

CSIS-EKEM POLICY REPORT

Assessing Human Security in the Western Balkans



ABOUT THE PROJECT

The CSIS-EKEM project is designed to provide concrete and focused policy recommendations for a consequential U.S.-Greek policy approach toward the Western Balkan countries. With this goal in view CSIS and EKEM established a joint Task Force in November 2009, consisting of two Working Groups – one based in Washington, D.C. and the other in Athens. The Task Force assembles policy experts in both countries who formulate policy recommendations on a number of important topics for the West Balkan region.

Center for Strategic and International Studies (CSIS)

1800 K Street, NW
Washington, D.C. 20006
Phone: 202.887.0200

Hellenic Centre for European Studies (EKEM)

4, Xenofontos Street
Syntagma, 105 57 Athens, Greece
Phone: +30-210-32-15-549

Policy Report Four

Assessing Human Security in the Western Balkans

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The West Balkan region consists of Albania and the former states of Yugoslavia (Bosnia-Herzegovina, Croatia, the former Yugoslav Republic of Macedonia/FYROM, Montenegro, Serbia, and Kosovo). Kosovo declared independence from Serbia in February 2008. To this date it has been recognized by 70 states, including the United States. Five EU member states, including Greece, have not recognized Kosovo's independence.

Since the signing of the Dayton Peace Accords in 1995 and the NATO air campaign against Yugoslavia in 1999, the countries of the Western Balkans have faced a new challenge of promoting human security. Human security was first defined by former Special Advisor to the United Nations Development Program Administrator, Dr. Mahbub ul Haq, as encompassing seven basic needs: economic security, food security, health security, environmental security, personal security, community security, and political security. Under the rubric of human security, this paper assesses the challenges of displacement, discrimination, poverty, health standards, and environmental protection.

The effects of the wars of the 1990s still linger in the Western Balkans, especially in the areas of statelessness, displaced persons, and returnees. European officials have expressed concern over ethnic and religious discrimination, homophobia, women's rights, and hate crimes. The Roma community alone presents a tremendous challenge. A significant portion of the population of the Western Balkans lives below the poverty line. Access to healthcare is uneven, health and safety standards remain unimplemented, and responses to global flu outbreaks have been insufficient. Finally, initiatives to preserve air and water quality, combat climate change, and protect the environment have been sluggish.

While challenges in the area of human security remain, the countries of the Western Balkans have made considerable progress since the war's end. The European Union (EU) has recognized Croatia and FYROM as candidate countries and Albania, Bosnia-Herzegovina, Kosovo, Montenegro, and Serbia as potential candidates. In order to proceed down the path of European integration, these countries must adopt the *acquis communautaire*, which delineates the total accumulation of EU laws and standards. Reforms must be made to align the laws of the Western Balkans with those of the EU, as well as to provide for human security. As the governments and populations work

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toward EU integration, standards in the area of human security will follow.

Challenges and Opportunities

While there is still much more to tackle, the states of the Western Balkans have made progress in many areas since the wars of the 1990s. The drive toward EU membership has pushed the region's governments to align laws with European standards in the areas of discrimination, health, and the environment. In each challenge that the region faces, progress is visible.

Displacement: Every state in the region, save for Kosovo, is party to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees. Additionally, all the governments of the Western Balkans cooperate with the EU and the Office of the UN High Commissioner for Refugees (UNHCR) in providing protection and assistance to all persons of concern. Displacement became a serious issue in the Western Balkans after millions of refugees and Internally Displaced Persons (IDPs) were littered across the region (the majority in Bosnia-Herzegovina, Kosovo, and Serbia) as a result of the wars in the 1990s, the 2001 internal strife in FYROM, and the numerous conflicts in Kosovo in the 2000s. According to the UN Refugee Agency (UNHCR), as of January 2009 there were 132,071 refugees and 352,905 IDPs remaining in the Western Balkans.

Displaced persons in the region face a myriad of problems, including gaining access to social services, transferring civil registration, and obtaining permanent residence status. Many refugees and members of the Roma community lack essential documentation and official registration in the community in which they reside; they have no access to government services and no likelihood of property repossession. There are several factors which inhibit individuals from returning to their pre-war residences, including not having the required documentation (birth and land certificates) and the inability to pay the high fees for obtaining such documents. In addition, refugees, IDPs, and returnees are typically from ethnic minority groups and are discriminated on the grounds of registration, education, healthcare, social welfare, and land restitution. The governments of the Western Balkans acknowledge these hardships and have launched major campaigns to help these populations overcome such difficulties.



For example, in tandem with the World Bank, the government of Croatia began implementing a EUR 60 million social and economic recovery project in 2008 to help combat hardships faced by IDPs and refugees. Kosovo and Serbia have also given special financial support to the appropriate agencies to assist such persons. Montenegro, too, adopted a mechanism for assisting displaced persons and resolving issues of their status in order to meet the prerequisites to join the visa-free zone of the European Union.

The UNHCR reported 29,781 stateless persons in the Western Balkans as of January 2009. The primary cause of statelessness is the absence of personal identification. This is prevalent among the Roma community. The process of systematically identifying, documenting, and registering such people is lacking, especially in Montenegro where no such procedure exists.

Despite the fact that forced exile is prohibited by law in every West Balkan state, the governments did not enforce it. Freedom of movement within southeastern Europe, as well as foreign travel, emigration, and repatriation are all provided for by law; however, ethnic and religious tension cause real security concerns which limit freedom of movement, in practice.

Discrimination: Ethnic and religious violence against minorities has been a consistent problem in the Western

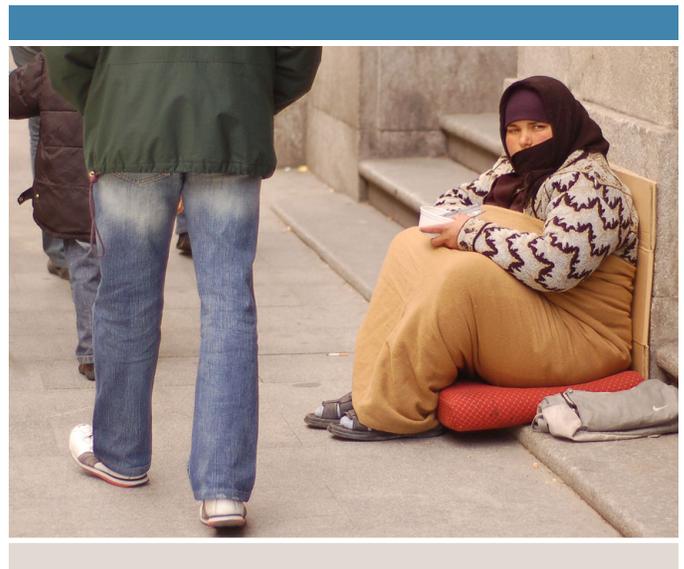
Balkans despite the fact that such discrimination is prohibited by law. Since Kosovo's declaration of independence in 2008, the Serb minority in Kosovo has faced serious security concerns including infringements on the guaranteed freedoms of worship and movement. Equal representation among ethnic groups is also of concern; in Croatian war crime proceedings there have been many instances of over- and under-prosecution on the grounds of ethnicity. In addition, there is unequal representation in the FYROM police force between ethnic Macedonians and ethnic Albanians. While there have also been recent insurrections in the region—2001 in FYROM and 2008 in Kosovo—governments have committed much effort to overcoming these difficulties. On 25 July 2008, FYROM adopted a new language law which recognizes the languages of ethnic minorities, opening doors to primary and secondary education in the languages of the country's minority populations.

The LGBT (lesbian, gay, bisexual, and transgender) community in the Western Balkans has faced many setbacks, but has also revealed in outstanding successes which contribute to the fight against overcoming homophobia and social prejudices. The recent surge of interest in joining the EU has resulted in the adoption of several all-encompassing anti-discrimination bills across the Western Balkans. Most recently, on 4 February 2010, the Albanian Parliament approved a groundbreaking anti-discrimination bill which guarantees protection on all grounds, including sexual orientation and gender identity. Every other country of the region, with the exceptions of FYROM and Montenegro, has already passed laws that prohibit discrimination on the grounds of sexual orientation. Such anti-discrimination legislation was rejected in FYROM in 2010 and a draft law has been prepared in Montenegro, but no further action has been taken (Montenegro is the only country in Europe which does not have an LGBT organization). Despite legal protections, discrimination of homosexuals has persisted and, in many instances, has been overlooked by authorities. The first ever LGBT festival in Bosnia-Herzegovina in September 2008 was cancelled after celebrations were met by violent attacks injuring eight persons. In Serbia, the 2009 Belgrade Pride parade was also cancelled after the government refused to provide protection for the participants. During the 2010 Pride parade serious violence by ultra-nationalist groups took place, despite the fact that top government officials, including Serbian President Boris Tadic and both the Human and Minority Rights Ministry and Interior Ministry, pledged their support to the event. Zagreb Pride, on the other hand, has been the most successful gay pride

parade in Southeast Europe. The June 2010 event marked the ninth consecutive successful parade (the first parade was held in 2002).

The fight against Roma discrimination has made significant progress in recent years. The Roma have always been the most vulnerable minority in Southeast Europe and have continually suffered from verbal and physical harassment, police brutality, social bigotry, and lack of access to economic and social rights. However, the European Court of Human Rights (ECHR) has ruled in favor of the Roma in major cases in both Bosnia-Herzegovina and Croatia. In Bosnia-Herzegovina, the ECHR declared that Jews and Roma cannot be excluded from the Bosnian tripartite Presidency as a result of the case *Sejdic & Finci v. Bosnia and Herzegovina* from December 2009. In addition, all the states of the Western Balkans, except Kosovo, have joined the “Decade of Roma Inclusion 2005-2015” in order to improve the socioeconomic status of Roma. Serbia held the presidency of the initiative in 2008-2009.

Poverty Deprivation: Poverty in Southeast Europe has been steadily declining since the wars of the 1990s. This is a result of intensified effort toward poverty reduction through organizations like the United Nations Development Program (UNDP). Despite significant progress, a considerable number of people in the region continue to live below the poverty line. Albania and Bosnia-Herzegovina have the highest percentage of people living in poverty. A larger number of the West Balkan population is poor and vulnerable to falling below the poverty line – youth, women, and the elderly being



the most vulnerable. Unemployment and lack of education are the primary causes of poverty. Poverty rates are often lopsided in certain regions, for instance in the northeast region of FYROM, in the central region of Serbia, and, generally, in rural areas when compared to urban areas. Persistent efforts are being undertaken by many governmental and non-government organizations. For instance, UNDP Albania focuses its efforts on poverty reduction and combating inequality; it also supports the establishment of an Albanian Poverty Reduction Strategy and the creation of a medium-term budget program. Other success stories in the Western Balkans include Serbia. The Serbian Poverty Reduction Strategy continues to help persons away from the brink of absolute poverty while assisting those communities in Serbia that are most at risk: the Roma population, IDPs, and some pensioners.

Roma Community: According to the Roma Council of Bosnia-Herzegovina, poverty is a main factor contributing to the 65 percent of Romani children who did not attend school regularly in 2009. Verbal harassment and language barriers have contributed to the cycle of poverty. In FYROM, 73 percent of Roma are unemployed and two-thirds of Roma households live below the poverty line. Typically, they have the lowest incomes and highest mortality, unemployment, and poverty rates of any community in Southeast Europe, but in recent years, new light has been shed on these issues attracting the attention of an international audience. The states of the Western Balkans, excluding Kosovo, have dedicated themselves to raising the socioeconomic status of the Roma communities and reducing societal stigmatism by joining the “Decade of Roma Inclusion 2005-2015” initiative.

Health: Reforming the healthcare sector remains the most significant health challenge in the Western Balkans. Health systems across the region lack adequate administrative capacities and essential legislation, as well as face major budgetary constraints. Croatia has made the most progress in health sector reforms, including adopting a National Program for Occupational Health and Safety 2009-2013 that enforces health and safety standards. The region, however, continues to face many obstacles. Healthcare systems do not satisfy the needs of the populations. Kosovo, in particular, has no law on health insurance nor does it have a health insurance fund. Further, the absence of documentation for refugees, internally displaced persons, and Roma prevent these communities from gaining access to social insurance, healthcare, and other social services. Many industries also

do not meet and have not implemented health and safety standards in the workplace. Nevertheless, serious efforts are being undertaken to counter these discrepancies.

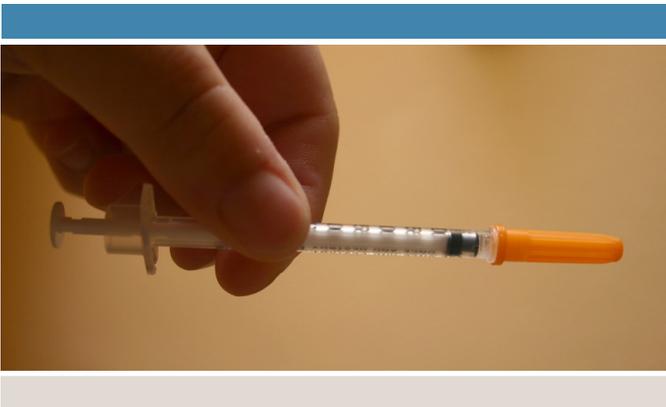
As a whole, the region is working toward achieving the same successes as Croatia. Kosovo amended its Law on Health in December 2008 decentralizing many medical services, and the finalization of the health sector strategy 2009-2014 is underway. The FYROM Law on Health Insurance was amended in May 2009 opening up access to social insurance to all citizens. Montenegro recently adopted several new laws on emergencies, health inspection, drug abuse, health-related databases, and also a strategy on fighting chronic non-contagious diseases and managing medical waste. Several Serbian laws on public health were adopted, reforms of primary healthcare were enacted, and health awareness campaigns were launched.



HIV/AIDS remains a significant problem in the Western Balkans. Government statistics on the number of cases are often skewed since awareness is low and social stigmas are high. At the end of 2009 there were 156 officially registered cases of HIV/AIDS in Bosnia-Herzegovina, but the NGO XY-Association for Sexual and Reproductive Health estimated a much higher number of cases at 600. The same is true in Serbia where there were 2,300 registered cases in April 2009 but the actual number was estimated to be higher. Formally, under 0.1 percent of the population of the Western Balkans is reported to have HIV/AIDS. This rate is much lower than the EU average due to insufficient reporting.

Discrimination against persons with HIV/AIDS is also of growing concern. The Croatian Association for HIV has reported cases where patients with HIV/AIDS have been denied services because medical practitioners were reluctant to handle them. Despite existing setbacks, there has been progress on the part of the governments of the Western Balkans to recognize and combat this threat. Every country in the region has or is producing a national strategy on HIV/AIDS prevention which includes primary, secondary, and tertiary measures of prevention. These measures range from education, public awareness, and substantive protective measures in medical facilities and among drug users. Most national strategies within the region recognize the issue of respecting and promoting the rights of persons with HIV/AIDS, and are striving towards promoting equal treatment.

The 2009-2010 H1N1 virus spread across the Western Balkans. According to reports issued by the World Health Organization (WHO) in 2010, the H1N1 pandemic is still active in select areas across the globe, including Southeast Europe, and resulted in the deaths of over 180 persons in the region. The response to the flu outbreak in the region was adequate. The Serbian Ministry of Health ordered 3 million swine flu vaccines from WHO weeks before the first case was confirmed in the country on 24 June 2009. After 258 registered cases were confirmed, Serbia declared a swine flu epidemic in the country on 11 November 2009. After being one of the most troubled areas in Europe, the Western Balkans has greatly recovered.



Environment: Adoption of environmental legislation has been required in order to align national policies with those of the EU's *acquis communautaire*. In 2009, every country in the Western Balkans passed new environmental laws and standards. Serbia has been a regional leader in this area, amending its Law on Environmental Impact Assessment and the Law on Environmental Protection

and adopting two laws on Waste Management. Similarly, Croatia adopted a Sustainable Development Strategy and has undertaken efforts to control and reduce pollution. The Montenegrin government also established a national environmental policy which defines national priorities and issues.

Air and water quality, waste management, recycling, and nature protection are among the environmental areas of concern in Southeast Europe. High pollution rates have resulted in poor air quality and shanty sewage infrastructure has contaminated surface waters; this is a result of the lack of national environmental strategies across the region. In Kosovo, for example, there are no water treatment plants; only 70 percent of the population is connected to drinking water networks, and only a third of the population is connected to the sewage system. The main challenge is the lack of government action when it comes to aligning environmental laws with European standards, as well as a lack of administrative capacity, infrastructure, and technology. Nonetheless, progress is visible. In 2009, for example, two new waste water treatment plants were opened in Albania and three more are under construction. Air protection has seen the most success in Serbia with the adoption of the Law on Air Protection and the establishment of a National Ozone Office within the Ministry of the Environment.

Climate change has been an issue of concern in the Western Balkans and many efforts have been undertaken. Croatia adopted a National Allocation Plan for greenhouse gas emissions allowances for the period of 2010-2012. Both FYROM and Serbia have made considerable progress in implementing the clean development mechanism under the Kyoto Protocol. In Montenegro, a national committee for approval of clean development mechanism projects has been established.

Policy Recommendations

Under the umbrella of human security, the West Balkan states are working to overcome current challenges. First and foremost, the region's quest for EU integration serves as a catalyst for reform. The prerequisites presented by the EU's *acquis communautaire* are demanding and overwhelming, and have provided the Western Balkans with a guide to what needs to be accomplished. Further assistance will be needed to help align legislation with European norms and standards.

- Establish a U.S.-Greece Committee on Job Creation in the Western Balkans, led by the United States Vice President's office and the Greek Ministry of Foreign Affairs, to identify and publicize investment projects in important sectors for regional development to help attract foreign investors to the region. The Committee should also include the participation of high-level representatives from other EU member states interested in helping the region, including Italy, Slovenia, Hungary, the Czech Republic, Slovakia, Romania, and Bulgaria.
- Increase international donor-funded educational programs throughout the West Balkan region to address specific human security issues, especially regarding protection from infectious diseases, preservation of the environment, and equal rights.
- The U.S. and individual EU governments should encourage greater coordination among International Financial Institutions to execute public health programs in the Western Balkans, including projects on clean drinking water, waste management, and unrestricted access to primary healthcare. The participation of international volunteer programs should be expanded to support specific initiatives.
- Increase EU twinning capacities in order to assist the West Balkan states with strengthening administrative capacities to be able to comply with EU law.
- Further develop the NGO sector in each West Balkan country to address specific human security concerns, such as equal rights, health safety, and environmental protection. Local organizations should partner with larger international organizations to help serve as a watchdog and ombudsman in the country, as well as to launch grassroots educational campaigns and projects to promote a human security agenda.

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ABOUT CSIS AND EKEM

This policy report of the Center for Strategic and International Studies (CSIS) and the Hellenic Centre for European Studies (EKEM) is designed to provide concrete and focused policy recommendations for a consequential U.S.-Greek policy approach toward the Western Balkan countries. With this goal in view, CSIS and EKEM established a joint Task Force in November 2009, consisting of two Working Groups, one based in Washington, D.C., and the other in Athens. The Task Force assembles policy experts in both countries who will help formulate policy recommendations based on important issues facing the West Balkan region.

The CSIS-EKEM West Balkan initiative is based on two central assumptions. First, that greater cooperation, harmonization, and integration in Southeast Europe in all its dimensions, from transportation and trade to energy and security, is important for the entire region, including current EU members states Greece, Slovenia, Bulgaria, and Romania. Such a process can make a significant contribution to gradually integrating all the West Balkan countries into the European Union and NATO. Inaction, neglect, and insufficient attention by international institutions and key political players could contribute to new problems or even conflicts in the most unstable parts of the region in the years ahead.

Second, both CSIS and EKEM are convinced that a closer partnership between Greece and the United States can move forward the regional integration process. Both Athens and Washington have a stake and an impetus in securing the entire region for the Euro-Atlantic community. For Greece, stabilizing the Western Balkan neighborhood will enhance its own national security and increase opportunities for business investment and

economic development. For the United States, consolidating the region's young democracies and enhancing interstate cooperation would provide a strategic dividend after two decades of substantial U.S. political, economic, and military investment in stabilizing the Southeast European region.

A bilateral effort toward the Western Balkans by the United States and Greece over the coming years can provide added value for regional development. While Washington benefits from its global stature and respect throughout Southeast Europe, Athens possesses regional expertise, extensive multilateral contacts, and a long-term commitment to regional integration. Together, the two states can make a durable contribution while developing their own bilateral connections.