

PERMANENT MISSION OF THE REPUBLIC OF SERBIA TO THE UNITED NATIONS

Third Committee
Agenda item 67 (b)
27 October 2006

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STATEMENT
by
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to the United Nations

Mr. Chairman,

The Republic of Serbia aligned itself with the statement delivered by Finland on behalf of the European Union. However, I would like to emphasize the following.

Mr. Chairman,

In the past few years, Serbia has demonstrated its unequivocal commitment to the promotion and protection of human rights. We have invested enormous efforts in order to improve the situation of human and minority rights, consolidate the rule of law and democratic institutions. As a democratic, multi-ethnic and multi-religious society, we are tirelessly working to further these goals. In addition, Serbia ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment.

On the other hand, unfortunately, human rights are still not respected in one part of my country, namely in the UN administered Serbian province of Kosovo and Metohija.

One of the most acute problems in the Province is the absence of security for non-Albanian population. Since June 1999, there have been more than 5,000 attacks on Serbs, in which more than 900 of them were killed or went missing. Serbs and other non-Albanians have been exposed to constant intimidations and threats. However, the incidents often go unreported.

We would like to reiterate our great concern about continuing impunity enjoyed by some perpetrators of obviously ethnically motivated crimes since June 1999, including those of March 2004. Only a small number of the perpetrators have been brought to justice. And yet, no one has been held responsible for the organization and incitement of ethnic violence in the Province. We are particularly concerned that UNMIK does not provide the data concerning the number of persons arrested, charged or convicted for these crimes.

The culture of impunity and lack of security has resulted in the creation of an environment in which the freedom of movement of Serbs and other non-Albanians is still restricted. That negatively affects other basic human rights, such as access to essential services - judicial remedies, health-care and education of minority communities living in micro-enclaves.

Also, there is a lack of progress in the investigation of disappearances and abductions of Serbs, Roma and other non-Albanians in Kosovo and Metohija. There is a reasonable doubt that those crimes were perpetrated by the members of the former Kosovo Liberation Army and other extremist groups. UNMIK should spare no effort to investigate all of those crimes.

I would like to bring to your attention yet another problem – the protection of private property rights. The rightful owners cannot restore their rights despite court decisions since illegal users refuse to cede property. In addition, non-Albanian owners often cannot use their property due to the lack of security and freedom of movement.

For seven years, non-Albanians have been exposed to various forms of discrimination. They are struggling to preserve their linguistic and cultural identity in the face of constant attacks on their religious heritage.

Unsatisfactory situation of human rights is the main reason for the lack of progress regarding the return of internally displaced persons to the Province, but we shall elaborate this issue in more detail later, under agenda item 41.

Mr. Chairman,

Distressing human rights situation in Kosovo and Metohija has been recently confirmed in the Concluding observations of the Human Rights Committee following the consideration of UNMIK Report on implementation of the International Covenant on Civil and Political Rights in Kosovo and Metohija, during the 87th Session of the Human Rights Committee in July 2006, in Geneva (CCRP/C/UNK/CO/1).

In these observations, the Human Rights Committee accentuated the following concerns:

- impunity for perpetrators of ethnically motivated crimes;
- restricted freedom of movement and access to essential services of Serbs and other non-Albanians;
- very low number of minority returns and inability of displaced persons to recover their real property;
- wide-spread discrimination of non Albanian ethnic communities;
- very low priority given by UNMIK to investigations of disappearances and abductions and the fact that perpetrators were rarely, if ever, prosecuted and brought to justice.

It is clear that in seven years since the international deployment in the Province, human rights protection has not been ensured to all inhabitants in the Province despite all means at its disposal. For example, UNMIK has still failed to provide the necessary information on the implementation of the International Covenant on Economic, Social and Cultural Rights in Kosovo and Metohija, thus preventing the Republic of Serbia from supplementing its Initial report as requested by the Economic, Social and Cultural Committee in its Concluding Remarks.

Unfortunately, with the on-going negotiations on the future status of the Province, the respect of human rights seems even less likely to be achieved. Throughout the negotiation process, the message has been all along that human rights will be fully respected once the decision on the future status is made. As a result, the human rights in Kosovo and Metohija became a bargaining chip - Serbia and the Serbs in the Province are offered basic human rights in exchange for the acceptance of a solution on the future status of Province. Such treatment of human rights is totally unacceptable and politically dangerous.

Mr. Chairman,

There can be no peace and security nor development without constant care of human rights. Only by ensuring human rights and freedoms will it be possible to attain stability, multi-ethnicity and prosperity in the troubled Province of Kosovo and Metohija.

For its part, the Republic of Serbia will remain active in all efforts aimed at advancing the cause of human rights.

Thank you.