



REPUBLIC OF SERBIA

**OSCE Human Dimension Implementation Meeting
Working Session 3
Fundamental freedoms II**

**Statement by the Deputy Minister in the Ministry for Kosovo and Metohija
of the Republic of Serbia,
Mr. Bojan Andjelkovic**

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REPUBLIC OF SERBIA
MINISTRY FOR KOSOVO AND METOHIJA

Belgrade, 2 Mihailo Pupin Blvd.

www.kim.gov.rs

Mister Chairman,

Your Excellences,

Distinguished Colleagues,

Ladies and Gentlemen:

On behalf of the delegation of the Republic of Serbia, allow me to express my gratitude for having the opportunity to share with you an example from the practice related to the substance of our discussion on human rights and freedom of movement. When I say an example, I mean a real practical case that illustrates the conditions of living for Serbs in Kosovo and Metohija, the Province of the Republic of Serbia, administered by UNMIK under the Security Council Resolution 1244.

1. Mr. Djokica Stanojevic is a Serb from Djakovica – a town in the southern part of Kosovo and Metohija.

Mr. Djokica Stanojevic was a distinguished citizen of Djakovica. He was a professor at the local Secondary School of Economics, the Headmaster of the same school, the Managing Director of “Metaliku” company, the Managing Director in the juice and wine factory, President of Municipal Council, President of the Municipality; a football player holding the record of 651 games played wearing the colors of the local Football Club “Vëllaznimi”. The meaning of the Albanian word “Vëllaznimi” is brotherhood.

In June 1999 Mr. Stanojevic was forced to leave his hometown. He left in Djakovica everything his family ever had:

- Real estates in possession of the family-owned company “Ovcar-promet LLC” including a facility with total surface area of 196 sq. meters (2.110 sq. ft.) in 14 Marshal Tito street and a business space with total surface area of 40 sq. meters (430 sq. ft.) in 15 Marshal Tito street.
- Family house with total area of 200 sq. meters (2.152 sq. ft.) in 77 Srpska Street.
- Two houses with total surface area of 360 sq. meters (3.875 sq. ft.); two buildings used as dairy with total area of 2.000 sq. meters (21.528 sq. ft.); cattle shed with total area of 300 sq. meters (3.229 sq. ft) and auxiliary building with total area of 80 sq. meters (861 sq. ft.); and lot of 7.880 sq. meters (84.820 sq. ft.) in Van Varos settlement – Cadastre lot No. 4758 the Djakovica Cadastre office.
- **A land lot in Djakovica covering a total area of 15 hectares (37.06 acres) in possession of the Stanojevic family.**

The estimated total value of all properties belonging to the Stanojevic family is nearly 6 million euro. Every bit of this property is the fruit of hard and honest labor of Mr. Stanojevic and his ancestors who had lived in Djakovica since the Middle Ages.

There are no ongoing disputes concerning his property rights. Not a single bit of his property has been destroyed.

Mr. Stanojevic has never committed any inhuman action towards any other human being. He is, like the rest of his family, an honest man.

However, it's been 10 years now since Mr. Stanojevic cannot use his property, neither can enjoy the fruits of his labor, and the labor of his ancestors. The revenue generated by his estates is illegally and outrageously collected by the local Albanians who persistently overlook the fact that all of this in fact belongs to somebody else and not to them.

They are protected by the local authorities.

Mr. Stanojevic's fundamental human rights – right to own property, right to freedom of movement, right to live as a free human being and right to return to place of origin, right to work, etc – are flagrantly violated.

2. On August 28th 2009 on the Day of Assumption of Holy Mother of God, a group of Serbs visited Djakovica for the first time. Offering his support to the Albanians who

demonstrated against Serb visit and demanded that the Serbs never set foot again in Djakovica, the president of Albanian Municipality of Djakovica, said that Serbs are not welcome and not wanted in Djakovica, and that the return of the Serbs will not be good for stability in Kosovo.

These words simply mean that Mr. Stanojevic's human rights to life, liberty and security of person and the right to freedom of movement are violated in practice. To illustrate, Mr. Stanojevic is not allowed to speak in the Serbian language, it would be too dangerous, which means that he has no right to use his mother tongue.

Mr. Stanojevic wants to go back to Djakovica and live peacefully in his own home. That is why he registered for return with the UNHCR. The UNHCR promised Mr. Stanojevic that they would provide all necessary conditions for his safe return within 60 days. Not only Mr. Stanojevic, but 800 more Serbs also registered for return to Djakovica. However, local Albanians would not allow Mr. Stanojevic or any other Serb to return and use their own property. **Mr. Stanojevic's human right to return to his own home is violated.**

Different sets of rules apply for Mr. Stanojevic and for the local Albanians.

He is exposed to discrimination, just like all other Serbs and other non-Albanian communities living under the same conditions as him and his family.

3. Two Serbian Orthodox Churches were destroyed, one in the center of Djakovica and one in the Serbian neighborhood. There is no peace for the deceased ancestors of Mr. Stanojevic either, because the cemetery where they are laid to rest has also been destroyed. Block of new flats is now erected on the cemetery grounds. **Human right to religion is violated to Mr. Stanojevic and other Serbs as well.**

Another five thousand Serbs, Roma and Gorani people, recently registered for the return with the UNHCR are in the same position as Mr. Stanojevic. Additional two hundred thousand Serbs, Romas, Egyptians, Ashkaly, Gorani and others never got a chance to return and enjoy the merits of modern civilization. In the 21st century Europe human rights for them are just a dream.

Distinguished Colleagues,

Mr. Stanojevic strongly believes you will help him.

And I myself believe that this is the right place to send an urgent, clear and unambiguous message that all international organizations and all responsible subjects, without any delay,

should do everything in their power to ensure full respect of fundamental human rights and freedoms for Mr. Stanojevic, his neighbors and all internally displaced persons.

On their behalf, on behalf of the Ministry for Kosovo and Metohija and on my own behalf I thank you all for any future involvement in this matter, as well as numerous similar cases related to position of Serbs from Kosovo and Metohija.

Annex 1 - Statistics related to the current situation for Serbs and other non-Albanian communities living in Kosovo and Metohija

Deputy Minister

Bojan Andjelkovic

e-mail: bojan.andjelkovic@kim.gov.rs

phone: +381 11 311 40 56, +381 11 311 74 23,

fax: +381 11 311 29 46

Annex 1

Statistics related to the current situation for Serbs and other non-Albanian communities living in Kosovo and Metohija

- 250,000 Serbs, Roma, Ashkali, Egyptians, Gorani, Turks and other non-Albanian people were exiled from their homes in Kosovo and Metohija after June of 1999.
- 312 of 437 settlements populated with Serbs are completely ethnically cleansed from Serbs, excluding Leposavic, Zvecan and Zubin Potok municipalities.
- More than 7,000 ethnically motivated assaults against Serbs and other non-Albanians occurred, more than one thousand Serbs and 104 people from other ethnically discriminated groups were killed, 841 Serb were kidnapped, and 960 people were severally injured after UNMIK and International military forces took control in 1999.
- 18,000 homes were destroyed and ditto were robbed and 50 billion US Dollars worth of land owned by Serbs and other non-Albanians are usurped and still occupied by Albanians after June of 1999.
- 155 Serbian churches and monasteries were destroyed or damaged during and after the year of 1999 and on March 17th 2004 in just three days 35 churches and monasteries were burnt to the ground including one unique monument dated from 12th century.
- KFOR and UNMIK were not fully emphatic for Serbian Orthodox Church clergy and their churches and monasteries of which some are listed on UNESCO World Heritage Site, and more worryingly on UNESCO World Heritage Site in Danger.
- Only couple of thousands of non-Albanians has returned to Kosovo and Metohija after ten years.
- Living conditions for Serbs and other non-Albanians is getting worse every day. Serbs and other non-Albanians are facing numerous problems and are not entitled to Fundamental human rights guaranteed by relevant international documents. They are constant target of everyday impunity violence with only one goal to make them go away. There is no Rule of Law. Houses and other assets of Serbs and other non-Albanians are occupied and they have no resources to protect them. Even, when they rarely can access their houses, they are in constant threat for own life and security. They have difficulties to gain access to health care and education. Robberies and harassment happen every day. Problems related to water and electricity supply, occur on a daily basis.
- Problems listed above indicate that the right to life, right to freedom of movement, right to own property, right to freedom of association, right to freedom of speech, right to equal treatment or equal protection before the law (fair legal procedures), right to freedom of thought are in serious jeopardy. Not only ethnically motivated violence against minorities, but weakness of institutions (judiciary and police) is clearly visible through flagrant violation of human rights.