



**STATEMENT BY MS. MIROSLAVA BEHAM,
AMBASSADOR OF SERBIA,
IN RESPONSE TO THE ADDRESS BY THE HEAD OF THE OSCE
OFFICE IN ZAGREB, AMBASSADOR JORGE FUENTES,
AT THE 704th MEETING
OF THE OSCE PERMANENT COUNCIL**

6 March 2008

Mr. Chairman,

We would like to warmly welcome Ambassador Fuentes to the Permanent Council and thank him for his comprehensive report.

Let me first assure the distinguished Permanent Council that Serbia very much values the achievements of the OSCE Mission in Croatia over the past years, and we expect the work of the Office to be even more successful.

We are particularly supportive of the strengthening of regional cooperation, including the cooperation between the region's OSCE field operations. The Palić, Ohrid and Sarajevo Processes are perfect examples of how the OSCE can assist countries to solve issues that are by their very nature regional in scope - and that, as such, require solutions that are *themselves* regional.

In this regard, let me take this opportunity to address two very sensitive issues - war crimes and the issue of refugees.

We share the concerns of the EU related to the conducting of war crimes prosecution and fully support regional judicial cooperation, including the Palić Process.

We would also like to take this opportunity to recall our Interpretative Statement related to the Decision on the Establishment of an OSCE Office in Zagreb.

Our understanding is that the OSCE Office in Zagreb, within its mandate, in particular the part related to the reporting of the implementation of the Housing Care Programme, is going to deal with this issue as a whole, i.e. in the context that is indispensable for the implementation of the Sarajevo Declaration and for a sustainable solution of the refugee issue as one of the key elements for stability

and development in the region as a whole, including the settlement of OTR issues and convalidation of the working years of refugees.

We would like to stress, once more that the Sarajevo Process, initiated by the OSCE, the European Commission and the UNHCR, and the Sarajevo Declaration, signed by the ministers of the countries in the region, are not fully finalized. Participants in the Sarajevo Process identified and acknowledged two open issues which are the key for the implementation of the Sarajevo Declaration. The issues are:

- a settlement for terminated Occupancy and Tenancy Rights (OTR) and
- the convalidation of working years.

The Republic of Serbia regards it as indispensable to finalize the Sarajevo Process fully and consistently, as the signatories committed themselves to do, and we expect support in this regard also from the international actors which were the initiators of this process.

Mr. Chairman,

Allow me to remind you that the issue of OTR holders was successfully solved by the restitution of rights in Bosnia and Herzegovina, with full support of the international actors. The biggest success of this process is the fact that over 99 % of property has been returned to its legal owners and that the issue of repossession of occupancy rights was made equal with repossession of private property. So, today, the return of refugees to Bosnia and Herzegovina is no longer a political and security problem.

At the same time, we would like to recall that Serbia still houses some 70.000 refugees from Croatia and an additional 150.000 persons who naturalized, whose problems, however, are not solved.

The Housing Care Programme of the Government of Croatia represents only one form of possible solutions for OTR holders. For this way of resolving the issue of terminated OTRs only a few thousand refugees applied. The total number of Serbian OTR holders from Croatia amounts to 30.000, with 20.000 of these OTR holders being in Serbia.

Mr. Chairman,

We hope the Office will continue its valuable work in Croatia. Allow me to thank once more Ambassador Fuentes for his committed work and wish him the very best.

Thank you, Mr. Chairman