

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1 (A) OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE
AT THE 745th MEETING OF THE PERMANENT COUNCIL**

18 December 2008

By the delegation of Serbia:

“The Republic of Serbia deeply believes that the role of the OSCE field presences in South-Eastern Europe and the assistance they provide in implementing the principles, standards and commitments of the OSCE are of essential importance for the progress of the region as a whole. We believe, as well, that for issues that are of regional character, regional solutions have to be found.

The mandate of the OSCE Office in Zagreb envisages that the office “will cooperate with regional and international partners”. In this sense, we hold it indispensable that the Office continues its cooperation, in particular with the European Union and the UNHCR, pertaining to issues for which there have been achieved no sustainable solutions on a regional level, and which are related in particular to problems addressed in the Sarajevo Declaration.

The issue of occupancy or tenancy rights (OTR) of Croatian citizens – Serbian refugees from Croatia – has, despite all efforts, not been solved. Experience has shown that the Housing Care Programme, offered by the Government of Croatia, can not be a substitute for the solution of the OTR issues. To achieve durable solutions, it is necessary to reconstitute all the rights of the refugees in the countries of origin or to offer an adequate compensation were return is not possible any more.

Croatian citizens – Serbian refugees from Croatia – are still facing a number of problems as are, for example, unpaid pensions for the period of 1991 to 1998, participation in the privatization process in Croatia, rejection of the requests for the reconstruction of houses (about 7500 requests are under appellate proceedings and wait to be solved), unresolved issues of occupied agricultural land, the lack of communal, economic and social infrastructure in settlements to which people return, and the structure and identity of the users of the Housing Care Programme (comprising about 5300 residential units).

The Republic of Serbia, on its part, brings efforts and resources to finding durable solutions for the refugee problem, but the responsibility has to be borne by the state of origin of the refugees. This relates also to the implementation of the solution pertaining to the convalidation of working years of refugees.

We firmly believe that the assistance of the international community and talks within multilateral frameworks are indispensable for the solution of the above mentioned issues.

We hold it necessary, as well, that the OSCE Office in Zagreb, in accordance with its mandate, closely cooperates with the Office of the Chief Prosecutor of the ICTY in order to enable the Tribunal full access to the archives and documents needed by the prosecution for the main proceedings.

The Republic of Serbia joined the consensus regarding the decision on the extension of the mandate of the OSCE Office in Zagreb, understanding that the office will continue to be actively engaged in the tasks defined in the mandate until the mandate is fully implemented.

We request that this interpretative statement be attached to the journal of today's meeting of the Permanent Council.”