

At the level of Europe, the same pursue of coherence is about to emerge : in 2003, the Council of the European Union approved its first European Security Strategy49 drafted by the EU High Representative Javier Solana. One of the main ideas of the EU Security Strategy (ESS) is that “no single country is able to tackle today’s complex problems on its own.” Such characteristics appear as well in the vision of the other IOs. In the “OSCE strategy to address threats to security and stability in the twenty-first century”50, the Ministerial Council affirms that “No single State or organisation can, on its own, meet the challenges facing us today. Co-ordination of the efforts of all relevant organisations is therefore essential.” [...] “The OSCE seeks to expand its relations with all organisations and institutions that are concerned with the promotion of comprehensive security within the OSCE area, and has established regular patterns of consultation at both the technical and the political levels with a number of them, inter alia, the UN, EU, NATO and the Council of Europe.” The Council of Europe and NATO stress as well in their discourses the need to collaborate with the others International Organisations with regard to common challenges. Jaap de Hoop Scheffer, Secretary General of the North Atlantic Treaty Organisation stated to the Parliamentary Assembly of the Council of Europe in June 2005 that “Although very different organisations, NATO and the Council of Europe are both committed to conflict prevention. The Council of Europe does so through its standard-setting and monitoring activities. We are convinced there can be no peace without human rights, democracy and the rule of law.”51

Since the fall of the Berlin Wall, the four Organisations (EU, OSCE, NATO and CoE) have been thus getting closer in terms of purposes, missions, and even members. Moreover, the enlargement of NATO in 2004 and the enlargements of EU in 2004 and 2007, coupled with the deepening process has created an unique situation : four IOs are at the same time in charge of peace and security in Europe. Consequently, they all are legitimate to get involved in crisis that break out on the European continent. For instance, they all got involved in the Kosovo’s crisis. According to the UN Resolution 1244 (1999), the CoE contributes to the implementation of the United Nations Mission in Kosovo (UNMIK), and the Provisional Institutions of Self-Government (PISG). The Council of Europe’ main tasks deal with human rights protection, election observation, protection of the cultural heritage, reform of the local self-government, crime prevention. At the same time, the mandate of the OSCE Mission in Kosovo encompasses tasks in democracy and governance, election organization and supervision, media affairs, human rights monitoring, rule of law and police education and development52. Before the OSCE Mission in Kosovo, OSCE, acting within the framework of the UNSC Resolution 1199 was leading the Kosovo Verification Mission (KVM).53 NATO intervened in the Kosovo crisis at different moment. NATO first

50 “OSCE strategy to address threats to security and stability in the twenty-first century”, Eleventh Meeting of the Ministerial Council, 1 and 2 December 2003, MC.DOC/1/03.
51 Speech by Jaap De Hoop Scheffer, NATO Secretary General at the Council of Europe, Parliamentary Assembly session : 20 to 24 June 2005.
52 Decision n° 305, PC.DEC/305, 1 July, 1999.
established a special military task force to support the KVM. During the crisis, NATO carried out the military operation Allied Force.

After the end of the air strikes, a Military Technical Agreement was agreed and permitted the establishment in June 1999. In accordance with the UNSC 1244, the mission of KFOR is « to establish and maintain a secure environment in Kosovo, including public safety and order; to monitor, verify and when necessary, enforce compliance with the agreements that ended the conflict; and to provide assistance to the UN Mission in Kosovo (UNMIK) ». The European Union is also actively engaged in the reconstruction of Kosovo. UE participates in the UNMIK and the mission of KFOR. Kosovo is actually anchored in the Stabilization and Accession Process (SAP) and the « European Future of Kosovo » is becoming a reality. This quick overview suggests at first glance that, in the Kosovo crisis, there has been a sort of division of labour between the IOs. CoE’s role deals with conflict transformation while OSCE has been involved in preventive actions (KVM) and conflict transformation activities (OSCE Mission in Kosovo). With the military task force and the Operation Allied Force, NATO’s role is anchored in preventive and resolution actions. The involvement of EU copes with preventive, resolution and transformative actions.

*Hence, as an intermediate definition, pan Europeanization of community conflicts is a specific form of top-down internationalization. It refers to the process by which International Organizations launch an organized action at the pan-European level.*

**1.3. Pan-Europeanization of community conflicts and contiguous theories and concepts**

In order to make the definition more clear, it is necessary to draw the line between pan Europeanization and others theories, in particular theories of political integration, theory of Europeanization and theories of regimes.

At the theoretical level, the first distinction to be made is that pan Europeanization is not Europeanization. The two concepts sound equal or are quite close to each other but they are two different notions. Europeanization deals with the European Union. The processes of enlargement and deepening of the EU have given a strong input to conceptualizing Europeanization. The literature on this subject is huge, in particular because Europeanization means lot of things. Johan Olsen proposes five meanings of the phenomenon of Europeanization. For him, Europeanization means whether 'The changes in external territorial boundaries'; or 'Development of institutions of governance at the European level'; or 'Central penetration of national and sub-national systems of governance'; or 'exporting forms of political organization and governance that are typical and distinct for Europe beyond the European territory'; or 'Political project aiming at a unified and politically stronger Europe'. These propositions illustrate the high pluri-meaning of the concept which refers at the same time to the enlargement process, the institutionalization process, the system of governance, the relations between EU and other international institution and the underlying project of political integration. In order to avoid concept stretching, Radaelli has proposed a working definition, which is now a reference in the field of Europeanization theory. He defines Europeanization as “processes of (a)construction (b)diffusion and c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourses, identities, political structures and public policies”.

Pan-Europeanization is not Europeanization because the ontological level is different. As underlined by Radaelli, “Europeanization would not exist without European integration. But the latter concept belongs to the ontological stage of research, that is, the
understandings of a process in which countries pool sovereignties, whereas the former is post-ontological, being concerned with what happens once EU institutions are in place and produce their effects”. The same remark could be addressed with respect to pan-Europeanization and Europeanization. Pan-Europeanization is concerned with the effects produced by the structured interactions of IOs on a specific issue at the level of the Great Europe.

Secondly, pan-Europeanization is different from political integration. As highlighted by Stanley Hoffman, the processes of political integration is one of the major evolutions that have happened on the international scene since the last decade. According to Jean Barrea, regional integration is indeed one of the 4 existing modes of international co-operation. Basically, theories of political integration are divided into 4 main approaches; the pluralistic (or transactionalist, or communications) approach developed by Karl Deutsch, the functionalist and neo-functionalist perspective (Mitrany, Haas, Lindberg), the federalist approach developed by Etzioni and the inter governmental strategy of political integration. The perspectives developed in these various approaches are different but the theoretical basis is similar in a certain way. Jean Barrea synthesized the characteristics of external political integration as a triple process of political socialization, politification and poltitisation where political socialization refers to the “population’s progressive transfer of aspirations, claims, attitudes and allegiances to a new centre of power”; politification as a process of creation of a “new centre of decision that can have the legitimate monopole of physical violence”; and poltitisation is the process of transfer to the new centre of power of some competencies such as security, foreign policy, justice etc.” Political integration is a two-staged-process: the first stage is the creation of new “whole”, a common sense or identity. The second stage aims at consolidating the unit created, but it is then out of the scope of International Relations theories. At the end, theories of political integration provide explanations about “how and why States cease to be wholly sovereign, how en when they voluntarily mingle, merge, and mix with their neighbours so as to lose the factual attributes of sovereignty while acquiring new techniques for resolving conflict between themselves”. The theories of international political integration are in a certain sense a theory of organized action, but remain based on a stato-centric perspective. Using political integration theories to analyze the IOs’ organized action requires first an assessment if the transposition is consistent. At first glance, Deutsch’s concept of security communities seem the more stimulating concept. Deutsch’s vision of peace is about the creation of “a sense of community” through the creation of “security communities” (amalgamated or pluralistic) He describes security communities as groups of people that have become integrated. In other words, a security community is a political community which members have eliminated war as a solution of their problems. For Karl Deutsch and his team, it is easier to create and maintain a pluralistic security community than a amalgamed security community, seen that a pluralist security community needs only three conditions to be created and maintained: compatibility between fundamental values, existence of a “we-feeling” and interdependence. This idea is close to Hedley Bull’s idea of international society. For the author, a society of states exists “when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations...”
with one another, and share in the working of common institutions. This idea is also presents in the neo-functionalism theory of European integration incarnated by Ernst Haas and Leon Lindberg. The intellectual scope of the neo-functionalism theory is much larger than the “case” of Europe, seen that the idea of Haas is to provide a general framework to analyse processes of regional integration defined as “[...] a living laboratory for observing the peaceful creation of possible new types of human communities at a very high level of organization and of the processes which may lead to such conditions.” In sum, pan-Europeanization does not refer to a process of political integration -which is a state-centric process- but it is close to Deutsch’s reflection over pluralistic security communities in the sense that the process of pan-Europeanization of community conflicts may participate to the creation of a more extended pluralistic community at the regional level.

As a third theoretical precision, pan-Europeanization is not a new version of multi-level governance (MLG). Even if MLG is not a “grand theory”, the apparition of the concept has generated a huge wave of literature but, still, the concept remains weak. Mainly, MLG is a metaphor, used to stress a new reality. “The point of departure for this multi-level governance (MLG) approach is the existence of overlapping competencies among multiple levels of governance and the interaction of political actors across these levels.” For Rosamond, MLG is an “attempt to depict complexity as the principal feature of the EU’s policy system and [MLG] emphasis on variability, unpredictability and multi-actorness.” At the end, MLG permits the “recognition of the multi-levelness”;

1.4. Analyzing the pan Europeanization of community conflicts: the need for a method of analysis

We have already defined pan Europeanization of community conflicts as a specific form of internationalization. It refers to the construction by the IOs of an organized action in the field of community conflict management at the pan European level. Such definition implies to make clear what is an organized action.

Most of the time, interactions between IOs are not studied through the perspective of organized action. They are analyzed in terms of co-operation, coordination, complementarities and competition. The central point of these studies is generally to make an assessment of the coherence and the efficiency of the so-called partnership and to make some recommendations. This kind of analysis is far from permitting a global comprehension of IOs’ interactions in the field of community conflict management. As we mentioned before, the emerging division of labour with respect to community conflicts management suggests that the IOs’ interactions are getting more structured. This perspective changes radically because the focus is not on explaining the individual actions of an actor but to understand the problems related to the construction of an organized action at the level of IOs. In that sense, the theory of international regime gives some interesting concepts. Since the apparition of the concept, the literature has

70 ADLER E., BARNETT M., op.cit., p 30. They define “security community” as “a transnational region comprised of sovereign States whose people maintain dependable expectations of peaceful change.”
72 ROSAMOND B., op.cit., p 111.
73 Idem
been abundant in order to better understand this phenomena. However, international regimes remain difficult to comprehend because of a weakness in analytic terms. Such weakness has been already pointed out by scholars like Susan Strange or Oran Young.75 Hence, lot of efforts have been made in order to provide a better analytic framework of analysis76. The question of the definition, the conditions of emergence, and transformation, the dynamics and the diversity of forms of international regimes have been the heart of the reflection on this phenomena. Even if several definitions have been proposed (from very broad to more specific)77, Stephen Krasner’s definition is now consensual. He defines an international regime as ‘a set of implicit or explicit principles; norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations. Principles are beliefs of fact, causation and rectitude. Norms are standards of behaviour defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice’.78 Basically, international regimes are the institutionalised form of international co-operation79. Some characteristics of international regimes are important to underline. First, “the members of international regimes are always sovereign states”80. Some regimes include other actors or bodies, such as international organizations, or councils81. That is the case for the “formal international regimes” recognized by Puchala and Hopkins82. The authors affirm that “Governments of nation-States, are the prime official members of most international regimes, although international, transnational, and some subnational organizations may practically and legitimately participate”.83 But mainly, States are the basic components of a regime. State-centeredness is one of the more important critics addressed by Susan Strange to regime analysis84 even if some scholars give more importance to the role of international organizations. For Breckinridge, for instance, the function of a IO is not only to monitor an international regime but as well to modify it.85 Secondly, regimes are not ad hoc arrangements. Stephen Krasner emphasis on this point “Regimes must be understood as something more than temporary arrangements that change with every shift in power and interests”86. The theory of regime can be very useful to analyze International actors’ (States and non-States actors) organized actions but one of the main problems remains the weakness in analytic and conceptual terms, even if some authors have provided very interesting taxonomies of international regimes 87. Moreover, international regime theory focuses on legal agreement between international actors in a specific issue-area; such focus does not enlighten the relations of power between members of a regime. For instance, the international management of the Roma issues creates obviously an informal division of labour that comes from both the specificities of the IO involved and the informal relations of power related to the maintenance of leadership at the international level. In sum, the theory of international regime is not sufficient to analyze the intrinsic logics of an international organized action. At the same time, there is no fundamental incompatibility between the existence of an international regime and of an organized action (even a system of action). In other words, a European minority regime may exist next to an organized action but the former will be related to the existence of formal and institutionalized forms of co-operation whereas, the latter illustrates the existence of informal

79 BARREA J., op.cit, p 129
81 Marie Claude Smouts affirms that “All the international organizations are regimes but not all regimes give birth to international organizations”. SMOUTS M.C., Les Organisations Internationales, Paris, Armand Colin, 1995, p 27.
83 Ibidem, p 63.
84 STRANGE S, art.cit, p 349.
85 ROBAMOND S., op.cit, p 168.
86 KRAISNER S., art.cit, p 2; KEOHANE R., art.cit, p 141.
forms of interactions.

On the contrary, the framework proposed by Michel Crozier and Erhard Friedberg looks very interesting for analysing this kind of action. The focus is on the actor and the theory is based on the hypothesis that the actions of an actor can be explained by both the logic of its action—its strategies—and the context of action. The central point of Crozier and Friedberg's viewpoint is to analyze the conditions and the consequences of a specific and contingent context of action. In L'Acteur et le système, les contraintes de l'action collective, Crozier and Friedberg analyse the organized action. The idea of the study is that the organized action is nothing but a construction, that is “specific solutions, that, relatively autonomous actors, with their resources and their particular capacities, have created, invented, implemented, in order to resolve the problems caused by the organized action, among others, the most fundamental, the problem of cooperation. These solutions are created in order to accomplish common objectives, in spite of divergent orientations”.

The four principles of Crozier and Friedberg's reflection are the following:

1. The actor is strategic and has a zone of autonomy;
2. The rationality of the actor is limited;
3. Power is a relation of exchange that actors negotiate;
4. Interactions between actors result in the constitution of an action system more or less stable.

In their essay, Crozier and Friedberg analyze in the first two parts the phenomenon of organization, but they propose to transpose, in a third part, the theory from the organization, a formal construction, to a more general situation, a system. The notion of system, as used by the authors, has nothing to do with the concept of system as developed by David Easton. In the analysis, the concept of system of organized action does not refer to an empirical scheme. On the contrary, it is used, here, in order to reveal the existence of actor's specific “games”. The existence of such games may lead to an action system, defined as “A structured human entity that coordinates each parties share by using a stable game plan. The entity maintains it's stability by adjusting its game plan with other game plan regulations”. An action system is thus always a specific solution created to resolve the problems related to the organized action, the interdependence, the co-operation and the conflict. The difference between the existence and the non-existence of an action system depends, according to Friedberg, on the characteristics of the games. He defines four degrees: 1/ the degree of formalization and codification of the regulation; 2/ the degree of finalization of the regulation that refers to the existence or non-existence of common explicit objectives; 3/ degree of awareness and interiorization of the interdependence by the actors; and 4/ the degree of explicit delegation of the regulation. This last dimension refers to the existence of integrators, who are actors that regulate the conflicts of interests.

It is possible then to draw a “genetic sequence” of the emergence of the action system. A first stage would be the passage from non-co-operation and conflict to co-existence and implicit collusion between the actors. This first stage does not correspond to a first degree of formalization and codification, but means that there is an implicit collusion between the actors. The second stage is crossed when the actors go beyond the collusion and become aware of the benefits of the co-operation. The introduction and the acceptance of the explicit co-operation and its transformation into common objectives illustrate this second sequence. The delegation and the emergence of formalized structures constitute the last stage of the action system.

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90 Ibidem p 228.
92 CROZIER M. FRIEDBERG E., op.cit., p 286.
2. MAPPING ORGANIZED ACTIONS OF COMMUNITY CONFLICT MANAGEMENT

We have already defined community conflicts management as a specific issue within the conflict management issue-area. In the light of the precedent chapter, it is possible then to precise our first definition and to define the process of pan-Europeanization as following:

Pan-Europeanization is a process by which International Organizations construct an organized action, which may lead to the constitution of an action system, at the pan-European level.

Such definition implies that analysing the pan-Europeanization of community conflicts may permit to recognize different degrees of pan-Europeanization. In some cases, the pan-Europeanization process will be limited to a simple co-ordination of action between actors (low pan-Europeanization) and in other cases, it will be possible to observe a high degree of pan-Europeanization when the interactions of the IO are better structured and integrated. The last degree may lead, in fine, to the constitution of an “action system”.

The specificities of community conflicts have been exposed in the precedent part, in particular the different dimensions. Each community conflict has its own logic and differs from another. It is thus of particular interest to try to link the kind of conflict with the construction of the organized action taken by the IO involved in the conflict management. For instance, is there a difference between the organized action taken with respect to the community conflict in the Baltic States and the actions taken in Kosovo? This is the question that will be addressed now, as an application of the concept of pan-Europeanization. From the analysis of three cases of community conflicts, (the Kosovo conflict, the Russian speaking conflict and the Roma conflict) we will try to draw some conclusions about the question addressed here. The selection of the three cases is based on the revisited grid of dimensions. The cultural and territorial (internal aspect) dimensions are present in the Kosovo crisis as well as a high degree of violence. The conflict in the Baltic States is rather a political and a territorial (external aspect) conflict. The Roma case is also interesting. The dimensions present in this conflict are mainly the socio-economical and political dimensions. Using Crozier and Friedberg’s theory, the comparison of the international response to these conflicts will make it possible to determine the impact of each dimension on the ongoing process of pan-Europeanization. For the three cases, the methodology of analysis will include: a) a quick overview of the IOs’ involvement in the conflict, b) the definition of the problem: is there an organized action? and c) the first conclusions.
2.1. The Russian-speaking Minorities in the Baltic States

2.1.1. Quick overview of the IOs’ involvement in the conflict

The major International Organizations whose activities are concentrated on the European territory have been involved in the case of Russian minorities. The reasons are two-fold: The first reason is that the involvement of the IOs in the Baltic case is geopolitical. The break-up of the Soviet Union in 1991 has created at the same time a huge Russian minority in the former soviet republics. More than 20 million ethnic Russians live in the « near-aboard » of the newly formed Russia. In the Baltic States, the Russian-speaking minority is as well of great importance: the ethnic composition of the Baltic States shows that, in 1989, 30.3 % of the Estonian population, 34% of the Latvian population and 9.4% in Lithuania was from Russian origin. The issue of the Russian minority in Estonia and Latvia became then « an important factor in international relations »55, in particular because of the attitude of the Estonian and Latvian States and the Russian Federation. In Estonia and in Latvia the presence of a large Russian minority became a problem in the 80s and the 90s, just after the independence of the two countries. The presence of the Russian minority was seen as a danger for the re-construction of the national identity and the complete independence from Russia. In both countries, the radicalization of the Language legislation and citizenship legislation56 increased the internal tensions, at the community level, and the external tensions, at the international level. With more than 20 millions Russians living in the « near-aboard » of the Russian Federation, the protection of Russians has always be an objective for the Russian Federation57.

The situation in the Baltic States was about to become a violent conflict. Indeed, the conflict was until this time a relative non-violent conflict, but, according to Rob Zaagman, « Even though non inter-ethnic violence had taken place, a number of factors made for a volatile mix in both Baltic States : firstly, the existence of domestic tensions between a large minority of mainly Russians without citizenship who has to get used to the post-Soviet realities and a majority determined to preserve and strengthen its own identity; and secondly, increasing international tensions because of the active interest which neighbouring Russia, mainly for geopolitical reasons, was taking in the condition of its kinfolk in Estonia and Latvia »58.

The first IO to take an active part in the conflict has been the Conference for Co-operation and Security in Europe (CSCE). The actions taken by the OSCE to resolve the conflict started from the beginnings of the CSCE. But the involvement of the Conference was indirect and constrained by the position of USSR, for whom the problem of the presence of Russians in the Baltic area was only a bilateral question. The action of the CSCE was then paralysed by the mechanism of consensus decision-making. The institutionalization of the CSCE in December 1994 at the Budapest Summit transformed the CSCE into an effective organisation and permitted the organisation to decide and implement long-term missions.

95 Ibidem, p 1.
97 For an evaluation of the Russian policy on minorities, see AUPPILA L., The Baltic Puzzle, Russia’s Policy towards Estonia and Latvia 1992-1997, Helsingin yliopiston verkkojulkaisut, Helsinki 1999, available at http://ethesis.helsinki.fi/julkaisut/vall/yhteil/pp/kauppila/index.html, pp 56 and following. See as well RUSSIAN FEDERATION FEDERAL LAW On the State Policy of the Russian Federation in respect of compatriots abroad adopted by the State Duma on 5 March 1999 Approved by the Federation Council on 17 March 1999. Available at http://www.venice.coe.int/docs/2002/CDL(2002)076-e.asp ; In 1994, President Yeltsin declared to the Diaspora: “Dear compatriots! You are inseparable from us and we are inseparable from you. We were and will be together. On the basis of law and solidarity, we defend and will defend you and our common interests. In the New Year, 1994, we will do this with greater energy and greater resoluteness”. In a discourse to the Federal Assembly in April 2005, President Vladimir Putin reaffirms that “We consider international support for the respect of the rights of Russians abroad an issue of major importance, one that cannot be the subject of political and diplomatic bargaining. We hope that the new members of NATO and the European Union in the post-Soviet area will show their respect for human rights, including the rights of ethnic minorities, through their actions. Countries that do not respect and cannot guarantee human rights themselves do not have the right to demand that others respect these same rights”. Discourse addressed by Vladimir Putin at the Federal Assembly on the 25th of April 2005. Available at http://www.kremlin.ru/eng/priorities/specevents21892/2000.shtml.
The decision to establish long-term missions in Estonia (15 February 1993 – 31 December 2001) and in Latvia (19 November 1993-31 December 2001) illustrated the direct involvement of the CSCE in this region. The Missions were set up under the Rule 4 of the Document of Moscow Meeting of the Conference on the Human Dimension of the CSCE (Moscow 1991) which stipulates that “A participating State may invite the assistance of a CSCE mission, consisting of up to three experts, to address or contribute to the resolution of questions in its territory relating to the human dimension of the CSCE [...]”. The objective of the Mission in Estonia was to further promote integration and better understanding between the communities in Estonia. The objectives of the Mission in Latvia were to address citizenship issues and other related matters and be at the disposal of the Latvian Government and authorities for advice on such issues; to provide information and advice to institutions, organizations and individuals with an interest in a dialogue on these issues; to gather information and report on developments relevant to the full realization of CSCE principles, norms and commitments.

In parallel to this kind of action, an independent body was established in 1992 “to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between OSCE participating States”\textsuperscript{101}, the High Commissioner on National Minorities (HCMN). The HCMN has been active as well. The situation in the Baltic States fell perfectly under its competencies, in particular because of the risks of escalation. The High Commissioner, Max Van der Stoel, has been active in trying to prevent a conflict escalation by making Recommendations to the States and by promoting dialogue and co-operation\textsuperscript{102}.

The Council of Europe (CoE) was established in 1949 by the Charter of Paris. The protection of minorities is a core element for the Council of Europe. The protection of national minorities within the CoE area is guaranteed by the adoption of several juridical mechanisms\textsuperscript{103}. The main instrument of protection is nevertheless the Framework Convention for the Protection of National Minorities, adopted the 1\textsuperscript{st} of February 1995 and entered into force the 1\textsuperscript{st} of February 1996. This Framework Convention is the only legally binding instrument for the protection of minorities that includes a monitoring mechanism. Estonia, Latvia and the Russian federation are all members of the CoE and they signed and ratified the FCMN104.

The situation in the Baltic States has been monitored by the CoE through the mechanism of States Reports and Committee of Ministers Resolutions. In 2002, the Resolution of the Committee of Ministers underlines that “Estonia has made efforts to implement the Framework Convention and to improve intercultural dialogue in Estonia. In particular, it has paid increasing attention to the integration of persons belonging to national minorities, including through the State Integration Program.” [...] but “Further efforts are needed in order to promote the process of naturalization, bearing in mind that the number of stateless persons remains high.”\textsuperscript{105} No resolution has been adopted for Latvia. The Second Resolution of the CM on Estonia pointed out several issues of concerns and


\textsuperscript{100} The mandate consisted in the following elements:

- establish and maintain contacts with competent authorities on both the national and the local level, in particular with those responsible for citizenship, migration, language questions, social services and employment;
- establish and maintain contacts with relevant non-governmental institutions and organizations, including political parties, trade unions and mass media organizations;
- collect information and serve as a clearing-house for information, technical assistance and advice on matters relating to the status of the communities in Estonia and the rights and duties of their members;
- contribute to the efforts of Estonian national and local authorities to re-create a civic society, inter alia through the promotion of local mechanisms to facilitate dialogue and understanding;
- keeping in mind the temporary nature of the Mission, consider ways and means of transferring its responsibilities to institutions or organizations representing the local populations.”


\textsuperscript{102} See ZAAGMAN R., op.cit. p 27 and following.

\textsuperscript{103} For an overview of the juridical instruments adopted by the Council of Europe, see:

\textsuperscript{104} In spite of the ratification of the FCMN, Russia declared that “The Russian Federation considers that none is entitled to include unilaterally in reservations or declarations, made while signing or ratifying the Framework Convention for the Protection of National Minorities, a definition of the term "national minority", which is not contained in the Framework Convention. In the opinion of the Russian Federation, attempts to exclude from the scope of the Framework Convention the persons who permanently reside in the territory of States Parties to the Framework Convention and previously had a citizenship but have been arbitrarily deprived of it, contradict the purpose of the Framework Convention for the Protection of National Minorities.”

\textsuperscript{105} Resolution ResCMN(2002)18, on the implementation of the Framework Convention for the Protection of National Minorities by Estonia, Adopted by the Committee of Ministers on 13 June 2002 at the 799th meeting of the Ministers’ Deputies
recommends to Estonia to make further efforts in the linguistic issue.\textsuperscript{106}

During a country’s visit in October 2003, the High Commissioner for Human Rights, Alvaro Gil-Robles, pointed out as well some gaps in the system of protection of minorities in Estonia\textsuperscript{107} and in Latvia.\textsuperscript{108}

The action of the European Union with respect to the Baltic situations has been concentrated on the period of the fifth enlargement process. Indeed, after the conflicts in the Balkans, the European Union realized that the protection of minorities was a common issue. The European Council in Copenhagen adopted in 1993 the Copenhagen Criteria which include the “respect for and the protection of minorities” as a central element of the adhesion of new Members States.\textsuperscript{109} The European Commission has been monitoring the candidate Countries, through Progress Reports. In spite of the gaps in the method of monitoring, the implementation of such conditionally has been a real plus-value for the European policy on minorities. With respect to the situations in the Baltic States, the Commission underlined several times in the Progress Reports the situation of Russian minorities.

It could be somehow strange to include the actions of NATO in the case of the Russian minorities in the Baltic Area, given that NATO’s first objective is the maintenance of peace and security in the North Atlantic area, as set by the chapter VIII of Charter of the United Nations. The protection of national minorities is not a clear objective of NATO. Nevertheless, the protection of minorities in the Baltic area has become an objective, in particular during the enlargement process in 2004. In January 1994 at the Brussels Summit, Allied leaders reaffirmed that the Alliance was open to membership of other European states. Estonia and Latvia participated to the Membership Action Plan (MAP), a program launched in April 1999 to assist those countries who wish to join the Alliance. According to the MAP, the candidate Country must meet certain objectives and obligations. They are also expected to meet certain political, economical and military goals which include “that they treat minority populations in accordance with the guidelines of the Organization for Security and Co-operation in Europe (OSCE); have resolved outstanding disputes with neighbors and had made an overall commitment to the peaceful settlement of disputes;” The inclusion of minority protection comes from a 1995 Study on NATO enlargement.

2.1.2. Existence of an organized action?

The review of the IOs’ involvement in the Baltic States does not apparently reveal any formal relations between the actors. Each IO has implemented its own actions according to its mandates and objectives. There is no co-ordination, nor surfacing of an organized action between IOs. Such situation corresponds thus to the first degree identified by Friedberg where the degree of formalization and codification of the regulation is very low, even inexistent. Finally, at the beginning of the conflict, the IOs involved does not have any common interests to co-operate.

2.1.3. First conclusions

At first glance, there is nor organized action nor system of action in the Baltic Case. This conclusion should be shaded however. It is interesting to consider this case because it is situated at a cross point. The relations between EU, OSCE, NATO and CoE were nothing but structured. This period corresponds thus to a period of double transformation: Transformation of the Organizations and

\textsuperscript{106} Resolution ResCMN(2006)1 on the implementation of the Framework Convention for the Protection of National Minorities by Estonia, Adopted by the Committee of Ministers on 15 February 2006 at the 956th meeting of the Ministers’ Deputies.


\textsuperscript{110} HUGUES J. et SASSE G., “Monitoring the Monitors : EU Enlargement Conditionality and Minority Protection in the CEECs”, Journal on Ethnopolitics and Minority Issues in Europe, London School of economics and political Sciences, UK, Issue 1/200
transformation of the international system as a consequence of the end of the Cold War. When the OSCE got first involved, it was still the CSCE. The fourth enlargement of the European Union was about to be launched and the Baltic States were anchored with the Pre-Accession instruments. They became fully members of the EU in May 2004. Estonia and Lithuania became members of the Council of Europe in May 1993 and Latvia in February 1995. Estonia, Latvia and Lithuania are partners of NATO since 1991, as founding members of the North Atlantic Cooperation Council. In parallel to the transformation in the international system, the regional integration in Europe was under process. Some elements seem to indicate that this period corresponds to the emergence of a pan-Europeanized order based on the recognition of the need for and the value of co-operation between IOs. For instance, NATO stated in 1995 that “The architecture of European security is composed of European institutions (such as the European Union (EU) and the Western European Union (WEU)) and transatlantic institutions (NATO). It also includes the OSCE, whose membership comprises all European as well as North American countries and is thus the most inclusive European security institution […]” 111. The Commission Opinion on Estonia’s Application for Membership of the European Union underlined that « In carrying out the assessment required in this connection, the European Commission has drawn on a number of sources of information: answers given by the Estonian authorities to the questionnaire sent to them by Commission staff in April 1996, bilateral follow-up meetings, reports from Member States’ embassies and the Commission’s delegation, assessments by international organisations (including the Council of Europe and the OSCE (Organisation for Security and Cooperation in Europe), reports produced by non-governmental organisations, etc. » 112.

In sum, the management of the Russian-speaking minorities conflict in the Baltic States is obviously not an example of organized action but it is interesting to underline the shift in the leadership. Indeed, CSCE/OSCE has been the first IO involved in the resolution of the conflict. But, since the Baltic States are independent and decided to integrate the European Union, the European Union has taken progressively the leadership in the management of the conflict. The process of EU enlargement has been one of the major lever to help them meeting the “European standards” on the minority issue, in particular thanks to the Copenhagen criteria113. However, since the Baltic States are fully members of the EU, the situation of the Russian-minorities, which still has to be improved114, has been somehow forgotten. The method used by the Commission to monitor the situation of the minorities has been highly criticized115 and confirmed that the EU enlargement policy is At the end, the only institutions still active in this field is the Council of Europe. Countries are supposed to provide regularly reports on the implementation of the Framework-Convention on the protection of national minorities. The last follow-up meeting on the implementation of the FCNM in Estonia took place in October 2006 and examined four areas where improvements could be made according to the Second Opinion of the Advisory Committee and Committee of Ministers’ Resolution ( the Participation of persons belonging to minorities in public life; The rights of persons belonging to minorities in the field of education Equality and non-discrimination in economic and social life; Cultural and linguistic diversity in the media and other fields). Finally, the Council of Europe is the only European Institution that has a long-term policy on minorities question.

111 Study on NATO Enlargement, September 1995, Chapter 2.
113 TUCNY E., op.cit., p 62.
114 See Written Question P6 QE(2007)0855 about the Russian minority in Estonia; Amnesty International reports that “Although some significant steps have been taken in recent years by the Estonian authorities, Amnesty International believes that the current policies fail to constitute a coherent framework within which these ESC rights can be guaranteed for persons belonging to the Russian-speaking minority.” “Estonia linguistic minorities in Estonia : Discrimination must end”, AI Report EUR 51/002/2006; VAN ELSUWEGE P., “Russian-speaking Minorities in Estonia and Latvia : Problems of integration at the Threshold of the European Union”, ECMI Working Paper n°20, April 2004.
2.2. Roma peoples in Europe

2.2.1. Overview of IOs’ involvement

“The treatment of Roma both in the European Union and beyond its current borders has become a litmus test of a humane society. The treatment of Roma is today among the most pressing political, social and human rights issues facing Europe.”

Roma people is the unique transnational minority in Europe. According to the Council of Europe, Roma minority is the only minority in Europe that has never had territorial claims. According to the PEACE-Com project, the main claims of Roma people are socio-economic and political. In their countries of residence, they suffer from discrimination, inequalities and difficulties in the access to the political scene.

At the pan European level, the Roma issue is quite recent. In the Council of Europe, the Roma and Travellers issue has been at the heart of the Organization’s work since 1993. For the CoE, Roma and Travellers issue is situated at the intersection between three main field of activities: the protection of minorities, the fight against racism and intolerance and the fight against social exclusion. The Experts’ Committee on Roma, Gypsies and Travellers (MG-S-ROM) set up in 1995 is a body responsible for reviewing regularly the issue. CoE’s instruments include legal instruments (such as the European Social Charter (Revised), the Framework Convention on National Minorities and the Charter for Regional or Minority Languages), Recommendations an Education and training programs. Following a French/Finnish proposal, the Council of Europe adopted the idea of created of a Roma association. In September 2004, The European Roma and Travellers Forum (ERTF) was registered in Strasbourg.

At the level of the OSCE, the Office for Democratic Institutions and Human Rights is the body in charge of the Roma and Sinti Issue. As stated in the Copenhagen Document, the OSCE is the first IO that recognized the “particular problem of Roma”. In 1994, a Contact Point was established within the ODIHR in order to promote “the full integration of Roma and Sinti communities into the societies they live in, while preserving their identity”. The main issues treated in the Contact Point include political participation, fight against discrimination and racial violence, education and living conditions.

The European Union is also very active with respect to Roma. Several programs like PHARE or ACCESS (that replaced the LIEN programme) are dedicated to improve the situation of Roma. The Roma issue is also treated through the European Initiative for Democracy and Human Rights, and the educational and employment issues are treated within the General Directorate Education, Training and Youth and the DG Employment and Social Affairs. During the enlargement process, on the basis of the Copenhagen criteria, the Roma issues has been scrutinized by the European Commission in all the Roma’s countries of residence.

The protection and the improvement of Roma’s situation is not an direct objective of NATO. However, le KFOR mission in Kosovo and the SFOR mission in Bosnia and Herzegovina have been including activities more or less related to Roma’s issues. For instance, one of the KFOR’s missions include providing assistance to the UN Mission in Kosovo (UNMIK). KFOR participated to the reconstruction of two schools for Serbs and Roma children in the municipality of Novo Brdo, but, as it is specified “The children are the future of Kosovo - no matter if they are Albanians, Serbs or part of a minority. KFOR’s main mission is to establish a safe and secure environment for all the people of Kosovo.”

2.2.2. Existence of an organized action?

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116 "The Situation of Roma in an enlarged European Union", DG Employment and Social Affairs, 2004,
Deliberately, the precedent overview was not complete. Indeed, in the case of Roma people, there is as well a whole range of common activities. For instance, one of the Council of Europe’s body in charge of the Roma and Travellers issue is a coordinator. His tasks is to co-ordinate activities on Roma and Travellers within the Council of Europe; co-operate with other international organisations involved with Roma and Roma-related issues, and in particular with the OSCE/ODIHR/Contact Point for Roma and Sinti Issues and with the European Commission; establish working relations with Romani associations; and advise the Secretary General on policies and problems regarding Roma and Travellers. The 2004 activity report\textsuperscript{118} mentioned the establishment of an Informal Group on Roma of the Intergovernmental Organizations composed of representatives from OSCE/ODIHR, Council of Europe and European Commission. The aim of the Informal Group which was set up in 1999 is to exchange information and to coordinate activities. The report underlines as well that the European Commission ‘s proposal to establish “a pan-European steering group on Roma issues involving relevant EU bodies, relevant Council of Europe bodies, the OSCE, Member State governments, representatives of initiatives such as the Decade of Roma inclusion and the European Roma Forum as well as representatives of relevant civil society organisations”\textsuperscript{119} coincides “both in composition and purposes” with the Informal Group. Therefore, the Co-ordinator’s Report stresses that “It will therefore be particularly important in the next few months to follow developments within the Community to ensure that the structure and orientation of the Informal Contact Group is used to create the proposed steering body. This would preserve the dynamics which has been created by the Informal Contact Group as well as the continuity of its action.”

The Council of Europe, the OSCE-ODIHR with the financial support of the European Union decided as well to include in the Stability Pact for Southern Europe a two-year project entitled “Roma under the Stability Pact”. This program aims at addressing the most acute crisis situations; promote the policy development on Roma affairs; and promote the participation of Roma in civil society.

\subsection*{2.2.3. First conclusions}

At first sight, these jointly programmes are examples of organized action where interactions between IOs are structured. The interactions between the IOs goes beyond a simple co-operation. Unilateral initiatives and policies have been replaced by explicit co-operation and definition of common objectives. As it is explained in the programme, “Another objective of this project is to “maximi[ze] cooperation and complementarity between the three Organisations in the field of Roma-related activities, avoiding overlaps and/or duplication of activities.” And, according to its mandate, the CoE is in charge of the promotion of the policy development on Roma Affairs. ODIHR is in charge of the two others areas. It monitors the situation of Roma in conflict areas such as in 2001 during the crisis in the former republic of Macedonia. OSCE/ODIHR is also in charge, jointly with the UNHCR, of problem of Roma refugees and Internal Displaced Person (IDP). Its activity include as well initiatives to create a pan European representation of Roma through the promotion of the establishment of an International Roma representation at the European level.

The Co-ordinator Report’s conclusion underscores that “In its relations with other international organisations and institutions on Roma issues, the Council of Europe needs to strengthen its relations with the European Union. There is no doubt that the European Union will eventually play an important role in this area. The Council of Europe, with its monitoring bodies, would be the natural partner for the European Union-which is why these monitoring bodies should broaden their reporting on Roma issues.”. In others words, the development of EU’s activities in the field of Roma issues is seen by the CoE as a potential source of duplication, whereas the co-operation with OSCE/ODIHR is qualified as “excellent” and very constructive. As set up in the 2002 Interim Report of the SSE to the European Commission, “The division of responsibilities is clearly set out: the Council of Europe is responsible for the promotion of adequate policies toward the Roma, and the OSCE/ODIHR is responsible for resolving the various crises affecting the
Roma and promoting the participation of Roma and their mutual co-operation’. The role of the European Commission is to support financially the Project.

In sum, with respect to the Roma issue, a community conflict where both socio-economical and political challenges are at stake, the IOs’ response is definitively collective but illustrates at the same time the relations of power between the three IOs. The involvement of CoE and OSCE/ODIHR is not recent to the contrary to EU’s involvement. EU considers that “The European Union is a major actor in the development and the promotion of human rights beyond the borders of the European Union ». The increasing importance of the human dimension of the European integration has produced the need for a better co-operation between CoE, OSCE and Eu. The Third Summit of Heads of States and Governments of the Council of Europe, held in Warsaw in May 2005 emphasized, not only, the need to strengthen the co-operation between the three IOs, but also the specific role that CoE wants to play : “The Council of Europe will, on the basis of its expertise and through its various organs, continue to provide support and advice to the European Union in particular in the fields of Human Rights and fundamental freedoms, democracy and the rule of law”. Clearly, the Council of Europe wants to remain the reference institution in terms of human rights at the pan European level.

The relations between CoE and OSCE are emblematic of a conflictive relation. At the same Summit held in Warsaw, the Council of Europe recognized “the need to adapt relations between the two Organizations to the evolving international environment, with due respect for the aims and principles enshrined in the Council of Europe’s Statute and the OSCE’s Charter for European Security and other agreed documents and decisions of both Organizations”. The overlap between their mandates and purposes has been underlines several times within both Organizations and the modalities for such improvement are still under debate.

2.3. Conflict in Kosovo

2.3.1. Overview of Ios’ involvement

A quick overview has already be made. See p 7 and following

2.3.2. Existence of an organized action ?

At first glance, the case of Kosovo is very interesting because of the involvement of a plurality of actors. ONU, OSCE, UE, OTAN, UNHCR, ICTY, Red Cross etc... The question addressed in this contribution is to assess the degree of pan-Europeanization in order to determine whether there is an organized action, even an action system. In the case of Kosovo, two different situations have to be considered. One the one side, there is the international management lead by the ONU; on the other side, there is the involvement of IO besides the UN-led international management.

The UNMIK implemented by the UNSCR 1244 is a first in itself and can prefigure a new generation of UN conflict management mission121, but it is not an example of collective management. The relations between ONU and the others IO are established by the UNSCR 1244 that authorizes under point 7 « Member States and relevant international organizations to establish the international security presence in Kosovo as set out in point 4 of annex 2 with all necessary means to fulfil its responsibilities under paragraph 9

120 Action Plan, Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16-17 May 2005).
Below a. As set up in the Secretary-General's Report on the implementation of the UNSCR 1244 (1999), there is a hierarchical division of labour, very consistent with the position of the ONU on conflict management and with the competencies and specializations of the IOs involved. The UN Mission is divided into 4 pillars. The ONU is responsible for the civil administration (1st Pillar), the HCR is in charge of the humanitarian aid (2nd Pillar), the democratization and institutions building falls under OSCE responsibilities and the EU is responsible for economic reconstruction. This mission reflects the hierarchy among the IOs established by the chapter 8 of the UN Charter that deals with regional arrangements.

However, beyond the UN-led Interim Mission, it is of particular interest to analyze the involvement of the IOs out of the framework of the UNMIK. The first element to take under consideration is the early involvement of the CSCE/OSCE in 1992. The CSCE established its first Long Duration Mission in Kosovo in 1992 in order to promote the dialogue, to collect and provide information about the violations of human rights and to establish a contact point. After the Federal Republic of Yugoslavia's refusal of the CSCE's request for extending the mission, the Mission in Kosovo was withdrawn in 1993. Even if the Mission was not a success, the CSCE was the first International Organization to get involved in the conflict. In parallel, it is interesting to pay attention on the collaboration between the OSCE and NATO during the Kosovo Verification Mission (KVM). As underlined before, the KVM was under OSCE's responsibility. It was the first time that the OSCE had been in charge of a such important mission. The decision to give the OSCE the responsibility of the Verification Mission is the conclusion of a large process of negotiation between the international community and the Federal Republic of Yugoslavia where the OSCE appeared finally as the ideal-consensual-organization for implementing a verification mission. The framework for collaboration had been negotiated by Javier Solana NATO secretary General and Giancarlo Aragona OSCE Secretary General. The two Organizations have collaborated in the field of the exchange of information and the security of the KVM's verifiers. The model of collaboration applied during the KVM was also based on the division of competencies between both Organizations. NATO, as a military Organization, was in charge of the security of the verifiers and the OSCE was in charge of the collecting and providing information. In sum, the KVM mission has been, during the Kosovo war, the only joint action established legally by two equal organizations out of the authority of the United Nations.

In opposite, the juridical legitimacy of NATO's intervention has been highly criticized. This air strikes operation Allied Forces did not have the agreement of the ONU as it had to have in accordance with the chapter 7 of the UN Charter. NATO decided this operation on the basis of moral duty. Javier Solana, NATO Secretary-General declared “Our actions are directed against the repressive policy of the Yugoslav leadership. We must stop the violence and bring an end to the humanitarian catastrophe now taking place in Kosovo. We have a moral duty to do so.” Beyond NATO's justification, the intervention of the Alliance is directly related to its transformation in the post Cold War context. Indeed, the 1999 Alliance's Strategic Concept clearly defined conflict management as a new task for the transformed NATO and ethnic conflict is are seen a «new risk» that the transformed NATO has to face.

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122 S/RES/1244 (1999), 10 June 1999
123 S/1999/672
125 "The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state." (art. 53.1) ; "The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security" (art. 54)
126 SANS A.L., art.cit., pp 11-17.
127 SANS A.L., art.cit., pp 34 and following.
129 Press Statement by M. Javier Solana, NATO Secretary General following the Commencement of Air Operations, 24 March 1999.
130 « The last ten years have also seen, however, the appearance of complex new risks to Euro-Atlantic peace and stability, including oppression, ethnic conflict, economic distress, the collapse of political order, and the proliferation of weapons of mass destruction. », The Alliance's Strategic Concept, Approved by the
2.3.3. First conclusions

Contrary to the first conflicts in the Balkans, the management of the Kosovo conflict illustrates the seek of ‘better coherence in IOs’ interactions. With respect to relations of power, the crisis in Kosovo illustrates less the UN leadership in crisis management than the transformation of the Alliance. Indeed, the 1999 Strategic Concept (re)underlines the role NATO pretends to play: the safeguard of the freedom and security of all its members, that is, peace and security in the Euro-Atlantic area. It is of crucial importance to bear in mind that NATO is a *europa-atlantic* organization based on the transatlantic link, that links the USA security to the security and stability in the European continent. In that context, the intervention of NATO in the Balkans in general and in the Kosovo in particular illustrates not only the “otanisation” of the Balkans which have fallen into NATO's sphere of responsibility, but as well the fact that NATO pretends to be the most important collective security organization in Europe. The others IOs are viewed as simple “contributors”.

In parallel, the role played by the European Union goes beyond its role in the UNMIK. Indeed, since 1997, the relations between Kosovo and the European Union have been strongly developed. In 2005, the European Commission adopted a Communication on the “European future for Kosovo” and two Progress Reports for Kosovo under UNSCR 1244 have been already adopted. The EU perspective for Kosovo is more and more tangible. The EU supports as well the Ahtisaari Plan for Kosovo that promotes the idea of the independence of Kosovo and planned to play an active role in the post status Kosovo settlement. With the enlargement process, the role of EU with respect to the Kosovo situation is becoming prominent. For instance, the Head of OSCE Mission in Kosovo, Werner Wnendt, declared in February 2007 to the OSCE Parliamentary Assembly Winter Meeting that: “If the status proposal is adopted, this would mean close co-operation and co-ordination with the future Rule of Law mission, at present being prepared by the EU. Besides supporting status implementation, the OSCE Mission could also support further compliance with European standards.” Some time before, he declared to the Council of Europe that: “The European Union will most probably take a lead role in capacity building of Kosovo institutions. But it will most likely be the OSCE, with a field presence that is already monitoring every municipality in Kosovo, which will be the eye and ears of the International Community.”

As in the Roma case, the enlargement of EU’s missions seems to be an obstacle for the OSCE that tries to re-affirms the importance of its role in the Great Europe.

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135 “The United Nations (UN), the Organisation for Security and Cooperation in Europe (OSCE), the European Union (EU), and the Western European Union (WEU) have made distinctive contributions to Euro-Atlantic security and stability. “Alliance’s Strategic Concept, 1999.
136 “Preparing for the future international and EU presence in Kosovo” - Background document prepared by the ICO-EUSR preparation team - EUPT Kosovo - February 2007
137 Speech by Amb. Werner Wnendt, Head of OSCE Mission in Kosovo, 9 February 2006
General conclusion

The three cases studied here call for several conclusions. First, the study of community conflict management cannot be restricted solely to the analysis of the role of the European Union. It is necessary to take into account, not only the role of all the International Organizations in charge of peace and security, but as well it is necessary to analyze in details the configuration of the interactions between the IOs. Beyond a simple opposition between co-operation and competition, we have defined in this contribution pan-Europeanization as a concept referring to the construction by the IOs of an organized action, which may lead to an action system, in the field of community conflict management at the pan-European level. With such perspective, the analysis of the relation between community conflicts and the responses of International Organizations is much more dense to scrutinize. In the case of the Russian-speaking minorities the international response has been limited to unilateral initiatives. The co-operation between IOs has been more or less inexistent but the leadership has been transferred from the CSCE/OSCE to the EU and the CoE. More interesting is the case of Roma issue in Europe which has initiated an organized response from the International Organizations. Clearly, the greater involvement of the European Union is producing a change in the OSCE and CoE’ positions on the pan-European scene. In the conflict of Kosovo, besides the official division of labor implemented by the UNSCR 1244, there has been as well another informal form of organized response which tend to restructure the division of labour and the leadership. The primarily conclusion that may be drawn from these cases is that our preliminary hypothesis was credible: the high degree of pan-Europeanization of the Roma issue suggests that a socio-economical community conflicts may lead to a structured action, even an action system, as much as a territorial community conflict. The difference between the two type of management lies in the structure of the collective leadership.

Beyond the conclusions over the cases, we have tried in this contribution to conceptualized pan-Europeanization as a tool to better understand the dynamics of community conflicts management. The plus-value of the concept is twofold: first it permits to fill a theoretical gap: the interactions between International Organizations are much more complex than the basic opposition between co-operation and competition. The review of the theories of co-operation has shown than the main theories used in IR are not sufficient to analyze in depth the interactions between IOs. Secondly, pan-Europeanization is very useful to put in the fore front a specificity in the field of community conflict management in the Great Europe. The existence of a third level of management, characterized by a strong degree of interdependence between the IOs, is very particular. Further analysis will permit to make more clear the main characteristics of this level of management.

Last but not least, this contribution reflects an ongoing research on the international management of community conflicts in Europe. Two elements have, thus, to be further developed. The first element deals with the methodological framework for the analysis of IOs’ interactions. The questions of the characteristics of an organized action and the tools and methods to assess it are still under reflection. Secondly, our further research will be focus on more than three cases. It would be of particular interest to analyze other types of community conflicts such as the conflict in Belgium or in Moldova. Fully awarded of all these limits, we are looking forward your remarks and suggestions.

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