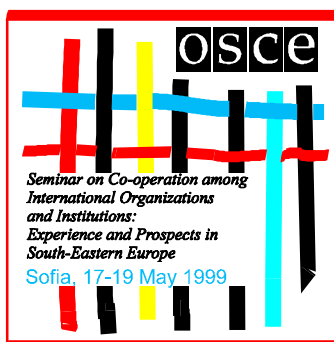




Organization for Security and Co-operation in Europe

The Secretariat

**Conflict Prevention Centre
Section for External Co-operation**



OSCE SEMINAR

ON

CO-OPERATION AMONG INTERNATIONAL ORGANIZATIONS

AND INSTITUTIONS:

EXPERIENCE AND PROSPECTS IN SOUTH-EASTERN EUROPE

Sofia, Bulgaria, 17-19 May 1999

Consolidated Summary

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I. GENERAL INFORMATION

1. VENUE

The Seminar was held from 17 to 19 May 1999 at the Kempinski Hotel Zografski, Sofia.

2. PARTICIPATION

2.1 Thirty-nine OSCE participating States took part in the Seminar.

2.2 Japan, the Republic of Korea, Algeria, Egypt, Israel and Morocco participated in the Seminar.

2.3 From the invited international organizations and institutions the following sent their representatives: European Union (EU), United Nations (UN), United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP), United Nations Mission in Bosnia and Herzegovina (UNMBIH), Office of the High Representative, Council of Europe (CoE), Western European Union (WEU), North Atlantic Treaty Organization (NATO), Stabilization Force (SFOR), International Committee of the Red Cross (ICRC), Black Sea Economic Co-operation (BSEC), Southeast European Co-operative Initiative (SECI), Central European Initiative (CEI), Royaumont Process, Process on Good-Neighbourliness, Stability, Security and Co-operation in South-Eastern Europe.

2.4 Representatives of OSCE institutions attended the Seminar.

2.5 Representatives of non-governmental organizations were able to attend and contribute to the Seminar in accordance with the relevant OSCE provisions and practices.

3. TIMETABLE AND ORGANIZATIONAL MODALITIES

3.1 The Seminar began at 9.30 a.m. (opening statements) on 17 May 1999 and ended at 1 p.m. on 19 May 1999.

3.2 The Seminar was conducted in three working sessions and two panel discussions.

3.3 Each session had a moderator and rapporteur.

3.4 The working language was English.

3.5 Arrangements for press coverage were made.

3.6 Local transportation was arranged by the host country.

3.7 Other rules of procedure and working methods of the OSCE were applied, *mutatis mutandis*, to the Seminar.

3.8 The seating arrangement is shown in the Annex.

4. AGENDA

Monday, 17 May 1999

Opening Session

9.30 - 10 a.m.

Chair: Ambassador Giancarlo Aragona, Secretary General of the OSCE

- Opening remarks by Ambassador Giancarlo Aragona, Secretary General of the OSCE
- Address by Ms. Nadezhda Mihailova, Minister of Foreign Affairs of Bulgaria
- Address by Ambassador Kai Eide, Representative of the Chairman-in-Office (CiO) of the OSCE (Norway)

Working Session 1: Three Years after Dayton – Lessons Learned in Bosnia and Herzegovina

Moderator: Ambassador Hervé Ladsous (France)

Rapporteur: Ms. Ann-Catherine Blank (United States of America)

10 a.m. - 1 p.m.

Contributions by:

- Ambassador Jacques Paul Klein, Principal Deputy High Representative
- Ambassador Robert Barry, Head of the OSCE Mission to Bosnia and Herzegovina (BiH)
- Mr. Luis Sampaio, Political Advisor, NATO (SFOR)
- Mr. Jesudas Bell, Acting Head of Civil Affairs, UN Mission in BiH
- Ambassador Henry Jacolin, Special Representative of the OSCE Chairman-in-Office, Article V Negotiations

Discussion

Working Session 2: Post-Conflict Rehabilitation in Albania and Croatia – The Role of International Organizations

Moderator: Ambassador Dr. Jutta Stefan-Bastl (Austria)

Rapporteur: Ms. Eija Rotinen (Finland)

3 - 6 p.m.

Contributions by:

- Ambassador Tim Guldemann, Head of the OSCE Mission to Croatia
- Ambassador Daan Everts, Head of the OSCE Presence in Albania
- Ms. Jutta Gützkow, Council of Europe/OSCE Liaison Officer, Council of Europe

Discussion

8 p.m. Reception hosted by Ms. Nadezhda Mihailova, Minister of Foreign Affairs of Bulgaria

Tuesday, 18 May 1999

Working Session 3: Crisis Management through the OSCE – The Case of Kosovo

Moderator: Ambassador Adam Kobieracki (Poland)

Rapporteur: Mr. Evangelos Denaxas (Greece)

10 a.m. - 1 p.m.

Contributions by:

- Mr. Max van der Stoel, High Commissioner on National Minorities (HCNM)
- Ambassador Kai Eide, Representative of the Chairman-in-Office of the OSCE (Norway)
- Ambassador William Walker, Head of the OSCE Kosovo Verification Mission
- Ambassador Márton Krasznai, Director of the Conflict Prevention Centre, OSCE Secretariat
- Mr. Jean-Daniel Ruch, Personal Adviser to the Director of the ODIHR
- Mr. Werner Blatter, Regional Representative for Eastern Europe, UNHCR
- Ms. Burcu San, NATO

Discussion

1 p.m. Reception hosted by Ambassador Márton Krasznai, Director of the Conflict Prevention Centre

Working Session 4:

Panel discussion on: The Role of Rule of Law, Economic Development and Civil Society for Building a Region of Stability and Development in South-Eastern Europe

Moderator: Ambassador Lars-Erik Lundin, European Commission

Rapporteur: Mr. Jure Gašparic (Slovenia)

3 - 6 p.m.

Contributions by:

- Mr. Aidan Kirwan, Senior Economic Adviser, Office of the Co-ordinator of OSCE Economic and Environmental Activities, OSCE Secretariat
- Ambassador Dr. Rudolf Schmidt, Germany-European Union
- Dr. Erhard Busek, Co-ordinator, SECI
- Mr. Haris Lalacos, Royaumont Process
- Ms. Jutta Gützkow, Council of Europe/OSCE Liaison Officer, Council of Europe

Wednesday, 19 May 1999

Working Session 5:

Panel discussion on: Interlocking Institutions and the Role of the OSCE

Moderator: Ambassador Kai Eide, Representative of the Chairman-in-Office of the OSCE (Norway)

Rapporteur: Ms. Jacqueline O'Halloran-Bernstein (Ireland)

10 a.m. - 12 p.m.

Contributions by:

- Mr. Max van der Stoel, High Commissioner on National Minorities
- Mr. Jean-Daniel Ruch, Personal Adviser to the Director, ODIHR
- Mr. Raymond Sommereyns, Director, Americas and Europe Division, Department for Political Affairs, UN
- Mr. Hans-Peter Furrer, Director of Political Affairs, Council of Europe
- Ambassador Dr. Rudolf Schmidt, Germany-European Union
- Mr. Crispin Hain-Cole, Head of Disarmament, Arms Control and Co-operative Security, NATO
- Mr. Haris Lalacos, Royaumont Process
- Ambassador Vassil Baytchev, Secretary General of the BSEC Permanent International Secretariat
- Ambassador Dr. Paul Hartig, Director General of the CEI Executive Secretariat
- Ms. Ann Marie Bolin Pennegård, Deputy Head of Delegation, Sweden
- Ambassador Traian Chebeleu, Romania, Representative of the Process on Good-Neighbourliness, Stability, Security and Co-operation in South-Eastern Europe

Conclusions and lessons learned:

Chair: Ambassador Kai Eide, Representative of the Chairman-in-Office of the OSCE (Norway)

Summaries by session Rapporteurs

12 p.m.

Closing remarks by State Secretary Ms. Janne Haaland Matlary, Representative of the Chairman-in-Office of the OSCE (Norway)

Closing remarks by Mr. Konstantin Dimitrov, Deputy Minister of Foreign Affairs of Bulgaria

1 p.m.

Closure of the Seminar

II. SUMMARIES BY SESSION RAPPORTEURS

WORKING SESSION 1

Monday, 17 May 1999

Report by Ms. Ann-Catherine Blank, Working Session Rapporteur

Three Years after Dayton – Lessons Learned in Bosnia and Herzegovina

After the Moderator, Ambassador Hervé Ladsous, had presented key questions to guide the discussion, Deputy High Representative Jacques Paul Klein noted several lessons to be learned. Peace cannot be brought to the Balkans without unity of purpose and action on both sides of the Atlantic. There are no instant solutions; we must be committed to the long term. Some have proposed that Kosovo should eventually become a full protectorate of the international community. This seems sensible. But no matter what the precise political outcome, there are a number of things that must be done. People must be able to return to their homes soon. The costs of reconstruction will be high. No single organization has the funding and mandate to achieve these ends. This will require a comprehensive co-ordinated effort by a range of agencies.

Experience in Bosnia and Herzegovina demonstrates that a split between military and civilian authority leads to a confusion of aims, a duplication of effort, and turf battles. The powers of the High Representative were increased at the Bonn Conference of the Peace Implementation Council in December 1997 to allow the removal of obstructive officials and the imposition of solutions in situations of stalemate. In Eastern Slavonia, the mandate of the UN Transitional Administrator included both military and civilian implementation. In drawing up future mandates, having one individual in charge of both civilian and military aspects would be preferable. We should stop worrying about mission creep and instead look for ways to move the process forward. Kosovo obliges us to think ahead for the whole area – if you start out and you don't know where you are going, you end up somewhere else. We need to decide where we want to go. The solution is not to redo maps, seeking a redistribution of territory. The answer lies in more enlightened government and an open, democratic, and free-trading Balkans where ethnic diversity is seen as a source of strength.

In his presentation on lessons learned, Ambassador Robert Barry, Head of the OSCE Mission to BiH, noted that the international community tended to accept political agreements without working out how the agreement in question should be implemented. There is a tendency to Balkanize the solution to the Kosovo problem by dividing the solution between an arrangement for the front-line States and an arrangement for Kosovo itself. We need a regional approach that will cover issues such as refugee return, free trade agreements, and institution-building.

Ambassador Barry's second suggestion was that we should have a single chain of command for civilian implementation. He said that it was not so important which organization took on this task. He referred to his recent proposal for Bosnia and Herzegovina, calling for the Office of the High Representative (OHR) and the OSCE Mission to be merged, with a single headquarters and field structure led by a European. The OSCE would have a comparative

advantage in such work if the Organization could approach the task with a regional perspective through the CiO's appointment of a High Commissioner for South-Eastern Europe. There had been a suggestion that OSCE consensus procedures would hinder this work, but in Ambassador Barry's experience that was not the case.

Thirdly, elections should not be overemphasized. A hasty resort to elections would hamper institutions needed to build a democratic future for Kosovo. It will take several months, if not years, to prepare for elections. Creating a range of civil institutions is the first priority. The international community has no choice but to establish a protectorate in Kosovo, but this must be undertaken without excessive decentralization, which could lead to intensified problems between clans and within a fragmented Kosovo Liberation Army (KLA). A reliable judiciary will be essential to the refugee return process. Free media will foster reconciliation. The international community must reconstruct the economy. This has not yet been done in Bosnia and Herzegovina. Humanitarian aid is only a palliative. Ruling parties have little interest in encouraging private sector development and hope to buy out failing enterprises for pennies on the dollar. We cannot let this happen.

A key incentive for States is membership in European institutions. This goal must be kept before successor States. The international community must be very precise about exactly what is needed to make the grade.

Another mistake in Bosnia was that too little attention was paid to the future end-state of military forces. Current limits are too high. We are now working to reduce budgets and develop State defence institutions. Within the context of the Stability Pact we should consider tying defence growth to Gross Domestic Product. In addition, paramilitary units should be covered in arms control regimes.

On mission administration matters, we should continue the process of devolving power to national staff. As we do this, we should look for ways to ensure that they will be retained by the host government once a mission departs from a country. In this way we develop the tradition of a professional civil service and get away from patronage systems. We should extend international mission member secondments to at least one year, if not two. Administrative and accounting personnel are difficult to recruit through secondment. They should be hired directly.

It is important that we prepare for work in the region as a whole. With regard to Kosovo, ideally we should have an implementation mission at our disposal now, staffed with the proper people designing new institutions. We must be able to move in immediately - unlike in the case of Bosnia.

Mr. Luis Sampaio, Political Advisor with NATO/SFOR, noted that civilian and military implementation showed a fundamental difference of pace. SFOR is the best example of the new NATO. Any SFOR success or failure will have an impact on NATO, and the longer SFOR stays in Bosnia the greater the perception of failure. We need an exit strategy for SFOR and agreement on what conditions would allow its departure. International organizations and the people of Bosnia and Herzegovina themselves have become dependent on SFOR. The international community should make better use of conditionality, and a more orchestrated exploitation of the BiH desire for participation in European institutions. More than 30 percent of the BiH budget is spent on defence-related matters. Constructing a State dimension of defence is essential and must be a precondition to membership in the Partnership for Peace programme. International

organizations must identify, and exert influence on, the post-war generation of civil servants and entrepreneurs who are willing to leave the past behind. We must confront reality and continue to protect and support emerging leaders who are moderate and pro-Dayton, and sanction those who are not. The problems of BiH cannot be solved in isolation. It will be advisable to scrutinize the lessons learned in Bosnia, particularly regarding the relationships between the civilian and military mandates. The crisis in Kosovo could lead to reconsideration of the Bosnia situation and an exit strategy.

Mr. Jesudas Bell, Acting Head of Civil Affairs in the UN Mission in BiH, reviewed the history of the UN's involvement in establishing the International Police Task Force (IPTF). He noted that it was the first time that the UN had served as one of several civilian implementation agencies under a peace agreement. The focus of IPTF work has moved from monitoring to police training. The IPTF is increasingly co-located with the local police. The UNMIBH's Civil Affairs officers support the IPTF and, under a Security Council mandate dating from mid-1998, monitor and assess the court system in BiH. The IPTF has a history of close co-ordination with the OSCE on elections and other issues.

On arms control, Ambassador Henry Jacolin, Special Representative of the OSCE Chairman-in-Office for Article V negotiations, reviewed the status of Articles II, IV and V of Annex 1-B of the General Framework Agreement. He noted four lessons learned: (1) arms control does work, but the process takes a long time for benefits to flow through; (2) the process encourages former adversaries to work together to solve problems; (3) limitations on weapons are not a panacea - they must be fair and must be seen to be fair by all; and (4) if Article V negotiations had started earlier that might have encouraged a wide-ranging regional security debate. On the last point, he stressed that he was not claiming that the Kosovo crisis could have been avoided but that, at the least, there would have been an additional channel of communication with Belgrade. Looking ahead, there will be an urgent need for an arms control agreement immediately after, or as part of, a settlement of the Kosovo crisis. Whether Article V will survive or be subsumed into a larger agreement is an open question, but what is certain is that an arms control dimension is needed.

During the discussion period, the Council of Europe (CoE) took the floor to address the question posed by Ambassador Barry concerning BiH membership in European institutions. The CoE had some hope that BiH accession to the Council would happen soon, but there had been issues, partly related to events in Kosovo, that had precluded such accession at the moment. There are two models for membership. Either certain conditions must be met before admission or membership should be granted and used as a tool to move BiH towards the objectives of the Dayton General Framework Agreement. Recent talks with the BiH tripartite Presidency were fruitful in this respect. Ambassador Barry stated that he favoured the precondition model.

A participant noted the complex structure of international action in Bosnia. We need to avoid fragmentation. News of the nationalization programme is good. The issue of a merger, as brought forward by Ambassador Barry, requires further clarification. The OSCE should do more than mere democracy-building. It should develop a model for a multi-ethnic society. Refugee returns are essential to this process.

Dr. Erhard Busek of SECI agreed that not enough had been done to move the Bosnian economy forward. He outlined some of the very positive and practical projects undertaken by SECI in this regard. Another participant agreed with Ambassador Barry that better conditions

needed to be created regarding the economy. The concrete projects undertaken by SECI are welcome, but institutional measures need to be taken as well.

A participant agreed that a global approach for the area was needed and drew attention to the integrated approach of the recent Greek plan. Another participant noted two elements of the discussion - the need for a regional approach and the need for efficiency. The arrangement established under the Dayton Agreement, with a broad mandate and a few countries that are really committed to moving the process forward, is attractive. Some have suggested that elections should not be a primary focus, but if there are no institutions in place in areas such as Kosovo, will not elections be needed sooner rather than later? The ODIHR intervened to agree with Ambassador Barry that one should not rush into elections in Kosovo. There will be a need to recreate voter registers, and from past experience it appears that early elections favour extremists.

A representative of Bosnia and Herzegovina expressed his country's appreciation to the OSCE. Ordinary people in Bosnia appreciated the work of the international community. Everyone was conscious that without the help of international organizations it would be impossible to keep the peace in Bosnia. New relations were being built between the people in Bosnia. Without mutual confidence it was impossible to create internal cohesion. Several speakers had discussed the country's accession to European institutions and favoured European integration. But most importantly, the people of Bosnia and Herzegovina expected international organizations to comply with their mandates and be impartial, ensuring equal treatment for all.

WORKING SESSION 2

Monday, 17 May 1999

Report by Ms. Eija Rotinen, Working Session Rapporteur

Post-Conflict Rehabilitation in Albania and Croatia – The Role of International Organizations

The Head of the OSCE Mission to Croatia, Ambassador Tim Guldemann, stressed that the Mission acted as a guest in a sovereign State. The mandate of the Mission is broad and consists of providing assistance and expertise in the field of protection of human rights and the rights of persons belonging to national minorities, promotion of reconciliation, the rule of law and the development and proper functioning of democratic institutions. It was noted that the effectiveness of the efforts of the international organizations depended very much on the coherence of their actions. It is important to show to local authorities that there is only one international position. Croatia has a key role to play in the stabilization of the region. The OSCE Mission acts in close co-operation with the UNHCR in refugee return matters, and they have a common secretariat as part of a liaison office, a common monitoring data base, and make common *démarches*. There is regular and wide co-operation with other international organizations and embassies as well, especially the Council of Europe. However, the building of this network took too long a time and is still too dependent on personal relations. The representative of the host country emphasized the need to see the lessons learnt from the perspective of the host country. There is room for all active organizations.

In Albania the OSCE Presence is working in the midst of a major refugee crisis, and it is also working on post-conflict problems. The Presence started in 1997 when most other organizations were leaving the country because of security problems. According to the Head of the OSCE Presence in Albania, Ambassador Daan Everts, the Presence enjoys the trust of a large part of the Albanian population, who also have high expectations of the ability of the Presence to assist in the reformation of society. The refugee crisis has changed the nature of the international presence in Albania by bringing a multitude of aid organizations to the country. An emergency Management Group has been founded to co-ordinate this aid. It is co-chaired by representatives of the Albanian Government and the UNHCR. The daily reports of the members of the OSCE Kosovo Verification Mission have helped considerably to focus activities for assisting the refugees. The two most important lessons the Presence has learnt are: (1) a positive influence on democratic development and political dialogue are best exerted through a meaningful long-term presence on the ground, especially in polarized political situations like in Albania; (2) the role of the international organizations gains in impact when it is well focused and well co-ordinated. The OSCE and the EU are co-chairing international co-operation through the "Friends of Albania" Group. This is meant to be a platform for a generous exchange of information and for consultation. Sectoral consultations are chaired by the lead agency or agencies in each sector. The greatest problem is balance between advice and support on the one hand and active intervention on the other. The latter is often less risky – and often called for by the parties concerned and the population at large - in a society in transition like Albania.

According to the representative of the host country, the OSCE Presence in Albania can be seen as a success story. "Forum shopping" has been avoided and the Presence has been able to

adapt to the changing of the situation. Some progress has taken place, e.g., the adoption of the new constitution and several amendments to legislation. The Albanian authorities would like this co-operation to continue, because the Presence has been indispensable in the creation of democratic institutions and in ensuring their proper functioning. Although it is too early to discuss the end of the Presence, it might be useful to start considering its exit strategy, seen as a kind of road map.

Because many of the problems in South-Eastern Europe cannot be solved by the State concerned alone, there is a need to look at them from a broader perspective. The idea of a regional approach and the establishment of a High Commissioner for the region were mentioned. There was, however, an understanding that they would both require careful planning in order to function. The objectives would have to be clearly defined. Some positive results could be achieved by the strengthening of co-operation between missions in the region. For example, some missions, and also other organizations and embassies, could launch their reports in parallel in order to enhance the impact. The idea was put forward that, instead of trying to work out a whole regional approach, one should carefully study the mandates of the missions in the area. They could be changed if needed. The initiative of the European Union in favour of launching a Stability Pact for South-Eastern Europe could be a way forward.

A balance should be found between flexibility and freedom of movement for the missions and adequate political guidance by the Chairman-in-Office/Permanent Council/Secretariat of the OSCE. What missions need more than detailed guidance is often operational support. This could be provided in the form of a data bank, standard operational procedures and, in general, access to institutional memory and earlier experience. As an example, mention was made of experience in regard to how to address certain human rights violations in the mission's host country. The OSCE Secretariat should have such an operational support function. As situations in the missions' host countries vary and the missions themselves are the most knowledgeable actors with the broadest network of co-operation with other organizations, they should always have a certain degree of flexibility. No "micro-management" is needed.

Co-ordination among international organizations can be understood to mean harmonized co-operation rather than a rigid structure and complex mechanisms. There should be co-ordination between organizations active in the field, but also between different sectors of society, e.g. with regard to economic and institutional development. The countries in the region have to make decisions on their own goals and means of achieving them.

Co-ordination can be seen from several angles: (1) according to its content (strategic or more operational); (2) its level (head quarters or field); (3) case-by-case versus more general co-ordination; (4) the country versus the regional level; and (5) co-ordination of activities or of organizations. Here the question also arises of different mandates of different organizations. Conditions *sine qua non* for harmonization of efforts are the exchange of information (on both facts and intentions), a common understanding of objectives and flexibility. Could the concept of lead nation be transferred to this context in the form of "lead organization"?

An important issue is the host country's attitude – the authorities' attitude on the one hand and that of the public on the other – towards international organizations and co-operation between them. International presence in a country depends on an invitation. The side-effects of a mission have to be taken into account. Host nations should not feel like objects of the international

presence. They should act in a truly responsible way. There is an urgent need to harmonize efforts in the field of early warning.

Conditionality should be developed and seen as a tool to enhance the efficiency of international assistance instead of being seen negatively as a form of sanction. It should be used to make international assistance more efficient. A distinction should also be made between targets: those that should be encouraged without conditions (democratization, human rights, etc.) and those that require conditions. Inertia and dependence should not be fostered. Conditionality could at its best enhance self-sustained stability; it should be less patronizing, overreacting should be avoided and subsidiarity should be increased.

The concept of missions is still very important. Those areas where the OSCE has taken the lead give reason for satisfaction: the organization is seen as competent and its principles are widely applied. Success depends on the Chairman-in-Office and the leaders of missions. It is very positive that other organizations have been satisfied with their co-operation with the OSCE leadership. Now is the time to deal more generally with regional problems – Kosovo, but also more widely. The EU, the OSCE and NATO have worked successfully together. Each organization brings its competence and expertise to the co-operation. Co-operation at headquarters level should be started in order to find a way to solve these problems.

A key co-operation partner for the OSCE is the Council of Europe. Both organizations are active in the fields of human rights, democratization, the rule of law, rights of persons belonging to national minorities, etc. The Council of Europe emphasizes its interactive approach and the idea of tailor-made programmes for each country. Co-ordination takes place in two formats: 2+2 (CoE and OSCE) or tripartite meetings (also the UN or its agencies).

WORKING SESSION 3

Tuesday, 18 May 1999

Report by Mr. Evangelos Denaxas, Working Session Rapporteur

Crisis Management through the OSCE – The Case of Kosovo

In his introduction, the Moderator, Ambassador Adam Kobieracki, suggested a pragmatic, future-oriented discussion of the topic, which would help the OSCE and other organizations to plan their activities in Kosovo, and would also be in the interest of the people in the region. He considered the Kosovo case a challenge for crisis management, both practically and conceptually, and a useful model/precedent for the future.

The High Commissioner on National Minorities (HCNM) of the OSCE, Mr. Max van der Stoel, traced the roots of the Kosovo conflict back in 1989. He remarked that in the following years the international community made three errors: (a) it tried for too long to find a partial solution of the problem; (b) various international organizations, including the OSCE, did not develop an alternative approach to face the crisis before it led to violence, and (c) priority attention was given only when the conflict broke out.

The High Commissioner judged that the lessons to draw for the future might encompass:

- (a) The need for early involvement of the international community. Potential or incipient conflicts demand early attention also at political (ministerial) level;
- (b) The need for the international community to ensure that all refugees return home in dignity, otherwise stability and security in the region and in Europe may be endangered;
- (c) The need for a wider approach: crisis management not only in Kosovo, but also in South-Eastern Europe as a whole. Again, after the conflict comes to an end, co-ordination of efforts has to be ensured. The European Union (EU) Stability Pact could serve in this regard, and the OSCE could play a role here. Among other things, the refugees' return to Kosovo and respect for the minority rights of the Serbs in the region are equally important and;
- (d) The need for co-operation of interlocking institutions in South-Eastern Europe, e.g. OSCE-Council of Europe (CoE). Apart from restoring stability in the region, the economic situation, unemployment, etc., should be looked at as well. On its side, the OSCE must use qualified specialists for civil implementation, e.g. strengthening democratic institutions and promoting human rights, and gather more funds from its participating States.

The Representative of the Chairman-in-Office (CiO) of the OSCE, Ambassador Kai Eide, elaborated on aspects of and difficulties in planning the future Mission of the Organization in Kosovo. The actual plan, covering most parts of civilian implementation, consists of components for police, judiciary, civil administration (all three require early preparation), democracy-building,

and elections. The most complex component, that of police, will necessitate both armed and unarmed personnel (an estimated 1,500 men in total), and overall a credible, well-equipped force able to be deployed immediately. Several options are being examined for the selection of personnel (a local component will be indispensable from the outset); priority is given to the recruitment process and to the main training. There is a readiness to take up the democracy-building and elections component; elections, however, should preferably be held later than at the end of the nine-month period foreseen in the Rambouillet accords. The CiO Representative welcomed joint planning with other organizations, e.g. the CoE, though he warned against duplication and too many tasks being given to a single organization, or each task split into too many parts.

The Head of the OSCE Kosovo Verification Mission (KVM), Ambassador William Walker, outlined the Mission's establishment, development, and actual work "in exile" - always in conditions of crisis. In spite of serious difficulties, the KVM grew up rapidly, "made a difference", took up larger responsibilities, and gained the esteem of the local population (between 90 and 100 per cent at times). After its withdrawal from Kosovo, the Mission has kept active in the former Yugoslav Republic of Macedonia and in Albania, co-operating with the OSCE Missions there, and with the United Nations and NGOs, chiefly in support of humanitarian assistance programme. For the post-conflict period, the Head of the KVM urged that the international community follow the UNTAES rather than the Bosnia and Herzegovina (BiH) experience. He agreed with the main evaluations of the CiO Representative, and said that Russia should play a vital role in future OSCE action in Kosovo.

The Director of the Conflict Prevention Centre (CPC), Ambassador Márton Krasznai, warned about repeating the mistakes made in BiH. He fully agreed with the CiO Representative as to the need for early redeployment of the OSCE in Kosovo. He deemed the experience of the KVM personnel positive, but at the same time he emphasized the need to create a new Mission and plan for a larger range of tasks. He underlined the importance of providing the people and politicians in the region with future perspectives, e.g. for integration into the Euro-Atlantic institutions. Given the great diversity of new civil implementation tasks, he pleaded for joint planning and co-operation with other organizations in the relevant domains of competence, e.g. with the CoE and the UNHCR. The CPC Director favoured a regional approach, but this had to be first elaborated by the OSCE, the Secretariat playing a major role, and account must be taken of a post-conflict rehabilitation, restoring the economy, and protecting minorities in Serbia. Nevertheless, this task, long and costly, would require, *inter alia*, transparency and consultations among participating States, and with third parties; in fact, it would change the Organization's profile drastically.

The Personal Adviser to the Director of the Office for Democratic Institutions and Human Rights (ODIHR), Mr. Jean-Daniel Ruch, observed that the international community should not tolerate the violation of human rights in Kosovo and the lack of democracy and democratic reforms in the Federal Republic of Yugoslavia (FRY). He considered that the minority problem in Kosovo should be solved, that the KVM could still play an important role, and that the protection of human rights could contribute to the stability of the region. Besides the protection of human rights, he attached priority to refugees' return to their homes and to the continuation of the collection of data on violations of human rights.

The UNHCR Representative for Eastern Europe, Mr. Werner Blatter, qualified the co-operation between the KVM and the UNHCR as almost a "success story", which had been interrupted since the Mission had been obliged to leave Kosovo. The KVM made the biggest ever

OSCE deployment with qualified personnel and a clear structure, whereas the UNHCR maintained a well-established presence in the region and constant co-operation with the ICRC and humanitarian NGOs active there. Co-operation between the UNHCR and the KVM extended to all levels and was aimed at common goals. The KVM really made a difference for and gave confidence to the Kosovars. Although the experience from each OSCE–UNHCR joint effort is unique, characterized by institutional flexibility in the implementation of the respective mandates, the two organizations may repeat their co-operation in Kosovo in a similar way in the future.

The representative of the NATO Secretariat, Ms. Burcu San, stated that the OSCE and NATO had developed a new form of co-operation, or complementarity, in Kosovo, which, however, had for the time being inevitably declined following the KVM's withdrawal from the region. The two organizations already have a model for co-operation/complementarity in BiH, and a similar model may be used in Kosovo in the post-conflict period. She called on Belgrade to accept the demands of the international community regarding Kosovo and clarified that, if Alliance forces were deployed there, they would not take up police tasks, but would ensure a secure environment in the region. She expressed her support for the EU Stability Pact and enumerated various NATO activities to cope with the Kosovo crisis.

In the ensuing debate, the Adviser to the OSCE Representative on Freedom of the Media, Mr. Alexander Ivanko, referred to the latter's set of proposals for distribution of pamphlets and journals to Kosovar refugee camps, etc., as well as to the specific proposal for establishing an office of Media Commissioner for Kosovo.

One participant criticized NATO's military operations against the FRY, alleging that they had created a massive humanitarian catastrophe and rendered the situation in neighbouring countries more complicated. He insisted on the need for a political solution to the Kosovo crisis, according to the eight-point plan of the Ministerial Meeting of the Group of Eight (G-8) in Bonn. He expressed his preference for a leading role for the United Nations in implementing such a solution, including withdrawal of all forces from the ground and agreement on modalities for an international presence there with a UN Security Council endorsement. The first thing, however, would be to end NATO's military action in the FRY. He advocated that the OSCE should have a role in the political settlement of the crisis and in post-conflict rehabilitation.

The representative of the NATO Secretariat rebutted the first part of this intervention, referring to the fact that the NATO Summit Declaration in Washington and the subsequent G-8 plan adopted the same approach, i.e. towards a political solution to the crisis.

The Head of the OSCE Spillover Monitor Mission to Skopje, Ambassador Faustino Troni, pointed out that the Kosovo crisis also seriously affected Albania and the former Yugoslav Republic of Macedonia. The crisis has clear implications for the stability, security, economy and the social situation of the latter. In view of the overwhelming number of refugees in the country, he stressed the need to speed up the pace of their evacuation to willing third countries, which he urged to respond positively as quickly as possible.

The Director of Political Affairs of the Secretariat of the Council of Europe, Mr. Hans-Peter Furrer, confirmed that, once the conflict was over, the CoE intended to draw on its actual contacts with the KVM and contribute with a large number of experts towards training in human rights, democratization, the rule of law, local government and administration, etc.

Another participant commented that, if the international community had paid attention to early warnings from the OSCE, the Kosovo crisis might have been defused or even prevented. He attributed in general the inability to prevent the crisis to the divisions in the international community and to the attempt to treat the parties involved equally. He underscored the need to restore peace and justice, not only through the refugees' return home but also by bringing those guilty of genocide before the International Criminal Tribunal for the former Yugoslavia (ICTY). He expressed optimism regarding the future involvement in Kosovo of the OSCE, since it was best fitted to carry out the required tasks.

A third participant called for peace and stability to be restored in the region, with the refugees being enabled to return to their native land and recommence life in harmony where they have their cultural and spiritual roots.

The following general conclusions, much in line with the Moderator's suggestions, may be drawn from the contributions and interventions that were made during the Session:

- The discussion conducted was prominently future-oriented.
- Quite a number of practical ideas and proposals were put forward.
- A focus was given not only to crisis management, but also to post-conflict rehabilitation in Kosovo.
- A convergence of views was noted as to the need for a joint, comprehensive approach and coherent, co-ordinated action by the various organizations in the post-conflict era.
- Last, but by no means least, particular emphasis was laid on the urgency of making plans and preparations as soon as possible for civilian implementation, before the conflict in Kosovo came to an end.

WORKING SESSION 4

Tuesday, 18 May 1999

Report by Mr. Jure Gašparic, Working Session Rapporteur

Panel discussion on: The Role of Rule of Law, Economic Development and Civil Society for Building a Region of Stability and Development in South-Eastern Europe

The Moderator, Ambassador Lars-Erik Lundin from the European Commission, introduced the panel discussion with a review of earlier discussions, during which a number of general points had already been made. Among them: the need to treat each country as much as possible as a subject, not as an object; the fact that the situation varies considerably from country to country, ranging from countries already fully integrated in one or several Euro-Atlantic structures to areas which are totally devastated; the need for early institution-building in the case of Kosovo prior to elections; the obvious link between institution-building, and establishing the rule of law and a civil society, and prospects for economic development; the poor economic situation in many parts of the region, partly resulting from inadequate institution-building. Afterwards, the discussion was directed to the preferred solutions in a regional perspective.

Interesting and inspirational contributions were made by the following panellists: Ambassador Rudolf Schmidt (Germany-EU) on the rapidly emerging Stability Pact for South-Eastern Europe (SEE); Dr. Erhard Busek on realistic regional approaches taken by the SECI to economic development and prospects; Mr. Haris Lalacos on the contribution of civil initiatives to democracy and stability-building through the Royaumont Process; Ms. Jutta Gützkow, on the Council of Europe's Stability Programme for SEE; and OSCE Senior Economic Adviser Mr. Aidan Kirwan on the conflict prevention role of co-operation among international organizations in the economic field. All the initiatives and organizations which were presented during the discussion had much to contribute to a regional approach to stability in SEE. The UN Economic Commission for Europe and the European Bank for Reconstruction and Development were also invited to contribute to the panel discussion, but unfortunately were unable to attend.

The general theme of the panel discussion was the development of a comprehensive approach to regional stability in SEE, with a focus on the efficient use of resources in this long-term process. Integration into Euro-Atlantic institutions was seen as a goal. In summary, the following conclusions could be drawn from the panel discussion:

1. Economic development and prospects are crucial for regional stability in SEE.
2. The Stability Pact could provide a chance to develop a regional perspective in SEE.
3. In such an approach, the very diverse countries in the region should be treated individually, as subjects and not as objects.
4. The Stability Pact should profit from the valuable existing regional initiatives and experience.
5. The link between institution-building, the rule of law and civil society on one hand, and prospects for economic development on the other, is obvious to all. Thriving market

economies depend on many factors, including sanctity of contract, an independent judiciary, good governance, free media and other democratic institutions. The link is stronger than appears at first sight. To take two examples: what is a gender issue in human dimension discussions is reflected in the economic dimension as equality or inequality in job opportunities; and the promotion of small and medium-sized enterprises boosts civil society.

6. This link can be most efficiently created through networking. Networking was a common denominator in this context in all the discussions.
7. The “bottom-up” approach of small projects “to assist self-assistance” among sectors of society interested in progress does not require large amounts of resources, but rather favourable conditions of financing.
8. In addition to networking there is also a need for coherence of approach, which could be provided by the Stability Pact process. The link between the human and economic dimensions in a regional perspective can be developed through differentiated networks or, even better, with the integration of networks through coherent approaches.

WORKING SESSION 5

Wednesday, 19 May 1999

Report by Ms. Jacqueline O'Halloran-Bernstein, Working Session Rapporteur

Panel discussion on: Interlocking Institutions and the Role of the OSCE

The panel discussion was wide-ranging but focused broadly on two main themes: on experience and lessons learned to date of co-operation between the OSCE and other large organizations and institutions (UN, Council of Europe, EU, NATO and WEU); and also on the issue of co-operation between the OSCE and subregional organizations and groupings such as the SECI, the Royaumont Process, the CEI, the BSEC and the Process on Good-Neighbourliness, Stability, Security and Co-operation in South-Eastern Europe. Most participants drew some conclusions in relation to lessons learned with a view to eventual co-operation in a post-conflict situation in Kosovo.

The HCNM, Mr. Max van der Stoel, stressed the close relationship which had been built up between his office and that of the Council of Europe as well as with other OSCE institutions and NGOs. In this connection he laid great emphasis on the need for openness, dialogue and consultation in relation to ongoing plans. The development of common strategies was recommended. Experience showed that the best way to avoid problems was to maintain daily contacts between officials who were working on the same areas within the different institutions. Selection of personnel who would give priority to such a co-operative approach was also highlighted.

The representative of the ODIHR, Mr. Jean-Daniel Ruch, strongly agreed with the remarks of the HCNM. In this regard the recent ODIHR Seminar on Human Rights and the Role of the OSCE Field Missions was recalled, as many of its recommendations were pertinent to the panel discussion. This point was also discussed in more detail by the representative of Sweden. The ODIHR stressed the need for communication, complementarity and co-ordination in addressing the practical issues which arise on a day-to-day basis between organizations who are often dealing with closely related issues. Given the great desirability for a common message to be delivered it was vital that day to day contact be maintained so as to overcome the practical difficulties which can arise between organizations and national administrations. The need to avoid the development of "competitive" situations was highlighted.

The representative of the Council of Europe, Ms. Jutta Gützkow, also referred to practical experience in the Council of Europe's co-operation with the OSCE, which he assessed as very positive. He shared the assessments made by the HCNM and the ODIHR in relation to the need for appropriate contacts and "plug in" points to be maintained between and within the organizations. He also mentioned the need for the specificity of each organization to be respected. The situation in Kosovo would be complex and difficult, and it would be important that all the international organizations and institutions work together.

The representative of the United Nations, Mr. Raymond Sommereyns, gave a presentation on how co-operation between the United Nations and the OSCE had developed in recent years.

He highlighted the OSCE's role as a regional organization and a partner of the United Nations. The idea of a formal framework for co-operation between the two bodies was mentioned. In this connection, it was stated that the "lead organization" approach had proved to be fruitful in respect of UN/OSCE co-operation in Tajikistan and Georgia. In relation to developments in Kosovo, the United Nations representative felt that it was difficult to draw conclusions at the present stage and that it was too early to begin planning. The need to restore the role of the United Nations Security Council in respect of events in Kosovo was stressed, as was the quiet diplomacy being pursued by the United Nations Secretary-General.

Ambassador Dr. Rudolf Schmidt of Germany, on behalf of the European Union, presented the position of the EU both within and towards the OSCE, with particular emphasis on the character of the EU as a partner of the OSCE and of other organizations. The Platform for Co-operative Security was recalled in this connection. The manner in which EU action promotes implementation of the OSCE's principles and commitments was mentioned, with particular reference to the EU's regional approach to SEE.

The discussion of the proposed Stability Pact for South-Eastern Europe the previous day in Working Group 4 was recalled, with emphasis on security issues. It was stated that SEE represented the major challenge today for all the organizations present and that this challenge could be met only through the closest possible co-operation, for which the proposed Stability Pact should provide a framework both for the countries of the region and for the organizations concerned.

The representative of NATO, Mr. Crispin Hain-Cole, drew attention to the close co-operation which had been developing in recent years between the OSCE and NATO, including co-operation in the context of the Platform for Co-operative Security. Attention was drawn to the provisions of the recent Washington Summit Declaration, with its emphasis on the need for close co-operation with other organizations and institutions, including the OSCE. An example of how strongly co-operation had developed was the recent experience in relation to Kosovo where the OSCE's KVM and NATO had co-operated closely and had fulfilled complementary roles. The EU proposal regarding a Stability Pact for South-Eastern Europe was welcomed, and it was stated that NATO was studying the proposal carefully with a view to assessing how NATO could contribute.

The representative of the Western European Union, Mr. Richard Tibbels, gave an account of the WEU's past and present operations in SEE, with particular reference to Albania. In the opinion of the WEU representative, given the nature of the challenges now being faced, absolute unity of policy and action between North America and Europe, and especially between NATO and the OSCE, was essential if there was to be any chance of success.

The WEU had demonstrated, through the various complementary missions which it had undertaken in recent years, a clear capacity for working with other organizations. In addition, the WEU itself served as an important forum for dialogue and co-operation between its 28 members and associate members. Recent experience had been useful in identifying the comparative advantages of various organizations and institutions. In this respect, the roles of the UN and the OSCE should not be undervalued. The WEU itself was developing a niche as an instrument for European-led crisis management operations using military assets.

The experience of the past ten years had shown that no one institution could tackle the challenges in SEE alone. The Stability Pact also highlighted the need for various institutions to work together.

The representative of the Royaumont Process, Mr. Haris Lalacos, stated that there was an imperative need for a system of security, stability and development in SEE. Such a comprehensive system should be - and was being - developed under the OSCE roof, but so far regional initiatives remained outside or only loosely connected to it. There was a need for an organic link with the OSCE. A clear need for unified structures capable of ensuring consistency and complementarity existed, but it was also important that flexibility and autonomy of action be retained.

The representatives of the Black Sea Economic Co-operation, Ambassador Vassil Baytchev, the Central European Initiative, Ambassador Dr. Paul Hartig, and the Process on Good-Neighbourliness, Stability, Security and Co-operation in South-Eastern Europe (SEEC), Ambassador Traian Chebeleu, described how their processes of subregional co-operation had expanded and developed in recent years. In the case of the BSEC, the focus had been on the development of economic co-operation; the Central European Initiative had established an integrated framework for co-operation and dialogue; while the SEEC was a political structure for promoting good-neighbourly relations, stability and co-operation in the region. The value of regional approaches and strategies in view of the challenges now presented by the Kosovo crisis was highlighted. Most participants expressed willingness to respond in concrete ways to the EU's proposal regarding a Stability Pact for South-Eastern Europe.

On the issue of interlocking institutions and the OSCE, the development of closer links between such regional initiatives and the OSCE was encouraged by most panellists. The possibility of developing the OSCE's Platform for Co-operative Security to take account of subregional groups was mentioned in this regard. Ms. Ann Marie Bolin Pennegård, Deputy Head of the Swedish Delegation, recalled the findings of the recent Conference on Subregional Co-operation (Stockholm, 13-14 October 1998), which had concluded, *inter alia*, that the OSCE and other, more global organizations had a role to play in supporting subregional co-operation and that they provided the normative framework within which such groupings should act.

Most panellists drew some conclusions about how their experience to date could be related to future tasks in Kosovo. Broadly there was agreement that no one organization could tackle those tasks alone and that there was an imperative need for close and efficient co-operation among all the relevant actors. The OSCE's Platform for Co-operative Security was recalled in this respect. The need to avoid competition among organizations and to seek out synergies and complementarities was stressed. The best means of achieving this unity of approach would be through the establishment of clear lines of command and the provision of capable personnel prepared to work in a co-operative manner with other institutions. Clear and close lines of communication and dialogue should be established between the various institutions at all levels. The development of a regional approach and the EU's proposal regarding a Stability Pact for South-Eastern Europe were welcomed by most of the panellists, who looked forward to contributing to the development of such a pact.

The Moderator, Ambassador Kai Eide, regretted that there was no time for open discussion following the panellists' presentations, as he would have particularly liked the practical and day-to-day aspects of dealing with inter-institutional co-operation to be considered in greater detail. The representative of the former Yugoslav Republic of Macedonia stated that, as there had

been little discussion of the lessons learned in relation to early warning and conflict prevention during the Seminar, that was a topic which could perhaps be considered at some future date.

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IV. LIST OF DOCUMENTS DISTRIBUTED DURING THE SEMINAR*)

No.	Date	Institution/Author	Title
001	15/5/99	OSCE Secretariat	Agenda
002	15/5/99	OSCE Secretariat	Preliminary List of Participants, as of 15 May 1999
003	15/5/99	OSCE Secretariat	Basic Information on the OSCE Presence in Albania
004	15/5/99	OSCE Secretariat	Basic Information on the OSCE Mission to BiH
005	15/5/99	OSCE Secretariat	Basic Information on the OSCE KVM
006	15/5/99	OSCE Secretariat	Basic Information on the OSCE Mission to Croatia
007	15/5/99	Council of Europe/Committee of Ministers	Croatia; Commitments accepted when becoming a member of the Council of Europe, Programmes of assistance and co-operation
008	15/5/99	Council of Europe	Information on Albania
009	15/5/99	Council of Europe	Stability Programme for SEE.
010	15/5/99	Council of Europe	Information on Bosnia and Herzegovina
011	17/5/99	Bulgaria/ Minister of Foreign Affairs,	Opening statement – Bulgarian original
012	17/5/99	Bulgaria/Minister of Foreign Affairs	Opening statement – English version
013	17/5/99	OSCE Mission in BiH/, Ambassador Barry	Contribution
014	17/5	OSCE Mission to Croatia, Ambassador Guldemann	Contribution
015	17/5	SECI, Dr. Busek	Contribution
016	17/5	Article V Negotiations, Ambassador Jacolin	Contribution
017	17/5	UNMIBH, Mr. Bell	Contribution
018	17/5	OSCE Presence in Albania, Ambassador Everts	Contribution
019	17/5	Ambassador Klein, Principal Deputy High Representative	Contribution
020	17/5	Poland, Ambassador Kobieracki	Non-paper
021	18/5	Germany-EU Ambassador Dr. Schmidt	Contribution
022	18/5	OSCE office of the CEEC, Mr. Kirwan	Contribution
023	18/5	OSCE KVM, Ambassador Walker	Contribution
024	18/5	OSCE ODIHR, Mr. Ruch	Contribution
025	18/5	Office of the OSCE Representative on Freedom of the Media, Mr. Ivanko	Contribution
026	18/5	SECI	Contribution
027	18/5	SECI	Contribution
028	18/5	OSCE Secretariat, Ambassador Krasznai	Contribution
029	18/5	WEU	Contribution
030	18/5	Norway/CiO Ambassador Eide	Talking points
031	19/5	Germany-EU, Ambassador Schmidt	Contribution
032	19/5	ODIHR, Mr. Ruch	Contribution
033	19/5	BSEC	Contribution
034	19/5	CEI	Contribution
035	19/5	Sweden/Pennegård	Contribution
036	19/5	Romania/South East Europe Co-operation Process, Ambassador Chebeleu	Contribution
037	19/5	Norway/OSCE Chairman-in-Office, State Secretary Ms. Janne Haaland Matlary	Concluding remarks
038	19/5	WEU, Mr. Tibbels	Remarks
039	19/5	Royaumont Process, Mr. Lalacos	Contributions to WS 4 and 5

*) Documents are available on request from Documents Distribution.

Seating arrangement during the Seminar

