



EUROPEAN UNION

OSCE Permanent Council No. 1373 Vienna, 12 May 2022

EU Statement in Response to the Head of the OSCE Mission to Serbia, Ambassador Jan Braathu

1. The European Union warmly welcomes the Head of the OSCE Mission to Serbia, Ambassador Braathu and thanks him for his comprehensive report.
2. Against the backdrop of Russia's unprovoked and unjustified war of aggression against Ukraine, which we condemn in the strongest possible terms as a gross violation of international law, the UN Charter and OSCE principles and commitments, the role of OSCE and its field operations continue to be imperative in promoting and safeguarding security and stability across the OSCE area. While we welcome Serbia's decision to invoke, together with 44 other participating States, the OSCE Moscow Mechanism in order to address the human rights and humanitarian impacts of Russia's illegal war of aggression on the people of Ukraine, we expect Serbia, as all EU candidate countries, to progressively align with EU positions, including declarations and restrictive measures.
3. Ambassador Braathu, we highly value the significant support the Mission provides to Serbia, its fruitful cooperation with the host country and its efforts to develop partnerships with all relevant stakeholders, as well as the work done to promote domestic ownership and regional cooperation.
4. We commend the targeted efforts of the Mission, particularly under the challenging circumstances of the COVID-19 pandemic, to provide assistance to Serbia in its core mandated areas of rule of law, democratisation and the media, police reform and combating organised crime, together with its efforts to provide focused assistance to persons belonging to the most vulnerable groups and contribute to tailored projects, such as providing extra educational support to Roma children and youth and the on-

line classes of Serbian as a non-native language. We appreciate the integration of a gender perspective across the Mission's activities. We also highly value its focus on the youth perspective and its efforts to promote regional connectivity among youth, women and civil society.

5. We note the preliminary conclusions of the International Election Observation Mission on the recent presidential and early parliamentary elections held on 3 April. Although we welcome the participation of all political forces in these elections, following the engagement in the inter-party dialogue facilitated by the European Parliament, we also note that, according to the preliminary findings, these elections presented diverse political options, but a number of shortcomings resulted in an uneven playing field, favouring the incumbents. We strongly encourage the host country to build on the recent improvements of the electoral legislation and address all relevant ODIHR recommendations.
6. We welcome the recent approval of constitutional amendments aiming at strengthening the independence of the judiciary during the referendum held in January. A number of laws need to be amended for the effective implementation of the constitutional amendments and we welcome the Serbian Government's intention to continue involving the Venice Commission in the next steps. In that regard, we commend the Mission's focus on this highly important issue and its commitment to provide further assistance.
7. We particularly appreciate the Mission's activities aimed improving the media environment in Serbia and we support its continuous focus on freedom of expression, media literacy and safety of journalists. We encourage the host country to take all necessary measures for the meaningful implementation of the Action plan for the implementation of the Media Strategy and to improve media freedom and the safety of journalists, including by stepping up efforts to investigate cases of threats, intimidation and violence against journalists.
8. We appreciate the Mission's work in monitoring war crimes proceedings, in the framework of the relevant EU-funded project. The EU continues to underscore the importance of domestic handling of war crimes, resolving the remaining cases of missing persons and full cooperation with the International Residual Mechanism for

Criminal Tribunals, including by fully accepting and implementing its rulings and decisions as a matter of urgency. There should be no support and public space for convicted war criminals nor for glorification or denial of their crimes.

9. We stress the importance of regional cooperation and good neighbourly relations as a prerequisite for stability, reconciliation and a climate conducive to addressing open bilateral issues and overcoming legacies of the past and we welcome Serbia's efforts in this regard.
10. We acknowledge the Serbian Government's efforts to fight corruption and organised crime, including by adopting the necessary relevant legislation, and underline the need for its effective implementation to lead to tangible results, notably as regards serious and organised crime cases, including money laundering, and high-level corruption cases. We highly appreciate the Mission's assistance in promoting international and regional cooperation in combating organised crime and other transnational threats.
11. We underline that Serbia needs to continue to pay particular attention to full respect for fundamental rights, including the protection of persons belonging to the most vulnerable groups, as well as the non-discriminatory treatment of persons belonging to national minorities throughout Serbia, in line with the international standards and bilateral agreements. This is particularly important in the areas of education and the right to study in their mother tongue, use of minority languages, and access to media and religious services in minority languages and representation in public administration and representative bodies. The unpoliticised and proper functioning of the National Minority Councils, as foreseen in their mandates, remains important for their activity and purpose they serve and should continue to be closely monitored by the HCNM. Investigations and convictions for hate-motivated crimes should be actively pursued. We reiterate our call for effective implementation of the relevant strategic documents. We commend the Mission's contribution and its continuous engagement with organisations representing persons belonging to national minorities.
12. We reiterate the EU's unequivocal support to Serbia's European perspective and its readiness to assist Serbia in advancing its reform agenda and in tackling the remaining challenges. We welcome the overall progress made so far, and we encourage further

and more focused efforts on the effective implementation of reforms in the identified key areas.

13. The European Union underlines that progress in the EU-facilitated Dialogue on normalisation of relations between Belgrade and Pristina remains essential for both in order to advance on their respective European paths, in line with the European perspective of the region. Both sides must fully implement all past commitments, constructively engage in the negotiations and make additional substantial efforts, with the aim of reaching a comprehensive legally-binding normalisation agreement. Such an agreement is urgent and crucial for the stability of the entire region. Both parties should also avoid actions that undermine stability and rhetoric that is not conducive to dialogue.

14. Finally, we wish you Ambassador Braathu and your team every success in the coming year.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA and GEORGIA align themselves with this statement.

* Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.