



## EUROPEAN UNION

### **OSCE Permanent Council Nr 1134 Vienna, 16 February 2017**

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#### **EU Statement in Response to the Report of the OSCE Head of Mission to Serbia, Ambassador Orizio**

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The European Union and its Member States welcome Ambassador Orizio to the Permanent Council for the first time and thank him for his thorough report on the OSCE Mission to Serbia's activities over the past year.

There have been a number of positive developments in Serbia in the last year, in particular the opening of EU Accession Chapters 23 and 24, the adoption in Parliament of important pieces of legislation, and the holding of parliamentary and local elections in April 2016.

We welcome the recent high level meetings in the framework of the EU-facilitated Dialogue between Belgrade and Pristina. Progress in the normalisation of relations between Belgrade and Pristina is essential for both parties, for the European Union itself, and for the wider region. We encourage continued efforts by Belgrade and Pristina to implement all agreements reached. We note with concern that some recent events in the region – most notably the so-called Serbian train episode – could have easily escalated and did not contribute to a constructive atmosphere in the normalisation of relations.

In general we note the continued fast pace of reform in Serbia, and would appreciate hearing from Ambassador Orizio how this impacts the quality and implementation of legislation. While welcoming some important steps in judicial reform, we also note impediments to improving the efficiency of the judiciary, including removing the role of Parliament in judicial and prosecutorial appointments.

We welcome the adoption of the National Strategy for the prosecution of War Crimes and encourage the Mission to continue its work with all relevant stakeholders in order

to create conditions for more effective prosecution of war crimes. We recall the need to appoint a new War Crimes Prosecutor, and to maintain due attention to the fate of missing persons who disappeared in the conflicts in the 1990s, and we encourage further efforts to overcome legacies of the past and to foster reconciliation, including through promoting a climate of tolerance. Full cooperation with the ICTY remains essential.

We encourage the host country to ensure consistent implementation of fundamental rights across the country. We also underline the need for progress in creating conditions for the full exercise of freedom of expression, including more consistent efforts to ensure full implementation of the media laws. We also share Ambassador Orizio's view that organised crime remains a serious challenge in Serbia and the region more widely. In this regard, we welcome the activities aiming at fighting against organised crime groups smuggling migrants between Serbia, Hungary and the former Yugoslav Republic of Macedonia.

We commend the flexibility shown by the Mission in assisting Serbia to respond to emerging challenges, notably migration and countering violent extremism. Also having in mind the adoption of a decision on the OSCE's role in the governance of large movements of migrants and refugees at the Ministerial Council in Hamburg, we encourage the Mission to continue its highly relevant work related to this topic.

The European Union and its Member States continue to highly value the important support provided to Serbia by the OSCE Mission in its core mandated areas of police affairs, rule of law, democratisation and the media, and the spirit of cooperation with the host country. In particular we commend the work of the field presences in Novi Pazar and Bujanovac, and the engagement of the Mission on national minorities. We welcome that local elections last April resulted in the emergence of elected parties with agendas promoting policies of regional development and cooperation in Bujanovac and would appreciate Ambassador Orizio's assessment of how this could impact negotiations on the seven point Common Agenda.

We underline the importance of respecting and promoting the rights of persons belonging to national minorities throughout Serbia, as well as ensuring non-discriminatory treatment, in line with the international standards and commitments as

well as bilateral agreements pertaining to the rights of persons belonging to national minorities. This is of particular importance in relation to education, the use of languages, access to media and religious services in minority languages, and representation in public administration and representative bodies at all levels. In that regard we particularly welcome the Mission's support to the adoption of the Novi Pazar Local Safety Strategy last December, as well as to the Action Plan for the Realization of Rights of National Minorities last March. We also welcome the Mission's efforts in capacity building National Minority Councils and reiterate the important role of the National Minority Councils in implementation of existing and drafting of new legal acts concerning the rights of persons belonging to national minorities in Serbia.

While recognising that the OSCE Mission in Kosovo has a clearer entry point, we would again encourage the Mission to Serbia to consider whether it can play a role in supporting the reconciliation process between Belgrade and Pristina, within its existing mandate.

We highly value the Mission's continued focus on Human Dimension issues in particular, including on tolerance and non-discrimination and combating hate crime. We also welcome the Mission's work with the Presence in Albania on youth cooperation and hope that it will join forces with the Regional Youth Cooperation Office, as well as the Mission's focus on gender, including supporting establishment of gender responsive budgeting into Serbia's budgetary system and tackling gender-based violence.

Noting the challenges faced in making progress on media freedom in Serbia, the EU and its Member States reiterate the need for enhanced focus on this area of the Mission's mandate, including in cooperation with the Representative on Freedom of the Media, and looking ahead, trust that the Serbian authorities will engage proactively and meaningfully with the Mission to ensure more significant progress on this issue.

With regard to the Mission's activities in the Economic and Environmental Dimension, we underline the need to maintain focus on the Mission's core mandate.

We continue to encourage the Mission to embed further a culture of evaluation into its operations to ensure that its activities remain relevant and are sustainable. We encourage you to make more use of the yearly reports to the PC to report on the impact of your work and on progress against planned outcomes.

Finally Mr Chairperson, we note the upcoming Serbian Presidential elections and the possibility of parliamentary elections in 2017. We anticipate engagement by the Mission in helping Serbia minimise the disruption to its reform agenda. We once again urge the Serbian government to prioritise implementation of previous ODIHR recommendations.

We wish Ambassador Orizio and his able team every success over the coming year.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA\*, MONTENEGRO\* and ALBANIA\*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and NORWAY, members of the European Economic Area, as well as UKRAINE, align themselves with this statement.

\* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.