



United States Mission to the OSCE

Response to Head of Mission to Serbia and Montenegro, Maurizio Massari

As delivered by Ambassador Stephan M. Minikes
to the Permanent Council, Vienna
September 23, 2004

Thank you, Mr. Chairman.

The United States warmly welcomes Ambassador Maurizio Massari and new Deputy Head of Mission Mr. Doug Wake to the Permanent Council today, and wants to thank Ambassador Massari for his comprehensive and thorough report, as always, to the Permanent Council. We would also like to thank Ambassador Massari for his efforts in leading the OSCE Mission, and his staff for their dedicated work, and finally I would like to thank someone who had to leave just a little bit ago, the United States Ambassador to Belgrade, Ambassador Polt, who joined us over the last couple of days, including here this morning until he had to catch a plane to return to Belgrade, for his perspective, which is very much reflected in our intervention this morning and was so very helpful in various meetings with colleagues over the last several days.

We are pleased to hear Ambassador Massari's description of the positive developments in Serbia and Montenegro toward the consolidation of democratic institutions in the past six months, and we also share his positive evaluation of the new and important legislation, especially those laws which deal with judicial, media, and economic reforms. Implementation of these laws remains a very crucial and critical task.

Notwithstanding this progress however, we also concur with Ambassador Massari's report that the pace of reform needs to accelerate. There are still some key pieces of legislation that need to be drafted or adopted, in particular the laws on the Ombudsperson, Witness Protection, and religious freedoms. We would also like to see the development of rules and procedures aimed at encouraging responsible and accountable parliamentary work. According to Ambassador Massari's report, this remains one of the priority concerns of the Mission and we appreciate progress toward police education and training programs, but remain concerned that police accountability and the politicization of the police continue to be identified as a serious problem.

The United States would also like to see progress toward completion of a final draft of the new Serbian constitution, which the present government has identified as one of its key challenges. Its completion would be another crucial step forward in the continued democratic consolidation of the country.

The United States fully shares the concern expressed by the Head of Mission that Serbia and Montenegro has not made sufficient progress as regards cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). Whether this is due to lack of consensus or due to the lack of political will, neither is acceptable, and the fact remains that the verbal acknowledgement by authorities of their international obligation to cooperate with

the ICTY has not translated into actions and results. In 2004, for example, not a single indicated war criminal has been taken into custody. Instead, the vast majority of the twenty indicted war criminals who remain fugitives from justice, including Mr. Ratko Mladic and Mr. Radovan Karadzic, either still reside in Serbia and Montenegro or frequently visit or transit Serbia and Montenegro. Every effort must be undertaken to see international justice through by rendering all fugitive indictees to The Hague.

We congratulate the government for the positive progress made toward fulfilling human dimension commitments, including those in the fight against human trafficking. However, when it comes to national minorities issues, there is still room for improvement, especially in the domain of educational rights. We fully support the Mission's recommendation that the Serbian government make a stronger commitment to educational programs for national minorities. We are concerned over continued inter-ethnic tensions in Vojvodina, and call upon the Mission to monitor the situation closely. We also agree that the Serbian government needs to pay closer pay attention to economic development and multi-ethnic institution building in Southern Serbia, in order to maintain stability in that part of the country.

We are pleased that Serbia and Montenegro is making steady progress toward improving its bilateral relationships with its neighbors. Several bilateral agreements have been ratified, including an agreement with Hungary on the protection of national minorities, and we also encourage Belgrade and Pristina to pursue a dialogue on ways to protect the rights of the Serb community in Kosovo. The Government of Serbia should support participation by Kosovo Serbs in the upcoming elections in Kosovo.

In closing, let me thank Ambassador Massari and his staff again for their dedication to the Mission and to the important work the Mission continues to be engaged in promoting democracy and stability in the region.

Thank you.