

SUBREGIONAL ARMS CONTROL AND CONFLICT PREVENTION IN THE WESTERN BALKANS

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I. INTRODUCTION

Amid ‘the most serious security crisis in Europe in decades’, the European Union’s (EU) security interests are at stake beyond Ukraine—including in the Western Balkans, according to its own assessment.¹ At the same time, rearmament in this region has been accompanied by a rise in ethnonationalism and a deterioration in regional relations, increasing the risk of destabilization.² It is worth noting that the region was the site of multiple wars in the 1990s, with high numbers of civilian casualties.³ Reconciliation has been a slow and painful process, and ridden with setbacks.⁴ The ongoing mistrust among states and ethnic groups

¹ European External Action Service (EEAS), *A Strategic Compass for Security and Defence* (EEAS: 2022), p. 5. The term ‘Western Balkans’ usually refers to the states in South Eastern Europe that have not acceded to the European Union (EU) but aspire to EU membership, currently: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia. Kosovo’s status remains disputed after declaring independence from Serbia. Croatia is not usually regarded as part of the Western Balkans since its EU accession in 2013, but for the purposes of this paper the term will encompass it, given Croatia’s close historical proximity and intertwined security concerns.

² E.g. Marković, A. and Petrović, J., ‘Undermining trust: Rearmament in the Western Balkans’, CSS Analyses in Security Policy no. 282, Apr. 2021; and Dzihic, V., ‘Nationalist polarization in the Western Balkans and its institutional consequences: A fate that can be changed’, Paper presented at the Aspen Institute Germany conference ‘Strengthening Parliaments and Their Role in the Western Balkans Reform Processes’, 7–19 May 2019.

³ Radio Slobodna Evropa, ‘Context: The Balkan Wars, 1991–1995’, 2 June 2014.

⁴ ‘Introduction and key recommendations’, eds V. Esch and V. Palm, *Supporting Reconciliation Process in the Western Balkans* (Aspen Institute Germany: 2021).

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SUMMARY

The Agreement on Sub-Regional Arms Control establishes limitations on the numbers of major conventional arms and provides for arms control verification in, at present, Bosnia and Herzegovina, Croatia, Montenegro and Serbia. Signed in 1996 and based on the Dayton Peace Agreement, it is still duly implemented, even against the backdrop of rising regional tensions and the crisis in arms control in Europe.

This paper identifies the different factors at work in the continuous implementation of the Agreement, discusses the Agreement’s ability to contribute to regional conflict prevention and addresses its outlook for the near future. As the European Union (EU) is interested in the region both as its close security environment and in terms of enlargement, the EU should consider ways to use its political leverage to promote a conducive political climate for arms control and integrate transparency and confidence-building measures into its approach to conflict prevention.

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means the region is still fragile, even if generally stable at the moment.

This context calls for a reassessment of the major conventional arms control mechanism established to prevent conflict reoccurrence in the aftermath of the 1992–95 Bosnian War, namely the Agreement on Sub-Regional Arms Control (hereafter the Agreement).⁵ The Agreement was a derivative of the peace agreement that ended the Bosnian War.⁶ Although it is surprisingly little known in the public sphere, the Agreement merits particular attention for several reasons. Its implementation started less than a year after the war ended and it has been consistently and comprehensively implemented for nearly thirty years now. In recent years, its implementation has stood in stark contrast not only to the rising ethnonationalism in the Western Balkans, but also to the crisis in arms control and confidence-building mechanisms in Europe.⁷ Given the fragile regional context, this is arguably a remarkable accomplishment.

However, despite being implemented in an exemplary fashion, the Agreement has remained relatively isolated from political decision making and public discussion, effectively preventing it from building confidence among the states parties and their populations. This indicates that the impact of arms control on peacebuilding is limited by political decision makers' inclination towards pursuing (or not pursuing) peacebuilding.

Analysing the implementation of the Agreement is a good starting point for a discussion on how the EU could integrate conventional arms control into its approach to conflict prevention in the Western Balkans. Moreover, the insights from that process could be

valuable for conflict prevention and conflict resolution at the regional level in other parts of the world.

This paper presents an overview of the Agreement on Sub-Regional Arms Control and discusses the factors facilitating its continuous implementation (section II). It also considers the extent to which the Agreement has been able to contribute to conflict prevention and its relevance today and in the near future (section III). Finally, the paper addresses the question of what role the EU could play in supporting and promoting arms control as a mechanism of conflict prevention in the Western Balkans (section IV) and provides some concluding remarks (section V).

The research for this paper has relied on the analysis of official documents, the existing literature on the topic, relevant media reports and interviews with representatives of the states parties to the Agreement (hereafter the parties), as well as international organizations and non-government affiliated experts.⁸

II. THE AGREEMENT ON SUB-REGIONAL ARMS CONTROL

The origin and parties

The Agreement on Sub-Regional Arms Control is based on the General Framework Agreement for Peace in Bosnia and Herzegovina (more commonly known as the Dayton Peace Agreement or Dayton Accords; hereafter the Dayton Peace Agreement), which put an end to the Bosnian War in 1995.⁹ It was signed in Florence in June 1996 by Bosnia and Herzegovina (hereafter BIH), the Republic of Croatia, the Federal Republic of Yugoslavia (encompassing Serbia and Montenegro as two federal units), and two formerly belligerent entities of BIH: the Federation of Bosnia and Herzegovina and Republika Srpska, each of which had its own armed forces at the time.¹⁰ Implementation

⁵ Agreement on Sub-Regional Arms Control, signed 14 June 1996, Florence, original version. See also the official Croatian translation of the latter: 'Sporazum o subregionalnoj kontroli naoružanja, 14. lipnja 1996', translation of the original text in English aligned with the original text on 25 July 1996. Further, the author relied on the informal consolidated version of the Agreement in Organization for Security and Co-operation in Europe (OSCE), *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (OSCE: Dec. 2014); the handbook was published as a working document for practitioners involved in the Agreement's implementation.

⁶ General Framework Agreement for Peace in Bosnia and Herzegovina, initialed 21 Nov. 1995, Dayton, and signed 14 Dec. 1995, Paris.

⁷ Graef, A., 'Beyond stability: The politics of conventional arms control in Europe', *Zeitschrift für Friedens- und Konfliktforschung*, vol. 10 (2021).

⁸ The findings in this paper are supported by interviews with government officials, representatives of international organizations and non-government affiliated experts, held between April and July 2024. See annex A for the full list of interviews.

⁹ General Framework Agreement for Peace in Bosnia and Herzegovina (note 6). See Annex 1B, 'Agreement on Regional Stabilization', Article IV, which stipulates the key guidelines for establishing subregional arms control among the signatories.

¹⁰ The Agreement on Sub-Regional Arms Control is sometimes referred to as the Florence Agreement, but in this paper only the short form 'the Agreement' will be used.

began immediately and the Agreement is of unlimited duration.¹¹

In 2005, the armed forces of BIH were unified under a common defence organization and BIH became a single acting party to the Agreement.¹² The number of parties rose to four after Montenegro became independent in 2006 and entered the Agreement in January 2007.

The key elements of arms control

The Agreement was designed based on elements of the post-cold war conventional arms control mechanisms in Europe, primarily the Treaty on Conventional Armed Forces in Europe (CFE Treaty), which was signed in 1990 with a view to establishing a military balance between the North Atlantic Treaty Organization (NATO) and the Warsaw Treaty Organization (WTO) and arms reduction in the respective alliances.¹³ The key elements of arms control in the Agreement are ensuring military balance and intergovernmental transparency about military holdings (i.e. the numbers of arms parties own).

To establish military balance, the Agreement sets numerical limitations for parties on military holdings and envisages arms reduction in five categories of major conventional arms: battle tanks, armoured combat vehicles, artillery, combat aircraft and attack helicopters.¹⁴ In contrast to the CFE Treaty, the Agreement does not envisage any zonal limits on the numbers of arms, for instance, in areas close to borders.

To ensure transparency, the parties commit to an annual exchange of information pertaining to their personnel and arms, and to on-site arms control verification inspections.¹⁵ The exchange of information

encompasses information about the organizational structure of the armed forces and permanent changes to this structure (e.g. setting up new units or dissolving existing units), aggregate numbers of personnel and the locations of arms limited by the Agreement; the parties also commit to reporting when new types, models or versions of arms enter into service. The latter effectively means the parties are not obliged to report ordering or receiving deliveries of new arms, but rather when the arms have been commissioned into service. The parties submit the information in both written and electronic form at a dedicated parties' meeting, which takes place by 15 December at the latest.¹⁶

The goal of verification in this Agreement is to establish each party's compliance with the numerical limitations.¹⁷ All parties have committed to declaring sites where arms belonging to the five categories are located (so-called declared sites).¹⁸ These sites contain 'objects of inspection': military units holding such arms, storage sites or reduction sites.¹⁹ Any party can send an inspection to another party's declared site. The parties agree annually about the quotas for inspections and the quotas are reciprocal.²⁰ An inspecting party is free to choose a declared site that they want to inspect and the inspected party cannot deny them access. Drawing on the CFE Treaty, the Agreement also allows for a party to withhold information about the site it aims to inspect until after the arrival of the inspectors in the inspected party's territory.²¹ An inspecting party can even request to inspect an undeclared site, but in this case inspections are subject to approval by the inspected party.²²

¹¹ Agreement on Sub-Regional Arms Control (note 5), Article XII. According to this article, the Agreement may be supplemented by a further agreement by the parties. The parties commit not to withdraw for 42 months, after which they may unilaterally withdraw.

¹² Bosnia and Herzegovina, Law on Defense of Bosnia and Herzegovina, *Official Gazette of Bosnia and Herzegovina*, 88/05 (2005).

¹³ Treaty on Conventional Armed Forces in Europe (CFE Treaty), signed 19 Nov. 1990, entered into force 9 Nov. 1992.

¹⁴ These military holdings are referred to as 'armaments limited by the Agreement'; Agreement on Sub-Regional Arms Control (note 5), Article II, para. 2. See also articles III and IV. The categories were defined in accordance with the CFE Treaty; the only difference is that the calibre of artillery systems subject to subregional arms control was lowered from 100 mm as per the CFE Treaty to 75 mm.

¹⁵ Agreement on Sub-Regional Arms Control (note 5), articles VIII and IX.

¹⁶ Agreement on Sub-Regional Arms Control (note 5), Article VIII; and Government officials and representatives of international organizations, Interviews with author (note 8).

¹⁷ See annex B for an overview of the numerical limitations.

¹⁸ Agreement on Sub-Regional Arms Control, Protocol on Exchange of Information and Notifications, section III, *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (note 5), pp. 41–42; and Agreement on Sub-Regional Arms Control, Protocol on Inspection, section I, item 9, *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (note 5), pp. 69–70.

¹⁹ Agreement on Sub-Regional Arms Control, Protocol on Inspection, section I, item 10, *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (note 5), p. 71.

²⁰ Government officials, Interviews with author (note 8).

²¹ Agreement on Sub-Regional Arms Control, Protocol on Inspection, section VII, item 4, *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (note 5), p. 81.

²² Agreement on Sub-Regional Arms Control, Protocol on Inspection, section VII, item 2, *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (note 5), p. 80.

All parties to the Agreement are also parties to the Vienna Document 2011 on Confidence- and Security-Building Measures, which provides another channel for information exchange and visits to military sites, albeit without the purpose of arms control verification.²³ Moreover, BIH and Croatia are states parties to the Treaty on Open Skies.²⁴

Institutional settings for implementation

The leading organizations in the implementation of the Agreement are ministries of defence, within which there are verification centres responsible for arms control.²⁵ Verification centres plan and organize inspections and engage in the annual exchange of information. Ministries of foreign affairs are also involved in the implementation, bearing responsibility for the political side of the process.

The central body gathering the parties to the Agreement is the Sub-Regional Consultative Commission (SRCC). The SRCC convenes twice a year and serves as a forum for discussing and resolving issues related to implementation; it makes decisions based on consensus.²⁶ According to the Agreement, the SRCC is composed of one high-level representative from each party; in practice, the representatives are usually senior diplomats (i.e. heads of departments responsible for arms control in ministries of foreign affairs) who lead delegations consisting of personnel from the verification centres and ministries of foreign affairs.²⁷

The working materials for the SRCC are prepared during meetings of the Permanent Working Group (PWG), where the participants are the same

representatives as at the SRCC meetings. The PWG is effectively a format for the armed forces' verification centres to plan, coordinate and appraise activities pertaining to the implementation of the Agreement and discuss any issues that arise. It is deemed to be an important dialogue mechanism, providing an open space in which to raise any potentially sensitive issues. This also expedites the work of the SRCC, which adopts proposals prepared by the PWG.

Apart from the SRCC meetings, the parties have committed to holding a review conference at least biennially, where the Agreement may be supplemented by further consensual decisions. At review conferences, the parties can still be represented by civil servants (diplomats) rather than political officials, but any amendment to the Agreement itself (e.g. the introduction of a new arms category) is then subject to further political negotiation at the highest level.

The role of the OSCE

The Dayton Peace Agreement stipulated that the negotiations of the Agreement on Sub-Regional Arms Control were to be led under the auspices of the Organization for Security and Co-operation in Europe (OSCE). Prior to their start, the OSCE established a Personal Representative of the OSCE Chairman-in-office (hereafter Personal Representative) to chair the negotiation meetings and assist the parties at the beginning of the implementation. The Personal Representative's mandate entailed resolving ambiguities and brokering political consensus among the parties. In accordance with the Agreement, the Personal Representative also fielded OSCE assistants to the verification inspections, and these assistants played an active role in clarifying any uncertainties. In the period 2011–15, ownership of the Agreement was transferred from the OSCE to the parties, meaning the parties themselves took full responsibility for resolving issues arising during further implementation and reaching consensus. An amendment to the Agreement signed in 2014 abolished the office of the Personal Representative and replaced the OSCE assistants with OSCE guest observers.²⁸ As the name suggests, the guest observers only play a passive role in inspections.

²³ OSCE, Vienna Document 2011 on Confidence- and Security-Building Measures, adopted 30 Nov. 2011, entered into force 1 Dec. 2011, FSC.DOC/1/11.

²⁴ Arms Control Association, 'The Open Skies Treaty at a Glance', Dec. 2021.

²⁵ The data in this section is based on the Agreement on Sub-Regional Arms Control, Protocol on the Sub-Regional Consultative Commission (note 5); and Government officials, Interviews with author (note 8). In Bosnia and Herzegovina, the verification centre is embedded in the Joint Staff of BIH Armed Forces, while a unit in the Ministry of Defence is in charge of drafting policies and the planning and budgeting pertaining to arms control verification. In the Croatian Ministry of Defence, the unit responsible for arms control, including verification activities, is called the Arms Control Department.

²⁶ Agreement on Sub-Regional Arms Control (note 5), Article X, item 3.

²⁷ Agreement on Sub-Regional Arms Control (note 5), Protocol on the Sub-Regional Consultative Commission.

²⁸ Amendments to the Agreement on Sub-Regional Arms Control (Article IV, Annex 1-B, of the General Framework Agreement for Peace in Bosnia and Herzegovina), *Official Gazette of the Republic of Serbia*, no. 1/2016 (16 Jan. 2016).

Within the OSCE Permanent Council decision on the transfer of ownership, the Conflict Prevention Centre (CPC) is tasked to ‘work closely with and provide support to the Parties to the Agreement’.²⁹ All the government representatives interviewed for this paper agreed that the OSCE, through the CPC, has continued to play a prominent role in supporting implementation. The CPC supports the organization of SRCC meetings and review conferences, which are held in Vienna. CPC representatives take part as observers in both SRCC and PWG meetings and as guest observers in arms control verification inspections. The CPC also provides safekeeping and archiving of exchanged information, documents related to verification activities, SRCC decisions and meeting reports, and documents related to the review conferences. In addition, it facilitates the parties’ annual briefings to the OSCE Forum on Security Cooperation (FSC) on the implementation of the Agreement and coordinates the participation of guest observers from other OSCE participating states in the inspections.³⁰

The role of the Contact Group

International involvement played a prominent role in ending the Bosnian War, particularly through the informal ‘Contact Group’, consisting of France, Germany, Italy, Russia, the United Kingdom and the United States. The Contact Group states attended the Agreement negotiations in Vienna as observers and have continued to monitor its implementation as observers in SRCC meetings and review conferences. Some interviewees singled out their presence as conducive to the Agreement.³¹ One interviewee pointed to the practical support they had provided in the form of courses for arms control verification, which were initially held at the NATO School in Oberammergau, Germany.

²⁹ OSCE, Permanent Council, Decision no. 1134, ‘Transfer of Ownership to the Parties to the Agreement on Subregional Arms Control, Annex I-B, Article IV of the General Framework Agreement for Peace in Bosnia and Herzegovina’, PC.DEC/1134, 6 Nov. 2014.

³⁰ The CPC also takes part directly in 2–3 inspections per year with its staff as guest observers.

³¹ Similar assessments have been expressed in the academic literature; see e.g. Ejodus, F., Rečević, T. and Kovačević, M., ‘Military dynamics, conventional arms control, and regional security in the Western Balkans’, eds N. Džuverović and V. Stojarová, *Peace and Security in the Western Balkans: A Local Perspective* (Routledge: London/New York, 2023).

Training in implementation

Since 2001, bespoke arms control verification courses for the implementation of the Agreement have been organized by RACVIAC-Centre for Security Cooperation (hereafter RACVIAC).³² These are annual courses consisting of theoretical and practical elements. As the courses rotate annually between the parties, the hosting party also provides access to a military facility where the practical part takes place.³³ The programme preparation is coordinated at PWG meetings (there is a RACVIAC representative at both PWG and SRCC meetings). Participants include new inspectors and personnel in other posts who occasionally undertake inspection duties, such as those responsible for arms control in their respective units.³⁴ As well as the representatives of the parties to the Agreement, the courses are open to interested guest observers and guests from non-OSCE participating states.³⁵

III. FIT FOR PURPOSE?

This section considers whether or not the Agreement has accomplished what it was designed to do and to what extent it is able to contribute to conflict prevention in the Western Balkans today. The assessment encompasses three aspects of the Agreement: (a) output, meaning are the measures stipulated in the Agreement being implemented? (b) outcome, meaning does the implementation of the Agreement contribute to conflict prevention? and (c) outlook, meaning is the Agreement adaptable enough to remain relevant at present and in the near future?

Overall, it finds that the Agreement has fared well in terms of output and built an atmosphere of trust among the practitioners (parts of the armed forces and foreign services) who are involved in the implementation. However, with the preferences of political decision

³² RACVIAC-Centre for Security Cooperation members include Albania, Bosnia and Herzegovina, Croatia, Greece, North Macedonia, Montenegro, Romania, Serbia and Türkiye.

³³ For a description of the latest course programme, see RACVIAC, ‘Agreement on Sub-Regional Arms Control (Dayton Article IV)’—‘OrIENTATION Course’, RACVIAC Newsletter, no. 72 (1 Jan.–31 Mar. 2024).

³⁴ The units are usually at the level of brigades.

³⁵ The courses are mostly open to the OSCE participating states, but an invitation is also extended to the Korean Arms Control Verification Agency (KAVA), on their request. See RACVIAC (note 33).

makers moving away from cooperation and increasingly towards conflict, the Agreement risks remaining isolated from the foreign and security policy processes. While in the short term such isolation prevents any negative influence from ethnonationalist politics on implementation, it also diminishes the Agreement's ability to effectively contribute to regional conflict prevention.

Output: Consistent implementation

With regard to output, the Agreement can be assessed as successful. Its implementation was negotiated and started relatively promptly after the end of the hostilities in the Western Balkans. The parties began the planned arms reduction immediately after the Agreement was signed in June 1996 and by November 1997 they had completed the reduction in military holdings to below the numerical limitations foreseen in the Agreement. Over 10 000 pieces of arms have been destroyed since its signature, through both mandatory and later voluntary reductions, and 129 inspections have been carried out.³⁶ The parties continue to exchange notifications about voluntary reductions (demilitarization of surplus/obsolete arms) and they have the right to conduct mutual inspections of voluntary reductions. However, such inspections do not take place in practice since few arms are subject to reduction requirements.³⁷

The exchange of information and arms control verification inspections have consistently taken place over the years.³⁸ At least 817 inspections of objects of inspection were carried out between 1997 and 2023.³⁹ However, the number of inspections per year has decreased, as the number of objects of inspection (military units, storage sites or reduction sites that fall under the scope of the Agreement) has reduced among the parties' armed forces due to defence reforms.⁴⁰

³⁶ Data provided by the OSCE Conflict Prevention Centre (CPC) with the agreement of all the parties. OSCE CPC official, Email communication with author, 21 June 2024.

³⁷ Government officials, Interviews with author (note 8).

³⁸ The Federal Republic of Yugoslavia suspended implementation of the Agreement during the North Atlantic Treaty Organization (NATO) air campaign against it in spring 1999, but resumed shortly afterwards. Former diplomat of one state party, Interview with author, by phone, 7 June 2024.

³⁹ Data provided by the OSCE CPC with the agreement of all the parties; OSCE CPC official (note 36).

⁴⁰ Each party is assigned an annual inspection quota, i.e. a number of 'objects of inspection' that will be subject to inspections by other

Nevertheless, there has been significant interest from other OSCE participating states in taking part in the verification inspections. A total of 210 assistants/guest observers from 29 OSCE participating states had accompanied the inspections by the end of 2023.⁴¹ In 2024, 20 OSCE participating states and the CPC offered 54 guest observers for a total of 13 planned inspections (usually 3–4 guest observers per inspection).⁴²

When interviewed, those representatives of governments and international organizations familiar with the implementation of the Agreement described the process as smooth, uncontested and well defined, contributing to an exceptional level of transparency among the four parties. The transfer of ownership from the OSCE to the parties in 2014 showed that the parties had reached the capacity to build consensus without an external arbiter. It is also noteworthy that all the activities under the Agreement have been carried out without interruption over the years, despite more prominent political tensions among the parties since 2014.⁴³ Several lessons can be observed from this process, as outlined below.

1. A precise and meticulous agreement facilitates straightforward implementation.

The Agreement itself was, in the words of one interviewee, 'exceptionally well crafted'.⁴⁴ The key guidelines were already set in the Dayton Peace Agreement, which expedited the negotiations that followed. The Agreement encompassed all the major conventional arms present in the holdings of the parties at the time of signature. Although the categories of arms were defined in line with the CFE Treaty, lowering the calibre of the artillery systems subject to the Agreement from 100 mm (as per the CFE Treaty) to 75 mm showed that regional circumstances and the capabilities of the armed forces were considered. Also drawing on the CFE Treaty, the Agreement contains very elaborate protocols for various aspects of the implementation, such as arms reduction, inspections and the work of the SRCC. Having detailed

parties in a given year. The quota is calculated as 15% of the total number of objects of inspection rounded to the next whole number. The parties jointly establish annual quotas each year and agree on the distribution of inspections among themselves (who will send how many inspections to whom).

⁴¹ OSCE CPC official (note 36).

⁴² OSCE CPC official (note 36).

⁴³ Cf. Ejodus, Rečević and Kovačević (note 31).

⁴⁴ Former diplomat of one state party (note 38).

guidelines has enabled practitioners (military officers and diplomats alike) to carry out straightforward implementation, with a high level of clarity in terms of the roles and tasks involved in the process.

2. The international community can act as a neutral arbiter during negotiations and the sensitive early phase of implementation, and provide support to keep the process on track.

The Agreement was negotiated under the auspices of the OSCE and the Personal Representative had a vital role in facilitating implementation until the termination of that function in 2014. Political support by the Contact Group has also been credited as conducive to the Agreement.⁴⁵ Moreover, the OSCE assistants participating in the verification inspections were able to act as independent arbiters of the letter of Agreement in the aftermath of the Bosnian War, before trust among the parties' armed forces was built.

3. Embedding arms control in a broader international framework facilitates communication and trust building.

Having a 'neutral ground' for discussion, the exchange of information and record safekeeping has helped to put all the parties in an equal position. This has remained true even after the parties assumed full ownership of the arms control arrangements. The function of the OSCE as an international organization aspiring to overcome polarization has made it suitable for accommodating confidence building at the subregional level, too.

4. Creating opportunities for the practitioners who implement arms control to establish good professional relationships is vital for consensus building.

At least two factors have helped to build good relationships between the practitioners involved in the implementation of the Agreement. The first is the relative consistency of personnel in certain positions; in some government institutions, the same people have been involved in arms control for over 10 years. The second is the small size of the professional communities responsible for the arms control portfolios, which means that they constantly meet in different formats. Social events accompanying meetings were also widely praised by interviewees. According to some interviewees, there have been a number of dissonances

to address over the years, but there has always been sufficient flexibility and good will. Admittedly, it has also been suggested that items around which no agreement can be reached are taken off the agenda, but in a sensitive policy area requiring consensus building, good relationships appear to be key.

5. Well-established, unified training for the personnel of all parties facilitates consistent implementation and trust building.

The bespoke arms control verification courses organized by RACVIAC are attended by personnel from all the parties. This ensures a transfer of knowledge to new personnel and keeps all the parties 'on the same page' regarding the implementation of the Agreement. Moreover, the courses enable inspectors from different parties to meet each other before the on-site inspections.

Outcome: Contributing to conflict prevention

While assessing the output of the Agreement is relatively straightforward, assessing the outcome is not. It is very difficult to determine to what extent the absence of conflict between the parties is due to the Agreement's implementation as opposed to other factors. What is certain is that all the parties' military holdings have remained well below the thresholds set in the Agreement.⁴⁶ This could be a consequence of the Agreement itself or of other conditions, such as relatively low military budgets.⁴⁷ Nonetheless, it is worthwhile considering if the implementation of the Agreement in terms of information exchange and arms control verification corresponds with the underlying logic of transparency and confidence-building measures (TCBMs): that by implementing these measures, the parties would build mutual trust and reduce tensions.⁴⁸ The assessment starts by asking

⁴⁶ Government officials, representatives of international organizations and non-government affiliated experts, Interviews with author (note 8).

⁴⁷ E.g. Romania, the second biggest major conventional arms importer in South Eastern Europe in the 10-year period 2014–23 (after Greece), had three times (3x) as high average military expenditure in this period as Serbia, 4x as high as Croatia, 25x as high as BIH and 53x as high as Montenegro. Data generated from the SIPRI Arms Transfers Database, accessed 19 July 2024; and the SIPRI Military Expenditure Database, accessed 19 July 2024.

⁴⁸ United Nations Office for Disarmament Affairs (UNODA), 'Transparency and confidence building', accessed 19 July 2024.

⁴⁵ Ejdus, Rečević and Kovačević (note 31), pp. 130–31.

‘trust among whom exactly?’ and offers three possible answers: (a) practitioners and organizations directly involved in the implementation of arms control (i.e. armed forces and foreign services); (b) political decision makers; and (c) public audiences. While the latter group is not typically taken into account while crafting and evaluating TCBMs, lack of public assurance about the intentions and actions of neighbouring states could constitute an indirect path to conflict, as distrustful citizens are more likely to support ethnonationalist elites and the politics of conflict rather than cooperation.

Armed forces and foreign services

The establishment of good professional relationships as a factor in the consistent implementation of the Agreement has already been highlighted above. In support of that, the overall impression from the interview data is that the parties meticulously declare sites with relevant armaments and comprehensively inform each other about their force structures and capability developments. The information about new arms acquisitions or changes in force structure influences how verification centres plan their next inspections, which means armed forces use the information exchange and arms control verification inspections for knowledge about the developments of other parties.⁴⁹

It remains unclear if the confidence developed among the practitioners and organizational units directly involved in arms control has spilled over into entire organizations (i.e. ministries of defence/armed forces and ministries of foreign affairs). According to the interviews, the verification centres and the offices in ministries of foreign affairs responsible for the subregional arms control portfolio submit regular reports on the Agreement’s implementation to higher instances within their organizations. However, some statements suggest that the internal visibility of the subregional arms control processes is not very high in these organizations. There are also different perceptions about whether arms control should contribute to threat assessment and planning within ministries of defence in the first place.

Political decision makers

The first step in determining whether implementation of the Agreement contributes to trust and reducing tensions is to ask if political decision makers request and receive information from other parties through this mechanism. Within the established reporting process, cabinets of defence and foreign affairs ministers do receive regular information about the implementation of the Agreement. Some ministers have reportedly asked for additional information or briefings, for instance, when there is media reporting about major arms procurement by other parties. In BiH, the presidency receives and discusses annual reports on the implementation.⁵⁰ Moreover, its parliamentarians have used oversight powers to ask about the implementation of the Agreement and the military balance in the region, with the latter in reaction to the procurement of new major arms by some parties.⁵¹ The Agreement has also been the topic of parliamentary debates in BiH. For instance, a deputy defence minister referred to this mechanism in a debate about arms procurement in Serbia and Croatia in October 2017. In this period, the first major arms acquisition projects after the 1990s started unravelling in these two states and the deputy defence minister reassured parliamentarians that all the parties still adhered to the Agreement in regard to armament limitations and transparency towards the other parties.⁵²

Ultimately, political decision makers will not prioritize arms control if they do not perceive regional cooperation and conflict prevention as politically beneficial to themselves. The inclination towards cooperative security in the Western Balkans expressed in the 2000s may have slowly receded, but so far this has not hampered the implementation of the Agreement.⁵³ It seems that implementation has

⁵⁰ E.g. Presidency of Bosnia and Herzegovina, ‘BiH Presidency holds its 26th regular session’, 19 May 2022; and Presidency of Bosnia and Herzegovina, ‘BiH Presidency holds the 13th regular session’, 4 Apr. 2024.

⁵¹ Vijeće ministara Bosne i Hercegovine [Council of Ministers of Bosnia and Herzegovina], ‘Odgovor na zastupničko pitanje’ [Response to a parliamentary question], 6 Mar. 2014; and Vijeće ministara Bosne i Hercegovine [Council of Ministers of Bosnia and Herzegovina], ‘Odgovor na zastupničko pitanje’ [Response to a parliamentary question], 13 Nov. 2019.

⁵² Al Jazeera Balkans, ‘Jerinić: Srbija i Hrvatska nisu narušile sporazum o naoružavanju’ [Jerinić: Serbia and Croatia have not violated the armament agreement], 24 Oct. 2017, updated 30 June 2020.

⁵³ Ejodus, Rečević and Kovačević (note 31).

⁴⁹ Government officials, Interviews with author (note 8).

been left in the hands of the practitioners, enabling it to proceed irrespective of regional tensions. However, this also means the Agreement has become isolated from mainstream political decision making, undermining its ability to achieve the ultimate goal of regional conflict prevention.

The Agreement thus also reflects the reality of other regional initiatives in South Eastern Europe: they have created ‘communities of practice’ among security and foreign policy elites that have remained limited in their ability to influence broader policy processes.⁵⁴

The public visibility of subregional arms control

The public visibility of the Agreement and its implementation is low. While most ministries involved in the implementation do have a web page with a brief description of the Agreement and occasional news items (e.g. the ministries of foreign affairs of all four parties informed the public about its 25th anniversary), the ministry of defence in BIH is the only one regularly reporting about the verification inspections.⁵⁵ A strong indicator of the low visibility is the difficulty of even finding the text of the Agreement online.⁵⁶ The Agreement is mentioned in occasional media reports and expert publications, but overall this aspect of the Dayton Peace Agreement has received surprisingly little attention.⁵⁷

The low public visibility is not accidental, however, and there is a consensus among the parties to tread carefully. One reason could be the military culture and its disposition not to share information, although some interviewees from the armed forces expressed

a positive attitude towards making subregional arms control more visible. What appears to be a major impediment to the public visibility of the Agreement is the political sensitivity of arms control among former adversaries. Considerable quantities of arms were reduced immediately after the Bosnian War and, according to one interviewee, there was reluctance to ‘upset’ citizens by sharing such news. There is also the view that citizens would not want the other parties to know how many arms their armed forces have and that informing the public about the information exchange and arms control verification inspections could be ‘misused’. An interviewee who is not affiliated to any government remarked that there was a ‘hush hush’ approach to the implementation of the Agreement among political decision makers in their country, in order not to ‘scare’ the public with the idea of soldiers from other parties checking which arms their country possesses.

From the perspective of most of the interviewed officials involved in the implementation of the Agreement, the current level of public visibility is adequate. A former diplomat pointed out that all similar agreements were implemented ‘out of the public eye’, through closed diplomatic channels. Some interviewees did express support for more publicity, because ‘this is an agreement between Western Balkans states which is really being implemented in good faith’ and ‘the goal is to make the region more transparent’. Nonetheless, there is a recognition that it is up to the political decision makers to move the topic higher up the public agenda.

An overview of the publicity the Agreement has received in media reports so far shows that it has been mentioned as a counterargument to the sensationalist narratives of an ‘arms race’, which have (mostly) followed Croatia’s and Serbia’s reinvestment in arms procurement in recent years.⁵⁸ In this context, the Agreement has been used to reassure the public that states in the region have a mechanism to check how many arms their neighbours have and that they are obliged to adhere to certain limits on military holdings. However, there has been some negative publicity. For instance, a Serbian daily newspaper insinuated in an article in March 2023 that NATO was trying to limit

⁵⁴ Ejodus, Rečević and Kovačević (note 31), p. 134.

⁵⁵ Bosnian Ministry of Foreign Affairs, ‘25. godišnjica potpisivanja Sporazuma o subregionalnoj kontroli naoružanja’ [25th anniversary of signing of the Agreement on the Sub-Regional Arms Control], 9 June 2021; and Croatian Ministry of Foreign and European Affairs, ‘The Agreement on Sub-Regional Arms Control (Dayton Peace Agreement, Annex 1B – Article IV)’, 11 June 2021; Montenegrin Government, ‘Obilježeno četvrt vijeka od potpisivanja Sporazuma o podregionalnoj kontroli naoružanja’ [A quarter-century of signing of the Agreement on the Sub-Regional Arms Control marked], 14 June 2021; and Serbian Ministry of Foreign Affairs, ‘Marking the 25th anniversary of the signing of the Agreement on Sub-Regional Arms Control’, 14 June 2021.

⁵⁶ A Google search of the full text of the Agreement with and without quotation marks, and both in English and in the local languages, in the period April–July 2024 led to only two results with the full text, both from before the 2014 amendment.

⁵⁷ In recent years, Ejodus, Rečević and Kovačević (note 31); and Jevtić, M. and Kostić Šulejić, M., ‘Emerging and disruptive technologies in the Western Balkans: Do we need a new arms control regime?’, *Međunarodni problemi*, vol. 75, no. 2 (2023).

⁵⁸ E.g. Opačak, M., ‘General Šiljeg o Dodikovom naoružavanju: Tu nema govora o teškom naoružanju’ [General Šiljeg about Dodik’s armament: One cannot talk about heavy weapons], *Direktno*, 16 Feb. 2018.

Serbia's procurement of drones by having its member state Croatia advocate for the introduction of drones as a new arms category in the Agreement.⁵⁹ This example justifies the fear that more publicity may be misused for scaremongering instead of reassuring citizens about regional relations. In addition, this kind of reporting could undermine the trust between the parties and discourage them from engaging in honest discussions in PWG and SRCC meetings.

It seems, therefore, that the lack of public visibility has both positive and negative effects. From the perspective of the implementation process itself, it shields subregional arms control from politicization, which in the current conditions could negatively affect the long-standing atmosphere of trust and cooperation among practitioners. On the other hand, it prevents the Agreement from contributing to confidence building among public audiences. Regardless, political decision makers are the key channel for communicating about regional relations to the public and increasing the public visibility of subregional arms control will only have a reassuring effect on citizens if the general political climate is conducive to it.

Outlook: Keeping up with the times?

The process of implementing the Agreement has so far demonstrated solid resilience, that is, the ability to persist in the face of a changing security environment in the region and beyond. A good example of this is the decision by Croatia and Montenegro to continue with mutual arms control verification even after they both became NATO members, in order to uphold the Agreement. The parties have also managed the participation of Contact Group representatives as observers in the Subregional Consultative Commission in such a way that avoids spillover effects of the war in Ukraine—an interesting 'twist of fate' bearing in mind that in the 1990s the then concordant Contact Group played a vital role in encouraging the former 'subregional' adversaries to negotiate and implement the Agreement.⁶⁰

The Agreement has also shown some adaptability, that is, the ability to update in accordance with the

changing circumstances. The most prominent example is the transfer of ownership from the OSCE to the states parties that was concluded in 2014 and took effect in 2015. The next test of its adaptability will be linked to the ongoing discussion about modernization of the Agreement.

A potentially looming challenge to using conventional arms control as a tool of conflict prevention under the Agreement is the procurement of major arms for the police forces in two BIH entities, given that the Agreement does not generally provide for information exchange and verification of arms held by police.

The outlook for modernization

The discussion on the possible modernization of the Agreement has different aspects, but the only one that has reached the public is the potential update to address the modernization of arms. This largely reflects two dilemmas in the Euro-Atlantic conventional arms control community: first, how to address the quality of arms rather than just the quantity; and second, how to subject emerging military technologies to arms control.⁶¹ This does not imply that the existing arms categories under the Agreement are obsolete—they continue to be the backbone of force planning and arms procurement by the parties. The discussion on possible modernization among the parties and interested experts is mostly focused on whether to introduce uncrewed systems, primarily drones, as a new category.⁶² So far, only one party (Serbia) has acquired some armed drones (unmanned combat aerial vehicles), while another party (Croatia) placed an order for armed drones in late 2024.⁶³ However, the mere introduction of the new capability

⁶¹ RACVIAC, Arms Control Symposium, Rakitje, 22–23 Oct. 2024, Author's own notes from discussions.

⁶² Jevtić and Kostić Šulejić (note 57).

⁶³ The SIPRI Arms Transfers Database estimates six Chinese-produced CH-92 and at least one CH-95. China's report for 2023 submitted to UNROCA includes the transfer of nine unmanned combat aerial vehicles to Serbia. See UNROCA, 'UNROCA original report: China 2023', accessed 16 Dec. 2024. There is little information about the serial production of domestic armed drones in Serbia, whose start was announced in 2023. See Galović, M., 'Pravimo super top velikog dometa' [We are making a long range super cannon], Interview with Dr Nenad Miloradović, Serbian Assistant Minister of Defence for Material Resources, *Politika*, 16 Jan. 2023. For Croatia's order see Tsoneva, A., 'Croatia in deal with Baykar to buy six Bayraktar TB2 drones', SeeNews, 21 Nov. 2024.

⁵⁹ Galović, M., 'NATO želi da ograniči Beogradu upotrebu dronova' [NATO wants to limit the use of drones to Belgrade], *Politika*, 4 Mar. 2023.

⁶⁰ Government officials and representatives of international organizations, Interviews with author (note 8).

has prompted calls to expand the region's arms control to encompass drones.⁶⁴

On the one hand, it is worth noting that the definition of 'combat aircraft' in the CFE Treaty, which has been transferred to the Agreement, does not exclude armed drones per se, but they have not been subject to arms control in practice.⁶⁵ On the other hand, the UN Register of Conventional Arms (UNROCA), whose definition of combat aircraft is very similar to that of the CFE Treaty, has included unmanned combat aerial vehicles and member states do report transfers of these arms.⁶⁶ Nevertheless, when it comes to the Agreement, there is currently no consensus on counting armed drones as combat aircraft.

How the parties ultimately choose to define armed drones and combat aircraft will be significant for the application of the Agreement going forward. If they decide to view drones as combat aircraft, the numerical limitations on combat aircraft already set by the Agreement would include armed drones as well. Although this would not pose a problem in practice, because none of the parties' holdings are anywhere near this limit at present. The SRCC could then add the types of armed drones the parties have already acquired to the list of existing arms falling under the Agreement.⁶⁷ However, if armed drones are deemed to be a new category, introducing them into the Agreement would require (re)negotiation at the highest political level and such a process could be quite onerous in the current political climate. A particular challenge would be the lack of unified policy making at national level in BiH, as ethnic political leaders have different preferences in terms of power centralization,

⁶⁴ Ejdus, F. and Vuksanovic, V., 'Wings of change: The coming drone proliferation in the Western Balkans', *Belgrade Centre for Security Policy*, May 2023, p. 5.

⁶⁵ 'The term "combat aircraft" means a fixed-wing or variable-geometry wing aircraft armed and equipped to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons, or other weapons of destruction, as well as any model or version of such an aircraft which performs other military functions such as reconnaissance or electronic warfare. The term "combat aircraft" does not include primary trainer aircraft', CFE Treaty (note 13), Article II, item 1(K). See also Agreement on Sub-Regional Arms Control (note 5), Article II, item 8.

⁶⁶ UNROCA, 'Categories of major conventional arms', accessed 19 July 2024.

⁶⁷ The list is in a separate protocol to the Agreement; Protocol on Existing Types of Armaments (POET), *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (note 5), pp. 61–65.

foreign and security policy, and regional relations.⁶⁸ Another challenge to introducing drones as a new category would be defining them. While larger armed drones like those currently in Serbia's inventory could easily be counted and included, smaller, cheaper drones that could be armed and which have also considerably affected modern warfare (albeit to a disputed extent) are quite challenging to trace and not necessarily found in military possession in peace time.⁶⁹

At the conclusion of the 2022 review conference, the parties generally agreed that it was necessary to continue talks about the possible modernization of the Agreement. However, there is still no consensus on this topic in general and on the possible introduction of drones in particular. At the same time, there is a view among practitioners that the culture of consensus will prevail and help find the best answer to the modernization question. According to one interviewee, 'it is surely necessary to embark on the modernization of the Agreement, but it is equally necessary for the parties to reach consensus, and that each party finds an interest to initiate this'.⁷⁰

Arms procurement for police forces in BiH

Unlike the armed forces of BiH, the police forces are organized in a highly decentralized way, primarily at the level of federal subunits—cantons—in the Federation of BiH, while the Republika Srpska has its own police force. This creates a risk of ethno-political influence on the police forces.⁷¹ For example, the police force in Republika Srpska and some cantonal

⁶⁸ See 'Consensus-Building', *BTI 2024 Country Report: Bosnia and Herzegovina*, Bertelsmann Stiftung's Transformation Index (BTI) (Bertelsmann Stiftung: Gütersloh, 2024).

⁶⁹ Pettyjohn, S. L. 'Drones Are transforming the battlefield in Ukraine but in evolutionary fashion', *War on the Rocks*, 5 Mar. 2024. A defence expert raised the point that such drones could also be in the possession of private owners, which would effectively render arms control verification impossible; Non-government affiliated defence expert no. 1, Interview with author, Zagreb, 23 May 2024.

⁷⁰ Government official, Interview with author (note 8).

⁷¹ 'The police forces in BiH are confronted with significant fragmentation and growing politicization. In the Republika Srpska (RS), the police are highly centralized and strongly influenced by the ruling parties. In the Federation of BiH, police competencies are divided between the federal and cantonal levels, with incomplete institutionalization of cooperation among these agencies. Since 2011, there has been a concerted effort by the ruling elites to exert greater political control over police agencies, with the aim of rolling back police reforms that were carried out with international assistance during the previous decade', *BTI 2024 Country Report: Bosnia and Herzegovina* (note 68), pp. 6–7.

forces have recently started acquiring new armoured vehicles, in contrast to the national armed forces that are dealing with relatively low budgets.⁷² As regards the Agreement, its provisions do not apply to armoured combat vehicles and multi-purpose attack helicopters ‘held by organisations designed and structured to perform in peacetime internal security functions’.⁷³ There is an exception—the limitation on holdings of armoured infantry fighting vehicles (vehicles with a canon or a gun of at least 20mm calibre) held by the organizations performing internal security functions—but none of the parties’ police forces has such a vehicle.⁷⁴ In practice, some armoured police vehicles do get reported in the annual exchange of information.⁷⁵ However, it seems that possibilities for further verification of police equipment in the context of conflict prevention would require a meticulous review.

As a derivative of the Dayton Peace Agreement, the Agreement on the Sub-Regional Arms Control is inevitably centred around preventing a reoccurrence of the conflict in BiH. Hence, a discussion truly oriented towards this objective should integrate an honest assessment of the current risks to peace and stability in this country. Admittedly, the Agreement may not be the most appropriate framework to address some of the risks, such as the oversight gap in terms of the arms procurement of police forces, especially because the bulk of the police forces’ arms does not fall under its scope. Furthermore, while the Dayton Peace Agreement did also stipulate internal confidence-building measures in BiH before the unification of the armed forces, there are no further stipulations that would enable anything close to internal confidence building at present.⁷⁶ Negotiating another framework

⁷² Radić, A., ‘Ko ima više policijskih blindi u BiH’ [Who has got more armoured police vehicles in BiH], Balkan Security Network, 7 July 2023; and ‘Defence expenditure’, Balkan Defence Monitor 2024 (Belgrade Centre for Security Policy: Belgrade, Feb. 2024).

⁷³ ‘The term “multi-purpose attack helicopter” means an attack helicopter designed to perform multiple military functions and equipped to employ guided weapons’, Agreement on Sub-Regional Arms Control (note 5), Article II, item 12. Neither of the police forces in BiH currently operates a helicopter which would fall under this definition. See the Agreement on Sub-Regional Arms Control (note 5), Article XI.

⁷⁴ As defined in the Agreement on Sub-Regional Arms Control (note 5), Article II, item 4.

⁷⁵ E.g. the Lazar 2 and Lazar 3 armoured vehicles operated by the Serbian gendarmerie have been reported, even though they do not qualify as infantry fighting vehicles.

⁷⁶ As stipulated in Annex 1B, ‘Agreement on Regional Stabilization’, Article II. See also US Department of State, ‘Document terminating The

for confidence-building measures could be more effective in this regard, while still permitting and welcoming them under Article XII of the Agreement.

IV. WHAT ROLE FOR THE EU?

From the EU perspective, the Western Balkans is part of its security environment, but also a region aspiring to EU accession.⁷⁷ The EU’s 2022 Strategic Compass for Security and Defence emphasizes a particular interest to ‘support the sovereignty, unity and territorial integrity of Bosnia and Herzegovina’ and ‘take forward the EU-led Pristina-Belgrade dialogue’.⁷⁸ Furthermore, it expresses a commitment to strengthen cooperation with the OSCE in the field of conflict prevention and crisis management and to explore how the EU can strengthen its relationship with the CPC and work closer with OSCE field missions, with an emphasis on confidence-building measures, among other things.⁷⁹ The EU’s Strategic Agenda 2024–2029 views the enlargement process as a security policy priority and reaffirms the aim to encourage good neighbourly relations, reconciliation and the resolution of bilateral disputes.⁸⁰

Drawing on these goals, the question of ‘what role for the EU?’ can be addressed in two parts. First, what role could the EU play in supporting and promoting the implementation of the Agreement on Sub-Regional Arms Control? Second, what role could the EU assume in promoting a conducive political climate for TCBMs as a conflict prevention tool in the entire Western Balkans?

Supporting the implementation of the Agreement

The EU could provide indirect support, both political and technical, to promote the implementation of the Agreement. In political terms, strengthening cooperation with the OSCE would signal continuous

Agreement on Confidence-and-Security-Building Measures in Bosnia and Herzegovina (September 28, 2004)’, accessed 18 July 2024.

⁷⁷ It is worth noting that one party to the Agreement on Sub-Regional Arms Control, Croatia, has been an EU member since 2013 and has not been regarded as part of the Western Balkans since then. However, the Western Balkans remains the most suitable framework to discuss both the EU’s approach and the conflict dynamics in this part of Europe.

⁷⁸ EEAS (note 1), p. 19.

⁷⁹ EEAS (note 1), p. 54.

⁸⁰ European Council, *Strategic Agenda 2024–2029* (European Council: 2024).

support for that organization despite the growing polarization in the OSCE region. The OSCE has provided a neutral ground for discussion and the exchange of information among the parties to the Agreement, which will also be valuable in the future. One possibility for the EU to strengthen its relationship with the CPC would be by expressing interest in EU representatives taking part in SRCC meetings with observer status.

At a more technical level, the EU could support projects contributing to transparency among the parties (such as digitalization of the archives that are under the auspices of the OSCE), upholding capacities for conventional arms control and providing further opportunities for interpersonal contacts among policy professionals, including arms control verification inspectors who are involved in the implementation of the Agreement. One possibility could be cooperation with RACVIAC and providing support for training in conventional arms control. This would also facilitate dissemination of the lessons observed/learnt from the implementation of the Agreement so far to other interested states whose representatives take part in such training. The crisis of arms control in the Euro-Atlantic space has prompted concerns about retaining the conventional arms control capacities, and providing for continued education in this field would be beneficial even beyond the Western Balkans.

Integrating TCBMs into conflict prevention in the Western Balkans

Even though the political circumstances have changed significantly since 1996, the objective of the Agreement to prevent the reoccurrence of conflict remains relevant. However, the Agreement does not address the entirety of the conflict dynamics in the Western Balkans.

The tensions in Kosovo^{*81} and between the authorities in Belgrade and Pristina surrounding Kosovo's disputed statehood and the status of its northern part (with a Serb majority population) have

⁸¹ The designation 'Kosovo' is used without prejudice to positions on status and is in line with UN Security Council Resolution 1244 and the International Court of Justice advisory opinion on the Kosovo declaration of independence. See UN Security Council Resolution 1244, 10 June 1999; and International Court of Justice, 'Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo', Advisory opinion, 22 July 2010.

not only seen sporadic violence involving civilians and paramilitary formations, but also occasional deployments and displays of arms by Serbia in the vicinity of Kosovo.⁸² The NATO-led international peacekeeping force Kosovo Force (KFOR) remains officially in charge of providing a security presence in Kosovo.⁸³ However, the local Kosovo Security Force has undergone a transformation into armed forces since 2019, which has entailed the procurement of major conventional arms.⁸⁴ This indicates the necessity to work around the question of Kosovo's status to devise the most appropriate TCBMs that would also involve third parties, such as the already present KFOR, but potentially also specialized teams organized by the OSCE or the EU. The EU is already acting as a mediator in the high-level political dialogue between the authorities in Belgrade and Pristina, which means it is perceived as a credible international actor by both parties.⁸⁵

The EU should also consider how to facilitate the creative development of confidence-building measures that could contribute to the stability and territorial integrity of BIH, in line with the EU's own policy priorities, and promote conventional arms control as a means of conflict prevention. It is worth noting that the EU has already supported regional efforts in small arms and light weapons (SALW) control.⁸⁶ While the focus of these efforts has largely been on curbing illicit proliferation, they have created a valuable network that could be used for developing further TCBMs in the region.

⁸² RFE/RL Balkan Service, 'Dozens of KFOR troops, protesters injured as clashes break out in Serb-majority towns in northern Kosovo', 29 May 2023; Lukiv, J., 'Kosovo and Serbia row over monastery gun battle', BBC News, 25 Sep. 2023; and RFE/RL Balkan Service, 'Serbian warplanes circle over border blockade in Kosovo', 26 Sep. 2021.

⁸³ In line with UN Security Council Resolution 1244 (note 81). See KFOR, 'Mission', accessed 19 July 2024.

⁸⁴ Balkan Insight, 'Kosovo votes to turn security force into army', BIRN, 14 Dec. 2018. Kosovo received around 100 armoured vehicles, 5 Bayraktar TB-2 drones and small numbers of self-propelled mortars and anti-tanks missiles between 2014 and 2023; SIPRI Arms Transfers Database, accessed 19 July 2024.

⁸⁵ EEAS, 'Belgrade-Pristina Dialogue', 16 Mar. 2022.

⁸⁶ Council of the EU, 'Council Decision (CFSP) 2022/2321 of 25 November 2022 in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans and in support of disarmament and arms control activities in South-East and East Europe', *Official Journal of the European Union*, L307/149, 28 Nov. 2022.

V. CONCLUSION

The Agreement on Sub-Regional Arms Control has been consistently implemented over the years, with a regular exchange of information among the parties' armed forces and verification inspections reassuring the parties of their mutual compliance with the numerical limitations on major conventional arms. The transfer of ownership of the Agreement's implementation from the OSCE to the parties themselves demonstrated considerable progress in regional relations. The process of implementing the Agreement has also shown considerable resilience to external pressures coming from both outside the subregion (i.e. the crisis in arms control and geopolitical tensions in Europe) and inside it (i.e. rising political tensions among/within the parties). These are remarkable accomplishments. At the same time, this case shows that even an exemplary implementation of arms control faces limits to its influence on attaining actual confidence among states and populations. These are largely set by where the preferences of political decision makers are on the cooperation–conflict scale. With the current preferences moving away from cooperation, implementation of the Agreement has been left outside mainstream politics. This has paradoxically enabled its continued implementation, by shielding the Agreement from dangerous politicization, but at the cost of failing to achieve its *raison d'être*, which is (to contribute to) conflict prevention.

In the coming period, the parties will likely be increasingly involved in the discussion about the possible modernization of the Agreement, with the inclusion of drones as a new arms category receiving the most public attention. In parallel with that discussion, however, there should be a 'back to basics' discussion about what preventing the reoccurrence of conflict means today, which specific risks there are and how they could be addressed, within or beyond the Agreement. There needs to be a clear understanding of the purpose of arms control and TCBMs at the present time and in the future. The Agreement is just one tool in the political decision makers' toolbox and it cannot have an impact on conflict prevention if it remains outside the broader framework of states' policies and actions, and officials' rhetorics.

To this end, the EU could use its political and economic leverage to contribute to an atmosphere that is more conducive to conflict prevention by increasing

the 'cost' of a preference for conflict among national decision makers. Linked to that, the EU should strengthen its political dialogue with the OSCE to show political support for the Agreement. Moreover, the EU should look at how to integrate TCBMs into its approach to conflict prevention in the Western Balkans (beyond curbing illicit SALW proliferation). This would include engaging in dialogue with national and local stakeholders to devise the best possible arrangements for inter-entity confidence building in BIH (with full respect for the state's sovereignty) and working around the issue of Kosovo's status to promote transparency and confidence building between the governments in Belgrade and Pristina. Such efforts require patience and diplomatic creativity, but would contribute to a more secure Western Balkans—and Europe—in the longer term.

Finally, shedding light on the Agreement provides lessons learned that can be applied to arms control and more broadly to TCBMs in post-conflict regions in other parts of the world. Successful arms control requires both clear mandates and guidelines and the flexibility to deal with issues as they emerge over time. To achieve the former requires well-crafted agreements, while the latter calls for developing good professional relationships and trust among the organizations and people directly involved in implementation. The case of the Agreement also shows the importance of having a broader international framework for subregional arms control and having support from a third party with sufficient resources that is perceived as neutral. With the OSCE currently in crisis, this case is a reminder of the organization's significance not only for facilitating dialogue between great powers, but also for facilitating peacebuilding in smaller, subregional post-conflict areas. From the perspective of the EU's security policy, these lessons are worth looking into more closely as they could be integrated into the EU's approach to conflict prevention, crisis management and peacebuilding.

ANNEX A. LIST OF INTERVIEWS

Government officials of the states parties

- Bosnian Ministry of Defence officials, Interview with author, Sarajevo, 22 May 2024.
- Bosnian Ministry of Foreign Affairs official, Interview with author, Sarajevo, 20 May 2024.
- Montenegrin Ministry of Defence official, Interview with author, online, 13 June 2024.
- Montenegrin Ministry of Foreign Affairs official, Interview with author, online, 7 June 2024.
- Serbian Ministry of Defence official, Interview with author, online, 16 July 2024.
- Serbian Ministry of Foreign Affairs official, Interview with author, Belgrade, 3 April 2024.

Representatives of international organizations

- OSCE Conflict Prevention Centre official, Email communication with author, 21 June 2024.
- OSCE Mission to Bosnia and Herzegovina officials, Interview with author, Sarajevo, 20 May 2024.
- RACVIAC representatives, Interview with author, Rakitje, 24 May 2024.

Other interviews

- International diplomat, Interview with author, Zagreb, 24 May 2024.
- Former diplomat of one party to the Agreement, Interview with author, phone, 7 June 2024.
- Non-government affiliated security and foreign policy expert, Interview with author, Sarajevo, 20 May 2024.
- Non-government affiliated defence expert no. 1, Interview with author, Zagreb, 23 May 2024.
- Non-government affiliated defence expert no. 2, Interview with author, Zagreb, 23 May 2024.

ANNEX B. CEILINGS FOR INDIVIDUAL ARMS CATEGORIES PER ACTING PARTY

Acting party	Ceilings as of 1996					Current ceilings			
	Federal Republic of Yugoslavia	Croatia	Federation of Bosnia and Herzegovina (until 2005)	Republika Srpska (until 2005)	Bosnia and Herzegovina (total)	Serbia (since 2007)	Croatia	Bosnia and Herzegovina	Montenegro (since 2007)
Battle tanks	1025	410	273	137	410	948	410	410	77
Armoured combat vehicles	850	340	227	113	340	786	340	340	64
Artillery (pieces) ^a	3750	1500	1000	500	1500	3375	1500	1500	375
Combat aircraft	155	62	41	21	62	143	62	62	12
Attack helicopters	53	21	14	7	21	46	21	21	7

^a Refers to large calibre artillery systems of greater than 75 mm.

Sources: Agreement on Sub-Regional Arms Control, signed 14 June 1996, Florence, Article IV; and OSCE, *Handbook for the Implementation of the Agreement on Sub-Regional Arms Control* (OSCE: Dec. 2014).

Note: The original text of the Agreement on Sub-Regional Arms Control was used for the ceilings as of 1996, whereas the current ceilings were retrieved from the OSCE handbook, which is an informal consolidated version of the Agreement.



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A EUROPEAN NETWORK

In July 2010 the Council of the European Union decided to support the creation of a network bringing together foreign policy institutions and research centers from across the EU to encourage political and security-related dialogue and the long-term discussion of measures to combat the proliferation of weapons of mass destruction (WMD) and their delivery systems. The Council of the European Union entrusted the technical implementation of this Decision to the EU Non-Proliferation Consortium. In 2018, in line with the recommendations formulated by the European Parliament the names and the mandate of the network and the Consortium have been adjusted to include the word 'disarmament'.

STRUCTURE

The EU Non-Proliferation and Disarmament Consortium is managed jointly by six institutes: La Fondation pour la recherche stratégique (FRS), the Peace Research Institute Frankfurt (HSFK/ PRIF), the International Affairs Institute in Rome (IAI), the International Institute for Strategic Studies (IISS–Europe), the Stockholm International Peace Research Institute (SIPRI) and the Vienna Center for Disarmament and Non-Proliferation (VCDNP). The Consortium, originally comprised of four institutes, began its work in January 2011 and forms the core of a wider network of European non-proliferation and disarmament think tanks and research centers which are closely associated with the activities of the Consortium.

MISSION

The main aim of the network of independent non-proliferation and disarmament think tanks is to encourage discussion of measures to combat the proliferation of weapons of mass destruction and their delivery systems within civil society, particularly among experts, researchers and academics in the EU and third countries. The scope of activities shall also cover issues related to conventional weapons, including small arms and light weapons (SALW).

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