

## **Secretary-General's interview for Politika**

### ***- How do you estimate results of OSCE Mission in Serbia in past 10 years?***

Following the overthrow of Slobodan Milosevic, the Serbian authorities invited the OSCE to advise and assist with the process of reform in building democratic institutions, strengthening the rule of law, promoting media pluralism and media freedom, and advising on the return of refugees. In this respect the success of the OSCE Mission reflects the overall success of Serbia in each of these areas. For the last 10 years OSCE experts, both international and local, have established a relationship of true partnership with our counterparts in Serbian ministries, NGOs and the media. This important work continues today as Serbia progresses towards its goal to join the European Union.

There are a number of important milestones we have achieved together. I would like to highlight the support the OSCE provided in establishing new institutions and drafting of legislation to fight organised crime. Serbia has also established excellent co-operation with its neighbours in fighting organized crime.

Modern, democratic and accountable policing services that protect and aid their citizens are one of our common priorities. The OSCE provided advice on reforming the entire system of training police officers in Serbia. This included an overhaul of the recruitment process, curricula and training the trainers. Establishment of the Basic Police Training Center in Sremska Kamenica in 2007 cemented this important transition to a system of democratic police services.

The Mission also helped with the establishment of the War Crimes Prosecutor's office and special chamber of the Belgrade court which investigates and domestically prosecutes war crimes.

As part of our common work to advance the protection of national minorities, the OSCE Mission supported training of Roma Teacher's Assistants and Roma Health Mediators. Today many of them are working in schools and hospitals throughout Serbia's to help the Roma community have better access to essential services.

### ***- Are there any plans to closing of OSCE mission in Serbia soon or is the level of security, human rights protection and freedoms still not near the European standards?***

The question about how long an OSCE Mission is present in a country is essentially one for our host country and the OSCE participating States. The OSCE Mission is in Serbia because it has been requested by the authorities. The authorities also agree on the mandate of the Mission. Every year the scope of the Mission's work and its budget are re-assessed and approved by all 56 participating States, including Serbia. The OSCE is very flexible and its aim is to respond to the needs of the country. During the last ten years there have been many adjustments to projects and programmes while keeping within the mandate of the Mission. A recent example is when the Serbian authorities asked us to help with drafting of the Law on Political Party Financing, or NGOs needed our help in drafting a public outreach campaign for youth participation, we were able to respond immediately.

Together with counterparts in the relevant Serbian Ministries, the Mission has developed a number of strategic plans spanning several years. There is also a role for the OSCE to continue providing expertise and advice in several areas of the government's own reform agenda since effective implementation of reforms and new legislation takes some time. As long as our assistance is needed, the Mission's work will continue, but its content will continue to be modified as the country's needs change.

***- In your opinion, what is the main problem in functioning and development of democratic institutions and mechanisms in Serbia?***

We are working together with Serbia on issues we both consider the most urgent. Serbia's National Assembly is currently reviewing drafts of two important laws - on political party financing, and on modification of the practice where the party leadership controls the mandates of individual MPs (so called "blank resignations"). I think these two initiatives are good examples where Serbia is addressing the overarching institutional issues - transparency and accountability of the democratic institutions.

***- Do you think that Serbia can do more to advance its reforms in the fields of democratisation and security?***

Democracy is never an end state, but a process of advancing citizens' participation in governance. I find it both natural and encouraging that citizens of Serbia and the Serbian media expect faster democratic reforms. But as one must always look at a country's progress in relative terms, and I have to say that the path this country has travelled is both impressive and positive.

Serbia has emerged not only from a socialist system but also from Milosevic's destructive governance. Much time was lost. Before 2001 many of the other countries had already begun the painful process of implementing key reforms. Our Mission in Serbia has helped the Serbian authorities to learn from other countries' successes and shortfalls. What is important is that reforms undertaken not only take root, but become irreversible. I can also say that from an international point of view, Serbia's constructive engagement in the region has been highly appreciated.

***- Concerning troubles with judicial reform, how do you estimate the rule of law and conformity with OSCE principles in Serbia?***

Creating a judicial system that guarantees access to justice while remaining affordable is one of the most difficult challenges a legislator and policymaker face.

Serbia has made some important progress. Creation of the independent bodies to oversee the magistrates, the High Judicial Council (HJC) and the State Prosecutors' Council (SPC), as well as optimisation of the number and location of courts are essential elements in ensuring independence of the courts and improving access to justice. Since December 2009 the Mission has closely followed these reforms and on a number of occasions recommended changes to some of the elements. The most important thing is that we see continuous progress. In March 2011, the Mission

monitored the procedure of nomination and election of the permanent members of the High Judicial Council and the State Prosecutors' Council. The two Councils have asked the Mission to help this in their review of the election of all judges and prosecutors which took place in December 2009.

***- How much did Serbia improve state of rights of minorities (from ethnic to sexual) and what is a main task for Serbian authorities if they want to achieve high level of human rights protection?***

On 6 June last year, hundreds of thousands of Serbia's citizens belonging to minority communities voted to elect 19 National Minority Councils. These Councils have important competencies in language, education, culture and media. On 10 October 2010, the country's police defended the right of assembly during the Pride Parade in Belgrade. Also last October, local ethnic Albanian and Serb political leaders have agreed to create a first multi-ethnic government in Bujanovac, in southern Serbia, and as I understand this is functioning well. These events show that Serbia is making solid efforts to better protect national minority rights. In Serbia, an advanced legal system is in place, and independent institutions are in place to address the violations. These are all good preconditions for continued improvement of standards of minority protection.

***- Having in mind great influence of the state and corporations on media as well as bad financial position of journalists and media, how do you estimate level of media freedom in Serbia?***

If we look at the Freedom House, Freedom of the Press index for 2011, Serbia is ranked higher than most of its neighbours, but is still characterised as only "partly free". Of course any index is just a tool for analyzing reality, but I would agree with the general conclusion: Serbia's media has nothing in common with the Milosevic-era press, but the pressures of course remain.

You have mentioned political and financial pressures. These are the problems that the media faces all around the world. If you look at the Report by the OSCE Representative for Freedom of the Media released in March 2011, you would find that there are similar problems faced by journalists throughout the OSCE area.

A serious problem in Serbia as in other countries is violence against journalists. Only last year our Mission spoke out to defend journalists when they became targets of verbal or physical attacks from extremist groups. The government should continue to show zero tolerance to such cases.

The best response to such problems is to have a clear legislative and policy framework that regulates the media field. I am therefore glad that the Serbian government, in co-operation with the media associations undertook to draft a new Media Strategy. We expect this document to be ready soon for discussion of all interested parties.

***- It seems that problems of refugees and internally displaced persons are sidelined. After so many years, do you think there is a chance for the significant return of***

***refugees to neighbouring countries as well as of internally displaced persons to their homes within the territory of Serbia?***

I would disagree that the problem of refugees is being sidelined. This is an issue that also has to be dealt with on a regional level. A multilateral conference hosted by Serbia in March 2010, marked the renewal of a dialogue for countries of the region – Serbia, Croatia, Montenegro, Bosnia and Herzegovina to develop durable solutions for refugees/IDPs. OSCE together with the EU and UNHCR has participated actively in these consultations and we are assisting the region's governments in moving ahead with identifying concrete solutions so that the donors can provide necessary assistance.

OSCE's experience in the region suggests that it is hard to foresee the extent of actual returns. Refugees and displaced persons have the right to return and the right to their property. It is in the end up to them whether they choose to return or to stay where they are. It is clear that the more time passes it is more difficult for people to return as people often settle in their new places of residence. However their right to return must be safeguarded and the governments have the responsibility to create conditions to facilitate return.

***- How do you comment opinion of Russia that the OSCE must be reformed in a way that reshapes it from “a pro-Western biased” organisation focused “too much on human rights issues” into a powerful security watchdog?***

All OSCE participating States, including Russia understand that security is about the balance between the politico-military, economic and environmental, and the human dimension set out in the OSCE founding document, the Helsinki Final Act. There is often a debate in the OSCE is about the balance between the three dimensions.

From 1975 USSR and then Russia have been supporting the Helsinki process, and advocated the central role of the OSCE in ensuring European security. When in 2008 the Russian President Medvedev launched the initiative for a wide strategic discussion on the present and the future of European security, the OSCE immediately responded. This initiative played the role of catalyst in the revival of the pan-European dialogue, and the OSCE expressed its readiness to discuss these and other matters through the launch of the Corfu Process and the follow-up of the OSCE Summit in Astana.

***- Did OSCE lose its role to energetically prevent regional conflicts in last decades?***

No. Most recently in Kyrgyzstan we have shown clearly that the OSCE is able to engage quickly and take a strong role in preventing the conflict from escalating and we are now working on post conflict rehabilitation. There are a number of protracted conflicts in our region that we are continuously working on, where the solutions are unfortunately not close. The absence of progress in resolution of these conflicts does not mean that we are not fully engaged.

The will of the OSCE is the collective will of our 56 participating States. As an organization that works on the basis of equality and consensus of all 56, the OSCE is also very much a reflection of the political processes that are taking place in our region.