



Address to  
the Permanent Council of  
the Organization for Security and Co-operation in Europe

by H.E. Mr. Vuk Jeremić  
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[CHECK AGAINST DELIVERY]

Mr. Chairman,  
Excellencies,  
Ladies and Gentlemen,

I thank you for the opportunity to address the Permanent Council this afternoon.

The OSCE represents a unique forum—at once pan-European and Trans-Atlantic—in which participating states can define and explain their positions in the context of the broader European security agenda.

Tracing its origins back to the period of *détente*, it was constructed to help bring about the end of the Cold War. Ultimately, it did.

Some predicted the end of history would follow.

Perhaps it will one day, but that day is not yet upon us. The zero-sum, adversarial approach to international relations is re-gaining strength throughout the world and has begun to re-surface in the OSCE space.

But we must not fail. The stakes are too high, and the potential consequences too grave, for us to discard the principles by which we have been managing our actions and our relationships since 1975.

While it may be very difficult to achieve it globally, I believe that if *this* generation re-dedicates itself to the cause, we can forge the end of history *in Europe*.

Mr. Chairman,

I believe the moment to try again is now. Recent events within the European space suggest that we cannot afford to simply move from crisis to crisis, issue to issue, without a principled commitment to apply a standard acceptable to all.

If we look beyond the present discord, we see that the framework designed to bring us together is still there. We need only to turn back to the foundational document of the international system: the United Nations Charter. It remains a beacon for all—a sure guide in troubled times.

And for us here present, we have the advantage of an enriching addition to the framework of 1945: the Helsinki Final Act. The importance of the judicious application of its enshrined principles has rarely been more evident.

Mr. Chairman,

Let us be frank with each other: The unilateral declaration of independence by the Kosovo Albanians is a *prima facie* violation of the UN Charter, the Helsinki Final Act, and UN Security Council resolution 1244 (1999).

When we last met, I spoke of the precedent that could arise from the abject failure of the Kosovo Albanians to embrace the 21<sup>st</sup> century principles of Europe—namely compromise, concession, and consensus-building. I shared my fear with you that the unilateral imposition of outcomes to ethnic conflicts could create very troubling consequences to the community of democracies that is the OSCE, or even beyond. I spoke of what the fanning of secessionist flames could produce. And I expressed deep concern about what could result from the attempt to forcibly partition a sovereign, democratic state like Serbia.

It gives me no pleasure to conclude that some of what I had then laid before you as the likely consequences of Kosovo's UDI has come to pass.

The fabric of security and cooperation in Europe has been damaged. The dominos are starting to fall.

But there is still time to prevent the worst of these from spinning beyond our control.

Mr. Chairman,

Let me share with you how Serbia intends to keep contributing to the restoration of stability in our part of the OSCE space in the aftermath of Kosovo's UDI.

We continue to maintain that the *sine qua non* of the legitimacy of the international system is the respect for sovereignty and territorial integrity of internationally-recognized states.

Serbia has ruled out the use of force against its breakaway province. And Serbia has not exercised other unilateral options such as the imposition of economic sanctions.

Instead, we have opted for a peaceful and diplomatic, yet energetic approach—the result of which is that a vast majority of UN member States have refrained from recognizing Kosovo's UDI. They have continued to abide by international obligations to respect the sovereignty and territorial integrity of my country.

On behalf of the Republic of Serbia, allow me once again to sincerely thank these countries for their adherence to the principles of international law.

Mr. Chairman,

A part of our diplomatic approach to securing peace and stability in the Western Balkans centers on an initiative we have put before the next General Assembly of the United Nations.

Serbia has submitted a draft resolution to be considered at the forthcoming 63<sup>rd</sup> Session. This document refrains from taking political positions on Kosovo's UDI. Rather, in simple and direct language, it asks of the principal judicial organ of the United Nations—the International Court of

Justice—to render an advisory opinion on the following question: “Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?”

Numerous benefits would result from referring this matter to the ICJ.

On the regional front, we believe that a number of relationships could begin to be restored to health. Serbia intends to work with the region and other stakeholders to ensure the creation of much-needed political space to concentrate on what unites us instead of what drives us apart.

From the perspective of the international system, sending the Kosovo question to the ICJ would prevent it from serving as a deeply problematic precedent in any part of the globe where secessionist ambitions are harbored. It would provide politically neutral yet judicially authoritative guidance to many countries still deliberating on how to approach Kosovo’s UDI in line with international law.

I come to the final reason why it is proper for the General Assembly to support Serbia’s request to obtain an advisory opinion from the ICJ. It has to do with the vital international principle at stake: the right of any member State of the United Nations to pose a simple, elementary question—on a matter it considers vitally important—to the competent court. To vote against this resolution is in effect to vote to deny the right of any country to seek judicial recourse through the UN system.

Mr. Chairman,

I turn now to a further contribution by Serbia to securing peace and stability in the Western Balkans: arriving at a functional arrangement for a reconfigured United Nations-led presence in Kosovo.

The European Union has committed itself to building the much-needed institutional and societal fabric of our southern province. And I want to make it clear that as a general principle my country supports the deepening of Europe’s engagement in any part of Serbia, including Kosovo.

In order for Europe’s presence in Kosovo to be fully secured within an acceptable, legitimate framework, it is *vital* that its mandate be approved by the Security Council. It must operate within the framework of Security Council resolution 1244 (1999) and be clearly based on the principle of status-neutrality, as well as fall under the ultimate authority of the UN. In this way, any lingering issues about the implementation of the Ahtisaari Proposal would be resolved once and for all.

Let me be unambiguous about this: The Ahtisaari Proposal was rejected by the Republic of Serbia. It was not approved by the Security Council. It has no legal standing.

Therefore it cannot contribute to any constructive, legitimate, and forward-looking plan designed to anchor the European Union’s presence within our southern province of Kosovo.

I want to clearly emphasize Serbia’s conviction that a consensual result on the framework of Europe’s presence in our southern province can be achieved in the near future. Let there be no doubt: Serbia will work hard with the international community to try and construct an outcome we can all support.

Mr. Chairman,

I turn to the subject of OMIK, one of the two OSCE missions operating on our territory. I begin by drawing attention to two recently released reports by our Organization that paint a realistically bleak picture of the reality of Kosovo today. The first, entitled “Four Years Later”, is a candid and comprehensive indictment of the Kosovo police and judicial system, in particular its failure to truly

call to account the organizers and perpetrators of the March 2004 pogrom against the Kosovo Serbs and the Serbian Orthodox Church.

The second—“Human Rights, Ethnic Relations and Democracy in Kosovo”—covers the period from Summer 2007 to Summer 2008, that is to say, the pre- and post-UDI period. The conclusion one can draw from it is that very little has changed. From corruption to organized crime, property rights to the return of IDPs, UDI has not changed the grim reality of failure.

The judicial backlog has swelled, whilst the few judgments that are handed down seem to suffer from an inherent inability to punish the guilty.

Human rights have not improved—in fact, they have gotten worse. Just recall the terrible crime of cultural cleansing that took place a few months ago in the town of Djakovica: concrete was laid on the remains of a church that was heavily damaged in March 2004, and a park was built on top of it.

The same goes for a recent incident in the town of Decani, home of a UNESCO World Heritage Site that is also on its List of World Heritage in Danger. Ten potential returnees were physically and verbally assaulted in the Municipal building a few weeks ago.

Those were just a few examples of an endemic problem.

In truth, if you go back and look at the OSCE reporting, you won't see them mentioned. According to the local field office dailies, it never happened. And the church was never paved over, either.

I raise, therefore, the core issues of OMIK's objectivity, accuracy and hiring practices, and note with grave concern the strong impression of Kosovo's Serbian community—especially in the enclaves—that OMIK, in particular its field offices, has lost its confidence.

Ultimately, before we can even begin to talk of reinforcing OMIK's 1244-based role in our southern province, we must insist on stricter scrutiny, greater accountability, and absolute transparency. And we must take seriously the long-standing OSCE practice that the host country be fully consulted in the Head of Mission selection process.

Mr. Chairman,

Regretfully, I must say that Serbia, as the host country, was not adequately consulted by the Chairmanship.

We continue to support the candidate put forward by the Swiss Confederation.

We believe the only remedy to this stalemate is to begin anew. Serbia therefore requests of the Finnish Chairmanship to swiftly call for new nominations to be proposed by the participating States.

We recognize that time is short, but believe the window of opportunity to do the right thing remains open.

I assure all here present that the Republic of Serbia remains dedicated to act in a constructive and cooperative manner. We look forward to working with the Chairmanship, the Secretary General, the Troika and the participating States. I am confident that a rapid consensus will emerge on the most suitable candidate for the job, paving the way for his *or her* appointment, free of controversy.

Mr. Chairman,

In conclusion I say: The only prosperous destiny for the Western Balkans manifestly lies in the European Union.

This is the context within which the new Government of the Republic of Serbia operates. And so while we retain a steadfast commitment to the preservation of our sovereignty and territorial integrity, I want to emphasize to you that the strategic priority of the new Serbian Government is the accelerated march toward full European Union membership, together with the consolidation of regional peace and stability.

The reason is elementary: The Republic of Serbia has strong faith in the power of the 21<sup>st</sup>-century values of Europe, and in their ability to reconcile former rivals and adversaries.

Allow me to draw attention, therefore, to the decisive steps the new Government of Serbia has taken to reaffirm our full cooperation with the International Criminal Tribunal for the former-Yugoslavia.

We have moved swiftly in demonstrating our commitment to fulfill both our domestic and international legal obligation. It advances our political aim to achieve comprehensive reconciliation with all our neighbors. And it also highlights our moral imperative to the victims, to ourselves, and—most of all—to the generations to come: the ultimate beneficiaries of our efforts and our commitments.

Mr. Chairman,

I end as I began: Enough harm has been caused by the various intrusions against the values that stand at the foundation of the institution that brings us here today.

We have to change tacks and find our bearings again. The healing must begin. And the restoration of trust must follow.

It will not be easy—it never has been. For peace and security must be won and secured time and again. Sincere political commitments must be made, sovereign equality must be respected, and hard work must follow.

Let that be our common cause and our impetus for renewal—as we realign ourselves and our actions with the founding principles of this Organization and the United Nations, upon which it rests.

The time to begin fulfilling the promise of the end of history in Europe is now.

Thank you very much for your attention.