



**CEFTA**

Central European Free Trade Agreement

Chairmanship of the Republic of Serbia 2010

# **CEFTA Programme for the Chairmanship of the Republic of Serbia**

**JANUARY - DECEMBER 2010**

**Belgrade, January 2010**

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## **FOREWORD**

The implementation of the CEFTA 2006 in these two years showed an improvement in trade relations and created a favorable environment for further economic development and positive trends between the CEFTA Parties. It was expected that the positive trend achieved before the crisis would have continued with even more intensity if the economic crisis had not occurred.

Serbia is taking over the chairmanship in a very sensitive period, when we are still faced with global economic crisis which affected our countries and impacts the total trade exchange in the region. I am sure we all believe that further trade liberalization might be one of the crucial responses to crisis.

From a perspective of a new chair in 2010 I would like to emphasize that there is still a lot to be done if we want to realize what we have signed in 2006 and turn the region into a zone of free trade. That is clearly visible from our priority areas of work for the next year: expanding our activities to areas of services, competition rules, public procurement and investments. It is our belief that the activities in these areas would not only ensure proper and efficient implementation of our Agreement but attract foreign investments and increase competitiveness thus bringing benefit to our all economic activities and raising the standard of living for our citizens.

The spirit of the Agreement should be respected by all members, because this Agreement presents a positive example of trade growth and wider economic integration in the region and a significant potential for creating a big regional market. This regional cooperation will further contribute to the process of integration of the region into the European Union. I therefore encourage you to endure in your efforts to continue on the path of co-operation and implementation of the commitments taken and to invest more time, energy, flexibility and constructive spirit into CEFTA. The future of regional co-operation is in our hands and the responsibility will be ours. I am confident that we are ready to cope with all challenge and will fulfill our targets.

I assure you that the Government of Serbia will show readiness to face the challenges while constantly taking care of both joint and individual interests and specificities of all Parties. I am confident that implementation of the CEFTA Agreement under the Serbian presidency will pass in a positive atmosphere to the benefit of all the CEFTA Parties.

I do hope that together with all signatories of the Agreement, we would contribute to mitigation of the influences of the global economic crisis on the overall trade within CEFTA, and the realized achievements of the trade exchange within CEFTA will continue to be a significant stimulation for our economies.

Mladan Dinkić 

Deputy Prime Minister and  
Minister of Economy and Regional Development  
of the Republic of Serbia

# 1. INTRODUCTION

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## 1.1. CEFTA Agreement

The Agreement on Amendment of and Accession to the Central European Free Trade Agreement (CEFTA 2006) has been fully implemented by all the Signatory Parties since 22 November 2007.

This comprehensive Agreement is oriented towards expanding trade in goods, services liberalization, creation of the favourable climate for attracting the greenfield investments, elimination of barriers to trade between the Parties and appropriate protection of intellectual property rights. It also seeks to provide fair conditions of competition and non-discrimination of the government procurement market. It includes clear and effective procedures for dispute settlement and facilitates the smooth implementation of a diagonal cumulation of origin among the Signatories and the inclusion of the Western Balkans into the Pan-Euro-Mediterranean rules of origin.

The Agreement fully conforms to the WTO rules and procedures and EU regulations. Effectively implemented, the Agreement provides an excellent framework for the Parties to prepare for the EU accession.

## 1.2. CEFTA Structures

The Chairmanship of CEFTA is taken on a rotational basis with the tenure of office of one calendar year. In line with these rules (*Article 3, Rules of Procedure for the Joint Committee, Decision No. 1/2007*), Serbia took over the Chairmanship from Montenegro on 1 January 2010.

In 2010, Serbia is chairing the regular annual meeting of the **Joint Committee**, a governing body composed of representatives of each Party to the Agreement (ministers responsible for foreign economic relations and authorised representatives). The main function of this body is to supervise and administer the implementation of the Agreement.

The **three Subcommittees** have been established with an aim to support the implementation of the key areas of interest to the Parties.

**Subcommittee on Agriculture including Sanitary and Phytosanitary Issues** facilitate the trade of agricultural products and ensure protection of plant health, animal health and food safety and other measures applied in agricultural trade do not unjustifiably restrict trade. In 2010 the Republic of Serbia is chairing this Subcommittee.

**Subcommittee on Customs and Rules of Origin** has a mandate to simplify and facilitate customs procedures, reduce the formalities imposed on trade and stimulate rapid implementation of the common rules of origin in all the Parties in line with Article 14 of the Agreement. This year it is chaired by UNMIK/Kosovo.

In 2010 **Subcommittee on Technical Barriers to Trade and Non-Tariff Barriers** is chaired by Albania. Its main task is to identify, review and propose measures for elimination

of technical barriers to trade and NTBs among the Parties.

The permanent **CEFTA Secretariat** is located in Brussels. Its main activities include technical and administrative support to the Chair-in-Office and the three Subcommittees as well as coordination in delivery of the tailor-made technical assistance to the Parties.

In line with the Ministerial Conclusions of the third Joint Committee one (or more) **additional bodies** are expected to be established to support the implementation of the Chairmanship priorities in 2010. This particularly refers to the establishment of the CEFTA Working Group on Services which will have the mandate to conduct the negotiations on liberalisation of the services trade among CEFTA Parties. The establishment of this working group is expected to be finalised in the first quarter of 2010.

## **2. OBJECTIVES OF THE CHAIRMANSHIP**

### **2.1.1. Taking over from Montenegro**

Serbia is fully committed to pursue the implementation of the CEFTA 2006. During its tenure of office it will address the most important obligations that Parties have undertaken to fulfil in order to achieve the goal stipulated in Article 1 of the Agreement: establishing a free trade area until December 31<sup>st</sup> 2010.

Following the priorities and supported activities initialised by Montenegro in 2009, Serbia **will continue to work on** them towards their completion:

#### ***2.1.1. Liberalisation of the Agricultural Trade***

Significant results have been achieved in the liberalisation of the agricultural trade. The majority of the Parties agreed on full liberalisation while the limited number of tariffs and quotas is still in place between several Parties. It is expected that the Parties would finalise the negotiations in a very short time. Serbia is dedicated to facilitate the initialling and signing of the Additional Protocol with the new Annex 3 with the aim to start implementing the new concessions no later than 1 July 2010.

#### ***2.1.2. CEFTA Trade Portal***

During 2009 the Parties have been quite involved in the discussions on how to identify, prioritize and eliminate non tariff barriers to trade. With the assistance of the GTZ Project "CEFTA 2006, Improving Opportunities for Trade" Serbia is committed to employ efforts on establishing the Web Portal that will serve as a gateway towards eliminating NTBs in the intraregional trade by increasing transparency of regulation procedures and formalities relating to regional trade.

#### ***2.1.3. Access to the EUROSTAT COMEXT Data Base***

In implementing its priority on enhancing the quality of the CEFTA intra-trade statistics data,

Montenegro together with the CEFTA Secretariat successfully obtained the access to the COMEXT data base. Serbia will continue to work in this area in order to have high quality and up to date trade data publicly available for all the interested parties.

#### ***2.1.4. Proper Implementation of Diagonal Cumulation of Origin***

Diagonal cumulation of origin plays a crucial role in regional economic integration. Serbia will continue to support the work on legal and practical aspects that need to be clarified and agreed by the Parties to fully benefit from this system. There is a need to use all means available to increase awareness on the opportunities of cumulation particularly for the business community. Inclusion of the CEFTA Parties into the future single regional convention on preferential rules of origin for the Pan-Euro-Mediterranean area is also very important.

In parallel to achieving these objectives, Serbia is strongly committed to pursue with **four main priorities of its Chairmanship in 2010**:

1. Liberalisation of Trade in Services
2. Creating Conditions for Establishing Regional Investment Market
3. Opening up the Governments' Procurement Market
4. Achieving Competition and Trade Liberalisation Coherence

#### ***2.2. Liberalisation of Trade in Services***

Having in mind the so far achieved benefits from the free trade area in the region, Serbia invites the CEFTA Parties to raise their ambition and go beyond the pure liberalization in industrial and agricultural products. The launching of negotiations with an aim of achieving a progressive liberalization and mutual opening of the services markets seems to be a very profitable goal on a long term basis for all the Parties.

All CEFTA Parties increasingly share a common feature: a significant and rising share of services in their economies. Indeed, global trade in services has been increasing faster than trade in goods in the last few decades. On average, the contribution of the services sector to GDP is found to be more than 60 per cent across CEFTA 2006 economies. It is obvious that a wide range of services activities are increasingly recognized as one of the preconditions for the overall development with the significant impact on employment and human development.

Although trade in services in the region has been expanding rapidly, the intra-regional trade in services within CEFTA Parties has not proceeded apace, and it could be much higher. Whilst the CEFTA economies have undertaken reforms in their respective services sector on a unilateral and multilateral basis, initiatives to support and complement these efforts at the regional level are lagging behind. Nonetheless, liberalization of services has proceeded much more cautiously, due to large part to the complexities involved in the process. Services trade tends to be subject to much greater regulatory control. In turn, it makes the interaction between deregulation and liberalization for services more multifaceted than for goods.

Having all this benefits in mind, Serbia encourages Parties to have an assessment of the

current significance and role of services in their respective economies in order to determine a road map towards trade in services liberalization in 2010.

### **2.3. *Creating Conditions for Establishing Regional Investment Market***

While creating the favourable, stable and predictable rules for investors and promoting investments by gradually coordinating/harmonizing investment policies, the CEFTA Parties could contribute significantly to the better positioning of the region in attracting the so needed FDIs and especially increasing their mutual investments.

Serbia is convinced that establishing regional investment market enables the region to attract greater and sustainable levels of investment through creating an international competitive investment area, which could also increase free movement of capital, labour, goods, services and knowledge and technology across the region. The creation of a regional investment market is particularly useful as CEFTA Parties' markets are too small to attract investment on their own.

In achieving these goals (Articles 30-33 of the Agreement) the efforts will be oriented towards:

- Enhancing transparency of national policies, laws and regulations affecting foreign and domestic investment
- Improvement of investment conditions by removing obstacles to business development, in particular regulations and administrative practices that obstruct or delay investment
- Encouraging cooperation among investment promotion agencies, exchange of information and experiences.

### **2.4. *Opening up the Governments' Procurement Market***

Serbia is fully committed to pursue with the joint obligation to ensure the progressive and effective opening of the governments' procurement markets respecting the MFN and national treatment principles and following the set deadline for May 1<sup>st</sup> 2010 (Article 35 of the Agreement).

The main focus on public procurement efforts in CEFTA Parties is harmonising legislation and procedures with that of the EU and to ensuring more efficient systems. The first review on the current legislation, practices and relevant procedures of the CEFTA Parties is to be done so the necessary steps could be taken to meet the commitment deadline.

Major instrument of implementation of such commitments is enhanced transparency on the regional level through inter alia a more active role in the Public Procurement Network, which comprises EU Member States, EEA countries and which is open to candidate and potential candidate countries. The informal exchange of information and access to best practice available through this network is seen as a valuable resource that the Parties can draw on either individually or collectively as appropriate.

## **2.5. Achieving Competition and Trade Liberalisation Coherence**

Acknowledging that the negative side of trade liberalization could possibly lead to the increase of anticompetitive practices recognized commonly as significant barriers to trade, Serbia calls on Parties to fully respect the commitments set out in the Articles 19, 20 and 21 of CEFTA 2006.

In order to improve competitiveness and overall development, liberalization must be accompanied by appropriate competition rules and policies and enforcement structures to prevent a situation in which elimination of tariff and non-tariff restrictions to trade could be neutralized or undermined by firm-imposed barriers to competition or government-imposed distortions to free competitive markets. It is beneficial for all CEFTA 2006 Parties to adopt competition rules that are harmonized with the existing rules of the EU in order to ensure the efficient operation of the market structure and pave the way for future membership of the EU.

In accomplishing this priority Serbia will lead the efforts to:

- Review the competition rules of all CEFTA Parties
- Improve consultations and cooperation between competition authorities with respect to enforcement issues in a more systemic way
- Ensure transparency in the area of state aid in compliance with the CEFTA Article 21 paragraph 7.

## **3. MAIN EVENTS**

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### **3.1. Calendar of Events**

The regular meetings of the CEFTA Structures have the main function to review the progress on implementation of the Agreement, address the most important issues and concerns, while serving as a forum for exchanging the experiences and knowledge among the Parties.

**The second CEFTA Secretariat Steering Committee** meeting will be held in the first quarter of 2010 and chaired by Serbia. The meeting will assemble the CEFTA Parties, European Commission, current and potential bilateral donors to discuss the relevant topics related to the functioning of the CEFTA Secretariat.

In the first quarter of 2010 (tentatively March 2010), Serbia will organize a **Donors Meeting**, that will gather international and bilateral partners who have been supporting the implementation of CEFTA since its entering into force.

**The three Subcommittees** will hold their regular annual sessions in the first half of the year, followed by the **Deputy Ministers meeting** in mid June 2010. This meeting has a main objective of taking stock of the six month period of the Chairmanship and finalising the preparations for the Joint Committee meeting.



The fourth **Joint Committee Meeting** will gather the CEFTA responsible ministers for foreign trade and their authorised representatives to discuss the current economic trends in the region, open issues and to adopt the necessary decisions on CEFTA related topics.

**Table 1 Tentative Calendar of Events**

<b>EVENT</b>	<b>CHAIR</b>	<b>DATE</b>
<b>CEFTA SECRETARIAT STEERING COMMITTEE ASSISTANT MINISTERS MEETING</b>	Serbia	February
<b>DONORS MEETING</b>	Serbia	March
<b>MEETING ON PUBLIC PROCUREMENT</b>	Serbia	March
<b>MEETING ON INVESTMENT</b>	Bosnia and Herzegovina	March
<b>TALKS ON SERVICES LIBERALISATION</b>	Serbia	April
<b>MEETING ON COMPETITION RULES</b>	Serbia	April
<b>SUBCOMMITTEE ON AGRICULTURE AND SPS</b>	Serbia	May
<b>SUBCOMMITTEE ON CUSTOMS AND RULES OF ORIGIN</b>	UNMIK/Kosovo	May
<b>SUBCOMMITTEE ON TBTs AND NTBs</b>	Albania	May
<b>DEPUTY MINISTERS MEETING</b>	Serbia	June
<b>CEFTA WEEK JOINT COMMITTEE MEETING</b>	Serbia	October

## **4. RELATED ACTIVITIES**

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### **4.1. Cooperation with international institutions and regional initiatives**

Serbia is committed to continue to work on enhancing and deepening further cooperation between the CEFTA Parties and the major international partners in the field of trade, investment, government procurement and competition.

The main objective is to ensure the full and timely implementation of all the commitments undertaken by the Parties. Through the joint collaboration, exchange of views and knowledge of more developed and experienced partners, the CEFTA Parties will certainly benefit while enhancing the efficiency of their activities.

Close working relations have been established with the **European Commission**, in particular with DG Enlargement and DG Trade in the area of TBT, trade in services, competition rules and practices and government procurement. During 2010 and beyond the cooperation is expected to continue with the **World Bank and IFC** in the field of trade facilitation in the region. With the assistance of the DG Trade the *Export helpdesk* – an online service for facilitating the market access to the European Union has been now extended to the CEFTA Parties. This service is expected to enhance the visibility and availability of the necessary information for all the potential partners and business community who want to trade and invest in the region.

The two projects: **GTZ CEFTA 2006, *Improving Opportunities for Trade*** and **OECD Aid for Trade**, are expected to further support the activities of the CEFTA Parties on the issues on identifying and eliminating the non tariff barriers to trade, and in particular in assisting them in implementing the agreed recommendations.

Cooperation with the CEFTA 2006 **Regional Academic Network** which might be established very soon as a network of regional experts who can provide solid analytical basis of the achievements, costs and benefits of regional economic integration and generate policy advice going forward.

The Chambers of Commerce from the region have established the **CEFTA Forum of Chambers**, setting up the three subcommittees – agriculture, customs and NTBs to mirror the CEFTA bodies in the same field of action. During 2010, Serbia will closely follow the work of the CEFTA Forum, in order to include its conclusions and proposals, if relevant, in the discussions of respective CEFTA subcommittees.

Finally, Serbia is fully committed to maintain the permanent cooperation with the **Regional Cooperation Council, OECD Investment Compact, EFTA, the Business Advisory Council** and other relevant international partners.

## **4.2. Promotional Activities**

Serbia is dedicated to promote the benefits of the CEFTA Agreement; to raise the awareness of its advantages among the wider business society in the region and beyond and especially to upgrade the understanding of its specific commitments to the direct beneficiaries.

One of the major promotional activities scheduled for 2010 will be the **CEFTA Week 2010** - a series of events with a number of workshops, seminars and debates to be held **at the margins of the fourth Joint Committee** in Belgrade. This event will provide an opportunity to highlight the benefits of the Agreement in terms of stimulating trade and investment and to gain a better understanding of the perceptions and opinions of CEFTA among different groups. It is expected to gather a wide audience including government officials, business people both within and outside the region, academia and international community from the region and beyond (European Commission, EBRD, the World Bank, IFC, OECD and GTZ).

On its **website**, the Ministry of Economy and Regional Development will make available all the updated information regarding the implementation and administration of the Agreement,

early announcements of the regular and special meetings and other relevant promotional activities associated to the CEFTA. The website will be directly linked to the website of the CEFTA Secretariat in Brussels where the more detailed information on all the CEFTA related activities could be found.

## **5. TECHNICAL ASSISTANCE**

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Recognizing the importance of tailor made technical assistance, Serbia identified the particular needs in advance and together with the CEFTA Secretariat, a number of project proposals have been prepared and the donors and international partners contacted.

The main objective of this assistance is to provide the support in implementing the selected priorities for 2010, in particular in the field of trade in services, competition rules and practices, government procurement and non tariff barriers to trade (SPS measures).

The major international partners in delivering the technical assistance include European Commission (DG Enlargement, DG Trade and DG Competition), World Bank, OECD, GTZ and others.

Under the framework of the European Commission Technical Assistance the project on “**Exploring the Potentials for Trade in Services Liberalisation**” has been designed. The objective is to support the implementation of the first priority of the Serbian Chairmanship – liberalisation of trade in services. The analysis is expected to show how important is the services sector in the CEFTA Economies and where are the potential to go for liberalisation of the trade in services. The project is going to be realised in two subsequent phases during 2010. The final outcomes of the Project are expected to be presented before the fourth Joint Committee Meeting in October 2010 in Belgrade.

In the area of **NTBs**, Serbia will continue to coordinate the CEFTA activities with the two relevant projects financed by the GTZ and the OECD. Both projects deal with identifying, categorising and prioritising of the non tariff barriers while proposing the CEFTA Parties measures and timeline for their elimination.

Under its project framework, the GTZ will provide the CEFTA Secretariat with the **Web Portal on CEFTA Trade** designed with the main aim to have at one place all the information on legislation and documentation necessary for the conduct of the intraregional trade without obstacles. The Web Portal will serve as a gateway in eliminating NTBs in the region and is expected to become operational in April 2010.

The GTZ will also facilitate the delivery of a **series of workshops** aimed at strengthening the CEFTA Network. These workshops will gather mainly the CEFTA Contact Points and provide them with some guidance and streamlining on how to further make their joint cooperation more effective and stronger. They are expected to be organised throughout 2010.

The World Bank IFC *Project on Regional Trade Logistic in SEE* is focused on the **trade facilitation** and is funded by the European Commission. It will offer to the CEFTA Parties potential solutions on how to achieve simplification and harmonisation of procedures and documentation, integration of the risk management systems into border inspection and

implementation of the Single Window systems. The project will be delivered into two phases, first to be completed by end of June 2011 and the second by the end December 2012.

**The EUROSTAT COMEXT** trade database will be publicly available on the website of the CEFTA Secretariat in the first quarter of 2010. This will to the great extent enhance the quality of the CEFTA intra-trade statistics data and provide all the interested parties with the good analytical base for their research on the region.

Priorities in the area of the **Investment** has also been supported by the adequate technical assistance provided by the OECD SEE Investment Compact and funded by the EC; it is focused on monitoring of the implementation of several investments related clauses: Investment, Protection of Intellectual Property Rights, Government Procurement and the other part of the project is dealing with the impact of CEFTA on the industrial concentration. The Project is expected to be completed by February 2010.

The topic of the **Government Procurement** regulation had been dealt within the Workshop on Government Procurement organised under the auspices of the SIGMA and OECD in late 2009. Follow up activities on this issue are expected to be organized during the first half of 2010.

## **6. EXPECTED RESULTS**

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The results of our Chairmanship are expected to lead to the immediate and to the intermediate and final outcomes:

### **Immediate outcomes:**

- Review of the legislation and the services sector significance in each of the CEFTA economies;
- Analysis of the results of the present level of liberalization and cooperation in services trade (based on the WTO commitments for those CEFTA 2006 Parties that are WTO Members and for those in the accession process upon the level of liberalization in their GATS negotiations);
- Effects of the eventual opening of the negotiations on trade in services liberalization with recommendations for further steps.
- Review of the current investment conditions in each CEFTA Party and the cross border investments among them
- Review of the transparency of national policies, laws and regulations and administrative practices affecting foreign and domestic investment;
- A single table/matrix of Parties` investment climate conditions;
- Proposals for the further facilitation and coordination of regional investment policies in order to increase mutual investment and attract more FDIs to the region.
- Recommendation for better consultations and cooperation between competition authorities
- First assessments made on the compliance of all the Parties with the Article 35 of the Agreement
- Analyzes and interpretation of the Articles 19, 20 and 21 of the Agreement concerning competition rules related to undertakings

## **Intermediate and final outcomes:**

- Launching of the trade in services negotiations
- Creating the conditions for greater mutual investments and attracting more FDIs to the region
- First review on public procurement legislation and practices followed by the the common statement of the Parties on the next steps which they should undertake to enable the monitoring of the provision implementation by the set deadline
- First review on competition rules regarding undertakings and practices set out in Articles 19, 20 and 21 to enable the monitoring of the provision implementation by the set deadline and the adoption of the recommendation to establish better consultations between relevant competition authorities.

For achieving the immediate and final outcomes of the Work Programme for 2010, the tailor made and targeted technical assistance provided by the various international partners and organisations is essential.

## **7. ADDRESSING THE CONSTRAINTS**

### *Political constrains*

*Political constrains* are closely connected to the attempt of illegal “Republic of Kosovo Authorities” to act as the Party of CEFTA 2006 Agreement instead of UNMIK<sup>1</sup>. Such acts can have a serious impact on the implementation of the CEFTA 2006 and can jeopardize favourable economic results we have achieved and we plan to achieve in the next period by improving cooperation in the region. The first prerequisite for achieving the chairmanship priorities in 2010 is full respect of the provisions of CEFTA 2006 Agreement and its protocols, the CEFTA 2006 parties have consensually agreed upon.

### *Financial constraints*

Due to the global economic crisis and the tighten budget in majority of the Parties, it might be difficult for Parties representatives to participate adequately in all the meetings and related activities that are to be organized in 2010. On the other hand, the very ambitious Chairmanship Programme would certainly benefit from additional donor-funded technical assistance in order to be fully implemented in 2010. It is therefore of vital importance that the implementation of CEFTA gains high priority in the 2010 work plans of all the Signatory parties, thus ensuring required budget support.

Serbia will also follow-up on the initiative started by Montenegro in 2009 and do its best to ensure financial support of the European Commission and other interested donors for CEFTA related projects in the period 2011 – 2013.

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<sup>1</sup>The Signatory and the Party of the CEFTA Agreement is United Nations Interim Administration Mission in Kosovo on behalf of Kosovo in accordance with UN Security Council Resolution 1244.