

Executive summary

- 1. This submission addresses two questions set out in the terms of reference: What can the UK do in the long-term to support the Western Balkan path to EU membership and what impact does Brexit have on its ability to influence the process? What fora and mechanisms can the UK use after Brexit to ensure a collective European commitment to the stability and security of the Western Balkans?**
- 2. Recommendations**
 - **UK engagement in and support of the Western Balkans, both via the Summit and more broadly, would be strengthened if viewed through an atrocity prevention lens**
 - **HMG should support States and civil society within the Western Balkans to develop and strengthen mechanisms and fora that address root causes of identity-based violence, including mass atrocities**
 - **Raise medium and longterm threats to regional and European security posed by growing Russian influence in Serbia and the Western Balkans**
 - **Consider how HMG's newly announced cross-departmental strategy to tackle organised crime can work with regional partners to address persistent and entrenched challenges in the region posed by organised crime including corruption, illegal arms sales, and trafficking**

About Protection Approaches

- 3. Protection Approaches works to assist the UK in better predicting and preventing identity-based violence, particularly mass atrocity crimes (genocide, ethnic cleansing, crimes against humanity and war crimes). Protection Approaches is registered charity in England and Wales, charity number 1171433 For more information please see www.protectionapproaches.org.**
- 4. This submission has been prepared by Dr. Kate Ferguson, Director of Research & Policy. Dr. Ferguson is an experienced analyst in the fields of atrocity prevention, violent extremism, and civilian protection with particular knowledge of the western Balkans. She is a member of the Centre for Science & Policy's Network for Evidence and Expertise at the University of Cambridge and the British Academy Network on the Responsibility to Protect. She is Editor of Refugee History and Honorary Research Fellow at the University of East Anglia. She holds a PhD from UEA on the dynamics of mass atrocities in the western Balkans, and an M.Phil in Russian and East European Studies from the University of Oxford.**

Rationale

- 5. The violence that brought about the dissolution of the Yugoslav Federation formed part of intentional political strategies driven by political agendas: Enlarged national borders, cleansed of ethnic undesirables became the ultimate political goal but other drastic changes to the social dynamic were at the forefront of the nationalist movements. In Bosnia, which saw the worst of the violence, the regular and irregular armed forces acting in support of**

Serbian and Bosnian Serb ambitions clearly committed the overwhelming majority of abuses; a CIA investigation found that Serb forces were responsible for ‘at least 90 percent of the destruction, displacement, and loss of life associated with ethnic cleansing.’¹ The humanitarian impact was severe; the displacement of whole communities of Muslims, Croats and Serbs; the rape of tens of thousands of Muslim women, and the death of somewhere between 140,000 and 250,000 people.² The period saw the return of concentration camps to Europe and the systematic targeting of civilian groups because of an aspect of their identity. The fall of Srebrenica in 1995 and the murder of over 8,000 Muslim men and boys marked the return of genocide to Europe after the Holocaust.

6. This recent history of mass atrocities in the Western Balkans is integral to understanding the risks and challenges to security and stability in the region, in the EU, and in Europe more broadly. The consequences of growing instability in the Western Balkans has far reaching consequences with forging fighters joining extremist groups in the Middle East, Ukraine, and Russia.
7. In 1980s Yugoslavia many of the drivers and risk factors of identity-based violence were not only present but visible –as they were during the years before other crises reached the point of atrocity. During the years of violence in the 1990s, these risk indicators only increased, again as they often do during situations that have already become violent and where atrocities have been committed. After twenty years of uneasy peace many of these indicators are rising again.
8. These indicators too should be integrated into the objectives of the Summit; and into HMG policy and wider engagement in the region as a means of addressing what should be viewed as i) potential early warning signs of growing insecurity and instability in the Western Balkans and ii) a barometer of the likelihood of more serious human rights violations, including the slip towards mass atrocities
9. It is worth remembering that while mass atrocities do typically occur within situations of armed conflict, a large minority of cases do not. A spate of recent examples of peace time atrocities include, for example, the violent aftermath of disputed elections in Kenya (2007-8), communal violence between ethnic Kyrgyz and Uzbeks in Kyrgyzstan (2010), and ongoing state-directed repression in North Korea and Eritrea. Atrocity prevention and conflict prevention can therefore have identifiably different goals.
10. The Summit holds an important opportunity for HMG to show leadership on this issue. Integrating into the Summit objectives what is commonly called ‘an atrocity prevention lens’ - or simply by including the issue on the agenda would ensure that the prevention, prediction, and punishment of mass atrocities remains central to the pursuit of stability, security, and justice in a region of Europe still dealing with the painful and complex legacies of the 1990s

Promoting prevention in the Western Balkans

11. The modern history of mass atrocities has taught us that prevention must begin early. It has taught us too that longer term (or *upstream*) atrocity prevention requires a more holistic strategy that seeks to strengthen social cohesion and build trust between state and citizen. Supporting inclusive measures and guarding against the exclusion or marginalisation of

¹ ‘Intelligence Report DCI Interagency Balkan Task Force Bosnia: Serb Ethnic Cleansing, December 1994, p.v

² On numbers controversy see Ewa Tabeau and Jakub Bijak, ‘War-related Deaths in the 1992–1995 Armed Conflicts in Bosnia and Herzegovina: A Critique of Previous Estimates and Recent Results,’ *European Journal of Population*, 21:2-3 (2005) pp187-215

identity groups in political, public, social and economic life inhibits many of the processes that can lead to identity-based violence. Likewise, forecasting and monitoring potential situations of rising identity-based violence or atrocities requires specific indicators that are frequently not integrated into conflict prevention horizon scanning processes. This means that emerging crises are sometimes 'missed' or that early warning signs not prioritised by existing conflict prevention or broader international development strategies.

12. Supporting existing, new, and emerging mechanisms for and within the region that seek to address these root causes of instability, insecurity, division is one of the clearest (and simplest) ways in which the UK can support to further stability and security in the Balkans.
13. Supporting states in building or strengthening national strategies and mechanisms that address discrimination, the promote the prevention of identity based violence, and that work towards inclusive and more peaceful societies would be inline with HMG commitments to SDG16; comprise HMG commitments under Pillar Two of the Responsibility to Protect; and promote UK interests in a more stable and more secure Western Balkans
14. The Auschwitz Institute for Peace and Reconciliation, for example, is working to develop a network of states in the Mediterranean Basin region dedicated to the prevention of the reoccurrence of mass atrocities.³ This burgeoning network is an important example of what is often called “upstream prevention” and will assist states to cooperate at both the regional and national levels, through training seminars and policy development that among other relevant themes will address the common (though often contested) challenges of remembering atrocities; justice after atrocities; and preventing the reoccurrence of atrocities.

Promoting prevention with UK policy

Tackling organised crime

15. There is great scope for HMG’s newly announced cross-Whitehall approach to organised crime to bring much needed focus on and expertise relating to those dynamics. The rise of petty, violent, and organised crime are common problems in post-conflict states, commonly attributed to the prevalence of weapons, black economies, poverty, and the grim options facing affected populations.⁴ The case of Yugoslavia suggests that in conflicts where traditional power structures –whether military, political, or economic– have been subverted in favour of more devolved apparatus, the aftermath of criminalisation is likely to spread further and deeper. After Dayton, arms smuggling through the Balkans increased.⁵
16. Corruption remains a significant problem in the western Balkans, a legacy from the communist era as well as the 1990s. While organised crime groups operating today in the western Balkans are ‘multiethnic, cross-border, and well integrated in corresponding European counterparts,’ corruption does still assume identity-based dynamics⁶ This continues to impact all arenas of life. In the pursuit of justice after atrocity, trials are halted, rumours of witness intimidation circulate, and Bosnia, Serbia, Kosovo and Albania have struggled with transparency and anti-corruption. HMG’s newly articulated whole of Government commitment to tackling organised crime could play an important facilitating

³ <http://www.auschwitzinstitute.org/news/national-training-seminar-bucharest/>

⁴ Kate Ferguson, *Architectures of Violence; the command structures of modern mass atrocities*, Chapter V, Criminal Dynamics, Hurst, 2018, forthcoming

⁵ Glenn E. Curtis and Tara Karacan, *The Nexus Among Terrorists, Narcotics, Traffickers, Weapons Proliferators, and Organised Crime Networks in Western Europe*, A Study Prepared by the Federal Research Division, Library of Congress under an Interagency Agreement with the United States Government December 2002, p10 ⁷⁶⁶*Ibid.*, p11 ⁷⁶⁷*Ibid.*

⁶ Anastasijević, ‘Organised Crime in the Western Balkans’, p3

and convening role within the Western Balkans in addressing this complex and integral set of criminal dynamics that perpetuates instability and challenges the rule of law. The growing Russian presence in this arena should not be underestimated.

On existing the European Union

17. As the UK prepares to withdraw from the European Union, and will therefore undertake to review and replicate the process and funding commitments. This includes those activities and funds the UK undertakes and provides relating to conflict and atrocity prevention, and promoting stability and security –both inside and outside of the the EU.
18. Through its membership of the EU the UK made various normative commitments that both reinforce its national toolkit to prevent atrocities and strengthen the Union's capabilities. While the prevention of mass atrocities is not an explicitly stated commitment of the EU's External Action Service, it does sit clearly within the EU's broader objectives. In December 2016, High Representative Federica Mogherini reiterated that the prevention of genocide and mass atrocities is an integral part of the EU's foreign policy aims. EU potential to more effectively combat mass atrocities is significant and could be much improved. However, there are concerns that the UK's withdrawal may further weaken both the financial and political capacity of the EU to effectively pursue an atrocity prevention agenda. Without replicating these normative and financial commitments within its national structures the UK's de facto contribution to atrocity prevention will very likely be reduced.
19. The occasion of the Summit should serve as a timely reminder that the answers to questions regarding if and how these commitments will be replicated in national process and legislation following the UK's withdrawal from the EU remain unclear. Articulating a clear national approach to atrocities - their prediction, prevention, UK contributions to civilian protection once they have begun, and UK support for the pursuit of justice after atrocities have taken place - would answer these questions.

Towards a national approach to atrocity prevention, prediction, and response

20. It is worth noting that any mechanism or office situated within HMG tasked with viewing UK policy through a prevention lens would greatly enhance current capacity to identify within the Western Balkans warning signs and to initiate processes of sharing information, and communicating with other prevention stakeholders here in the UK, in the region, the EU and elsewhere
21. It is worth considering whether existing mechanisms and networks such as the global network of focal points of the Responsibility to Protect could play a facilitating, convening, or leadership role in promoting and supporting the objectives of prevention, prediction, and justice.

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