



**STATEMENT BY AMBASSADOR MIROSLAVA BEHAM,
PERMANENT REPRESENTATIVE OF SERBIA TO THE OSCE,
UNDER CURRENT ISSUES
ON THE ARREST OF RATKO MLADIĆ,
AT THE 864th MEETING OF
THE OSCE PERMANENT COUNCIL**

2 June 2011

Mr. Chairperson,

Allow me to thank the European Union, the United States, the Russian Federation, Canada, Croatia and Bosnia-Herzegovina for their statements on the arrest of Ratko Mladić and his extradition to the ICTY. Indeed, we are talking about historic events for Serbia and the region of the Western Balkans and, I believe, even beyond that.

As we informed the Permanent Council last week, Ratko Mladić was arrested on the 26th of May in the house of his cousin some 100 kilometers north of Belgrade, in a coordinated action of the Serbian Security Agency (BIA) and the Service for the Investigation of War Crimes. Two days ago, on the 30th of May Mladić was extradited to the ICTY. In the very short period between the arrest and the extradition, Mladić was subject to all necessary procedures requested by law, in which all Serbian institutions involved displayed the highest possible degree of professionalism.

With the arrest of Ratko Mladić and his transfer to The Hague, Serbia has demonstrated once again her consistent policy and determination to finalize the cooperation with the ICTY. As President Tadić pointed out, however, we do not forget at the same time that we have to finalize the investigations with regard to Goran Hadžić. Nor do we with the apprehension of Ratko Mladić stop the investigations on who was hiding him and whether the fugitive was supported by some institutions in Serbia.

Mr. Chairperson,

By arresting Ratko Mladić, Serbia has shown her strong commitment to fundamental values of democracy and the rule of law, and with this to European Union integration, and has removed the biggest formal and political obstacle, not only for receiving candidate status, but also for getting the date for the start of the accession talks with the European Union.

However, as I said last week, the arrest and extradition of Mladić was in no way calculated, but rather the result of Serbia's continuous efforts to fulfill her obligations and her moral duty. This event should therefore be seen also as a significant step in confronting the Serbian society with the consequences of the conflicts in the 90's, as well as Serbia's latest contribution to the reconciliation process in the region. Let me remind you, Mr. Chairperson, that in the recent past Serbia – the Serbian Parliament as well as the Serbian President – has undertaken unprecedented steps to further regional reconciliation.

And let me also remind you that in the framework of the cooperation with the ICTY the Republic of Serbia transferred all but one of the 46 indictees requested by the court from Serbia. Among the accused transferred to the Tribunal are two former presidents of the Republic, one former Prime Minister and one Deputy Prime Minister, three former Chiefs of the General Staff of the Yugoslav Army, the former Head of the State Security Service, a dozen military and police generals, as well as the Bosnian fugitives Karadžić and Mladić. I do not want to go further into a myriad of details of our full cooperation with the ICTY, but let me just emphasize the following:

From the perspective of victims and their families it is important that those who perpetrated war crimes are arrested and brought to justice. However, from the perspective of a court it is not sufficient to have all accused in prison. It is of the same importance to supply the court with evidence and to protect witnesses. Serbia has granted to the ICTY unconditional access to all archives, including those of military and security agencies, handed over to the Tribunal hundreds of thousands of documents and provided the Office of the Prosecutor with requested witnesses. According to the Statute of the ICTY this is the obligation of all states and international organizations.

Let me underline that with the fulfillment of her commitments towards the ICTY, Serbia has proved her full respect for all the courts established under the auspices of the United Nations, including the International Criminal Court. Having that in mind, as well as the fact that all war crimes have to be punished and that reconciliation is not a one-way street, we expect that crimes perpetrated against Serbs will be fully investigated and adequately proceeded, as well. Justice has to be done to all victims of the cruel wars in the 90s in former Yugoslavia. In this regard we would also like to refer to our proposal for the establishment of an independent body with a mandate of the United Nations Security Council to investigate the allegations outlined in the Dick Marty Report in a comprehensive manner, and call upon participating States to support Serbia's request and with that justice and reconciliation.

Thank you, Mr. Chairperson.