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GUARANTEEING THE SETTLEMENT

by Chris Bennett

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1. Introduction

Six months after the end of the Kosovo war, the international community has moved into Kosovo in strength. A plethora of inter-governmental agencies and more than 300 non-governmental organizations are currently on the ground and involved in all aspects of reconstruction, in addition to some 42,000 international peace-keepers in the Kosovo Force (KFOR) and a further 10,000 international soldiers in neighboring Albania and Macedonia in support of the operation. An international administration, the United Nations Interim Administration Mission in Kosovo (UNMIK) has been set up and two major donors' conferences have been organized jointly by the World Bank and the European Commission securing pledges of more than \$3 billion.

Despite the pledges of financial assistance, money has been slow to materialize where it is most needed. The short-comings of the winterization program and the lack of resources even to pay for UNMIK have been widely reported in the Western media. While this winter will inevitably be difficult and many Kosovars may suffer unnecessarily as a result of bureaucratic delays, it is the nature of the international commitment over the decade to come which will be critical to guaranteeing a lasting settlement both in Kosovo and throughout the region. Here, current difficulties offer some pointers to future problems, as do the experience and on-going international efforts at reconstructing a war-torn society in Bosnia. However, Kosovo cannot be examined in isolation. It has to be seen both within a regional context, since events in the rest of rump Yugoslavia and neighboring countries will surely have an impact, and within the context of an evolving European political identity, since institutional reforms in Brussels are also likely to prove significant. Moreover, it is worth bearing in mind that although Kosovo, and the Balkans in general, have in recent years received massive media coverage, relatively large sums of international aid and much diplomatic attention, it is but one conflict region of many in the world.

This paper considers the evolving nature of the international engagement in the Balkans and the current international stake in the Balkans. It examines the constraints on international operations in terms of budgets, military man power and, expertise and assesses international capacity to deliver appropriate solutions.

2. Evolving International Engagement in the Balkans

In retrospect, the change during the past eight-and-a-half years in international, and in particular European, attitudes and institutions in response to the wars of Yugoslav dissolution

has been remarkable. Whereas in 1991, the international community was both poorly equipped institutionally and reluctant in principle to intervene in the escalating conflict in the Balkans, it was, nevertheless, drawn in, almost involuntarily in the course of half a decade of fighting, to the point where it intervened militarily to help build a settlement. Moreover, whereas international intervention was initially extremely cautious and focused on exit strategies, it has evolved out of necessity to such an extent that today it is geared towards finding durable, long-term solutions with the ultimate settlement generally perceived in some form of integration strategy with the European Union.

The European Community as the European Union was then called, became involved in the wars of Yugoslav dissolution on its very first day, 27 June 1991, when the European Council, the summit of heads of government of member states and European Commission President, dispatched a *Troika* of foreign ministers to broker a cease-fire in Slovenia, the first republic to be engulfed in war following an independence declaration two days earlier. The decision to intervene in Yugoslavia was in part taken in haste as a knee-jerk reaction to the first full-scale fighting in mainland Europe since the Second World War. Given Yugoslavia's geography--it physically separates 14 EU states from Greece, the fifteenth--and a nascent common European security and foreign policy, non-involvement was not a serious option. On 7 July 1991 the *Troika* brokered the Brioni Accord ending the war in Slovenia and dispatching the European Community Monitoring Mission to monitor the peace. By then, however, conflict had already spread into neighboring Croatia, which had also declared independence on 25 June 1991, and successive cease-fire agreements failed to halt the fighting.

On 7 September 1991, the European Community convened a conference on Yugoslavia in The Hague, under the chairmanship of Lord Peter Carrington on the basis of three principles: no unilateral changes of borders, protection of the rights of all minorities, and full respect for all legitimate interests and aspirations. Although Lord Carrington insisted that a lasting cease-fire was a prerequisite for the conference to proceed, he, nevertheless, embarked on negotiations, despite the violence. In the absence of the political resolve in key international capitals to intervene and thus neutralize the use of force, the fighting inevitably escalated.

After the addition of the UN, in the person of Cyrus Vance, to the international negotiating effort, the Sarajevo Accord of 2 January 1992 brought the war in Croatia to a halt. The peace agreement envisaged deployment of 14,000 UN peace-keepers and eventual reintegration of Serb-held regions of the republic into Croatia. EC recognition of Slovenia and Croatia on 15 January 1992 signified a shift in approach. Instead of working towards an overall settlement for the entire country, international envoys were effectively dealing piecemeal with each individual region. Special talks began on Bosnia in January 1992, but, in the absence of the political will for preventive deployment of peace-keepers, they failed to head off another war. Fighting began at the end of March 1992, within a month of a referendum which was supposed to determine Bosnia's fate, but which simply saw Bosnians divide along ethnic lines. Lord Carrington's diplomacy failed to halt the fighting and was superseded in September 1992 by a joint EU-UN International Conference on the Former Yugoslavia (ICFY) meeting in permanent session in Geneva under Lord David Owen and Cyrus Vance.

Despite a series of proposals and the deployment of 36,000 UN peace-keepers, however, the conference failed to secure a settlement. The United States did not support the most realistic peace plan, since it entailed recognizing many of the gains of ethnic cleansing. And no country was willing to risk deploying forces to reverse Bosnian Serb military gains.

The Bosnian war was eventually halted in November 1995 after three years and nine months of fighting following three weeks of talks in Dayton, Ohio brokered principally by the then US Assistant Secretary of State Richard Holbrooke. The DPA succeeded where earlier peace plans had failed because of the determination of the US negotiating team and the backing they received from other countries; because, after years of humiliation, there was a genuine threat that European troops (in particular British and French) who made up the backbone of the UN peace-keeping force in Bosnia would be withdrawn in the event of failure; and because of a fundamental shift in the military balance. In the course of 1995 the tide of battle changed, first in neighboring Croatia and then in Bosnia. Two out of three Serb-held enclaves in Croatia were overrun by the Croatian Army in lightning strikes in May and August 1995 and, with the support of Bosnian Croat forces and the predominantly-Muslim Bosnian Army, the offensive rolled forward into Bosnia reversing many of the early Serb war gains, resulting in a territorial division within the country similar to those envisaged in earlier peace plans. In addition, Britain, France and the Netherlands deployed a war-fighting Rapid Reaction Force within Bosnia and, following the second Sarajevo market place massacre on 28 August 1995, NATO systematically bombed strategic points from the air, destroying Bosnian Serb communications.

While the DPA succeeded in ending the fighting in Bosnia with the help of a 60,000-strong, NATO-led Implementation Force (IFOR), it was another piecemeal solution and failed to address the other conflicts or potential conflicts in the region, such as that in Kosovo. Moreover, the initial interpretation of the mission's mandate was so cautious and so pre-occupied with force protection and an exit strategy that it failed to address the real causes of instability in Bosnia. This changed in the course of 1997 and 1998 when first, in July 1997, British troops from the renamed Stabilization Force (SFOR) arrested and killed individuals indicted for war crimes, and then, in March 1998, President Bill Clinton made it clear that the presence of US troops in Bosnia would be linked to "concrete and achievable benchmarks" and not a pre-determined exit date.

In Kosovo, the powder keg, whose explosion had so often been predicted, ignited at the end of February 1998 and, despite international mediation, showed no signs of coming to a peaceful solution without international intervention. This eventually came in the form of NATO air strikes against Yugoslavia on 24 March of this year in the wake of two rounds of failed peace talks in Paris. The air campaign lasted 78 days and ended in the withdrawal of Yugoslav forces from Kosovo to be replaced by a NATO-led peacekeeping force and the establishment of an interim UN administration in the province.

Whereas in 1991 the international community had been prepared only to dispatch unarmed observers, dressed in white to the former Yugoslavia, in 1999 NATO had intervened militarily against one side in an ethnic conflict to head off what might have proved a greater

crisis. Whereas the formation of the International Criminal Tribunal for the former Yugoslavia in The Hague was largely undermined by the Great Powers between 1992 and 1994 and even as late as December 1996 the Tribunal was not invited to participate at the London conference of the Peace Implementation Council, the grouping of countries and international organizations with a stake in the Bosnian peace process, international police from many Western countries were dispatched to Kosovo immediately after the end of the fighting to investigate war crimes, in support of the efforts of what is an increasingly well-funded Tribunal.

3. Current International Stake in the Balkans

Today's political geography of the Balkans is the result of four wars, in Slovenia, Croatia, Bosnia and Kosovo, and a series of partially implemented, internationally brokered agreements. International missions are now based in every country between Croatia in the north and Albania in the south, each with its own often confusing acronym. In addition to the massive missions in Bosnia and Kosovo, there are many lower-profile operations, including, for example, that of the United Nations in Prevlaka, the Croatian peninsular bordering Montenegro where 32 military observers are stationed. The financial cost of these missions is extremely high. Moreover, because of the scale of the international engagement, failure, that is the resumption of hostilities, will inevitably reflect badly on the international statespersons and organizations involved.

Costing international spending in the Balkans, in particular the military component, is difficult and depends largely on the methodology employed. If the entire cost of all troops and personnel involved in SFOR in Bosnia--and not simply the additional expense of their deployment in theater--is calculated for this year, it would likely amount to close to \$7 billion. The combined 1999 budget--excluding secondments--of the Office of the High Representative (OHR), UN, UNHCR and OSCE comes to about \$350 million and a little over \$1 billion is disbursed in aid every year. This means total expenditure of around \$8.5 billion in Bosnia alone. Spending in Kosovo is likely to be higher, since the number of troops deployed is greater, and that expenditure again is still considerably cheaper than the kind of campaign NATO waged between March and June. The UN's annual running costs alone are expected to be around \$465 million.

Although the international community was unable to muster the resolve, money and man power to support the various peace plans put forward by the ICIFY in Geneva between 1992 and 1995, it has found the means to bolster the Bosnian settlement and become almost resigned to the current level of expenditure. Moreover, since the indictment by The Hague Tribunal of Slobodan Milosevic and his inner circle for war crimes, the international community has effectively been obliged to adopt a long-term and uncompromising stance towards the Belgrade regime.

4. Constraints

Given the scale and cost of the international involvement in the Balkans, operations are inevitably constrained in terms of budgets, military man power and, perhaps most critically, expertise. Difficulties in these areas sometimes manifest themselves in disagreements between the United States and the European Union over burden sharing with Americans feeling that the Europeans are not pulling their weight to resolve what is, after all, a European problem. The root cause of many of these difficulties lies in structural deficiencies in Europe's institutional architecture and bureaucracy, some of which are being addressed at present.

4.1 Financial Considerations

Despite the scale of the reconstruction effort required in Kosovo and early funding short-falls, the greatest long-term problem may not prove to be money. For as in Bosnia, where international donors have pledged--and committed--more than the \$5.1 billion originally envisaged for reconstruction, there appears to be an abundance of funds. This is in contrast to post-war reconstruction in other parts of the world where, despite pledges at donors' conferences, countries have frequently failed to live up to their promises and thus undermined peace processes. No doubt, the fact that both Bosnia and Kosovo are in Europe has contributed to donor generosity. That said, given conflicts throughout the world, many in the aid community resent the disproportionate level of international resources committed to the Balkans. Since US planes carried out around 80 per cent of strike missions during NATO's air campaign against Yugoslavia, the United States bore the bulk of the war's expenses and now, understandably, expects the European Union to pick up most of the cost of reconstruction. As a result, the United States plans to limit its contribution to no more than 15 per cent of the total.

A total of \$2.168 billion was pledged at the first Kosovo donors' conference, organized jointly by the World Bank and European Commission, in July to meet immediate humanitarian and budget needs, including money which had already been disbursed in the first seven months of 1999 to meet the refugee crisis. And a further \$1.035 billion of new money was pledged at a second Kosovo donors' conference for the province's long-term development in November, \$970 million of which is earmarked for reconstruction, \$47 million for peace implementation and \$18 million for humanitarian aid, of which about half will come from the European Union and its member states. Given Kosovo's poverty, the province is not in a position to absorb more aid. Despite the pledges, however, UNMIK head Bernard Kouchner was forced to appeal to the Security Council for funding at the beginning of November, saying that he required an additional \$25 million before the end of the year to pay salaries for Kosovars working in public administration.

Ironically, the funding short-fall, which was largely met by an injection of Dutch cash, may to a certain extent be attributed to bureaucratic bottlenecks rather than a lack of money. EU aid is unfortunately notoriously slow to materialize as a result of internal administrative failings which the new Commission President Romano Prodi recognized and promised to address together with External Affairs Commissioner Chris Patten in his speech to last

month's OSCE summit in Istanbul. Here the European Commission's experience in Bosnia—where in some instances money pledged in 1996 has only been disbursed this year—has been both sobering and potentially sufficiently embarrassing to help change procedures.

A critical audit of EC operations in Bosnia revealing many of the bureaucratic short-comings was leaked and published in the German press in 1998. Whereas, for example, the US Agency for International Development (USAID) empowers its officials on the ground to make funding decisions themselves and is thus able to disburse money rapidly, European Commission employees have been obliged to wait for authorization from Brussels and this has delayed projects, in some instances by years. In order to rectify this problem in Kosovo, a specialist EC Reconstruction Agency with decision-making authority should be operational early next year. The European Commission is also preparing a 5 billion Euro aid package for the whole of south eastern Europe for the period 2000-2006.

4.2. Security Matters

In total, more than 80,000 international peace-keepers are currently deployed in the Balkans, in addition to some 2,000 international police in Bosnia and another 1,750 international police in Kosovo. Although the number of peace-keepers stationed in Bosnia is scheduled to fall by a third from 30,000 to 20,000 in the spring, the scale of the deployment remains at an unprecedented level and may leave some countries exposed elsewhere in the world. In the case of the UK, for example, working on the principle that one regiment has just returned, another is in theater and a third is preparing to be deployed, close to half of the army is involved in the Balkans. Moreover, the United States, in particular, appears reluctant to place troops in harm's way and is naturally keen to see its European allies take on a greater proportion of the burden in their own back yard.

To a certain extent, the issue is one of attitudes. The United States currently deploys 6,000 troops in Kosovo, 5,600 in Bosnia and 1,300 in Macedonia. This is already considerably fewer than the 20,000 initially dispatched to Bosnia in IFOR and a fraction of the 80,000 military personnel currently stationed in Germany, a decade after the end of the Cold War. Given the relative importance of a military presence in Germany and in the Balkans today, one option must be simply to move existing bases southwards. Moreover, it certainly appears from the scale on which the US Army's Kosovo base Camp Bondsteel is being built, that US troops are preparing for the long haul.

A more logical medium-term solution for Balkan stability, nevertheless, remains the development of an independent European defense capability. The appointment of Javier Solana as the European Union's first head of a Common Foreign and Security Policy has certainly brought this day forward, though he has only just moved into his new post. Meanwhile, it seems likely that the Franco-German Eurocorps will seek to take control of the headquarters of NATO's peace-keeping force in Kosovo next year and that EU member states will commit themselves to building a 50,000-strong crisis management force, deployable for two years at 60 days' notice. That said, the new force will probably not be

ready until 2003 and, as the new NATO Secretary-General George Robertson has pointed out, European countries will have to increase their defense spending to meet such goals.

Ultimately, responsibility for security within Kosovo and throughout the Balkans will have to be devolved to local institutions, and in particular to a local law-enforcement agency. Attempts to build a internationally supervised Kosovo Protection Corps (KPC), employing former members of the Kosovo Liberation Army (KLA), are, however, currently being hampered by a lack of funding. The problem here, however, is not that the necessary money cannot be found, rather that many countries are skeptical about the KPC. A genuine fear among potential donors is that the KPC will simply become the army of an independent Kosovo and undermine international efforts to foster accommodation elsewhere in the region and even possibly threaten the peace-keeping mission itself.

4.3. Expertise

The task ahead is extremely complex, since it involves restructuring an entire society following 45 years of communism, a decade of apartheid-like rule and 18 months of war. No matter how much money is pledged for Kosovo, no matter how many troops are deployed or how long the international commitment, it will not be possible to reconstruct a functioning society without deep expertise both in Kosovo itself and more generally in the problems faced by transitional societies. This requires, above all, suitably qualified personnel and a system to retain them so as to ensure continuity. It is also arguably where international organizations have performed least well as a result of poor recruitment policies and rapid turn-over in personnel.

One of the great success stories of Bosnian reconstruction has been the European Union's Customs and Financial Assistance Office (CAFAO) which has attempted systematically to understand and then restructure the way in which local authorities raise revenue to make it transparent and avoid fraud. Despite many successes, however, CAFAO has found it extremely difficult to recruit and then retain individuals with the necessary background and qualifications, as has the Office of the High Representative's Anti-Fraud Squad. Here and in so many specialized areas, the system of diplomatic secondment which operates is not appropriate. A long-term international commitment must be accompanied by long-term postings, qualified secondments and language training. But this is especially difficult in Kosovo because few foreigners will be prepared to put up with the living conditions.

5. International Capacity to Deliver Appropriate Solutions

International attitudes to the Balkans have, especially in Europe, come a long way since NATO's bombing campaign. Instead of seeking to isolate conflict within the former Yugoslavia and prevent it spilling into neighboring countries, policy-makers are aware that they have to deal with the region as a whole and to find long-term solutions for the root causes of conflict, if they will ever be able to get out. Moreover, as op-ed writers have urged for many years, long-term solutions lie in developing mechanisms by which the Balkans can

be integrated into the European mainstream and not by their isolation. The Center for European Policy Studies (CEPS), a Brussels-based think tank, for example, has proposed new EU membership categories for the countries of South-Eastern Europe, a Stability Pact has been formally launched for the region and the European Commission has already begun negotiations on a Stabilization and Association Agreement with Albania. That said, the current international political architecture is not necessarily best suited to this new approach, regional thinking is generally at an early stage and the specter of Slobodan Milosevic in power in Belgrade haunts even the best-designed plans.

5.1 International Political Architecture and the Stability Pact

In the course of the past year, international organizations have to a large extent attempted to shift their focus from one which is Bosnia-centric to one encompassing the entire region. Nevertheless, the plethora of agencies, the strict separation between military and civilian authority, and institutional rivalries make the coordination of international efforts especially difficult. Whereas during the Bosnian war the International Conference on the Former Yugoslavia (ICFY) was the sole international body working to resolve conflict in the Balkans, (even though its efforts were often undermined by a lack of support in key capitals) no such body exists today. The Stability Pact, an initiative of the European Union's German Presidency during NATO's bombing campaign against Yugoslavia offering the prospect of a better future to South-Eastern Europe, probably comes closest, but it does not possess the capacity to task other institutions and, at present, commands little respect on the ground.

Here, it is important to view the Stability Pact in context. For it is by no means the first international initiative seeking to resolve the region's many problems, nor is its concept new, since it was first discussed at the time of the Stoltenberg-Owen peace plan in 1994. Indeed, every major historical turning-point has encouraged the creation of new regional organizations. In addition to the Stability Pact, there is the Central European Initiative (CEI), founded in 1989 in Budapest, the Black Sea Cooperation Organization (BCCO), set up in 1992 in Istanbul, the Royaumont Process launched in Paris in 1995, and the South-East European Initiative (SECI), set up in Vienna in 1996. Yet with the possible exception of SECI, it is difficult to point to any achievements beyond meetings. Moreover, no formal evaluation of the efforts of any of these organizations has taken place.

Perhaps inevitably it is easy to criticize the Stability Pact in terms of its personnel, concept, and structure. The absence of an experienced Balkan hand at the top no doubt limits the imaginative potential of the initiative. The Stability Pact's founding document is extremely bland, little more than a list of existing organizations stating that each has an important role to play, with the division of operations into three sub-tables on democracy and human rights, security and reconstruction and economic development, but a mirror of the three baskets of the OSCE. Moreover, since the various heads of the sub-tables are each based in a different city, coordination within the Stability Pact may prove excessively difficult. That said, many of the Stability Pact's Brussels-based staff are energetic, young diplomats with several years experience in, and a strong commitment to, South-Eastern Europe who view their work as a unique opportunity to analyze issues on a regional level and facilitate innovative initiatives.

5.2 Innovative Solutions

The challenge in the Balkans is quite unlike that which diplomats are accustomed to. The task is to rebuild a war-torn society, while, at the same time, easing the transformation from one-party rule and the command economy to multiparty democracy and the free market, with, in places, the added complication of an unresolved ethnic question. As a result, innovation will likely be critical to conflict management in the Balkans and future stability, an innovation based on the experience of peace-building during the past four years and on expertise in other post-war and ethnically mixed societies. The path to stability may be via democratization, but this entails more than just elections. To date processes which have served to promote democracy elsewhere have largely proved destabilizing in the region. Existing domestic power structures have, in some instances, to be dismantled and mechanisms tailored to local conditions should be explored, including redesigned electoral systems, regional security and disarmament treaties, the creation of a regional broadcasting network and regional and/or reciprocal commitments to “special measures” to protect the employment, property, educational and other rights of minorities.

5.3 Serbia

Since Kosovo ostensibly remains part of Serbia and Serbia is both geographically in the middle of the Balkans and the most populous successor state of the former Yugoslavia, there cannot realistically be a lasting settlement either in Kosovo or in the wider region as long as Slobodan Milosevic remains in power. Predictions of his imminent demise during the past decade have, however, repeatedly proved premature. The Yugoslav President appears determined to stay in office and maintains the capacity to generate conflict within Yugoslavia’s borders, in Montenegro, the Sandzak, Vojvodina and Serbia proper, likely to spill over into neighboring countries. Worse still, the instruments available to the international community in its dealings with Milosevic are extremely blunt, consisting almost exclusively of sanctions—which harm the general population more than the elite—and subsidies to opposition parties, independent media and non-governmental organizations—which expose the recipients to accusations of treason. Irrespective of how the international community is structured, it may not be able to do anything in Serbia unless or until the existing regime collapses.

6. Conclusion and Suggestions

The international response to the wars of Yugoslav dissolution has been a case study in the way the world is ordered. It has illustrated, above all, the lack of cohesion in the international community, and even at times within NATO, the failings of short-term approaches aimed at dealing with the crisis of the moment, and the consequences of inactivity at critical junctures. Moreover, instead of extricating itself from the region, the international community has found itself sucked in ever more deeply, with little prospect of withdrawal in the next several years, if ever. Hence a belated realization, especially in Europe, that there are no quick-fix

solutions and that regional stability will require a long-term international presence and sustained, well thought-out policies backed by the credible threat of force.

Given the prominence of South Eastern Europe in international relations for most of the past decade, institutions have evolved in many ways to respond to the wars of Yugoslav dissolution. Indeed, a common European security and foreign policy is, as a result, beginning to take shape in a way which was essentially unthinkable in 1991 when war first broke out in the former Yugoslavia. That said, the European Union will not be in a position to meet the security needs in the Balkans alone for at least another three years.

Ironically, given the large sums involved, money has not proved a great obstacle to international reconstruction efforts in the Balkans, in contrast to peace-building operations elsewhere in the world. That said, bureaucratic procedures have frequently delayed the disbursement of EU funds and thus hampered operations. These procedures are being overhauled and the European Commission is attempting to think in terms of integrating the Balkans into the European mainstream, but such structural reforms and attitudinal changes do not happen rapidly.

Since the challenge in both Kosovo and South Eastern Europe is new and complex, innovative solutions are required. At present, however, neither the existing international set-up in the region, which has grown in response to crisis, nor the international structures outside the region, essentially the Stability Pact, appear equipped to produce the necessary analysis. Moreover, until there is fundamental political change in Serbia hopes of a wider settlement encompassing the entire region appear unrealistic, irrespective of what policies the international community pursues.

Lessons of the international community's experience in the Balkans to date have to be learned in order to take the peace process forward. But to learn lessons properly requires critical self-analysis of a sort which has often been lacking. Moreover, since the international community is trying to instill the qualities of transparency and accountability into local institutions, its own operations have to be run to the same standards and should be reviewed periodically in an attempt to improve efficiency.

Although the Stability Pact has only just been launched, it may not be the right vehicle to direct international policy towards the Balkans and other options should be examined. A more effective way forward might be the creation of a permanent international conference on the Balkans, along similar lines to the ICFY in Geneva, but based within the Balkans, in, say, Skopje seeking to give direction to international policy throughout the region. To have an impact, such a conference would have to be carefully constructed. It would probably have to be headed by a respected Western politician with existing expertise in the Balkans, and staffed by many of the energetic youngsters who have acquired considerable experience in and deep knowledge of the region in recent years as well as recognized experts, and to focus on analyzing issues and coming up with innovative and practical solutions. Another way forward, which may be pursued at the same time, is to set up a dedicated in the European Commission. focusing on South-Eastern Europe. Given the scale of EU spending in the

region, it can surely be justified. Indeed, it may even be able to play a role akin to that of the Organization for European Economic Cooperation under the Marshall Plan.