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REPORT

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“Strengthening Human Security in the OSCE Region”

RAPPORTEUR
Mr. Wolfgang Grossruck
Austria

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**Strengthening Human Security in the OSCE Region –
OSCE Field Operations in South Eastern Europe**

**Report by Mr. Wolfgang Großruck, Rapporteur of the
General Committee on Political Affairs and Security**

The OSCE field operations have become one major instrument for the OSCE to fulfil its mandate. Currently, the OSCE has 18 field missions and other activities in 16 States. The field operations carry out important tasks in all three OSCE dimensions, from Central Asia over the Caucasus to Eastern Europe. The following report will concentrate on the work of the OSCE field operations in one specific OSCE region, namely in South Eastern Europe and particularly focus on the human dimension of security, one core area of OSCE activity.

OSCE-Missions in the countries of South Eastern Europe

The OSCE has assumed far-reaching responsibilities in all countries of South Eastern Europe by helping to **build multi-ethnic and democratic societies**, by **establishing a profound rule of law system** and by aiding **developments towards self-determination**. The OSCE Missions were not established as a means in themselves, but with the clear objective of accomplishing their mandate, which will finally lead to their termination.

This period has been characterized by a difficult but nevertheless **steady process of transition**, bringing the countries of South Eastern Europe closer to the standards needed for European and Euro-Atlantic integration. Consolidation of democratic processes and stable institutions remains a primary task, which still requires international support, in particular from the OSCE.

At a time when the implementation of reforms in the area of justice, police, media and minority rights is more and more at stake, the focus of the work of the OSCE-Missions has concentrated on **capacity building, monitoring and training at the local level**.

In the past, the OSCE was able to demonstrate its flexibility towards changing circumstances in the countries concerned. The OSCE's adaptability will continuously have to be proven in the following months with regard to new challenges in the whole region.

One key element of the **re-structuring of the international presence** will be the **close co-operation and task sharing between EU and OSCE** as well as other international actors.

- **Strengthening of local institutions**

In their efforts to build up a democratic and multi-ethnic society as well as functioning institutions, the OSCE Missions in all countries **work very closely with local authorities** and local administrations, giving advice for legislative reforms, organising the training of

personnel and monitoring law enforcement and parliamentary work. All tasks are carried out with a particular focus on the protection of minorities, equitable representation, the improvement of socio-economic conditions and the security situation.

In fulfilling its tasks, the OSCE field operations, through the **2004 Action Plan for the Promotion of Gender Equality**, are strongly committed to establish **gender mainstreaming** milestones in achieving gender equality by tracking progress through monitoring and evaluation activities.

- **Security sector**

One key dimension of reform in South Eastern Europe is the **security sector reform (SSR)**. Implementing SSR in this region includes the development of a comprehensive approach, involving different security areas such as the armed forces, the police and the justice system as well as parliamentary dimension.

The **OSCE has a crucial role to play in the security sector** - in the area of police training and in particular the training of the border police with regard to multi-ethnic policing, the monitoring of the judiciary, the training of lawyers, prosecutors and the executive as well as in offering consultations in the area of law-making.

- **Local ownership**

Local ownership of reform programmes constitutes a crucial condition for their success. It is counterproductive to impose projects without the support of the beneficiaries. There are however a number of challenges with regard to the establishment of local ownership. Concepts have to take into account culturally diverse contexts and understandings in each country, for example in the area of SSR. However, examples of best practice can prove encouraging, lessons can be drawn and concepts adapted to local realities.

The OSCE very carefully takes into account the concept of local ownership. The expansive field presence allows the OSCE-Missions to work closely with local administrative actors as well as with the citizens and civil society. Therefore the field presences constitute the added value of the OSCE in this respect.

- **Regional cooperation**

Regional co-operation in South Eastern Europe is of utmost importance. Many tasks require close collaboration, in particular in the area of organised crime, trafficking in human beings and refugee return.

In the **area of the security sector reform**, there are few security challenges that can be handled by states in isolation and many that need to be addressed in a regional context. The OSCE and other international actors, including the EU, therefore work towards a regional, holistic SSR-concept for South Eastern Europe.

The **OSCE follows a comprehensive approach to trafficking in human beings**, comprising the prevention of trafficking, the protection of victims and witnesses and the prosecution of criminals. The OSCE commits itself to regional and international co-operation in order to

fight trafficking in the countries of origin, of transit as well as of destination. The efforts of the **OSCE Special Representative on Combating Trafficking in Human Beings** are based on national action plans, which have proven to be a valuable tool in assigning responsibility to and dividing tasks between government bodies and authorities on the one hand and NGOs and agencies on the other hand. The Special Representative stressed the need for a regional approach in tackling the problem (e.g. “Regional Seminar Combating trafficking in Human Beings in the Balkan region”). The **High level Conference on Combating Trafficking in Human beings (especially in women and in children**” in March 2006 organised by the OSCE Special Representative Dr. Helga Konrad highly contributed to raising the awareness and understanding of the range of problems involved. Furthermore, the Special Representative of the President of the Parliamentary Assembly fosters dialogue in the OSCE, and the Parliamentary Assembly in particular.

The **return of refugees and IDPs** continues to be a serious problem for the whole region. In January 2005 the Sarajevo process was initiated, fostering the co-operation between Serbia and Montenegro, Croatia and Bosnia and Herzegovina as well as the OSCE, the European Commission and UNHCR with the objective of solving all outstanding problems until the end of 2006. The governments set up roadmaps to fulfil this task. However, major efforts are still necessary to meet the objectives.

EU Presidency activities and main achievements

South Eastern Europe constitutes one of the main priorities of the **Austrian EU Presidency**. Aiming at maintaining a clear European perspective and pushing forward the Thessaloniki process, the Austrian EU Presidency particularly engages in the strengthening of the relations between the EU and the countries of South Eastern Europe in several policy areas.

The EU has chosen a framework for bringing the countries of the region closer to EU structures: the **Stabilisation and Association Process**. Under the British Presidency, important decisions were made in this respect in order to reach the goal of concluding contractual relations with each single country. Apart from the SAA Process, the Austrian Presidency’s policy is also based on the 2003 **Thessaloniki Agenda**. In this document, the EU Member States commit themselves to a clear European perspective for the countries of the Western Balkans and confirm that their future lies within the European Union.

Three years after this summit, Austria hosted an informal EU-Western Balkans Foreign Ministers’ meeting in Salzburg. As preparation for the meeting, the European Commission presented – in close coordination with the Austrian EU Chair – a Communication titled “The Western Balkans on the road to the EU: Consolidating stability and raising prosperity.” The document contains a number of proposals for practical measures to make the **European perspective more tangible** for the people in the region. These comprise, *inter alia*, the reduction of trade barriers, , people-to-people contacts (including visa facilitation), measures in the education sector as well as financial assistance. In this context, the creation of a single free trade area by means of enlarging and modernising the current CEFTA agreement will allow for a harmonized trade regime throughout the region, compatible with the commitments of the countries/territories to the WTO and EU. The new agreement, to be concluded under the auspices of the Stability Pact by 31 December 2006, will include modern trade policy provisions on competition rules and state aid, government procurement and protection of intellectual property.

On the occasion of the meeting, the “Salzburg Declaration” was issued. It is not a secret that in some countries – especially after the negative referenda on the Constitution Treaty – enlargement fatigue has taken hold. Nevertheless, it was possible in this European climate of increasing enlargement scepticism to again achieve a clear commitment to the membership perspective of the Western Balkan countries („*membership as ultimate goal*“, „*the future of the Western Balkans lies in the EU*“). Furthermore, it is a success that the Declaration affirms the determination of the EU to fully implement the Thessaloniki Agenda and, at the same time, explicitly welcomes the above-mentioned Commission Communication and expresses the intention to take forward its implementation.

Upon the explicit wish of some Member States, the text also contains references to the planned enlargement debate and the question of absorption capacity of the European Union. The EU-internal discussion regarding the framework conditions for future enlargement steps also applies to the Western Balkan countries. This, however, does not change the general commitment to the goal of accession of all countries of the region, which continue to be **potential accession candidates**.

Given this commitment to the membership perspective, however, one must also clearly emphasise that there can be no short-cuts on the road to Europe. The advancement of every country on this path depends on the individual merits and progress that the respective country achieves with regard to the fulfilment of the required criteria. Some countries of the region have already covered a lot of ground in the rapprochement process.

Croatia has entered a new phase in the rapprochement process. It has become a front-runner for the whole region. It is, in fact, becoming Europe’s “Gateway to the South East”. Currently, Croatia is undergoing the *acquis* screening process, during which areas will be identified where further alignment with the *acquis communautaire* is necessary. Following the positive assessment in the first screening reports, the process is expected to progress swiftly and the opening, and in some cases the completion, of the first negotiation chapters could occur during the Austrian Presidency.

Likewise, **Macedonia/fYRoM** has made progress. Following the decision to grant candidate status, the opening of accession negotiations will depend particularly on the improvement of administrative capacities and the implementation of the Ohrid Framework Agreement.

The examples mentioned so far show that the EU perspective has proved to be a motor for reforms. It is a unifying element for large parts of the population and the democratic forces in the region. Especially in light of 2006 being a decisive year for the region, the EU will commit itself to this perspective. It must be noted that disputes on the constitutional status and the definition of borders are still ongoing in some of the countries. This is especially true for the definition of the future status of **Kosovo**. With the start of the status negotiations, the process has certainly become more dynamic. The challenge will be to find a sustainable model that allows all people – regardless of their ethnic affiliation – to live a life in peace and security, a life in a democratically constituted Kosovo, where the rule of law prevails. In this context, the EU Presidency fully supports the team of President Ahtisaari. The negotiations within the framework of the direct dialogue in Vienna have had a positive start, which gives reason for hope.

The definition of the future status of Kosovo under the auspices of the UN is *one* thing. The integration into European structures is *another*. This is true no matter what Kosovo’s future status will be. Consequently, the future enhanced role of the EU in Kosovo needs to be

prepared simultaneously with the status process. This will be a decisive element for the stability of Kosovo. An EU-led police and rule of law mission is in planning.

The same holds true for the relations between Serbia and its neighbouring republic **Montenegro**. The Austrian EU Presidency counts on the referendum on independence in May being conducted with the required transparency and legitimacy, and will lead to clear results.

Following the death of Slobodan Milosevic, **Serbia** has to come to terms with its past. In this regard, the country and its people need to be supported by all means. At the same time, there is an urgent need for Serbia and Montenegro to make progress in its cooperation with the International Criminal Tribunal for the former Yugoslavia in The Hague.

After the formal opening of SAA negotiations with the EU, **Bosnia and Herzegovina** has also made progress in the integration process. Further progress in these negotiations and their conclusion will, *inter alia*, depend on the implementation of the necessary legal framework and administrative reforms. Progress in these areas is a precondition for a functioning and efficient state.

Albania is on the brink of the formal conclusion of a Stabilisation and Association Agreement with the EU. After the initialling of the agreement in February 2006, the signing is envisaged for May - June 2006. This would be an important step for Albania in the integration process. Although visible progress has been made in recent months, the fight against corruption and organised crime, the further implementation of legislative, judicial and property reforms as well as the strengthening of good governance and improvement of the political climate has to continue. Electoral reform has to be furthered in following-up on the recommendations by OSCE/ODIHR and the Council of Europe. These are challenges that Albania has to face and that do not permit any delay.

Beside this country-by-country assessment of successes and challenges, it is essential not to neglect the aspect of **regional cooperation**. Despite all the wounds and traumas caused by war, ethnic cleansing and displacement, it has proven possible within a relatively short period of time to establish a network of good-neighbourly relations. This is a big success. The relations between the countries of the region are, of course, still fragile. Coming to terms with the past cannot be accomplished overnight. But the earnest political will for such a process of reconciliation is there. Many institutions are active in the field of deepening and promoting regional cooperation. One of them is the **Stability Pact for South-Eastern Europe**, coordinated by the former Austrian Vice-Chancellor Erhard Busek. With his in-depth knowledge of the region he has done a lot for a growing together of the countries of the region.

The **Austrian Presidency programme and the Stability Pact for South Eastern Europe** have the potential of complementing and strengthening each other at many levels, providing the ability to achieve very tangible successes. In particular this has - and will - be done by promoting the importance of regional ownership at the "Gymnich" Foreign Ministers Meeting, by pushing for the implementation of existing anti-corruption and anti-organised crime legislation in this region at the Meeting of Ministers of Interior in May 2006 and by promoting activities within education and research and moving towards a new core objective under this theme in May 2006.

Austria and the EU have significantly supported and will continue to support the process of regional cooperation and building of good-neighbourly relationships. The countries of the region are encouraged to further step up their efforts in promoting such regional cooperation.

Taking into account the challenges still ahead, the Western Balkans region has to remain very high on the agenda. For this purpose, there will also be a number of ministerial and expert meetings of the EU Member States with their counterparts from the Western Balkan countries in order to explore closer cooperation in several areas. The securing of peace and the promotion of stability and prosperity in the Balkans is clearly a goal common to the Western Balkan countries, the European Union and the OSCE. The progress achieved so far gives rise to the hope that this common goal can be achieved as soon as possible.

Co-operation between OSCE, EU and other international actors

The co-operation among international actors as well as between them and the regional authorities has always been of vital importance for the reform success. The current restructuring of the international presence in several SEE countries will particularly demonstrate this need for co-operation.

The role of the OSCE Mission in **Kosovo** (OMiK) will very much depend on the outcome of the status negotiations. OMiK will definitely have a growing role to play at the local level in monitoring the implementation of the European agenda on the ground. The assets of the OSCE should be fully made use of, in particular the work of the field presences with regard to human rights monitoring, trial monitoring and the advising of local administrative structures.

The EU will have to play an enhanced role following the withdrawal of the UN Mission in Kosovo (UNMiK). The EU is considering a stronger role for itself in the areas of police, rule of law as well as economic affairs. In February 2006 an EU Joint Council-Commission Fact Finding Mission to Kosovo, dealing with policing and the rule of law and involving the possible future ESDP (European Security and Defence Policy) and the possible engagement of the Community in this field took place. The Fact Finding Mission recommended - inter alia - the establishment of an EU Planning team which shall prepare for a possible EU crisis management operation in Kosovo. There is strong need for an intensively co-ordinated dialogue between the EU and the OSCE to increase synergies and to avoid duplications.

In **Bosnia and Herzegovina**, limitations have been set to the Office of the High Representative (HR). The HR/ EU Special Representative Dr. Schwartz-Schilling stressed the need for effective cooperation of his office with the OSCE. The OHR can only move forward with the support of the entire International Community – and in several areas only with the specific support by the OSCE. The HR/EUSR proposed the establishment of an OHR-OSCE Working Group to coordinate activities that have a direct bearing on one another. The project was positively approved by the OSCE Participating States. The OSCE will primarily contribute through its experience in the areas of educational reform, human rights protection, justice reform and elections.

In **Macedonia/fYRoM**, the Head of the Spillover Monitor Mission to Skopje and the EUSR and Head of the European Commission Delegation demonstrate their close co-operation, in particular in the area of rule of law, one of the key areas for closer EU-integration, but also with regard to the police reform. The OSCE plays an important role in working towards an equitable representation of all ethnic communities. OSCE/ODIHR also plays an essential role with regard to the forthcoming parliamentary elections which bear a signalling effect for the whole region.

Concluding remarks: The assets of OSCE-Missions in the field of human security

The tasks of the OSCE Missions in the SEE region are very diverse. In Croatia, the Mission might be able to conclude its work in the near future. In other countries, such as Serbia and Montenegro or Bosnia and Herzegovina, but also the former Yugoslav Republic of Macedonia and Albania, the OSCE Mission will continue to play a key role in bringing these countries closer to the EU and assisting their integration process.

Their field presences are their main asset for monitoring and supporting reforms at the local level. Therefore, certain tasks linked to the building of democratic institutions and a multi-ethnic society need to be further launched by the OSCE Field Missions.

Cooperation between the Missions and the local authorities, the administration and the civil society is of crucial importance, as are the contacts among the different actors of the International Community in the region.