

14th Meeting of the OSCE Ministerial Council

ENGLISH only

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S T A T E M E N T

by

**H. E. Mr. Vuk DRASKOVIC, Minister of Foreign Affairs
of the Republic of Serbia**

Brussels, 5 December 2006

Mr. Chairman-in-Office,

Excellencies,

Ladies and gentlemen,

First of all, I congratulate the Belgian Foreign Minister, His Excellency Mr. Karel De Gucht, for his able guidance as the outgoing Chairman-in-Office. At the same time, I express Serbia's full support to our next CiO, the Spanish Foreign Minister, H.E. Mr. Miguel Angel Moratinos.

You will understand, I believe, that I will devote the time allotted to me to Kosovo, the most grievous problem facing Serbia and the Western Balkan region as a whole.

Different formulas for unravelling the Gordian knot of Kosovo come from various quarters: conditional independence, governed independence, limited sovereignty, partitioning of the Province.

What do all these formulas have in common? They all ignore the fact that Kosovo is a province forming an integral part of Serbia. They also turn a blind eye and a deaf ear to the positions of the State of Serbia concerning the status of one of its two provinces.

I have held, and continue to hold, that some of the wrong decisions of the powerful countries of this world of ours, that affected the Serbian people in a tragic way had been prompted by the undemocratic, despotic and anti-Serb policies of the Milosevic regime.

But, let me remind you, dear friends, that the man and his policies were defeated at the ballot box in Serbia almost seven years ago and that the promoter of these policies is no longer among the living. Wherefore, then, this relic of associating Serbia with a defunct regime and a dead man?

They say that the democratic government in Belgrade has to take responsibility for Milosevic's crimes in Kosovo. I say we do not have to. The victim cannot be held responsible for the crime.

This wrongful perception had influenced members of the Contact Group and Mr. Martti Ahtisaari himself, as the mediator in the negotiations between Serbs and Albanians and between Belgrade and Pristina. They, at the very outset of the talks on the future status for Kosovo, sent a message that the outcome of the negotiations was likely to be some sort of independence and that this would be decided before the end of the year, 2006. This was

explained by "the will of the people of Kosovo", namely the Albanian majority in the Province.

This message was received upfront by Kosovo Albanians as guaranteed independence and they have not even considered a compromise. On the other hand, Serbs, fully committed to a compromise, have refrained themselves from some moves such as participation in the Provisional Institutions of Self-Government of Kosovo for fear that they might make legitimate in that way the decision already taken on the independence of Kosovo.

Dear friends,

It is high time the OSCE urged, prior to the passing of the judgment on Kosovo, respect for its own principles of equality of people and equality of States. Because the respect for these principles is a *sine qua non* for both security and cooperation.

Equality of people, and equality of citizens, cannot be made conditional in any place in the world, Kosovo included. In fact, Kosovo leaders are saying that the rights of Serbs and Serbian churches and monasteries will be protected if Kosovo is granted independence as a State. If a territory of the internationally

recognized State of Serbia is internationally recognized as the State of Kosovo!

This is blackmail that neither the Contact Group nor the United Nations Security Council should accept. Kosovo Albanians must provide unconditional assurances that Serbs and their holy places will be protected. Standards before status! This was, after all, what has been agreed and decided upon.

If we adopt the principle that status is a condition for the implementation of standards, then every student in Europe may request a university degree as a condition to apply for admission in the first place!

Let me recall that Serbia wants to become a member of the European Union right now! But here, in Brussels, we get the message: very well, but first you have to meet all the necessary requirements. So, Serbia is not entitled to a European degree before it completes the full course of studies with honours, that is, before it fulfils the required standards.

The principle of sovereign equality of States requires that this Ministerial Council Meeting sends out a clear message that Serbia is a State like any other State and that its internationally

recognized borders cannot be either altered or renamed against its will. This is enshrined in the Charter of the United Nations and the CSCE/OSCE Final Act of Helsinki. This is also what the people of Serbia said in a referendum on the new Constitution of Serbia. The way they respect the "will of the people of Kosovo", the Contact Group, OSCE, European Union, UN Security Council and the entire international community must also respect the will of the people of Serbia, the integral part of which is the Province of Kosovo.

If the will of the mighty is above the Charter and international law, we should then change both the Charter and international law.

In that case, the UN Charter could have only two articles.

Article One saying that the powerful States are always right.

And Article Two saying that whenever the powerful States are not right, Article One shall apply.

There is, however, one big problem, which does not depend on either the will of the powerful or the right of the powerless.

All separatist movements in Europe and the world are now waiting to see whether the Kosovo knot will be untangled according to the principle that the right is might or according to the principle that might is right.

Kosovo is going to create a precedent whatever the mighty, or at least the majority of them, decide.

Even at the cost of punishments or rewards, Serbia will not accept that a part of its sovereign territory be declared as another Albanian State in the Balkans.

There is no reasonable alternative to the respect of the territorial integrity of internationally recognized States. Therefore, it is necessary that this Ministerial Council Meeting strongly support the 1975 Final Act of Helsinki.

Thank you.

