



“SOCIAL INSTITUTIONS SUPPORT PROGRAMME”

SISP(2006)PREPMCFINREP

PREPARATORY MEETING OF THE MINISTERIAL CONFERENCE ON SOCIAL SECURITY CO-ORDINATION IN THE WESTERN BALKANS REGION

**24 January 2006
Hotel Šumadija, Belgrade
Serbia and Montenegro**

FINAL REPORT

Working language: English

1. Opening of the meeting

On behalf of the Serbian authorities, Ms Vesna Piperski - Tucakov, State Secretary, Ministry of Labour, Employment and Social Policy of Serbia welcomed the participants and underlined the importance of the Social Institutions Support Programme (SISP). She also expressed the hope that the meeting will be successful and that it will be a useful experience for the participants. The Programme of the meeting and the final list of participants are set out in Appendix I and II.

In his opening speech, Mr Stefano Valenti, Special Representative to Serbia and Montenegro, Head of the Council of Europe Office in Belgrade, informed the participants about the role of the Council of Europe in the region. He pointed out that with the opening of branch offices in Skopje, Belgrade, Podgorica, Priština and Tirana, the Council of Europe is now closer to the real issues in the field. He reminded the participants that the SISP countries are already members of the Council of Europe, but more will be expected from them in the process of accession to membership of the European Union.

Mr Sixto Molina, SISP Programme Manager, DG III Social Policy Department, Strasbourg, thanked the authorities of the Republic of Serbia and Montenegro for hosting this Preparatory Meeting of the Ministerial Conference on Social Security co-ordination in the Western Balkans Region. He expressed the hope that agreement will be reached regarding the wording of the declaration. Mr Molina concluded his speech with a short description of the Social Institutions Support Programme and he invited the participants to submit requests of activities to be undertaken in accordance with the Programme's Action Plan, to support their countries. He also informed them that the programme ends in August 2007 and that it is up to the countries to request further assistance from the EU and/or the Council of Europe if they think follow-up is needed.

Mr Heimo Heringa, SISP Team Leader, Regional Programme Office in Skopje, highlighted some of the activities planned for this year: the second summer school on social security, to be held in Montenegro, training events in each country in the national languages, local libraries, web site and a co-ordination centre to facilitate the exchange of social security information between the countries.

2. Drafting of the Zagreb Declaration

Mr Heringa, co-chair, informed the participants that the remarks that were received in a written form prior the meeting were included in the draft text and invited the participants to put forward any other remarks they may have. The draft text of the declaration discussed during the meeting is referred to in Appendix III.

- **Remark 1, page 2, title**

The Zagreb Declaration

*South-East Europe Conference on
Social Security in South Eastern Europe*

Remark 1, CoE: replace this title by: “Ministerial Conference on Social Security Co-ordination in the Western Balkans Region”.

The revised title was accepted without comments.

- **Remark 2, page 2, first paragraph**

The Delegates to the *South-East Europe Conference on Social Security in South Eastern Europe of Zagreb*, meeting under the chairmanship of Mr./Ms., Minister of of the Republic of Croatia, at his/her invitation, and at the invitation of the Council of Europe and the Commission of the European Union,

Remark 2, CoE: replace the words “South-East Europe Conference on Social Security in South Eastern Europe” by: “Ministerial Conference on Social Security Co-ordination in the Western Balkans Region”.

The change was accepted without comments.

- **Remark 3, page 2, last paragraph**

Recalling the Dubrovnik Pledge on Meeting the Needs of Vulnerable Populations in South East Europe signed by the Ministers of Health of the South Eastern European countries on 2 September 2001 at their first Ministerial forum;

Remark 3, SCG: add, after ...”first Ministerial forum”: the words “and the Skopje Pledge, adopted on the occasion of the Second Health Ministers’ Forum on 26 November 2005”.

The addition was accepted without comments.

- **Remark 4, page 3 , paragraph 3**

We, the Ministers responsible for Social Security issues of Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, and “the Former

Yugoslav Republic of Macedonia”, as well as the *Head of the Economic Administration of UNMIK*¹

- **Remark 4, SCG: omit: ...“as well as the Head of the Economic Administration of UNMIK” (including the footnote).**

The chairman indicated that the delegation of Serbia and Montenegro has drawn attention to the fact that since UNMIK has the status of observer in the programme, there is no need for it to be mentioned in this paragraph.

Mr Miloš Nikač, Senior Adviser to the Director, Republican Fund for Pension and Invalidity Insurance of Self-employed, Serbia, repeated the written remark by stating that UNMIK will be on the same footing as the other observers and that for him this remark concerns not a political but a practical issue.

Mr Molina informed the participants that Moldova, Bulgaria and Romania will also be observers on the Ministerial conference, and that the International Labour Organisation and the Stability Pact have already confirmed their presence at the conference in Zagreb, 24 March 2006. He explained that with this declaration, the countries signatories are only showing their intent and do not assume any obligation to do anything specific. The observers are mere witnesses and they have no responsibilities whatsoever.

- **Remark 5 & 6, page 3 , same paragraph (3)**

We, the Ministers responsible for Social Security issues of Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, and “*the Former Yugoslav Republic of Macedonia*”, as well as the Head of the Economic Administration of UNMIK¹

Remark 5, MK: “The Declaration is a document to be signed and applied by the contracting countries. Having in mind that all the signatory countries of the Declaration except Albania have recognized Republic of Macedonia under its constitutional name Republic of Macedonia, we are insisting on using “Republic of Macedonia” instead of the reference “The former Yugoslav Republic of Macedonia” in the document.

We are reminding you that all Declarations and documents in the framework of the CARDS projects are signed under the constitutional name “Republic of Macedonia”.

Remark 6, CoE: replace all the words, starting with ...“Albania”, until and including “UNMIK”, by: “the countries of the Western Balkans Region”, and omit the footnote.

¹ Associated to this process according to Security Council Resolution no. 1244, on Kosovo

Taking into account the requests of the two delegations, Mr Heringa proposed the following: instead of naming each of the countries, to refer to all of them as “Western Balkans Region”, and at the end of the declaration to add the flags of the countries next to the names of the signatories. He informed the participants that the Directorate General of Political Affairs (DGAP) of the Council of Europe is looking for other drafting solutions acceptable for the countries represented at the meeting. He informed the participants that the Macedonian authorities shall send a written request to the Director General of DG III, respectively the Secretary General of the CoE to use the constitutional name of the country in documents emanating from the SISP programme, as well as in other documents. He indicated to the participants that in some documents published under the auspices of the European Commission the constitutional name is mentioned, with a footnote indicating that the EU refers to the country by the provisional name under which the country was accepted as a member of the United Nations: “The former Yugoslav Republic of Macedonia”.

The Head of the Macedonian delegation, Mr Aco Janevski, State Secretary, Ministry of Labour and Social Policy, expressed his gratitude to the Council of Europe for supporting the country and the region, especially to the CARDS Social Institutions Support Programme. However, he informed the participants that his Minister will never sign this, or any other, declaration under the reference “FYROM”.

Mr Molina asked the participants whether the option “Western Balkans Region” is acceptable until further instructions from DGAP are received. All the participants will receive information in writing about possible alternative solutions.

Mr Andi Nano, Legal Counsellor, Health Insurance Institute, Albania stated that the Albanian delegation does not have the authority to decide about the name to be used during this meeting and that his Government will send their comments in a written form.

Mr Šefik Rizvanović, Adviser to the Minister, Ministry of Civil Affairs of Bosnia and Herzegovina, accepted the provisional idea of using the term “Western Balkans Region” but underlined that he strongly supports the request of the Macedonian delegation to be referred to under its constitutional name.

Ms Vera Babić, State Secretary, Ministry of Economy, Labour and Entrepreneurship, Croatia, appreciated the effort to find a solution for the problem with the name but she stated that the term “Western Balkans Region” and the proposal to have flags next to the signatories are not acceptable to her Government. She encouraged the Council of Europe to find a way to include the name “Republic of Macedonia” in the Declaration, if necessary with a footnote.

Ms Slobodanka Krivokapić, Deputy Minister, Ministry of Health, Montenegro, stated that further political consultation is needed before her Country expresses its opinion regarding this matter.

Mr Nikač stated that the Serbian delegation has nothing against using the words “Republic of Macedonia” since the two countries already have a bilateral Agreement on social security referring to the country by its’ constitutional name. Regarding the flags, Mr Nikač reminded the participants that Serbia has one flag, Montenegro another and that there is a third flag for Serbia and Montenegro.

Mr Molina concluded the discussion of this issue by stating that this matter has to be negotiated on a very high level. It is to be seen whether the constitutional name with a footnote can be used in this kind of text, but until the UN accept the constitutional name, the Council of Europe will be under the official obligation to use the provisional reference “The former Yugoslav Republic of Macedonia”.

Mr Janevski thanked the participants for their support and expressed his Government’s firm intention to continue the co-operation with the Social Institutions Support Programme.

- **Additional Remark I, Croatia, page 3 , paragraph 10**

“the need for further improvements in the *existing* network of *bilateral and multilateral* agreements on social security issues in our region;

Ms Babić remarked that there is no multilateral agreement in existence between the countries of the region. Moreover, she informed the participants that Croatia has other priorities concerning the EU, so - for her Country - the creation of new regional multilateral agreements is not a priority. If the terms “multilateral” and “bilateral” are omitted, then the sentence is acceptable.

Mr Rizvanović’s opinion was to keep the terms “multilateral” and “bilateral” in the declaration since there is a network of bilateral agreements in place between most of the signatory countries.

Mr Nano agreed with Mr Rizvanović because besides working together, the sentence leaves space for bilateral co-operation. He reminded the participants to keep the goal of the declaration in mind and to be careful not to change the goal if the wording is changed.

Mr Molina proposed to use the term “existing agreements” that will leave it to the countries to decide whether they want to sign any additional multilateral or bilateral agreement(s). This way, the idea behind the Declaration will not be changed and it will be left to the states in which way they want to improve their co-operation.

Ms Krivokapić emphasised that improvement of regional co-operation is the most important, whether that is done by multilateral or bilateral means is of secondary importance.

Mr Nikač proposed to rephrase the sentence by omitting the word “*existing*”: “the need for further improvements in the co-ordination of social security through the network of bilateral and/or multilateral agreements”

- **Additional Remark II, Croatia, page 4 , paragraph 7**

“to work together for a continuous improvement of the social security rights of our citizens in the entire *Balkan* region and in the rest of Europe;

Ms Babić proposed to omit the term “Balkan” (as it is in the paragraph 10: “to cooperate so as to facilitate our citizens’ access to social security rights in the *entire region*, paying particular attention to the needs of vulnerable groups).

It was agreed to omit the term “Balkan” since it is clear to which region the paragraph refers.

- **Remark 7, page 5 , first paragraph**

“We look, in particular, to the European Union and the Council of Europe for strategic guidance and support in our efforts to achieve the goals mentioned in this Declaration, and propose to channel such support through *the Social Institutions Support Programme*, mainly funded by the European Union, and co-funded and implemented by the Council of Europe.

Remark 7, MK: replace the words starting with ... “Social Institutions Support Programme”... until and including ...“Council of Europe”, by the words: “the CARDS Programme, respectively any programme to complement and/or succeed the CARDS Programme”.

Mr Janevski explained that the new, proposed formulation has wider meaning. The delegations of Serbia and Montenegro, Croatia and Bosnia and Herzegovina concurred.

Mr Nano proposed to omit the term “CARDS”, because there are also other programmes in the field of social security. His opinion was that this way the declaration is too limited, which is not the goal of the document.

Mr Molina informed the participants that the Legal Department of the CoE will examine the proposal, and agreed that this sentence requires a wider reference.

- **Remark 8, page 5 , signatures**

Remark 8, SCG: since the issues, which are the subject of the draft Declaration, are within the competence of the constituent Republics of the Federation of Serbia and Montenegro, the signatories of the Declaration should be the competent Ministers of the constituent Republics.

No comments regarding this remark.

- **Remark 9, page 5 , signatures**

Remark 9, CoE: provided these parties agree to act as observers, add, as the signatures of observers, the signatures of the competent Ministers of the Republics of Bulgaria, Romania, and Moldova, as well as of the Head of the Economic Administration of UNMIK, with, as a footnote attached to the word UNMIK:

“Associated to this process according to Security Council Resolution no. 1244, on Kosovo”.

- **Additional Remarks III, IV, page 2 , first paragraph**

Mr Nikač indicated that there is a mistake on the second page and that the words “*of Zagreb*” should be replaced by “*in Zagreb*”. He also suggested that the language in which the declaration will be signed has to be mentioned in its text.

3. Closure

Mr Heringa informed the participants that as soon as possible, hopefully within two weeks, they will receive a new draft of the declaration in which the remarks made at this conference, and the observations of the Legal Department will be incorporated. All the participants were requested to give their further remarks no later than the end of February. The next step then is to translate the declaration into the national languages. To enhance the impact of the declaration, and the visibility of the Ministers’ Conference, the SISF Local Project Officers will be requested to timely notify the media in each country.

Mr Molina put forward that in the coming weeks, a decision must be made regarding the speaking time to be allotted to each delegation at the Ministerial conference - for example 15 minutes per country. The intention is to be brief, while assuring that the allotted speaking time is sufficient for each country to express its views regarding the subject of the Conference.

He also pointed out that the third SISP Regional Steering Committee (RSC) meeting will be convened immediately after the conference and therefore the RSC members shall be invited to attend both events.

The chairman concluded the meeting by expressing his gratitude to the participants for their constructive exchange of views, and expressed the hope that, on the basis of the remarks made here, a text acceptable for all the signatory countries can be drafted.

APPENDIX I

PREPARATORY MEETING OF THE MINISTERIAL CONFERENCE ON SOCIAL SECURITY CO-ORDINATION IN THE WESTERN BALKANS REGION

PROGRAMME

MONDAY 23 JANUARY 2006

20:00 Welcoming dinner

TUESDAY 24 JANUARY 2006

09:30 – 09:45 Opening speech by Ms Vesna Piperski -Tucakov, State Secretary, Ministry of Labour, Employment and Social Policy of Serbia and Montenegro

09:45 – 10:00 Opening speech by Mr Stefano Valenti, Special Representative to Serbia and Montenegro, Head of Belgrade Office, Council Of Europe

10:00 – 10:15 Opening speech by Mr Sixto Molina, SISP Programme Manager, DG III - Social Cohesion, Council Of Europe

10:15 – 11:00 Morning session:
Chair: Mr Sixto Molina
Co-Chair: Mr Heimo Heringa, SISP Team Leader

11:00 – 11:30 Coffee break

11:30 – 12:30 Morning session - continuation

12:30 – 14:00 Lunch break

14:00 – 15:30 Afternoon session:
Chair: Mr Sixto Molina
Co-Chair: Mr Heimo Heringa

15:30 – 15:45 Closing remarks by Mr Sixto Molina, SISP Programme Manager, DG III - Social Cohesion, Council Of Europe

15:45 – 16:00 Closing remarks by Ms Vesna Piperski -Tucakov, State Secretary, Ministry of Labour, Employment and Social Policy of Serbia and Montenegro

APPENDIX II

PREPARATORY MEETING OF THE MINISTERIAL CONFERENCE ON SOCIAL SECURITY CO-ORDINATION IN THE WESTERN BALKANS REGION

LIST OF PARTICIPANTS

ALBANIA

Mr Kastriot SULKA

Deputy Minister
Ministry of Labour, Social Affairs and Equal Opportunities

Mr Astrit KUKA

Director of the Department of Wages and Pensions
Ministry of Labour, Social Affairs and Equal Opportunities

Mr Andi NANO

Legal Counselor
Health Insurance Institute

Dr Maksim BOZO

Department of Hospitals
Ministry of Health

BOSNIA AND HERZEGOVINA

Mr Šefik RIZVANOVIĆ

Adviser to the Minister
Ministry of Civil Affairs of Bosnia and Herzegovina

Ms Zehra NOVO- OMANOVIĆ

Deputy Minister
Sector for Pension and Disability Insurance and International agreements
Federal Ministry of Labour and Social Policy

Mr Pavle PAUNIĆ

Assistant Minister
Ministry of Health and Social Welfare of Republika Srpska

Mr Rajko KLIČKOVIĆ

Assistant Minister
Ministry for Labour and Veterans of Republika Srpska

Ms Aleksandra TUČIĆ
Head of Health Insurance Fund of District Brcko

CROATIA

Ms Vera BABIĆ
State Secretary
Ministry of Economy, Labour and Entrepreneurship

Ms Snježana BALOKOVIĆ
Head of the Department for Bilateral Cooperation in the Area of Social Security
Directorate for Pension and Invalidity Insurance
Ministry of Economy, Labour and Entrepreneurship

Ms Božica ŠARIĆ
Legal Adviser
Ministry of Health and Social Welfare

Ms Mirjana RADOVAN
Counsellor
Ministry of Health and Social Welfare

Ms Maja FORETIĆ-PEĆNIK
Embassy of the Republic of Croatia

SERBIA AND MONTENEGRO

Ms Vesna PIPERSKI-TUCAKOV
State Secretary
Ministry of Labour, Employment and Social Policy of Serbia

Ms Nevena KARANOVIĆ
State Secretary
Ministry of Health of Serbia

Ms Slobodanka KRIVOKAPIĆ
Deputy Minister
Ministry of Health of Montenegro

Mr Vukašin VUKIĆEVIĆ
Sector Manager
Sector of Foreign Health Care Affairs
Republic Institute of Health Insurance
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Ms Slobodanka RADOJKO

Inspector in Department of Social Protection
Ministry of Labour, Employment and Social Policy of Serbia

Mr Milos NIKAČ

Senior Adviser to the Director
Republican Fund for Pension and Invalidity Insurance of Self-employed

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”

Mr Aco JANEVSKI

State Secretary
Ministry of Labour and Social Policy

Ms Vera PAVLOVSKA

Head of Pension and Disability Unit
Ministry of Labour and Social Policy

Ms Vesna PETKOVIK

Head of the Department of international co-operation
Ministry of Labour and Social Policy

Ms Irena RISTESKA

Officer for Solving Complaints
Pension and Disability Insurance Fund

Ms Suzana ZELENKOVSKA

Macedonian Embassy in Belgrade

SECRETARIAT

Council of Europe

Mr Stefano Valenti

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APPENDIX III

PREPARATORY MEETING OF THE MINISTERIAL CONFERENCE ON SOCIAL SECURITY CO-ORDINATION IN THE WESTERN BALKANS REGION

DRAFT ZAGREB DECLARATION

The Zagreb Declaration

South-East Europe Conference on
Social Security in South Eastern Europe

Remark 1, CoE: replace this title by: “Ministerial Conference on Social Security Co-ordination in the Western Balkans Region”.

The Delegates to the South-East Europe Conference on Social Security in South Eastern Europe of Zagreb, meeting under the chairmanship of Mr./Ms., Minister of of the Republic of Croatia, at his/her

invitation, and at the invitation of the Council of Europe and the Commission of the European Union,

Remark 2, CoE: replace the words “South-East Europe Conference on Social Security in South Eastern Europe” by: “Ministerial Conference on Social Security Co-ordination in the Western Balkans Region”.

Bearing in mind their countries’ progress towards integration in the European legal, institutional, and organisational frameworks,

Recalling the European Commission Joint Programme with the Council of Europe (Social Institutions Support Programme) under the CARDS Regional Action Programme 2003,

Recalling the Thessaloniki Declaration adopted on the occasion of the EU – Western Balkans Summit on 21 June 2003,

Recalling the Bucharest Declaration on Employment adopted on the occasion of the South East Europe Ministerial Conference on Employment, on 30-31 October 2003, and the Sofia Conclusions adopted on the occasion of the Second Ministerial Conference of Employment in South Eastern Europe on 21 October 2005;

Recalling the Dubrovnik Pledge on Meeting the Needs of Vulnerable Populations in South East Europe signed by the Ministers of Health of the South Eastern European countries on 2 September 2001 at their first Ministerial forum;

Remark 3, SCG: add, after ...”first Ministerial forum”: the words “and the Skopje Pledge, adopted on the occasion of the Second Health Ministers’ Forum on 26 November 2005”.

Recalling the support of the Stability Pact through its Initiative on Social Cohesion,

Unanimously adopt the following declaration:

We, the Ministers responsible for Social Security issues of Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, and “the Former

Yugoslav Republic of Macedonia”, as well as the Head of the Economic Administration of UNMIK²

Remark 4, SCG: omit: ...“as well as the Head of the Economic Administration of UNMIK” (including the footnote).

Remark 5, MK: “The Declaration is a document to be signed and applied by the contracting countries. Having in mind that all the signatory countries of the Declaration except Albania have recognized Republic of Macedonia under its constitutional name Republic of Macedonia, we are insisting on using “Republic of Macedonia” instead of the reference “The former Yugoslav Republic of Macedonia” in the document.

We are reminding you that all Declarations and documents in the framework of the CARDS projects are signed under the constitutional name “Republic of Macedonia”.

Remark 6, CoE: replace all the words, starting with ...“Albania”, until and including “UNMIK”, by: “the countries of the Western Balkans Region”, and omit the footnote.

Recognise:

- the need for reform of the social sector, and for co-ordination and monitoring of social policies in our countries;
- the need to co-ordinate more effectively, between our countries, legislation and administrative practices with respect to social security issues, so as to facilitate movement of workers between the countries in our region, as well as between our region and the rest of Europe;
- the need for further improvements in the existing network of bilateral and multilateral agreements on social security issues in our region;
- the need to create institutional capacity for quality development, proficiency and training in the social security field;
- the need to ensure sustainable financing for our social security system;
- the need to improve social dialogue.

Acknowledge:

² Associated to this process according to Security Council Resolution no. 1244, on Kosovo

that together and in partnership with relevant national and international institutions we can more effectively address these common needs through:

- the implementation of a comprehensive legal and administrative framework for co-ordination of social security systems across the region;
- co-ordinated measures to improve our social policies and reinforce our institutional capacities;
- preparation of our future integration into the European Union by moving towards the European Union's social security coordination legislation;
- implementation of Council of Europe standards in the social field: the Revised European Social Charter, the European Code of Social Security, and the European Convention on Social Security.

Decide:

- to work together for a continuous improvement of the social security rights of our citizens in the entire Balkan region and in the rest of Europe;
- to further improve and extend the network of bilateral and multilateral agreements for social security co-ordination, presently existing between most of our countries;
- to develop effective co-ordination of our administrative practices in the field of social security;
- to cooperate so as to facilitate our citizens' access to social security rights in the entire region, paying particular attention to the needs of vulnerable groups;

We issue a plea for assistance from international stakeholders to help us achieve the aims mentioned. We gratefully acknowledge the work already done, and the support already received, from the European Union, the Council of Europe, the International Labour Organisation and the Stability Pact for South-Eastern Europe.

We look, in particular, to the European Union and the Council of Europe for strategic guidance and support in our efforts to achieve the goals mentioned in this Declaration, and propose to channel such support through the Social

Institutions Support Programme, mainly funded by the European Union, and co-funded and implemented by the Council of Europe.

Remark 7, MK: replace the words starting with ... “Social Institutions Support Programme”... until and including ...“Council of Europe”, by the words: “the CARDS Programme, respectively any programme to complement and/or succeed the CARDS Programme”.

We commit ourselves to meet again, in a Conference to be held in the summer of 2007, to review the progress made in the implementation of this Declaration.

Done in Zagreb, on 24 March 2006,

Signatures.

Remark 8, SCG: since the issues, which are the subject of the draft Declaration, are within the competence of the constituent Republics of the Federation of Serbia and Montenegro, the signatories of the Declaration should be the competent Ministers of the constituent Republics.

**Remark 9, CoE: provided these parties agree to act as observers, add, as the signatures of observers, the signatures of the competent Ministers of the Republics of Bulgaria, Romania, and Moldova, as well as of the Head of the Economic Administration of UNMIK, with, as a footnote attached to the word UNMIK:
“Associated to this process according to Security Council Resolution no. 1244, on Kosovo”.**