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Press Briefing by Mr. Albert Rohan after Vienna round of talks on the protection of religious and cultural heritage in Kosovo

Albert Rohan : Ladies and Gentlemen, I found this meeting very useful and we did establish or identify lots of areas where there was common ground. It doesn't mean that there are not important differences on matters of principle. The strongest difference I saw is between the concepts of the protection of the religious sites; Belgrade suggesting a direct link between decentralization and the matters of patrimony, wanting to include the churches and the church zones into an entity which will be composed of the Serb majority municipalities and the churches, whereas Pristina envisages more direct, specific measures to protect the Serb Orthodox Church without this linkage to decentralization. Now if you go through the concrete matters that we discussed you will see that there is agreement on many of them.

Lets start on the first one, which is the question of the physical protection of religious sites. Everyone agrees that this is necessary. What we have to establish is what monasteries or churches will receive, what degree of physical protection, because obviously there are differences in the need for protection between certain monasteries and churches. And there is also the need - this also was agreed by both sides -that at least for the time being, at least the next few years there will be an involvement of the international military presence in these protection schemes.

The second aspect was the creation of special protective zones. On these special protective zone, everybody agrees that there have to be around Serb religious sites some protective zone. There is an agreement on this. Where there is the most profound difference is in the size, in the extent of these zones. Here the Serbian side links this creation of protective zones with the notion of the restitution of church property, which has been expropriated in 1941, and they include this expropriated property in the protective zones. So this leads to very large protective zones, which is contested by the other side. We have decided in agreement to establish an expert group which would consist of the parties, the governments involved plus international institutions which work in this field like UNESCO, Council of Europe, and which will both discuss the criteria for the establishment for protective zones and, in each individual case, the extent to which the delimitations of these zones.

The third aspect was the access. There is total agreement that the access of people, of pilgrims, of the authorities, of others should in principle be at the discretion of the respective institutions of the monastery involved, of the church involved.

Total agreement in the next item that the clergy should have full freedom of movement - like everybody else- and that there is unfortunately still a need to make special arrangements to facilitate these movements.

There is wide agreement on the question of freedom, of tax privileges and custom duty privileges. This in principle every church in Kosovo will enjoy. We asked the questions what in addition to what all other Churches receive in terms of privileges the Serb Orthodox Church would need and we expect a list from the church on this concrete request.

Agreement equally on the fact that the Church should enjoy any kind of support in terms of welfare, of pension benefits, health insurance, etc... coming from anywhere from anybody wanting to do so, including of course Belgrade.

There is agreement that every destroyed religious site must be reconstructed and restored. There are arrangements at present which work well, which will continue. The difference in this field was that Belgrade insists that the Serbian State has the ultimate responsibility for the restoration of religious site of the Serb Orthodox site. Not contesting of course that the Church is the owner of the sites and takes the decision of what is to be restored and how. But the ultimate responsibility should rest with the State of Serbia. This is the Serbian position.

We also agreed in principle to set up an implementation committee, which would supervise the implementation of all arrangements on the protection of religious sites that will be contained in the status settlement, and we are now waiting for the positions of both sides. The Kosovo side has given us already an indication; Belgrade has promised to follow-up on the terms of reference of this committee and its composition.

The final point was the request of Kosovo side that the artefacts that had been exhibited and that are now in Belgrade should be returned to Kosovo. The response from Belgrade was that they would look into the matter and provide us with information in due course.

So you can see that, although that there are a number of deep going differences, more conceptual differences, if you look into the individual measures to protect the Church and religious sites, there is far-reaching agreement and I think it's a good basis for our continued work on this. Thank you.

Question/Answers

Q: (RTK): Mr. Rohan, do you see any need to change to the format of the negotiations following the comments made by Belgrade [the day before]?

Albert Rohan: Well, first of all, we feel that these negotiations which have the support by the way of everybody of the Contact Group, of the EU, of the International Community, and also of the parties, at least at the outset, have brought some successes, like today, but also in other matters we have at least established that there is common grounds on a variety of matters, even if we found differences of opinion,

far-reaching differences of opinion on many other issues. So we are quite happy with the procedure as such. Of course we would have loved that progress is more rapid and that we can achieve wider progress a wider agreements. But let me say this: It would be naïve to believe that this is a matter of procedures. It's a matter of political will of both parties. If they had the will we could agree on substance much easier in whatever procedure we may choose. We intend to continue in the way it was planned by Mr. Ahtisaari, at least until July when he will make a report to the Security Council and then we shall look into the matter and see in what we proceed. Let me also say that as you know Mr. Ahtisaari and myself we met Prime Minister Kostunica yesterday in Belgrade and we urged the Prime Minister to assure that the Serbian side show more cooperation in these negotiations. Its an appeal which we incidentally we also direct to the Kosovo side. And we also expressed our disappointment with the Serb attitude with regard to the participation of Kosovo Serbs in the common work in Kosovo, in the institutions. We think that it would be extremely important that the Kosovo Serbs participate in the shaping of the future of Kosovo, by participating in the work, which is done in Pristina. Mr. Ahtisaari expressed his deep disappointment with the implementation of the directive which forces the Kosovo Serbs to chose between salaries that they receive from Belgrade and salaries that they receive from Kosovo authorities. We thought that this was especially counter-productive and going against the efforts of everybody to create a multi-ethnic society in Kosovo. And we mentioned other points like for instance the failure of Belgrade to hand over the cadastral records, which would facilitate the adjudication of property and the solutions of these problems. So we had a very open discussion in Belgrade with the Prime Minister and each side said what they had to say.

Q: (The Asahi Shimbun) Do you think the secession of Montenegro will harden the position of both sides?

Albert Rohan: Well, we certainly hope that it would not. We have not seen any signs today. As I said the meeting today was very cooperative on both sides and in any case we always took and we'll continue to take the view that Montenegro is not part of our mandate. And whatever is decided in the case of Montenegro, the relationship between Serbia and Montenegro, we take it as facts of life in which we have no influence. And certainly we should know allow our work to be influenced by whatever happens over there.

(END)