

Helsinki bulletin



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SERBIA'S CHAIRMANSHIP OF THE OSCE: AN OPPORTUNITY OR A RISK?



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The one-year chairmanship of the OSCE as of January 1, 2015 is the biggest challenge for Serbia's foreign policy and diplomacy ever since the sanctions against it were lifted fifteen years ago. At the same time the chairmanship will be testing its actual potentials and vision.

Complex international circumstances – above all the Ukrainian crisis that has shaken Europe and affected the relations between big powers over all hotbeds of crisis worldwide challenge

Serbia even more. Serbia has not yet taken stock of its recent past: this is why the OSCE Mission still operates in Serbia (as of 2001) monitoring the rule of law and human rights, the police reform, democratization and the media.

Formally, Serbia negotiates with the EU its full-fledged membership: however, it has not yet adjusted its foreign policy with that of the EU, which is mandatory for all member-states.

Over the past three decades Serbia has relied on Russia, especially since Putin came to power. Serbia is among pillars of Russia's strategy for the Balkans that highly depends on its energy supplies. In this context, while moving towards the EU, Serbia will be requested more seriously than ever to adjust its foreign policy – and that trouble it the most during its chairmanship of the OSCE. Serbia is declaratively committed to the membership of the EU but its elites have not reached a consensus on the country's geostrategic orientation. Major segments of the society strongly oppose Euro-Atlantic integration. This primarily refers to the Serb Orthodox Church /SPC/ and almost the whole spectrum of the right-wing parties and organizations. The media that are financially assisted from Russia (such as Pečat or Geostrategija) but also dailies like Politika, Večernje Novosti and the like have been also campaigning against NATO. The ambivalent stance that can be summarized as “We love Russia, but move towards the EU”¹ exposed the country to pressure from both sides. The biggest discrepancy of Serbia's position is that it supports Ukraine's territorial integrity on the one hand, while, on the other, practically all of its highest officials (Nikolić, Vučić and Dačić) parrot they would never recognize Kosovo.

The question is whether Serbia will be able to mediate the Ukrainian crisis as expected in its capacity as the OSCE chairman. Many doubt it has capacity for the task. Serbia neither has the potential nor credibility for reconciling Russia and the EU. Some take that the chairmanship of the OSCE is a great opportunity for Serbia “to play the role of a mediator and smooth EU-Russia relations,” as Dušan Šiđanski, special adviser to the European Commission put it.² Russian Ambassador to Serbia Alexander Chepurin also sees the chairmanship as an opportunity for Serbia and says, “That's not only

1 Foreign Minister Ivica Dačić, Blic, November 16, 2014.

2 Danas, October 6, 2014.

a challenge but also a great opportunity for Serbia to prove itself in the best light.”³ As for others, they argue that Serbia would gladly renounce its new role under today's international circumstances. As US Ambassador Michael Kirby noted, Serbia would have probably thought twice before applying for the chairmanship had it been able to predict the Ukrainian crisis.⁴ According to this school of thought, small countries can hardly hold the road when big ones are in conflict.

Even the pro-governmental daily Politika takes that mediation is almost impossible. “When Russia, US and EU were sitting side by side in the Group 8, and Moscow was a partner to NATO, Serbia could somewhat oscillate between the East and the West, and go for the membership of EU while being Russia's best friend at the same time. Today it's much more difficult to walk on a wire tightrope of politics,” quotes a commentary run in the paper.⁵ Vladimir Jovanović, ex-foreign minister and ambassador to New York, also claims that Serbia will not be able to “walk on a wire tightrope” for long.⁶

Some people somehow associated the role of a mediator between the East and the West with Yugoslavia's once prestigious position between the two blocs, and especially with its late president Josip Broz Tito. “Nikolić, Vučić and Dačić are now openly promoting ‘neo-Titoism’ in Serbia's foreign policy,” says Zoran Panović, editor-in-chief of the Danas daily.⁷

Foreign Minister Ivica Dačić denies this simile, saying “The present government was the first to recognize the realities of the new order and

3 <http://www.blic.rs/Vesti/Politika/523844/>

Kirbi-i-Cepurin-Predsedavanje-OEBSu-izazov-i-prilika

4 Ibid.

5 Politika, August 10, 2014.

6 Naše Novine, March 13, 2015.

7 Danas, January 10–11, 2015.

act accordingly.”⁸ “Serbia has finally become a partner whose views are respected and paid tribute to... In other words, this has nothing to do with ‘neo-Titoism.’ We are just playing a game of cards with suits we hold in our hands,” he explains.⁹

Ex-foreign minister Vuk Jeremić¹⁰ also had the “neo-Titoist” ambition; probably that was why he nominated Serbia for the chairmanship of the OSCE, counting, among other things, on the 40th anniversary of the Helsinki Conference when OSCE /CSCE at the time/was established. At that time Tito and Yugoslavia played a major mission of “reconciliation” and consensual agreement between East and West European countries.

Some domestic analysts argue that Serbia should first decide what it really wants to accomplish and then stick to its decision; only thus, and with the helping hand of Switzerland and Germany’s co-chairmanship, it will manage not to gamble away the opportunity of its chairmanship. As Sonja Licht, president of the Fund for Political Excellence, put it, Switzerland and Germany are Serbia’s “two great assistants and partners;” “I hope our politicians would be capable and brave enough for a serious work, and would seize the chance they have,” she said.¹¹ Predrag Simić, late ambassador and political analyst, thought along the same lines. “Serbia should behave like Yugoslavia did in 1972–75, in Helsinki,” he used to say.¹²

8 Danas, January 12, 2015.

9 Ibid.

10 Jeremić used to invoke the „Titoist“ tradition while visiting the countries in Africa and Asia to persuade them not to recognize Kosovo’s independence.

11 Danas, November 21, 2014.

12 Ibid. „Serbia must know what it is it exactly wants and keep telling it everywhere and to everyone...Switzerland has prepared a good terrain and will heave a sigh of relief in January, while Serbia will ‘kiss the bullet.’“

Boško Jakšić, commentator for the Politika daily, takes that Serbia should have taken a more resolute stance on Ukraine from the very beginning. “The courage Milo Đukanović demonstrated is the courage of a statesman. This is what Serbia has not,” he wrote.¹³ “Irresolute as it is, Serbia will make many mistakes and take wrong steps, and so annoy both the West and Russia...Our chairmanship of the OSCE will end with us punched from both sides and all in bruises, I am afraid.”¹⁴

SERBIA’S PRIORITIES

Serbia began its chairmanship at the OSCE Council meeting on January 15, 2014 in Vienna. Addressing the meeting Foreign Minister Ivica Dačić said the Ukrainian crisis would be in the focus of the OSCE peace-building activities because, as he put it, “the situation in and about Ukraine seriously threatens regional stability, as well as European and global security.”¹⁵ Consequently, all peace-building efforts implying the Minsk document and supporting the OSCE Special Monitoring Mission to Ukraine will be welcome.

Speaking of priorities he stressed strengthening of regional cooperation and reconciliation process. Securing freedom of expression for journalists, fight against all forms of terrorism and prevention of religiously based segregation were also high on his priority list. He promised to pay special attention to the “phenomenon of foreigners among terrorists,” violent extremism and radicalization, especially of the young.

Dačić also emphasized Serbia’s national priorities, quoting the fight against corruption, management of water flows and natural disaster risk management.

13 Vreme, February 26, 2015.

14 Ibid.

15 Politika, January 16, 2015.

Referring to the obligations deriving from OSCE human dimension, he promised to work for stronger national institutions for the protection of human rights. The emphasis will be placed on the rule of law, freedom of expression and media freedoms, including protection of journalists, freedom of assembly, minority rights and promotion of tolerance and non-discrimination. He underlined the significance of inclusion of youth and gender perspective announcing appointment of special representatives for the youth. He also spoke about the importance of civil society's participation in policies of member-states and in the protection of human rights.

AN OPPORTUNITY OR A RISK?

Serbia's actual efficiency in solving pressing crises, especially in Ukraine, is hard to predict now when it is still honeymooning with its chairmanship of the OSCE. It is also hard to tell how all this would eventually affect its international position. Even before Serbia took over the chairmanship several international officials argued that its "commitment to Brussels and good relations with Moscow" ensured successful mediation. OSCE Secretary General Lambert Zannier says this is an opportunity for Serbia to "play a positive role in the relationship between member-states."¹⁶

Officials from the West have been encouraging Serbia to accomplish its office fairly. Austrian Foreign Minister Sebastian Kurtz says that Serbia has taken a clear-cut stance on Ukraine's sovereignty and territorial integrity, Crimea included. During its chairmanship of the OSCE, he says, "Serbia could help keeping the communication channels with Moscow open."¹⁷

¹⁶ Politika, January 15, 2015.

¹⁷ Danas, October 8, 2014.

French Prime Minister Manuel Valls also takes that Belgrade could play a crucial role in solving the Ukrainian crisis. "Serbia, a candidate for the membership of the EU, will be communicating our values, while its historical ties with Russia will surely contribute to its efficiency," he says.¹⁸

Dušan Šidanski, special adviser to the President of the European Commission, seems to be even more optimistic. He argues that the chairmanship of the OSCE is a great opportunity for Serbia to "mediate the negotiations between the EU and Russia." "Serbia must seize this opportunity in favor of a smooth solution, instead of having NATO interfere in the affair."¹⁹

Vice-President of the Swiss Parliament Christa Markwalder shares his view, stressing that Switzerland and Serbia's joint chairmanship of the OSCE in 2014–15 is a great opportunity for peaceful resolution of the Ukrainian crisis. "If Moscow trusts the country chairing the OSCE, it will sit at the negotiating table with more ease than had the chairmanship been entrusted to some of European countries solely blaming Russia for all that happened," she says.²⁰

Kiev cautiously assesses Belgrade's upcoming performance. Recalling Serbia's support to the territorial integrity of Ukraine (Crimea included) and the fact that 2015 will see marking of the 40th anniversary of the Helsinki Final Act, Ukrainian Ambassador in Belgrade Yevgenia Filipenko said he hoped that in 2015 "the OSCE will manage to take a common stand against destruction of European security and for protection of OSCE principles from breaches."²¹

Although it never says it openly it seems that Kiev – like some Western capitals too – is

¹⁸ Politika, November 8, 2014.

¹⁹ Danas, October 6, 2014.

²⁰ Politika, August 1, 2015.

²¹ Danas, January 14, 2015.

anxious about “Serbia’s specific position.” They fear that Belgrade is closer to Moscow than to the rest of the world. It is common knowledge that Brussels is displeased with Serbia for not having followed the common EU policy despite the accession negotiations opened in 2014. This primarily refers to the resolution and other documents on the Ukrainian crisis.

FIRST STEPS

In early 2015 in Minsk, at the initiative of German Chancellor Angela Merkel and French President Francois Hollande, four-party (Germany, France, Russia and Ukraine) agreement on ceasefire in Eastern Ukraine, withdrawal of heavy artillery, exchange of prisoners, etc. was once again reached. That made the OSCE mission easier, at least at the beginning. However, although the situation in Ukraine de-escalated – something Ivica Dačić, Angela Merkel and Francois Hollande agree on – OSCE observers in the field supposed to supervise the implementation of the Minsk II Agreement still have not access to the areas they simply have to be present in.

According to official statements, Serbia’s first steps in its capacity as chairman were more praised than criticized. The UN Security Council also gave its support to the operation of the OSCE mission and “its presence in the field.”²²

In his address to the UNSC Russian Ambassador to UN Vitaly Churkin turned to Serbia’s representative saying, “We are confident you will act impartially, taking into account the interests of all parties involved; in that you can count on our full support.”

After the meeting Ivica Dačić went to Washington for a meeting with US Secretary of State

²² Politika, February 28, 2015.

John Kerry. Releases issued after their meeting do not indicate that so far US has been dissatisfied with Serbia’s chairmanship of the OSCE.

Belgrade is under the pressure from the West: the pressure that will surely grow stronger and stronger. Gernot Erler, German special representative for the OSCE chairmanship, said he doubted Serbia’s ability to mediate impartially between Russia and the West. The countries Russia has special relations with have also to tell it that the norms and values of the international law and the OSCE must be respected.²³ This stance is the more so important since Germany is the third “presidential partner” together with Serbia and Switzerland (to be presiding OSCE in 2016).

I do not exactly like the idea of Serbia’s mediation between Russia and EU, he says, adding “Serbia is already negotiating its membership of the EU, which implies acceptance of EU foreign policy. And that is exactly what Serbia should do. However, that would not be in keeping with its role as a mediator between Russia and third countries.”²⁴

The debate in the Foreign Policy Committee of the US Senate is most indicative of the US’s renewed interest in the Balkans and Serbia. Secretary of State Kerry confirmed Senator Christopher Murphy’s argument that the discussion about supplying Ukraine with arms overshadowed “a much bigger project we witness, and that is the spread of Russia’s influence,”²⁵ by saying, “Serbia, Kosovo, Montenegro, Macedonia and other – Georgia, Pridnestrovie – are in the front line (of Washington-Moscow relations).”²⁶

²³ Politika, February 9, 2015.

²⁴ Ibid.

²⁵ Danas, February 26, 2015; Senator Murphy also said on the occasion, „Speaking of Russia’s influence in the region what is seen in Ukraine is only the tip of the iceberg.”

²⁶ Ibid.

This is what Chancellor Angela Merkel is also alerting of – Kremlin tries to make the Western Balkan countries economically dependent on Russia, she says. According to recently published parts of a top secret document of the German Foreign Ministry, the entire region is high on the list of Moscow's strategic priorities.

RUSSIA'S ATTITUDE

Russia has been trying to curb the spread of NATO by imposing the OSCE as Europe's security frame. In this it has failed so far. As the Ukrainian crisis questions Europe's security once again, it is to be taken for sure that Russia will be insisting of that fact. Its declarative support to all the steps the OSCE has taken to resolve the Ukrainian crisis is in line with its aspiration.

With its growing presence in Serbia Russia has been fueling the influence of the country's conservative circles that oppose the European option, the incumbent government has opted for now. In this context all of the government's stances on Russia are exposed to pressure the more so since top officials, especially President Nikolić, are emotionally close to Moscow. Russia has been denying any pressure on Serbia whatsoever. That is not our cup of tea, said Russia's Foreign Minister Sergey Lavrov.²⁷ However, things do not stand like that judging by what representatives of the Russian elite, not in office, are saying. True, they also argue that Serbia should be impartial during its chairmanship of the OSCE. But impartiality, says Anja Filimova of the Balkan Institute of the Russian Academy of Arts and Sciences, implies "fair and thorough investigation of all crimes" from Maidan through Odessa and Mariupol to

²⁷ Politika, December 20, 2014; Lavrov called it a „neo-colonialist perception.“ „We are working on the agreements that are beneficial to both sides, and speaking about political influence is unfair.“

the crash of the Malaysian plane in the summer of 2014. "Russia has repeatedly warned that the OSCE should not turn into an instrument of Europe's 'democracy-dictating' policy according to which only NATO and EU have a monopoly on the truth," she said.²⁸

Russia's siding with Serbia in the case of Kosovo is now used to justify the occupation of Crimea. Russia argues that Crimea parallels NATO intervention in Kosovo but misses not the opportunity to stress the Crimean referendum. Serbia's ambivalence about Kosovo only makes things harder for it as it opens the avenues for the pressure from Russia.

The Serbian public strongly opposes the West's request to Serbia to impose sanctions on Russia (although the sanctions would be almost insignificant considering the scope of the bilateral trade). Pro-Russian parties such as the Serb Progressive Party appeal to the government not to even consider sanctions against Russia which is today "the biggest warrant of Serbia's national interests in Kosovo and Republika Srpska."²⁹ Vladimir Jovanović, ex-foreign minister and ambassador, argues that the West is after Serbia's recognition of Kosovo, which would be "peanuts" if Serbia distances itself from Russia, "our one and only pillar in the Security Council."³⁰

REGIONAL DIMENSION

Addressing the inaugural chairmanship meeting in Vienna Ivica Dačić placed the Western Balkans on the OSCE priority list for 2015, implying regional cooperation among Yugoslavia's successor states and Albania. Diplomatically, he only touched on the complexity of the regional situation to be ascribed, to

²⁸ Danas, 10. mart 2015.

²⁹ Naše novine, 13. mart 2015.

³⁰ Isto

a considerable extent, to heavy legacy of the 1990s wars – and, consequently, Serbia’s responsibility. “OSCE has been playing a major role in the process of post-conflict transition, especially by supporting the whole range of reforms in the Western Balkans,” he said.³¹ To prove Serbia’s readiness to pursue the course of regional cooperation, he met with the ambassadors of Bosnia-Herzegovina, Croatia, Macedonia, Montenegro and Albania the day later, on January 16.

His program of Serbia’s chairmanship included visits to all capitals in the region. First he paid a visit to Podgorica to discuss bilateral relations with his Montenegrin colleague. He labeled these relations “relaxed.”³² Serbia supports all the projects implemented in Montenegro within OSCE, he said, while his counterpart, Minister Lukšić promised his country’s support to Serbia “during its chairmanship in rather hard times.”³³ Montenegrin Foreign Minister also stressed the significance of Belgrade-Prishtina dialogue, which he called “a step toward resolution of the problem, and in step with regional ambition for attaining all European standards as soon as possible.”³⁴

In February 2014 the cabinet staged joint meetings with its Macedonian and Slovenian counterparts in Skopje (which Dačić also visited in his chairmanship capacity) and Ljubljana. In early March he paid a visit to Zagreb.

As Croatia’s Foreign Minister Vesna Pusić put it, the visit “breathed life” into the bilateral cooperation defined two years ago. “Relations between Croatia and Serbia are very good,” she said.³⁵ Ivica Dačić said Serbia was ready for constructive dialogue with Croatia on all

31 Danas, 16. januar 2015.

32 Politika, 18. februar 2015.

33 Ibid;

34 Ibid.

35 Danas, March 12, 2015.

open issues burdening bilateral relations. This primarily refers to the issues deriving from the 1990s wars (missing persons, refugees, trials of the accused for war crimes, etc.). “The problems from the past should not stand in the way of our economic cooperation and our cooperation in European integrations,” he said.³⁶

“A developed and peaceful region of the Balkans is our common future. And we have already made a giant’s stride in that direction. And whenever I go – I and Serbia I represent – are seen as someone who came in good will, caring about the interests of his neighbors. A stable region that preconditions any development is our highest interest.”³⁷ However, it was from the region and about the region that first embarrassing reactions came – the reactions reflecting the complex legacy of the past Serbia has not renounced yet.

First US Ambassador to the OSCE Daniel Baer put forth Kosovo’s full-fledged membership of the organization. For, the OSCE Standing Council, he said, “should not just discuss Kosovo but discuss Kosovo with Kosovo.” “Kosovo is a part of Europe and should play a major role in the institutions committed to the continent’s peace and progress.”³⁸

Then members of the Albanian delegation to the OSCE Parliamentary Assembly asked for the same. They have been insisting on membership for several years now. Dačić’s counterargument was that Serbia “respects the principle of territorial integrity but cannot defend the territorial integrity of Serbia itself less than that of Ukraine.”³⁹

Kosovo’s membership of the OSCE is unrealistic at this point: admittance necessitates a

36 Politika, March 12, 2015.

37 Danas, January 12, 2015.

38 Danas, February 18, 2015.

39 Politika, February 20, 2015.

consensus of all the 57 member-states. Apart from Serbia, five EU member-states and some other European courtiers such as Ukraine do not recognize Kosovo.

THE ROLE OF THE CIVIL SOCIETY

The CSCE process generated a major component: the human dimension. Namely, shortly after the adoption of the Helsinki Final Act the International Helsinki Federation (IHF)⁴⁰ was launched, later to play a major role in the promotion of the human rights „basket.“ The first national organization was the Moscow Helsinki Group. When IHF dissolved the Civil Solidarity Platform was established, assembling 66 human rights organizations from the OSCE member-states and standing for a major human rights network. From Serbia, the Helsinki Committee for Human Rights and the Lawyers' Committee – YUCOM are in the membership. The Platform's role in the preparation of the Parallel Conference of CSOs is crucial.

Namely, a Parallel Conference of CSOs will be convened on the eve of the OSCE Ministerial Conference in Belgrade in early December 2015. A final document of the conference (recommendations related to the OSCE human rights obligations) will be submitted for the consideration of the OSCE chairmanship. The Civil Solidarity Platform has been preparing the conference for several years now. CSOs from Serbia actively participate in the preparations. The network includes the Helsinki Committee for Human Rights, YUCOM, the Public

Policy Center, the Humanitarian Law Fund and the Forum for Ethnic Relations. In cooperation with other CSOs the network will submit its comments on the implementation of the OSCE human rights recommendations to Serbia (comments on the self-evaluation report).

The self-evaluation report is to be drawn by an independent institution, then commented on by CSOs and at last by relevant ministries. The task of drafting will most probably be entrusted to the Institute for Social Sciences and the Office of the Commissioner for Gender Equality. There is no telling yet whether Citizens' Ombudsman Saša Janković would partake in the process. The government has decided on the following topics of the self-evaluation report: implementation of the OSCE recommendations for gender equality, freedom of assembly and association, the position of the Roma and elections.

The government's main criterion for the selection of the above topics was the OSCE report on Serbia of at least five years ago. The priorities of the CSO network for the self-evaluation report are the freedom of expression, the respect for minority rights and protection of human rights defenders.

Switzerland was the first to submit its self-evaluation report during its chairmanship of the OSCE in 2014. The other countries presiding the organization are now supposed to follow its example.

40 IHF was founded in 1982, among other things as a response to Andrei Sakharov's appeal for "an international united committee for the protection of all *Helsinki Watch* Groups.

CONCLUSION

The scope of Serbia's operation during its chairmanship is objectively limited; since it came to the office less than three months ago, it is hard to predict how effective it will be, or speak about possible successes or failures;

Serbia should behave „rationally“ considering its not so important role in and about the Ukrainian crisis. For the time being the so-called Normandy Four – Germany, France, Russia and Ukraine – rule the roost. The Four has initiated, worked on and reached the two peace agreements in Minsk (in September 2014 and in February 2015);

Serbia should rely on Germany that plays an important role considering its upcoming chairmanship;

To avoid pressure from any side, Serbia should clearly define its pro-European policy, as it will not be able to simulate neutrality for much longer;

By recognizing Kosovo Serbia would definitely opt for European integration and at the same time avoid being held hostage to Russia's justification of its national interests.