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Letter dated 19 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to convey to you its profound concern over Regulation No. 2000/18 of 29 March 2000 taken arbitrarily by the Special Representative of the Secretary-General of the United Nations in Kosovo and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) to issue personal documents to residents of Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, violating in a most flagrant fashion the provisions of Security Council resolution 1244 (1999) of 10 June 1999 relative to the respect of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

Bringing this illegal and arbitrary act to your attention, I would like to recall that issuance of personal documents, primarily of passports and identity cards, in Kosovo and Metohija falls within the exclusive competence of the Federal Republic of Yugoslavia of which that Serbian province is an integral and inalienable part, the fact expressly confirmed in Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1244 (1999). Accordingly, the decision of the Special Representative of the Secretary-General of the United Nations and Head of UNMIK to introduce the so-called "Kouchner passports" for Yugoslav citizens from Kosovo and Metohija is not only contrary to the provisions of the aforementioned Security Council resolutions, but amounts to a violation of the basic principles of the Charter of the United Nations, documents of the Organization for Security and Cooperation in Europe and international law, wherefore it is absolutely unacceptable to the Federal Republic of Yugoslavia and legally null and void. The said decision provides convincing evidence that UNMIK and its Head continue to countenance the policy of the leaders of ethnic Albanian terrorist separatists aimed at severing the ties between Kosovo and Metohija and the Republic of Serbia and the Federal Republic of Yugoslavia and the separation of that Serbian province from the constitutional and legal system of the Republic of Serbia and the Federal Republic of Yugoslavia.

The introduction of the so-called "Kouchner passports" for Yugoslav citizens from Kosovo and Metohija in wanton disregard for the uniform regime of issuance of personal documents of Yugoslav citizens on the entire Yugoslav territory and in flagrant violation of relevant international legal instruments is also without a precedent in the practice of United Nations peace operations. Instead of creating conditions for a secure and unhindered return of all refugees and displaced persons

to Kosovo and Metohija and opening up a political process aimed at bringing a peaceful and fair solution to the situation in this Serbian province that would guarantee full equality to all its ethnic communities and safeguard the territorial integrity of the Federal Republic of Yugoslavia, arbitrary and wilful decisions of the Special Representative of the Secretary-General of the United Nations and Head of UNMIK serve to encourage and promote in a most direct way ethnic Albanian separatism and terrorism, aiding and abetting international organized crime, including illicit traffic in narcotic drugs, smuggling of arms, white slavery or money-laundering, which are sad facts of life in that Serbian province.

Considering the aforementioned, the Government of the Federal Republic of Yugoslavia is convinced that, fully respectful of the Charter of the United Nations, no State Member of the world Organization will accept the travel documents issued by UNMIK since they are illegal and contrary not only to the valid legal regulations of the Federal Republic of Yugoslavia and the Republic of Serbia, but to international law as well. Acceptance of those documents, however, would amount to a gross and deliberate violation of the principle of State sovereignty, the basic principle of the Charter of the United Nations, defined in Security Council resolution 1244 (1999), and exonerate UNMIK and the Kosovo Force (KFOR) for the chaos and the escalation of terrorism and crime affecting not only that Serbian province but also many regions far and wide.

The Government of the Federal Republic of Yugoslavia wishes to reiterate also on this occasion that, under the relevant laws and regulations in force in the Federal Republic of Yugoslavia, its authorities are the only organs authorized to issue all types of documents to its citizens irrespective of their ethnic origin and that only such documents are valid in the territory of the Federal Republic of Yugoslavia and abroad.

The reasons provided by the Special Representative of the Secretary-General of the United Nations and Head of UNMIK in explanation of his latest illegal and harmful decision sound hollow, unfounded and tendentious, all the more so as the competent Yugoslav authorities, following the valid legal procedure of the Federal Republic of Yugoslavia and in agreement with UNMIK and KFOR, continue to issue travel and other personal documents through its offices in Kosovo and Metohija to all applicants, Yugoslav citizens, irrespective of their ethnic origin. The Government of the Federal Republic of Yugoslavia therefore calls for a speedy cancellation of the decision regarding the so-called "Kouchner passports". It would consider the acceptance of these passports as gross disrespect for its sovereignty and territorial integrity and retain the right to take appropriate reciprocal measures.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav Jovanovic
Chargé d'affaires a.i.