

Thank you Mr Chairman. My name is Sonja Biserko. I am the Chair of the Helsinki Committee for Human Rights in Serbia. I am grateful for being invited to take part in this important event for my country. I would like to stress how much I appreciate what the United States and European Union have done for our region and how much effort has been made to establish peace in the Balkans and still is being made. You have approached the new Yugoslav government with great trust by giving them a grace period of six months to show what they want and can do. However, it is important also to provide basic conditionalities/obligations they have to fulfill. Strides have been made, but crucial issues have remained untackled.

March 31st is fast approaching and President Bush has to make his decision on assistance to Serbia. His decision will be of crucial importance for further developments in Serbia. But it is also important to bear in mind that a moral and legal framework is imperative to enable Serbia move forward. The minimum criteria to be fulfilled are: cooperation with The Hague Tribunal on war crimes, full compliance with Dayton Agreement and substantial progress on establishing rule of law in Yugoslavia, are crucial for the democratic development of not only Serbia but the entire region. In short, I believe that none of the three conditions have been met to merit certification. Judging from the current trajectory of the Yugoslav federal government's policies, it is not apparent that they can be met by March 31.

I would like to make few comments regarding the internal dynamic in Serbia and legacy of the last ten years. The last September and December elections have opened up certain possibilities, though the legacy of the former regime will continue to weigh heavily. This legacy includes the fundamental issue confronting the issue of war crimes, a devastated economy, wrecked institutions, moral desolation. The new Belgrade government has made some encouraging moves, but has also demonstrated pronounced reluctance to confront major issues: war crimes responsibility and redefinition of the constitutional framework.

Avoiding cooperation with The Hague is against the interests of Serbia, against the stability in the region and in the Europe. Lack of progress on this issue has a negative spillover on the domestic front and on the neighboring states, at the time when they (Croatia and Bosnia) are struggling to stabilize democracy and rule of law. Transfer of Slobodan Milosevic and his collaborators to The Hague will help bring the stability to the region, as rightly pointed out by Madam Carla del Ponte, and not vice-a-versa.

The new government is under strong pressure to initiate substantive cooperation with The Hague. Cooperation with The Hague is the state obligation but also the test of its credibility. The issue of war crimes is polarizing the society. However, facing the scope of crimes committed is painful need for all citizens. It is an issue of honor and dignity. It is the issue of future.

International support for the constitutional status quo in the FRY is the second major issue that

will demonstrate the democratic substance and potential of the new authorities. I would like to quote a pertinent expression here “I met History once but he ain’t recognized me”. In a way history in Yugoslavia is still happening but many in the international community have not still be able to recognize it. In order to make this process peaceful, efforts need to be taken by the United States and the European Union.

Not acknowledging these the process of dissolution may bring the total collapse of Serbia and the region. We must never lose sight of the larger picture and the effects of development in Serbia on the evolving stabilization and reconciliation in South-East Europe.

Another serious concern is also the new government’s relations to Republika Srpska. President Kostunica statements are contrary to the Dayton Agreement and thus to his international obligations. He says that “everything has to be done so that Republika Srpska, the state in the foreign state of Bosnia and Hercegovina, stays as independent as possible, and to preserve all its attributions of the independence, and normally to establish as close as possible relations between RS and Serbia”. It is also worthwhile mentioning that Mladen Ivanic during his recent visit to Washington, made similar arguments such as: a joint army is not possible, The Hague Tribunal is anti Serb, the borders should not be controlled, the US Ambassador and the High Representative are preventing him to follow the political will of his people. Two days ago commenting new Agreement between FRY and RS he pointed out that “there are no reasons why should FRY not finance the army of the RS, since the Croatia does the same with the army of the Federation”

This intransigence has directly emboldened separatist Bosnian Croats, who push for a “Croat entity” in Bosnia. It also has placed a heavy burden on the new government in Zagreb. The new authorities not only have been postponing the extradition of the indicted war criminals, including Milosevic, but have also been eagerly moved to cement their relationship with the RS at the expense of the single, democratic, united future of Bosnia and Hercegovina and all its constituent peoples.

Serbia is still focusing on the state question without learning the lesson from the experience gained during the disintegration of Yugoslavia. The perpetuation of an exhausted model is not only pushing Montenegro away but it is affecting future Serbian-Montenegrin relations. Relations with Vojvodina are also becoming irritated; it does not demand state autonomy but demands its identity. The same is with Sanjak.

Serbia’s prospects depend on the constant widening of the existing small room for freedom. It also needs to focus on itself. There is no current program which attracts the citizens’ attention. There is a feeling of despair, since the changes come slowly. There is no common position of the new government on the key issues. There is also lack of professionals. The country has additionally feudalised through split of power among the 18 parties of the DOS coalition. Society

is undergoing deep frustration. Profascist elements are gaining support, xenophobia, anti-Semitism and anti Roma sentiments are growing.

The issue of minorities is being sidestepped. The aggressive ethnic nationalism of Serbs over the years has also radicalized the minorities. The best example is the situation in the South of Serboia. In this crisis of mutual distrust it is difficult to negate collective rights which have apparently been articulated in the case of Yugoslavia through the Council of Europe Framework Convention on the Minorities. Minority law should be passed immediately and confidence-building measures should be conducted under international organizations, including the Council of Europe and OSCE.

Last but not least, I would like to say few words about Kosovo Albanian prisoners.

Unfortunately new Amnesty Law just passed in the Federal Assembly applies to Serbian political prisoners and conscientious objectors. Only 108 Albanians are to be released, while 500 more are still in prisons. Even our federal Minister of Justice Mr. Momcilo Grubac has said that “ A number of ethnic Albanians have been charged and tried for terrorism. Even a cursory glance shows irregularities in the prosecution of a considerable number of cases”. Their continued incarceration illustrates a lack of will to help reduce ethnic tension in Kosovo which is one of the main ways available to Belgrade.

Mr. Chairman, I would like to end my remarks by acknowledging the major role of the United States, and this Congress, played in bringing about the peace, and in preventing the war in Macedonia. Therefore, it is of utmost importance that the US sustains its leadership role in the region. Your careful and wise calibrating and channeling of the international response and policy towards the FRY and the Government in Belgrade makes a crucial and indispensable difference. I am sure you will continue your good and historic work in the South-Eastern Europe for the benefit of peace, the primacy of fundamental human rights, the spread of democracy and stability in the region and Europe as a whole.