



REPUBLIC OF SERBIA

Organization for Security and Co-operation in Europe
Human Dimension Implementation Meeting
Warsaw, 2 - 13 October 2006

STATEMENT
by
H.E. Mr. Dragiša Dabetić
Commissioner for Refugees of the Republic of Serbia

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COMMISSARIAT FOR REFUGEES OF THE REPUBLIC OF SERBIA

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Mr. Chairman,
Distinguished Ladies and Gentlemen,

I will focus in my statement on our national priorities and certain issues of particular concern.

The Republic of Serbia continues to provide shelter for a very large number of displaced population. According to the latest statistics, Serbia has **106.000** refugees. In addition to that there are **208.000** internally displaced persons from Kosovo and Metohija.

Though the number of refugees has significantly decreased - from 538.000 in 1996 to 150.000 in 2005 [as per our statistics 130.000 refugees returned to the country of origin - 60.000 to Croatia and 70.000 to Bosnia and Herzegovina; approximately 20.000 resettled to third countries; and significant number acquired Serbian citizenship] there are de facto 350.000 refugees in our country (both registered refugees and refugees who obtained citizenship as a first step towards integration) who need further assistance for local integration and repatriation.

According to the National Strategy of the Republic of Serbia for Resolving the Problems of Refugees and IDPs, repatriation and local integration are two parallel and equal processes for durable solutions for refugees.

With the aim of improving the process of local integration, in April this year my Government passed the draft Law on Amendments on 1992 Law on Refugees which is expected to be adopted soon by the Parliament. The main objectives are to establish adequate legal framework for integration programmes for the refugees from ex-Yugoslavia, especially in resolving housing issues. I have to emphasize that our main donors are the European Union through the European Agency for Reconstruction, the UNHCR, as well as numerous governments as bilateral donors.

We would like to reiterate our position that voluntary return is the best durable solution for the remaining displaced population in our region. Therefore, we underline the importance of repossession of property and full respect for occupancy/tenancy and property rights without any discrimination that would provide refugees with much needed resources to opt between the repatriation and local integration. We hope that through the implementation of Sarajevo Declaration, initiated by UNHCR, European Commission and OSCE and signed in January last year by the representatives of Bosnia and Herzegovina, Croatia and Serbia and Montenegro, all parties involved in the process, including international community, will make every effort to overcome the problems that still exist in this field.

Unfortunately, despite the Road Maps were prepared, we are not able to proceed with preparation of the Joint Implementation Matrix since there is a number of outstanding issues which didn't find place in the Road Map of Croatia. There are two main identified outstanding issues:

- resolving the issues for the holders of terminated occupancy/tenancy rights;
- and convalidation of working years.

During the early nineties significant number of refugees was forced to

leave their apartments and their occupancy/tenancy rights were terminated in BiH and Croatia. In Bosnia and Herzegovina restitution of these rights has been done. In Croatia there is still no visible progress on this issue. There are approximately 30.000 terminated OTR, which affect 100.000 persons. It is not the issue of social housing since all OTR holders were financially participating in housing funds for years. Also, after the termination of the rights of OTR holders – Croatian authorities sold those apartments to new occupants. It is of great importance to identify mechanisms to finding comprehensive and just solution for holders of terminated occupancy/tenancy rights. Definitely, it cannot be done through so called housing care programme of the Croatian Government.

The Republic of Serbia would like to reiterate its firm commitment to proceed with Sarajevo process aiming at full implementation of the Sarajevo declaration. In order to proceed with Sarajevo process we expect concrete proposals on all outstanding issues and the support of international community.

Mr. Chairman

As I already mentioned there are 208.000 IDPs from Kosovo and Metohija in Serbia excluding Kosovo and Metohija (and in Montenegro 18.000).

They belong to 31 ethnic groups (75% Serbs, 10.85% Roma, 2,5% Muslims, 1.5% Goranians, and below 1% - Albanians, Ashkaly, Egyptians, Hungarians, Macedonians, Turks, Croats etc.). Furthermore, there are another 20.000 internally internally displaced persons in the Province. In view of the fact that IDPs are citizens of the Republic of Serbia, they enjoy equal rights as all other citizens in the Republic. The most vulnerable IDPs are accommodated in collective centers, for which the Serbian Commissariat covers over 95% of costs.

The overall number of IDPs who returned to Kosovo is only few thousand. This is a question of particular concern bearing in mind that internal displacement of minority communities from the Province is taking place in spite of seven years of international presence in Kosovo and Metohija.

Since there is ongoing process in negotiations regarding the status of Kosovo and Metohija I have to underline that the solution has to be acceptable and agreed by all sides. Any solution which might cause any significant migration and movement of the population would mean that signature and seal are put on ethnic cleansing.

Some initiatives from certain international circles for organizing census of the population in the Kosovo and Metohija, which excludes IDP despite they are residents of Kosovo and Metohija and were forced to leave the Province temporary, is unacceptable and against the international standards.

With regard to the readmission agreements that some countries concluded with UNMIK, we appreciate UNHCR's continuing efforts to oppose forcible returns of minority populations originating from the Province of

Kosovo and Metohija, in the situation where basic conditions for their sustainable return to the Province do not exist. Forcible return of refugees from the Province to Serbia excluding Kosovo and Metohija with an idea that returnees should become IDPs is not possible either legally or practically.

I would like to take this opportunity to inform you that my country is developing an adequate asylum system. It is expected that Law on Asylum will be adopted soon. At the same time thanks to the UNHCR and the European Union first reception centre for asylum-seekers is already prepared. We reiterate our commitment to work together with all relevant actors with the aim of establishing proper asylum structures and refugee status determination procedures.

In conclusion Mr. Chairman let me emphasize that Serbia, though in the process of difficult economic transition, is making tremendous efforts to provide assistance to both refugees and IDPs during their protracted displacement. We are ready to continue to work together with international community to achieve durable solutions for displaced population. With regard to the return of displaced population to Kosovo and Metohija we underline that it is not a question of mere physical return. All necessary preconditions and guaranties for sustainable return must be created, such as full enjoyment of their human rights - right to life, freedom of movement and association, property rights, economic, social and cultural rights etc. Concerning the local integration of refugees, we need sufficient resources for self-reliant projects and assistance to both displaced persons as well as hosting communities. Bearing in mind the overall economic situation in our country the assistance of the international community in that regard is still required.

Thank you Mr. Chairman