

Regional Approach for the Western Balkans

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¹ This policy paper was sent to Parliament in March 2004

1. Summary

The regional approach is based on integrated policy from a regional perspective, aimed at promoting peace, stability and sustainable development in the Western Balkans. It encompasses Albania, Bosnia-Herzegovina, Croatia, Macedonia, Serbia and Montenegro and Kosovo. In the Balkans, political, military, development cooperation and economic instruments are used in an integrated manner.

In accordance with the policy memorandum 'Mutual interests, mutual responsibilities', the Netherlands wants to help find solutions to problems to be tackled in a regional context. In the context of development cooperation, the regional approach is applicable to the three partner countries (Albania, Bosnia-Herzegovina and Macedonia), Serbia and Montenegro and Kosovo. From the regional perspective full use will be made of the opportunities offered by bilateral development cooperation in the partner countries and a new Balkans programme to be implemented at regional level. Regional resources should be deployed in such a way as to ensure optimal use of EU and other funds in the Balkans. A regional approach is equally important from an economic perspective; for example, in terms of trade liberalisation, improving the investment climate, regional energy markets and regional environmental projects.

Developments in Croatia also affect developments in the region as a whole. Croatia will, however, not be considered eligible for Dutch ODA funds. The Ministry of Economic Affairs does have a strong focus on the country. The Netherlands is involved in Bosnia-Herzegovina in the field of military security.

An important orientation point for the countries of the Western Balkans is their ambition to be integrated into the Euro-Atlantic structures. The EU specifies regional cooperation as a condition for further integration in the context of the Stabilisation and Association Process. The prospects for membership of the EU and NATO have been an important stimulus for the countries of the Western Balkans to take part in

various regional initiatives set up by the international donor community. Such initiatives have certainly been useful, but have rarely amounted to more than political statements. In recent years, there has been a growing awareness in the countries of the region itself that problems like the sustainable return of refugees and displaced persons, military security, public safety and the fight against organised crime can only be tackled effectively through regional cooperation. Solving these problems is essential for integration into the Euro-Atlantic structures. This is a continuous political-military-economic process reflected in the international presence in the Balkans, including that of the Netherlands.

The regional approach will take shape in the coming years on the basis of the following principles:

- the focus of Dutch efforts will shift from post-conflict to long-term stability and support for the transition process;
- if the regional approach is to be effective, a sustained effort is required; given the ambitions of the countries in the region to accede to the European Union, a timeline up to and including 2007 seems realistic;
- if they are considered essential to the success of a regional development activity, bilateral activities can be implemented in Serbia and Montenegro and Kosovo (which are not partner countries);
- the guiding principle for Dutch support is explicit demand from the region itself; this can be from governments, civil society or the private sector;
- niches will be sought for Dutch support: where can Dutch interventions make a real difference? Where can the Netherlands act as a catalyst to expedite activities by larger donors like the EU?
- priority will be given to linking up with and supporting the regional programmes of international organisations like the European Commission, IOM and the World Bank. This will of course require close coordination with other donors, especially with the EU (through CARDS), the World Bank and EBRD, and with development cooperation instruments (FMO, TMF, Stability Fund) and non-development cooperation instruments (PSO, MATRA);
- strengthening the role of the private sector. Efforts will be made to achieve greater complementarity with Dutch civil society and Dutch companies active in the region, if possible through entering into partnerships;

- contributing to security as part of the military presence in the Balkans (i.c. Bosnia-Herzegovina).

Regional development cooperation activities will be supported within the following themes:

- the return of refugees and displaced persons, the integration of minorities and the migration problem;
- the environment: linking up with regional environmental programmes so that the countries in the region can comply with European standards;
- private-sector development, including through enabling activities in the area of economic good governance, such as improving the business climate for local and foreign companies and the integration of regional markets. The Foreign Affairs (Development Cooperation) and Economic Affairs ministries will examine ways in which this can be worked out in more detail, and whether their respective instruments can be better harmonised;
- promoting the rule of law, public safety and military security;
- supporting cross-border initiatives of municipalities in the region.

2. Principles of Dutch policy

The Netherlands has long had a high profile regarding developments in the Western Balkans, in terms of foreign policy, military and economic involvement, and development cooperation. The most important frameworks for the deployment of ODA funds are described in the following memoranda: 'The deployment of development cooperation instruments in South-Eastern Europe' (February 2000), 'The role of the Netherlands in a changing landscape' (June 2001) and 'Mutual interests, mutual responsibilities' (October 2003). 'Mutual interests, mutual responsibilities' announces that a regional approach for development cooperation in the Western Balkans is to be elaborated. This memorandum outlines the framework within which the regional approach for the Western Balkans will be developed in the coming period. It supports the integrated policy on peace, stability and sustainable development in the region announced by the first Balkenende government in August

2002, shortly after it took office. The starting point was that, from the perspective of an integrated, foreign, development cooperation, military and economic policy, the Western Balkans would continue to be a crucial area of attention for the Netherlands. The focus would however have to shift from crisis management to post-conflict and transition. This would also require a change in the Dutch effort. An explicit choice was made to work from a regional perspective, with involvement of various ministries. For ODA funds, this meant aiming for more balanced deployment in the region: the decision to phase out bilateral aid to Serbia and Montenegro and Kosovo at the end of 2002 was reconsidered. Total expenditure on development cooperation activities in the Western Balkans in 2003 was around €60 million. The Ministry of Economic Affairs also has a variety of instruments. The Eastern Europe Cooperation Programme (PSO) in particular provides substantial support. The main aims of the programme are to enhance the position of the private sector and to contribute to the transition to a market economy. Support is also provided at institutional level. In 2003, the economic affairs ministry committed nearly €13 million to projects in the Balkans.

Since the disintegration of the former Yugoslavia, the countries of the Western Balkans have experienced a series of major violent conflicts. During these conflicts and in the early stages of reconstruction, they received substantial support from the international donor community. However, as new conflicts have flared up elsewhere in the world, attention for the region has declined. The Netherlands believes that the donors still have work to do in the Balkans. In the former Yugoslavia – and in Albania, although it has not been involved in a conflict between states or ethnic groups – stability and the transition to full democratic rule of law and a free market economy are under threat from weak institutional structures, organised crime, sometimes latent ethnic tensions and rising unemployment. There is still a role for development cooperation to play here. The focus of Dutch development cooperation will, however, shift from post-conflict activities to support for the transition process. In all the countries in the region, the transition process is determined by their ambition of being integrated into the EU and other Euro-Atlantic structures. Both the EU and NATO are giving substantial support to this process. The current weakness of economic structures and the importance of economic development on the path to EU membership emphasise the essential role that economic instruments have to play in

the coming period. In this context, it is important that the Netherlands continues to contribute to security in the region in the form of a Dutch military presence. This contribution is made within the context of a shift in emphasis from international military to police presence.

3. Regional context

3.1. From post-conflict to transition

As a result of the conflicts in the region, the Balkans have started the twenty-first century heavily damaged, socially, politically and economically. Stability in the Balkans – Europe's backyard – can still not be taken for granted. It is a process that demands active international involvement. An important starting point is to enable the countries in the region to take on more of their responsibilities. The Dayton process, the future status of Kosovo and of the state union Serbia and Montenegro require continued international attention.

The aftermath of the crisis in Macedonia in 2001 continues to be a source of tension. Not unexpectedly, implementation of the Ohrid peace agreement has been delayed. Tension may increase as more concrete measures are taken to implement the agreement. The military presence of SFOR in Bosnia and KFOR in Kosovo, and the police presence of EUPM in Bosnia and Operation Proxima in Macedonia are currently essential to the stability of the region. This involvement must, however, be finite. Sustainable embedding of the countries in the region will then have to be assured by integrating them into the Euro-Atlantic structures.

In any case, guaranteeing long-term stability in the Balkans will have to remain a top priority for the international community in the coming period. The EU and NATO in particular have a crucial part to play. The expected declining role of the United States will mean more active involvement on the part of Europe.

At the same time, the virtual disappearance of a generation of 'war leaders' – with the turning over of Milosevic to the ICTY as an important turning point – has enhanced the prospects for sustainable peace and prosperity in the region. The EU's Stabilisation and Association Process (SAP) offers realistic prospects of future EU

membership, and thereby a favourable political and economic future for the region. The risk of conflicts of the scale of those in Bosnia and Kosovo in the 1990s has therefore declined, increasing the chances of peaceful settlement of remaining differences. The 2001 agreement between the successor states to Yugoslavia on how to divide up the property of the former republic was another step towards normalisation of relations, as were the many free-trade agreements that have been concluded since. The progress made by the South-East Europe Process (SEEC) shows that the regional cooperation agenda is no longer exclusively defined by international arrangements set up by donors. There is growing awareness in the region that cooperation between the countries themselves is indispensable to achieving long-term stability and integration into the Euro-Atlantic structures. The fact that regional cooperation is an important condition for closer cooperation with the EU in the SAP context is of course an important added incentive. Despite this, it should be noted that the importance of regional cooperation is not always recognised. In Albania, for example, people are concerned that regional integration and open borders will damage the country's competitive position.

After the conflicts in the region ended, official development assistance (ODA) to the Western Balkans declined rapidly. The main reason for this decline was the reduced need for emergency and humanitarian aid. The main target areas for ODA in the region are currently: the return of refugees, economic reconstruction, good governance and macroeconomic support.

Practically all countries in the Western Balkans have made progress at macroeconomic level. The private sector, however, continues to lag behind. At the same time, the reform programmes – including the essential reform of the government apparatus – make a social safety net necessary, for which there are often insufficient funds. Faced with rising unemployment, corruption and organised crime, the majority of the people feel that their own economic position has not improved, despite the promises of their political leaders. Most of the countries in the region, with the possible exception of Croatia, have limited access to the capital market, so that they still have to rely on international donor funds. However, the international donor community has now turned its attention to other crisis areas, such as Afghanistan and Iraq, and is less interested in giving money to the countries of the

Western Balkans. The Netherlands believes that, with a view to achieving long-term stability and development in the region, it is important to continue to provide development funding in the Balkans. As the transition process moves forward and relative stability increases, the focus of Dutch development efforts will shift from helping to solve problems associated with the violent conflicts in the region to assistance with transition.

The current situation in the Balkans – characterised by a series of unsolved problems and smouldering tensions, but also by the region's shared goal of integration into European and Euro-Atlantic structures – calls for a different kind of aid from the international donor community than previously. Requests for assistance from the region are increasingly related to the rapprochement to the EU. For example, the economic affairs ministry has provided assistance to export and investment organisations in various countries. Qualification for EU membership requires the solution of a series of problems of a regional nature.

3.2. Closer relations with the EU and NATO

All the countries of the Western Balkans now have the status of potential candidates for EU membership and wish to join the EU and other Euro-Atlantic structures (NATO/Partnership for Peace) as soon as possible. The pace at which this can be achieved depends on the extent to which the necessary reforms are introduced. The Netherlands supports the Euro-Atlantic aspirations of the countries in the region. The emphasis is on the countries complying with the conditions imposed and supporting them in the most effective way possible in the various stages of accession to the EU and NATO/PfP. The latter is crucial: the above-mentioned bottlenecks in the reform process are feeding radical-nationalist and other divisive forces in the Balkans. For the same reasons, it is essential that the EU and NATO continue to provide their full support. The Netherlands supports the 'regatta model': the countries that advance the furthest will be the first to be considered for EU membership and partnership with NATO, if they fulfil the conditions.

The relationship between the EU and the region is defined by the Stabilisation and Association Process. SAP offers the countries in the region concrete prospects of future EU membership, if they fulfil the economic and political criteria, including

regional cooperation. That the future of the countries of the Western Balkans lies in the European Union was reconfirmed at the EU-Balkan summit in Thessaloniki on 21 June 2003. At the summit, agreements were made about extending the EU instruments available to the countries in the region through the SAP to include twinning options and EU programmes on education and research. The SAP is financed by the EU through the CARDS programme, which has a budget of €4.65 billion for the period from 2002 to 2006. Within CARDS there is a regional programme, which will focus in 2004, with a budget of €35 million, on integrated border management, institutional capacity development, democratic stabilisation and the development of regional infrastructure.

Two countries, Macedonia and Croatia, have so far concluded Stabilisation and Association Agreements (SAAs). For the Netherlands and the United Kingdom, cooperation with the ICTY is an important condition for ratification of the SAA with Croatia. Croatia has submitted an application for EU membership, and Macedonia has indicated that it will be doing the same in the near future.

4. Regional approach and integrated policy

4.1. Need for a regional approach

In 'Mutual interests, mutual responsibilities', Albania, Bosnia and Macedonia are listed as partner countries. In addition, the document emphasises the complex and integrated nature of the problems in the Balkans, compounded by factors like history, migration, the economy and the fact that many people feel that the national borders are artificial. Many of the problems in the partner countries affect each other and require a regional approach. The development ministry therefore believes that restricting development cooperation to the three partner countries is inadequate.

The regional approach will extend to the entire Western Balkans. Serbia and Montenegro and Kosovo are not on the list of partner countries, but are key to the development of the region as a whole. They are potential destabilisers, where political developments often have an impact beyond their own borders. Serbia and Montenegro plays an essential role when tackling the Kosovo question. Serbia has

the most refugees and displaced persons in the Western Balkans and the minority problem in Kosovo is relevant to the further development of Macedonia and Albania. The question of the status of Kosovo is a symbol of the many contentious issues in the region. Through the mediation of the international community, a process has been initiated that must eventually lead to a sustainable settlement of the status question. This means that the development of the region, and therefore of the three partner countries, is affected by the extent to which Serbia and Montenegro and Kosovo succeed in finding answers to the minority and refugee return issues and can achieve sustainable democratisation. Because of its economic potential, Serbia and Montenegro is of economic importance to the development of the region as well. Developments in Croatia also affect developments in the region as a whole. Croatia will, however, not be considered eligible for Dutch ODA funds. The Ministry of Economic Affairs does have a strong focus on the country. The ministry's financial instruments are open to all of the countries in the region, with the exception of Kosovo (because it is under international supervision). In addition to its financial instruments, the ministry is also able to provide assistance at institutional level, and in organising trade events and visits.

Financing regional projects is nothing new for the Netherlands; between 1999 and 2001, it supported a wide range of regional projects in the context of the Stability Pact for South-Eastern Europe. The regional approach, however, covers more than just financing regional projects. Efforts in the context of development cooperation are part of an integrated approach to helping the Western Balkans to tackle its problems. This means working in tandem with other international actors, Dutch civil-society organisations and companies active in the Balkans, and other forms of Dutch assistance, such as the military, police experts and economic support programmes. From an economic perspective a regional approach is also of great importance. This includes trade liberalisation and improving the investment climate, as well as the regional energy market and regional environmental projects. The aim is for the various forms of support to complement and reinforce each other as much as possible.

4.2. Principles of the policy framework

The regional context is extremely important for the development of the countries in the region. In the context of 'Mutual interests, mutual responsibilities', the regional approach is applicable to the three partner countries (Albania, Bosnia-Herzegovina and Macedonia), Serbia and Montenegro, and Kosovo. From the regional perspective full use will be made of the opportunities offered by bilateral development cooperation in the partner countries and a new Balkans programme to be implemented at regional level. This regional programme must serve to encourage optimal use of EU and other funds by the Balkan countries. The interaction between the bilateral programmes and the regional Balkan programme will require more intensive exchange of information and coordination between the ministry in The Hague and the embassies.

The regional approach will take shape in the coming years on the basis of the following basic principles:

- the focus of Dutch efforts will shift from post-conflict to long-term stability and support for the transition process;
- if the regional approach is to be effective, a sustained effort is required; given the ambitions of the countries in the region to accede to the European Union, a timeline up to and including 2007 seems realistic;
- if they are considered essential to the success of a regional development activity, bilateral activities can be implemented to a limited extent in Serbia and Montenegro and Kosovo (which are not partner countries);
- the guiding principle for Dutch support is explicit demand associated with the problems experienced in the region itself; this can be from governments, civil society or the private sector;
- niches will be sought for Dutch support: where can Dutch interventions make a real difference? Where can the Netherlands act as a catalyst to expedite activities by larger donors like the EU?
- priority will be given to linking up with and supporting the regional programmes of international organisations like the European Commission, IOM and the World Bank. This will of course require close coordination with other donors, especially with the EU (through CARDS), the World Bank and EBRD, and with development

cooperation instruments (FMO, TMF, Stability Fund) and non-development cooperation instruments (PSO, MATRA);

- strengthening the role of the private sector. Efforts will be made to achieve greater complementarity with Dutch civil society and Dutch companies active in the region, if possible through entering into partnerships;
- contributing to security through military presence in the Balkans (Bosnia-Herzegovina) (see section 4.8).

Regional development cooperation activities will be supported within the following themes:

- the return and integration of refugees and displaced persons, the integration of minorities and the problem of (illegal) migration;
- the environment: linking up with regional environmental programmes so that the countries in the region can comply with European standards;
- private sector development, including through enabling activities in the area of economic good governance, such as improving the business climate for local and foreign companies and the integration of regional markets. The Foreign (development cooperation) and economic affairs ministries will examine ways in which this can be worked out in more detail, and whether their respective instruments can be better harmonised;
- promoting the rule of law, public safety and military security;
- supporting cross-border initiatives of municipalities in the region.

The Netherlands has built up considerable experience with refugee return programmes and the environment through bilateral development programmes and incidental regional activities. A number of new regional activities will already be carried out within these themes in 2004. This will not be the case for the remaining themes. There are clearly niches for these themes and demand for bilateral activities. The scope for a specific Dutch contribution in this context will have to be explored. In particular, it presents an opportunity to strengthen the role of the Dutch private sector. This calls for closer coordination with the actors involved. The scope for forming partnerships will be examined.

Dutch efforts in the coming period will increasingly shift from assistance in solving problems arising from the violent conflicts in the Balkans to assistance with the process of transition. This means devoting more attention, including in the regional context, to institutional strengthening, enabling activities in the field of good governance and the economic dimension. With this assistance, too, there will be closer coordination than before between development cooperation and economic affairs instruments.

4.3. Regional cooperation

Experience in recent years has shown that genuine regional cooperation between the countries of the Balkans takes a long time to gather momentum. That is not surprising given the events of the recent past and the fact that the countries first have to build up their own national capacity. Many initiatives for regional cooperation therefore do not get much further than meetings and declarations of intent. In the Western Balkans, too, the many regional fora and initiatives are often 'donor-driven' and frequently overlap. The more explicitly the countries of the Western Balkans express their wish to become a part of the European and Euro-Atlantic structures, the more a common agenda is emerging in the region, albeit with some difficulty. From 2004, the Netherlands wishes to contribute to initiatives from the region itself. Ways will be explored in which South-East European cooperation structures like SEECP can be supported in agreements made on activities at political level. In addition, the scope for supporting cross-border cooperation between municipalities in the region will be examined.

An important element in the regional approach is promoting interethnic cooperation as a means of safeguarding stability in the region. Support for networks in the region will focus on multiethnic initiatives.

South-East European cooperation

In 1996, a number of South-East European countries established the South-East European Cooperation Process (SEECP). The countries involved are Albania, Macedonia, Bosnia, Serbia and Montenegro, Bulgaria, Romania, Turkey, Greece and Croatia (recently became a member). The SEECP therefore extends beyond the Western Balkans. It aims to promote regional cooperation to intensify relations

between the countries of South-East Europe and to safeguard stability, security and cooperation.

The members consider regional cooperation essential in the areas of energy, trade liberalisation, the fight against organised crime, transport and communications. The main incentive continues to be integration into the European and Euro-Atlantic structures. The SEECP has acquired greater political power in recent years. It expects the international community to provide political, technical and financial support for its activities. The Netherlands is prepared to support specific activities initiated in the region itself and will investigate the scope for doing so.

In addition, the Netherlands will collaborate with REReP, a regional initiative set up in 2000 and aimed at environmental cooperation, in which the Balkan countries have shown their political reliability (see 4.5. Environment).

Cross-border municipal cooperation

Within the region, cautious initial steps have been taken towards cooperation between municipalities, especially by border municipalities confronted with shared, cross-border problems. These include small-scale economic initiatives, anti-crime measures and good governance.

Together with the Dutch private sector, ways will be explored of contributing to these cross-border initiatives. Exploratory talks have already been held with civil society organisations in the Netherlands. This issue can be discussed further at the regular consultations with CSOs, initiated in 2002.

4.4. Refugees and displaced persons, integration and migration

Throughout the Western Balkans, the situation regarding refugees and migration issues - combined with criminality - are hampering the transition process and the path towards closer relations with the EU. This is also a significant bilateral problem for the Netherlands. Serbia and Montenegro are on the list of priority countries in the November 2003 paper on the return of refugees (House of Representatives, 2003/2004, 29344 no. 1).

The refugee issue has become less problematic in recent years; in 2003, 1.5 million people had returned. But there are still nearly a million people for whom a long-term solution has not yet been found. Return is increasingly being hampered by economic problems, as in Bosnia, and security is becoming less of an issue. In Kosovo, however, security is still a major obstacle to the return of Serb and Roma refugees. The bilateral programmes in partner countries continue to devote attention to the reception of refugees and displaced persons, activities relating to returned persons, and the integration of minorities. The focus of those activities will be directed more at sustainable solutions. A number of programmes supported by Dutch funds already focus on enhancing the economic perspectives of returning refugees and displaced persons by, for example, promoting income-generating activities. It is also important that returning persons have full access to social services and health care, and that the municipalities receiving them are actively involved in projects. This helps to improve the sustainability of the return process.

Experience with projects in the bilateral programmes shows that close cooperation between the countries in the region is a precondition for finding genuinely sustainable solutions for the return and integration of minorities.

The Migration, Asylum, Refugees Regional Initiative (MARRI) launched by the Stability Pact for South-Eastern Europe in 2002 outlines various initiatives for the return of refugees in a regional context. MARRI focuses explicitly on asylum and migration, which safeguards the link with the requirements imposed on these countries in the European context. The Netherlands may be able to contribute to the setting up of a regional database for exchanging personal data and to regional initiatives aimed at safeguarding access to civil rights for returning refugees.

4.5. Environment

In the context of Dutch development cooperation, Albania was the only country in the region on the environment list. The legacy of the communist period has left the country with serious environmental problems. For the region as a whole, a strategy aimed at economic growth and poverty reduction cannot be effective without sufficient attention to good environmental management. In addition, now that the process of establishing closer relations with the EU has been set in motion, these

countries will gradually have to comply with European standards. Environment ministries tend, however, to be small and faced with capacity problems. Production structures are often out of date and therefore impose an especially heavy burden on the environment. As yet, little or no attention is devoted to national forestry management, let alone cross-border collaboration, with illegal felling and deforestation as a consequence. There are challenges, too, in the area of water management; for example, in managing the catchment basins of rivers in the region. Such issues often have political implications; on the other hand, the imperative to work together on environmental problems can sometimes open the door to further political cooperation.

From the regional perspective, the Netherlands wishes to help strengthen cooperative structures in the area of good environmental management. To ensure that the countries in the region can make an effective contribution to tackling cross-border problems at regional level, it is important that the capacity of national governments is also strengthened. Within the context of the Stability Pact for South-Eastern Europe, the Regional Environmental Reconstruction Programme (REReP) was set up in 2000 in collaboration with the Regional Environment Centre in Hungary. The Netherlands supported REReP financially in the first few years. It is now clear that the countries in the region are politically involved in the further development of activities in the context of REReP. Ways of intensifying the relationship will be explored.

4.6. Private sector development

The renewed stability in the region can only be safeguarded if people finally have better economic prospects. Unemployment figures are still very high and economic growth is not sufficient to offer the perspective of rapid improvement.

Generally speaking, macroeconomic stability is reasonably good, but this often conceals the fact that many Balkan economies only appear healthy because they depend heavily on transfers from abroad and money generated by illegal activities. Development of the private sector and foreign investment lag far behind, because of the unfavourable business climate, high political risks, legislation that is out of date or not implemented, weak institutional frameworks, inadequate financial and physical infrastructure, an as yet underdeveloped feeling for marketing and consumer

demand, and serious crime, which often extends beyond national borders. The organisation of the local business sector often leaves much to be desired, with very few well-functioning chambers of commerce. Foreign companies are mostly interested in Croatia and Serbia. Bosnia, Macedonia, Albania and Kosovo are economically less developed, but have close economic relations with neighbouring countries and can therefore benefit from improving growth rates elsewhere in the region.

Within the theme of private sector development, the focus will not only be on joining Europe, but also on further integration of the economies in the Balkans. It is therefore important to support initiatives in the region which may promote development of the private sector and improve the business climate. The Netherlands already supports a number of activities in this area through the bilateral channel. In Bosnia, for example, support is given to the OHR's Bulldozer Initiative, which aims at implementing a number of priority measures to generate an enabling environment, while in Macedonia the provision of microcredits is facilitated. The Foreign Affairs (development cooperation) and Economic Affairs ministries will cooperate closely to further elaborate policy on improving the local business climate and private sector development. They will do this amongst others by addressing focal points of attention identified by the Dutch private sector and seeking economic and development instruments which are better suited to the needs of the region. The economic affairs ministry already has a number of instruments. The Eastern Europe Cooperation Programme in particular provides substantial support. Until 2003, there were specific budgets available for individual countries. Since then, there has been an open procurement procedure, in which the response from the private sector is decisive. The main aims of the programme are to enhance the position of the private sector and to contribute to the transition to a market economy. In 2003, 13 new projects were started, with a joint budget of almost €9 million. A total of 84 projects are currently under way. In addition, almost €4 million was committed in 2003 to support various institutional development projects in the Balkans. Support is also given to microcredit facilities in the region through the Netherlands Development Finance Company (FMO). The Netherlands wishes to strengthen this dimension of private sector development at regional level and will participate in regional initiatives in the context of, for example, the SEECF. The extent to which is it possible or desirable to

apply existing private sector instruments like PESP or ORET/MILIEV more intensively in the region will be examined. The extent to which the CBI (Centre for the Promotion of Imports from Developing Countries) can contribute to enhancing export potential in the countries of the region will also be explored.

4.7. Promoting the rule of law, public safety and military security

Achieving long-term stability and economic development is partly dependent on a well-functioning and solidly embedded rule of law in the various countries. Partly in the light of the requirements imposed by the EU for establishing closer relations, the governments in these countries must have adequate laws and regulations, and the institutions to implement them. Unfortunately, in the Western Balkans, the institutions which should safeguard legal certainty and public safety are often not equipped to perform these tasks. Through the bilateral programmes in the partner countries and programmes like TMF and MATRA, the Netherlands is already contributing to capacity development in this area. Activities supported under the regional approach will have to have added value with respect to these activities and those of other leading donors like the European Commission.

The rule of law and public safety in the various countries of the Western Balkans are under threat from corruption, economic crime, and people trafficking and smuggling. Organised crime transcends national borders. The countries of the region play a pivotal role in human trafficking – after drugs and arms, one of the most popular forms of illegal trade – not only as countries of origin, but also as transit and destination countries. Such extensive cross-border problems are a threat to security in the rest of Europe, including the Netherlands, and demand a regional and even broader international approach. Through the regional Balkan programme, the Netherlands will be able to contribute to capacity development in this area and support a regional approach. In the context of integrated policy on the Western Balkans, there will naturally be close coordination between the various ministries in the Netherlands.

In areas like border management, anti-trafficking measures and regional police cooperation the European Commission and the OSCE are lead donors. The Netherlands has contributed to these areas in a multilateral context, including during

its chairmanship of the OSCE. It is also involved in building up the police apparatus in Bosnia, Kosovo, Macedonia and Serbia and Montenegro. Support for the reform of the security sector (police and armed forces), which is important in establishing the rule of law, can be provided through the recently set up Stability Fund. In the interests of an effective regional programme, there will be ongoing consultation with the ministries involved.

With a large number of war crime suspects still on the loose, many of whom are often involved in criminal activities, the people of the Balkans have a permanent feeling of insecurity. The ICTY is responsible for trying certain categories of war criminals (including 'big fish' like Karadzic, Mladic and Gotovina) but, in accordance with the Completion Strategy, will not be initiating any new investigations after 2004. The intention is that, in the future, the countries in the region try war criminals themselves. To this end, funds have been made available from the development budget (Human Rights Fund) to support the setting up of a War Crimes Chamber in Bosnia. The protection of witnesses is a serious problem, especially in Kosovo. In the context of reconciliation and dealing with the legacy of the war, it is worth examining the scope for supporting activities in this area.

4.8. Military security and the Dutch presence in the region

The security situation in the strategically important Balkan region is stable at the moment but remains fragile. The NATO-led operations Joint Guardian, under which KFOR is stationed in Kosovo, and Joint Forge, under which SFOR falls in Bosnia-Herzegovina, have been indispensable in preserving stability. Improvement in the security situation in recent years presents an opportunity to review these missions. In Macedonia, for example, the EU-led military operation Concordia has been replaced by the EU-led police mission Proxima.

In Bosnia-Herzegovina, the threat of open armed conflict between the different population groups has largely disappeared. The military task, based on the Dayton Peace Agreement, to prevent the resumption of interethnic violence, has become considerably less urgent. In early December 2003, NATO therefore decided to (1) reduce the SFOR force from 12,000 to 7,000 in 2004, and (2) to review its working method. The EU has indicated its willingness to take on responsibility for the

international military presence and NATO has announced that it will withdraw SFOR, probably at the end of 2004. An ESDP mission, using NATO resources and capacity, could be combined with a new, smaller NATO Headquarters to advise the Bosnian authorities. The EU-led security presence will probably also deploy civil instruments, including a significant police component. One potential advantage of an EU-led security presence in Bosnia-Herzegovina is that it could easily link up with the EU's civil instruments, such as the EU Police Mission (EUPM) and the EU Monitoring Mission (EUMM). The EUPM and the EUMM may also need to be reviewed in the light of the new EU-led security presence.

In Kosovo, KFOR's presence continues to be essential. The status question is a major factor in the security situation there. The future of KFOR will therefore depend partly on the progress made in achieving the standards that must be met before the status of Kosovo can be discussed. It is unlikely that the NATO presence can be terminated or reduced until the status question has been settled. The Contact Group's proposal to evaluate progress in Kosovo is welcome. For the time being, the scale of the KFOR presence, currently around 17,500 troops, will not be further reduced, but its working method will be adjusted to suit the present security situation.

The new NATO working method and presence in Bosnia-Herzegovina

Under the new SFOR structure, known as 'Deterrent Presence', NATO units will make a less active contribution to the security situation in Bosnia-Herzegovina. The three multinational brigades will be converted into Multinational Task Forces (MNTFs), each consisting of one battalion. The NATO units will focus on actively gathering intelligence on the security situation in their area of responsibility. The battalions may be deployed if intelligence suggests that tensions may increase or that there is a risk of open hostilities between the various local population groups. SFOR also has a sizeable reserve force outside Bosnia-Herzegovina which can, in exceptional circumstances, be deployed throughout the country.

In the spring, the Multinational Brigade North West, in which the Netherlands, Canada and the United Kingdom participate on an equal footing, will change its name to 'Multinational Task Force North West'. The three battalions in the current brigade will be restructured to form a single battalion under British leadership. The Task

Force will also have a reconnaissance company to gather operational intelligence and a Monitoring, Observation, Surveillance and Targeting (MOST) unit charged with specific intelligence tasks on which the operational plan and the possible deployment of supplementary military resources are based.

These MOST teams, which actively gather information from the Bosnian people, are the most visible part of SFOR. They gather information on the security situation in their area of deployment. They also maintain contact with international organisations. This provides SFOR with an insight into the social, political, economic and military security structures. Each MOST team consists of eight military personnel. The majority of MOST teams are not located at regular military bases but in communities, where they are closer to the local people. In addition, there are sector teams, whose task is to perform MOST activities at a higher level. In the Muslim-Croatian Federation this is at canton level and in the Serb Republic at government level. The sector teams are also responsible for the operational and administrative management of a number of MOST teams. A sector team consists of 18 military personnel. In the area of responsibility of the Multinational Task Force North West, there are expected to be 12 MOST teams and four MOST sector teams. The operational plan is comparable to the successful working method of the Field Liaison Teams during the NATO-led operation Amber Fox in Macedonia.

The new structure will be introduced as of 20 February, partly by making use of the troops already present. The transition to the new structure is expected to be completed by 1 April. In the Dutch sector, the transition means that the bases in Novi Travnik, Suica, Jaice and Split will be closed.

The consequences for the Dutch contribution to SFOR

Under the new concept, SFOR can be reduced in strength this spring from 12,000 to 7,000 troops. This means that, from April 2004, the Dutch military presence will be reduced from almost 1,050 to around 530. The Dutch contribution to the MNTF will then consist of two MOST sector teams and four MOST teams. The Netherlands will also provide the first commander of the MOST component, for a period of a year. In addition, the Netherlands will supply a company in the British battalion, troops for the unit gathering specific intelligence, personnel for the SFOR HQ in Sarajevo and the

MNTF North West HQ in Banja Luka, a communications groups, a detachment of the Royal Military Police for the multinational police unit in the Task Force, medical capacity and a national Support Element. The British military contribution will remain at approximately the same level. Because the United Kingdom supplies the lion's share of the military personnel, the rotating command system for the MNTF-NW will be stopped and the UK will take permanent command.

Partly in the light of the modification of the operational plan, Slovakia has decided to withdraw its transport helicopter from SFOR. Cooperation with the Slovakian helicopter unit, which was stationed at the Dutch base in Bugojno, came to an end in mid-December 2003. There are still a number of shortfalls in the military resources the MNTF-NW command needs to execute the new operational plan. The Dutch Cougar helicopters which are at the disposal of the current multinational brigade for medical evacuation (MEDEVAC) purposes, will be withdrawn in June 2004. Ways of making up for this shortfall are being explored by using MEDEVAC helicopters from the other task forces more efficiently. Moreover, not all the necessary MOST teams, as specified in the MNTF-NW operational plan, have been pledged. The UK is negotiating with potential new partner countries for MNTF-NW, including Sweden and Austria.

As mentioned on previous occasions, the Netherlands periodically places an Orion at the disposal of the Bosnia and Kosovo Air Component (BKAC), the NATO air mission in support of military operations on the ground. A Dutch P-3C Orion maritime patrol aircraft will be deployed between February and May 2004. It will be used for periods of two weeks at a time and will be based at Sigonella airfield in Sicily. The aircraft performs observation and reconnaissance missions for NATO missions in the Balkans. In 2003, the Dutch P-3C flew a total of 197.5 hours for BKAC.

In the new structure, the Netherlands will continue to work with Bulgarian and Romanian forces. Bulgaria supplies one of the three infantry platoons in the Dutch company. This platoon operates on an equal footing with the two Dutch platoons. The Dutch contingent's transport tasks are partly performed by a Romanian transport unit. The government is of the opinion that other countries which will be joining NATO and the EU in the near future should consider taking part in the stabilisation forces in

the Western Balkans. The Netherlands will assess a potential contribution to the EU-led operation separately.

The military presence in Bosnia-Herzegovina is expected to become less important as the pace at which the security situation improves increases and as the countries in the region establish closer relations with NATO and the EU.

4.9. Review per country

Albania

- Closer relations with the EU and NATO

Albania is negotiating a Stabilisation and Association Agreement, but implementation of EU standards, especially relating to the fight against organised crime and corruption, has proven to be problematic. As for other countries in region, Albania itself will determine the speed of the process of establishing closer relations with the EU. Albania is a partner in the NATO Partnership for Peace (PfP) and hopes to be invited to join the alliance in the near future.

Partly as a result of the agreements with NATO and the assistance provided under the Membership Action Plan (MAP), the Albanian defence ministry is the most stable government institution in the country. However, NATO has also stated that a greater effort is still needed to reform the security services and bring them under civil control.

- Bilateral programme

Albania is one of the poorest countries in Europe. Poverty is rife, especially in the rural north. Infrastructure, the health care system, the level of education and the state of the environment are seriously neglected. To achieve the transformation from a developing country to a genuine potential EU candidate state, Albania must make a serious effort to move forward. It has already set out on the road to reform. The immature political culture, insufficient administrative capacity and unstable rule of law – and the resulting unfavourable business climate – still present significant obstacles. The Dutch bilateral development programme, in which good governance is the major theme, focuses on these problems. Specific attention is paid to strengthening institutional capacity, supporting the decentralisation process and encouraging civil

participation (strengthening civil society). In the coming period, special efforts will be made to seek ways in which Dutch assistance can be deployed to improve the business climate (economic governance).

Since 2003, there has also been a special focus on the environment sector. Albania has a substantial legacy of environmental degradation, dating back to the heavy industry of the communist period. The fact that the Albanian government has, as yet, been unable to respond adequately to these problems is largely because of institutional weakness in the face of a multiplicity of priorities. In line with the general focus on good governance, efforts in this sector are therefore focused on strengthening government capacity (supporting the environment ministry) and supporting local environmental initiatives and non-governmental organisations. At present, the volume of the programme is still modest. Finally, the Eastern Europe Cooperation Programme (PSO) is also active in Albania.

Bosnia-Herzegovina

- Closer relations with the EU and NATO

Bosnia-Herzegovina is also hoping to join the Euro-Atlantic structures as soon as possible. Under the leadership of High Representative Paddy Ashdown, the international community and the Bosnian authorities are working on transforming Bosnia-Herzegovina into a viable state with a European perspective. The Netherlands participates as an observer with speaking rights on the Steering Board of the Peace Implementation Council, which gives guidance to the High Representative in performing his tasks. The still weak government apparatus and the frequent reluctance of the Bosnian authorities to take up reforms are among the main problems. The provisions of the Dayton Agreement, which created a Bosnian state with a complex division of power along ethnic lines with restricted authority at central level, also often present an obstacle. Lord Ashdown's mandate was recently extended to May 2005: after that, transferring his tasks to an EU-led mission is a plausible scenario. For the Netherlands an important basic principle is that the Bosnian authorities increasingly take responsibility themselves for the reform process. A future EU mission would then ideally operate without the 'Bonn powers', under which the High Representative has far-reaching authority to intervene in the governance of Bosnia-Herzegovina.

In December 2003, the European Commission published a feasibility study listing 16 areas in which substantial progress must be made before negotiations can start on an SAA. These include better implementation of legislation, more effective governance and the implementation of economic reforms. In June 2004, the Commission will assess whether Bosnia-Herzegovina has made sufficient progress to start the negotiations.

Bosnia-Herzegovina has indicated that it would like to join NATO's Partnership for Peace. Here, too, cooperation with the ICTY is one of the components. The country has made good progress in reforming the armed forces and the security services. These changes have the ultimate aim of creating a single national army for Bosnia-Herzegovina, incorporating the armed forces of both the Muslim-Croat Federation and the Republika Srpska. In this connection, the parliament decided last year to take steps to form a single Ministry of Defence for the country as a whole.

- **Bilateral programme**

In the past, Dutch bilateral development efforts focused on supporting the return of refugees and displaced persons to their original places of residence. In recent years, increasing attention has also been given to good governance. Here, the focus is on strengthening state institutions (capacity development) in relation to the entities and development of civil society. An important focus in the bilateral programme is in and around Srebrenica. Activities include assistance for people who cannot or do not want to return to the area. Despite a stable macroeconomic climate the Bosnian economy is not in a sound state. It is therefore crucial for stability in the country that there is economic development in the short term. As of 2004, the Dutch programme will devote more attention to activities in the fields of economic good governance and private sector development. Bosnia-Herzegovina receives special attention as a member of the Dutch constituency at the World Bank and the IMF. The Eastern Europe Cooperation Programme (PSO) is also active in Bosnia.

Macedonia

- **Closer relations with the EU and NATO**

Since the 2001 crisis, the domestic political agenda in Macedonia has been dominated by implementation of the Ohrid Framework Agreement, which is intended

to result in a decentralised and multi-ethnically governed state. Successive NATO and EU missions (Operations Essential Harvest, Amber Fox and Concordia and the Proxima police mission) have made, and continue to make, a significant contribution towards this end. In addition, the EU Special Representative helps to monitor implementation of the provisions of the Ohrid Agreement. Since February 2004, the Special Representative has been Søren Jessen-Petersen from Denmark. Relations between the various political parties are still tense. In addition, there are a number of ethnic splinter groups which try to sabotage the peace process by carrying out attacks. These groups enjoy almost no popular support. Macedonia has indicated that it will be submitting an application for EU membership at the end of February. It hopes that this will generate sufficient domestic political support for the radical changes required by the Ohrid Agreement.

Macedonia is a partner in the NATO Partnership for Peace (PfP) and hopes to be invited to join the alliance in the near future. Before that can occur the country must implement reforms in the security sector. The Macedonian government has drafted a reform programme, which must now be approved by the parliament. NATO supports these efforts through cooperation in the Membership Action Plan (MAP).

- Bilateral programme

Although Macedonia has made good progress in the area of macroeconomic stability, there is still much to be done, especially in the field of reform of the government apparatus and improvement of the socioeconomic situation. The most important components of the Ohrid Framework Agreement also have to be implemented, especially in the area of decentralisation. For the Macedonian government, partly with a view to the expected application for EU membership, this has very high priority. Other important aims of the Macedonian government are to strengthen the rule of law, and to achieve economic growth and reforms in education and health care. The Dutch bilateral programme is contributing to these goals. In addition to a programme on basic education – which will be expanded in the coming period – good governance, public finance management and private sector development have been core components of the programme since 2003. Specific attention is given to supporting the decentralisation process and implementation of the Framework Agreement. In the field of private sector development a large

microcredit project for small entrepreneurs has recently started. Both core components will be further elaborated in the coming period. Macedonia receives special attention as a member of the Dutch constituency at the World Bank and the IMF. The Eastern Europe Cooperation Programme (PSO) is also active in Macedonia.

Croatia

- Closer relations with the EU and NATO

In Croatia, the parliamentary elections of 23 November 2003 resulted in a clear victory for the opposition HDZ party. The new coalition government, led by Ivo Sanader, took office in December. Like his predecessor, Prime Minister Sanader has pledged to strive for EU membership, and the first indications of the government's actions to achieve this goal are positive. Croatia has signed an SAA and applied for EU membership. It hopes to join the EU in 2007. The extent to which Croatia meets the political and economic criteria, including cooperating with the ICTY, will have to be assessed in the coming period. Like the UK, the Netherlands has suspended ratification of the SAA with Croatia in response to insufficient cooperation on the part of the Croatian authorities with the ICTY. The European Commission has made clear that the Dutch and British positions will be taken into account in its *avis* on the Croatian application for EU membership, due to be published in the spring of 2004. If the *avis* is positive and the European Council grants Croatia the status of candidate country, the first contacts with the country on the process towards full membership are likely to be made during the Dutch EU presidency.

Croatia is a partner in the NATO Partnership for Peace (PfP) and hopes to be invited to join the alliance in the near future. Developments in that direction are positive, but the country still has to implement a number of reforms in the security sector. NATO supports these efforts through targeted assistance in the context of the Membership Action Plan (MAP). Croatia and NATO have agreed on a timepath, requirements and conditions that the country has to comply with before it can become eligible for actual membership of the alliance. One condition is cooperation with the ICTY.

- MATRA and PSO

Croatia – which is also a member of the Dutch constituency at the World Bank and the IMF – is not eligible for Dutch development assistance, but does receive support through the MATRA and PSO programmes and is eligible for support for non-ODA constituency countries.

Serbia and Montenegro/Kosovo

- Closer relations with the EU and NATO

In Serbia and Montenegro reform oriented forces are still having to deal with the political and economic legacy of the Milosevic era. This presents a significant obstacle to the implementation of the necessary reforms. In addition, Serbia and Montenegro still has the largest refugee population in Europe (more than 500,000 people, including a large number of displaced persons from Kosovo).

The murder of the Serb prime minister Zoran Djindjic in March 2003 resulted in a serious political crisis in the country. Political wrangling led to the fall of the subsequent government of Zoran Zivkovic, and in the parliamentary elections of 28 December 2003 the extreme-nationalist SRS party emerged as the largest party. Relations with neighbouring countries have improved significantly and ties with Montenegro were formalised in the new state union of Serbia and Montenegro. Time will tell whether the young state will be able to survive. Another hot issue in Serbian politics is the definitive status of Kosovo. This spring the European Commission is expected to publish a feasibility study on starting negotiations with Serbia and Montenegro on an SAA.

Serbia and Montenegro has indicated that it wishes to be considered for membership of the PfP. Although NATO is of the opinion that considerable results have been achieved in the reform process, membership of PfP will depend on cooperation with the ICTY.

- Cooperation on defence/MATRA and PSO

During his visit to Belgrade on 5 November, the Dutch Minister of Defence signed a Declaration of Intent with the then defence minister Boris Tadic. This document provides a framework for bilateral military cooperation with Serbia and Montenegro. The Netherlands' willingness to cooperate with Serbia and Montenegro on military activities is an indication of our confidence in the development of the security

structures in the country. Partly with a view to the formation of a new government coalition, the international community will continue to follow these important developments with a critical eye. Over the past few years, steps have been taken to reduce the size of the Serbian and Montenegrin armed forces and make them more professional. A process is under way to improve civil control of the armed forces. A small-scale bilateral military cooperation programme has been agreed for 2004, which entails the provision of courses for Serbian and Montenegrin military personnel. In addition, there is an agreement to exchange information on crisis management operations. A military delegation from Belgrade recently visited the Ministry of Defence, where they had talks on the planning, preparation and implementation of a political and military crisis management operation, and cooperation with other countries in a military operation.

MATRA and PSO are active in Serbia and Montenegro, which is not a partner country. MATRA activities are restricted to 'classical' support to strengthen civil society and local government.

Kosovo

In Kosovo, which – on the basis of Security Council Resolution 1244 – has been under UN control (UNMIK) since 1999, the Albanian-Kosovar majority is striving for independence in the short term. On 12 December 2003, the 'Standards for Kosovo' were approved by the UN Security Council. Shortly before that, in October 2003, the dialogue between Belgrade and Pristina on a selected number of issues (including the return of minorities) formally started. In mid-2005, or earlier if possible, progress made in implementing the standards will be assessed on the basis of a working plan drafted by the UN Special Representative to Kosovo, Harri Holkeri. If sufficient progress has been made, the question of Kosovo's final status can be discussed. The Netherlands emphasises the importance of the standards process because it provides clarity on the conditions to be met before the status question can be addressed. Perhaps more importantly, it also means that the process can be kept under control in the runup to the talks on the status question. Especially through the Contact Group, the international community is involved in the search for a permanent solution to the Kosovo status question. Partly at the Netherlands' request, proposals

are being drawn up within the EU calling for greater EU involvement in the Kosovo issue.

4.10. Multilateral fora

The regional context lies at the heart of the Netherlands' strategy regarding developments in the Balkans in multilateral fora like the EU, UN and OSCE. This means in the first instance that the Netherlands seeks to participate in regional initiatives developed by these organisations themselves. This includes, for example, taking part in the activities of UN agencies in the field of long-term provisions for refugees and in the regional component of the EU's Stabilisation and Association Process. In addition, where possible in consultation with its partners, the Netherlands will call for the closest possible cooperation between the various organisations. This will not only avoid overlap in activities in the region, but will enable the different programmes to complement each other and where possible strengthen each other's civil society and local government.

Abbreviations

AEV	'Mutual interests, mutual responsibilities' policy document
BKAC	Bosnia Kosovo Air Component
CARDS	Community Assistance for Reconstruction, Democratisation and Stabilisation (EU aid programme for the Western Balkans)
CBI	Centre for the Promotion of Imports from Developing Countries
EU	European Union
EUMM	European Union Monitoring Mission
EUPM	European Police Mission
FMO	Netherlands Development Finance Company
ICTY	International Criminal Tribunal for Yugoslavia
IOM	International Organisation for Migration
KFOR	Kosovo Force
MAP	Membership Action Plan
MARRI	Migration, Asylum, Return Regional Initiative
MATRA	Social Transformation Programme
MEDEVAC	Medical Evacuation
MILIEV	Environment and Economic Self-Sufficiency Programme
MNTF	Multinational Task Force
MOST	Monitoring, Observation, Surveillance and Targeting
NATO	North Atlantic Treaty Organisation
ODA	Official Development Assistance
OHR	Office of the High Representative (Bosnia)
ORET	Development-related Export Transactions Programme
OSCE	Organisation for Security and Cooperation in Europe
PESP	Economic Cooperation Projects Programme
PfP	NATO Partnership for Peace programme
PSO	Eastern Europe Cooperation Programme (Ministry of Economic Affairs)
REReP	Regional Environmental Reconstruction Programme for South-eastern Europe
SAA	Stabilisation and Association Agreement

SAP	EU Stabilisation and Association Process
SEECF	South-East European Cooperation Process
SFOR	Stabilisation Force
SFRY	Socialist Federal Republic of Yugoslavia
TMF	Theme-based Cofinancing
UN	United Nations
UNMIK	United Nations Interim Administration Mission in Kosovo