



Security Council

Sixty-seventh year

6769th meeting

Monday, 14 May 2012, 3 p.m.

New York

Provisional

<i>President:</i>	Mr. Mehdiyev	(Azerbaijan)
<i>Members:</i>	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Kumar
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Mashabane
	Togo	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland	Mr. Tatham
	United States of America	Mr. DeLaurentis

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/275)

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/275)

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting. On behalf of the Council, I welcome His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Farid Zarif, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Enver Hoxhaj to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/275, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I now give the floor to Mr. Zarif.

Mr. Zarif: During the last briefing to the Security Council, in February, Assistant Secretary-General Edmond Mulet urged it to see 2012 as a year for fresh re-examination of the international effort in Kosovo (see S/PV.6713). He suggested that 2012 would offer both opportunities and risks to the goals of peaceful resolution and longer-term stability in Kosovo and in the region. That was borne out by developments during the first quarter of the year and is well documented in the report (S/2012/275) before the Council today. Some of the developments during the reporting period give us reason for cautious optimism and satisfaction. Others are stark reminders of the persistent fragility

and instability that remain far too close to the surface some 13 years after the adoption of resolution 1244 (1999).

I believe that the stage is now set for more decisive efforts from the international community to tackle fundamental issues before the end of 2012. Accordingly, alongside the report of the Secretary-General, I wish to implore the members of the Council to consider anew the possibilities for greater political consensus and harmony of effort in the application of resources. As matters stand today, business as usual is not only proving inadequate to guarantee stability, but it is also expensive and often inexcusably inefficient in achieving progress towards a more durable peace in the region.

Before briefly highlighting a few key trends during the latest reporting period, I wish to acknowledge an important development that took place only eight days ago in Serbia and in Kosovo. Voting in the Serbian general and presidential elections was facilitated safely and calmly in Kosovo on 6 May. Even though political agreement from the parties came very late, a highly professional facilitation operation was organized and carried out by the Organization for Security and Cooperation in Europe (OSCE), in line with the provisions of resolution 1244 (1999).

The OSCE engagement with Serbia was instrumental in diminishing tensions related to controversies about voting in Kosovo in the Serbian elections. The OSCE's exemplary performance was greatly assisted by the contributions of the Kosovo Force (KFOR), the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo authorities, which provided essential support and helped to ensure that voting proceeded without major incident.

That successful operation demonstrates how the international community, by operating in a united manner, can effectively manage sensitive issues and support the emergence of peaceful solutions supported by all sides. OSCE facilitation efforts for the second round of voting in the presidential election will again be conducted on 20 May. I call on all concerned to show on that occasion the same sense of responsibility and cooperation as that which was demonstrated on 6 May.

There were further positive developments during the reporting period that I would like to present briefly

to the Council. Ties between the Western Balkans and the European Union took significant steps forward with the decisions to grant candidate status to Serbia and launch a feasibility study in Kosovo. The organization of institutional presences of the European Union (EU) on the ground since February have been consolidated under the fresh leadership of the EU Special Representative in Kosovo, Mr. Samuel Žbogar, who has moved swiftly to prioritize activities on the ground and has already formed close working partnerships with other key stakeholders.

In spite of the fact that two municipalities in northern Kosovo proceeded with plans to conduct their own local elections outside the framework of resolution 1244 (1999), both Belgrade and the international community have taken unambiguous positions on that matter, leaving no doubt about the question of legitimacy. I have impressed upon local leaders in the north that they will need to pursue a different path if they wish to attain such legitimacy. I am currently leading a consultative process to explore possibilities for promoting more legitimate and viable local representation, and will call upon support from the Security Council for any emerging consensus in the future.

In spite tensions in the north, including in relation to the matter of elections, there has been some progress in that area, which is noteworthy. In the preceding reporting period, EULEX had reached a point at which it enjoyed almost no freedom of movement in the north. Since then, it has implemented new outreach strategies, including more regular dismounted patrols and other modes of direct communication, which are having an impact, although so far not in the area of Zubin Potok. Our own institutional presence in the north is operating in close collaboration with KFOR, EULEX and the OSCE, among others, to ensure common messaging and outreach towards the communities.

Regrettably, some negative trends have also continued during the reporting period. The most important of those trends has been a concentration of serious security and criminal incidents throughout ethnically mixed areas, but particularly in the north, which was documented during the period; such incidents were occurring before and have continued to occur since the Serbian election. While the occurrence of any such incident could significantly inflame tensions, a greater concentration and frequency of

incidents in the reporting period is ample evidence that the status quo is not a stable one.

Unfortunately, incendiary and opportunistic political rhetoric has been the frequent response to incidents by local politicians on all sides. Rather than assuming responsibility for reducing tensions, they instead make choices to inflame passions in what amount to efforts at short-term political point-scoring. These continue to exact a high price on the prospects for achieving far more serious goals. The tit-for-tat police arrests during the reporting period, directed from both Pristina and Belgrade, illustrate the same fundamental problem.

The power of the EU perspective for the region, as an incentive for the parties to overcome differences and to be able to enhance their prosperity and political futures, is absolutely critical. Regrettably, this incentive is itself sometimes undermined by a demonstrable absence of unity of purpose among key international actors. In such circumstances, the results obtained from substantial international investments, primarily in the mandated international presences, will continue to be less than what they could or should be.

As the European Union steps forward in more institutional leadership roles, its room for manoeuvre and effectiveness will depend heavily upon strength or lack of broader international consensus. Closer cohesion of efforts among international actors, including members of the Security Council, may help to facilitate efficient the rationalization of efforts on the ground. A clearer sense of perspective and common purpose is therefore necessary to improve the overall efficiency of the use of limited international resources.

For example, the European Union is currently considering an important review of activities and plans for EULEX, which operates under the overall authority of the United Nations. I hope that this opportunity will be used to take full stock, in a coordinated manner, of the challenges that lie ahead. In this context, the disposition of stewardship over the key executive powers given under resolution 1244 (1999), and subsequently entrusted to EULEX, need to follow a careful analysis of the implications for progress towards the original objectives set for the mission.

I also continue to stress that our common efforts should not flag on issues that are fundamental to reconciliation and the protection of the rights of minority communities throughout Kosovo. These

especially include progress in determining the fate of the missing, creating conditions for safe voluntary returns, the fair adjudication and resolution of property claims, and the full and effective implementation of the legal frameworks for the protection and preservation of the cultural and religious heritage. And I reiterate my call on the Kosovo authorities to improve their outreach messages and efforts, and to clearly demonstrate their intention to listen to and take into account the concerns of the Kosovo Serb community north and south of the River Ibër/Ibar.

With the conclusion of elections in Serbia, we expect a new Government soon to be in place in Belgrade, with a fresh mandate also to look into matters related to Kosovo. Importantly, general elections in Kosovo are not foreseen for the next 18 months. Accordingly, we are approaching a period in which it may be possible to explore avenues of political engagement more removed from the rhetorically charged atmosphere of the frequent political campaigns and elections.

To the extent that the parties can increasingly find ways to put the past behind them and focus instead on shared interests in prosperity and stability, new space may open for settling some of the differences that have remained hitherto unresolved. Lessons and limitations exposed in the current framework of technical dialogue, especially concerning follow-up and implementation, should be used to inform improvements during the next phase.

The international community now faces opportunities alongside the familiar risks. Achieving better results will require, in practice, not only renewed energy and focus on the part of those working on the ground and around the region, but, I would submit, also from the members of the Council and all among the international community who have invested heavily in Kosovo.

I wish to thank the Council members for their continuing support of the United Nations Interim Administration Mission in Kosovo, and ask them to assume a proactive approach to the continuing challenges. I urge them to use their authority and influence with the parties to encourage them to engage in good faith — something which is, in the end, very clearly in their own interests. And above all, I ask for Council members' support in forging increased unity of purpose that may help the sides and all of us to deal

with unfinished business and to reach substantial and sustainable solutions sooner rather than later.

The President: I thank Mr. Zarif for his briefing.

I now give the floor to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

Mr. Jeremić (Serbia): I thank you, Sir, for having convened this meeting of the Security Council pursuant to resolution 1244 (1999).

I welcome the presence of Special Representative Farid Zarif, and I thank him for his statement.

The United Nations Interim Administration Mission in Kosovo (UNMIK) is a crucial pillar of peace and stability in Kosovo. We support its important work, and concur with the Secretary-General's statement in the report before us today that "actions undertaken by the international actors operating within the framework of the United Nations and resolution 1244 (1999) need to be strategically aligned and closely coordinated" (*S/2012/275, para. 62*). This includes the possible reconfiguration of the European Union Rule of Law Mission in Kosovo (EULEX), mentioned in annex I of the report.

Unfortunately, no details as to what these structural changes might involve have been provided. Our long-standing position on the engagement of the European Union (EU) in Kosovo remains unchanged. We believe that the EU should sustain its status-neutral efforts in order to build the missing institutional environment and improve the dismal societal conditions in the province.

The Secretary-General's assessment is that "tension and confrontation on the ground continue to cause tangible risks to peace and stability in Kosovo and the region" (*ibid., para. 58*). Such a precarious state of affairs has disproportionately affected the Kosovo Serb community. The report states that inter-ethnic crimes, "including intimidation, assault, theft, arson, vandalism and damage to Serbian Orthodox churches and household property, [appear] to be on the increase from the same period one year ago" (*ibid., para. 21*).

Serbia's Ministry for Kosovo records more than 180 separate attacks against Serbs, their possessions or their holy sites that took place in the first quarter of 2012, at an average of more than two per day. Such figures help explain what the report qualifies as the

“continuously declining trend” of Kosovo Serbs coming back to the province. According to the Office of the United Nations High Commissioner for Refugees, only 33 of them returned in the first three and a half months of 2012. This is about half the number who did so during the same period last year.

Since our last meeting in this Chamber, Pristina has unfortunately continued to engage in a campaign of intimidation against Serbs in Kosovo. For instance, in late February, six of our nationals who reside in Kosovo but work in central Serbia as clerks in an Interior Ministry branch office were arrested on what the report calls “political charges”. They remained incarcerated for several weeks, and are now under house arrest. On five different occasions in less than a month’s time, Kosovo police arrested dozens of people tasked with distributing pension checks to tens of thousands of Kosovo Serb retirees, depriving them of their only source of income. During the same period, a number of prominent Kosovo Serbs were thrown in jail, including several elected officials.

Another serious incident took place in Pristina on 4 April. The director of Serbia’s Dialogue Implementation Office was assaulted by militants of the Self-Determination Movement parliamentary party. That happened as he was leaving the building of the so-called Kosovo Cadaster, which is located just across the street from EULEX headquarters in the centre of Pristina. He had travelled to the province at the invitation of EULEX to discuss how to operationalize previously reached agreements in the technical dialogue facilitated by the EU.

The local policemen assigned to protect him and his delegation completely failed to do so. Regrettably, neither they nor any other Kosovo Police Service personnel have been investigated for misconduct or incompetence as a result of that attack — or, for that matter, with regard to the assault on President Tadic’s convoy at Christmas near the monastery of Visoki Decani.

In protest letters to United Nations and EU officials, Serbia’s Prime Minister, Mr. Mirko Cvetković, wrote that the attack was yet another attempt by extremists to intimidate the Serbian population in the southern province and prevent dialogue, the implementation of agreements and a peaceful settlement of the problem. The Prime Minister called for greater involvement of all the international

missions in the field, as well as a more adequate assessment of security risks and an appropriate level of protection.

The eighth anniversary of the pogrom against Serbs in Kosovo took place during the reporting period. On 17 March 2004, 35 churches and monasteries, many dating back to the fourteenth century or earlier, were damaged or destroyed. Dozens were killed and hundreds were injured. Thousands of homes and businesses were burned to the ground. More than 8,000 Kosovo Serbs were ethnically cleansed from their homes.

At that time, Human Rights Watch wrote that “large ethnic Albanian crowds had acted with ferocious efficiency to rid their areas of all remaining vestiges of a Serb presence”. Close to a decade later, the Secretary-General tells us in his report that

“significant resistance remains in the Kosovo Albanian population against legislative measures and their implementation aiming at the protection of Serb cultural and religious sites, and a gap persists between the commitments made by the Kosovo authorities in this area and their implementation.” (S/2012/275, para. 45)

Today the desecration of Orthodox churches and graveyards in Kosovo continues unabated. Unfortunately, the report does not list any of the specifics concerning those attacks against our holy shrines. For instance, two of the four UNESCO World Heritage Sites in the province were targeted on the same day. On 31 March, graffiti appeared at the monastery of Visoki Decani, reading “Property of the Kosovo Liberation Army”. A few hours later, an extremely hazardous submunitions device was discovered on the grounds of the Church of the Holy Virgin of Ljeviska, located in the old quarter of the ancient Serbian capital of Prizren. It had been planted just behind the eastern wall of the sanctuary, metres away from the altar. That took place mere days before the UNESCO-sponsored restoration of frescos destroyed during the March 2004 pogrom was to commence. Between 17 March and 19 April, parish churches in a number of enclaves in south Kosovo were desecrated, vandalized or, in one instance, fired upon by an automatic weapon.

During the reporting period, not a single perpetrator was arrested for committing hate crimes against places that represent the core of Serbian

national identity. No senior ethnic Albanian official spoke out against acts of desecration, either.

On 6 May, Serbian presidential and parliamentary elections were held in both north and south Kosovo, in accordance with the Constitution of the Republic of Serbia and resolution 1244 (1999). I want to acknowledge the efforts of both Special Representative of the Secretary-General Zarif and Secretary General Zannier of the Organization for Security and Cooperation in Europe (OSCE) to help Serbs exercise their democratic right to vote. I would also like to thank Commander Erhard Drews of the Kosovo Force for ordering several hundred additional troops to Kosovo as a deterrent. That ensured that threats to use force to prevent the elections from taking place, such as the one made in mid-March by the Kosovo Liberation Army's war-time spokesman and current Chairman of the Kosovo Assembly, Mr. Jakup Krasnigi, could not be carried out. The second and final round of presidential elections will take place on Sunday, 20 May. We expect that all the necessary security measures will stay in place so that the vote can be held in safety, as was the case on 6 May.

It was with regret that we took note of the letter dated 22 March by Special Representative of the Secretary-General Zarif addressed to Serbia's Minister for Kosovo and Metohija, Mr. Goran Bogdanović, in which he indicated UNMIK's inability to organize local elections in the province that comply with resolution 1244 (1999). In response, we have proposed to start jointly monitoring developments relevant to conducting such elections, with the aim of revisiting the issue over the next six months.

In late February, an agreement was reached in the ninth round of the EU-facilitated technical dialogue between Belgrade and Pristina on the sensitive matter of regional representation and cooperation. Some of the details are mentioned in paragraphs 13 and 14 of the report before the Council. That status-neutral arrangement, which is in accordance with resolution 1244 (1999), allows the Pristina authorities to participate in meetings as a non-State actor in the regional organizations whose aim, according to the agreed terms, is to promote cooperation or integration in the Balkan region. I want to be very clear that the agreement does not extend to multilateral forums in which membership is reserved for sovereign States, such as the South-East European Cooperation Process,

the Council of Europe, the OSCE and any institutions or agencies in the United Nations system.

The report states that the room for dialogue in the coming months may be narrowed if calm is not sustained, particularly if public responses to incidents and provocations on the ground are imprudent. We share the Secretary-General's apprehension, especially as it appears that ethnic Albanian public opinion is turning increasingly hostile to the continuation of any sort of negotiations. I want to underline that Serbia remains fully committed to the process.

Disagreements on status must not impede our ability to act in concert on resolving practical issues. Much work remains to be done in improving the lives of the people through talks conducted in good faith. Moreover, as President Tadić has repeatedly said, we must provide for ironclad, internationally guaranteed assurances that safeguard our interests inside the province by securing, first, a realistic solution for north Kosovo; secondly, protecting our enclaves in south Kosovo; thirdly, preserving Serbian identity and religious heritage throughout the province; and, fourthly, settling private and commercial property claims.

Between the end of the reporting period and today's Security Council meeting, disturbing developments have set further back the cause of justice in Kosovo. The most glaring instance is the case of Fatmir Limaj, a former senior commander of the Kosovo Liberation Army (KLA) and close associate of the so-called Prime Minister of Kosovo, Hashim Thaçi. On 23 April, prosecutors failed to meet a 24-month statutory deadline to file charges against Limaj for money laundering and organized crime during his tenure as the so-called Minister of Transport. According to a prominent Pristina-based non-governmental organization, Limaj can no longer be indicted for the misuse and disappearance of about €80 million in public funds. A few days later, on 2 May, Limaj was acquitted of war crimes for the 1999 torture and killing of Serbs in the infamous Klecka prison camp. That came in the wake of the dismissal by the court of all evidence provided by Mr. Agim Zogaj, the only witness who lived long enough for prosecutors to depose. He died under mysterious circumstances while in a witness protection programme, two months before the trial began.

The not-guilty verdict shocked Serbian public opinion. The families of the victims were outraged. According to Serbia's War Crimes Prosecutor, the judgement legitimately raised the question as to whether the Kosovo courts will ever convict a single person of war crimes against Kosovo Serbs. It is encouraging, however, that the EULEX Special Prosecutor's Office announced that it would appeal the ruling.

We remain seriously apprehensive with regard to another case purportedly involving Limaj, as well as Thaçi and several other KLA figures. We have studiously followed the investigation launched by EULEX into the allegations made in a December 2010 Council of Europe report entitled "Investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo". According to that report, hundreds of Serbs were abducted in Kosovo before, during and immediately after the 1999 conflict and were sent to secret detention camps in the Republic of Albania, where many of them were singled out for forced surgery before being murdered. Their internal organs were extracted and sold on the international black market. Annex 1 of the Secretary-General's report states that the EULEX Special Investigative Task Force has continued to develop its capabilities and has progressed with its work in that case. However, we believe that the lack of transparency in the conduct of its inquiry should be a matter of great concern for the Council.

During the current reporting period, many critical questions, including those related to accountability, mandate, jurisdiction and witness protection and relocation, did not receive adequate answers. Uncovering the full truth about those monstrous allegations — unprecedented in the history of warfare — must remain our top priority. As a recent Amnesty International report concluded,

"More than 400 Serbian families are still waiting for the bodies of their relatives to be found; many believe that their son, father or brother may be among the Serbs taken to Albania. They are still waiting for justice".

The unilateral declaration of independence by the ethnic Albanian authorities of our southern province of Kosovo and Metohija, on 17 February 2008, continues to divide the world. As the Secretary-General states in today's report, we face "a widening perception that

fundamental resolution remains elusive for the underlying issues of the conflict" (*ibid, para. 4*). At the heart of all our difficulties lies the unresolved status of Kosovo.

I would like to express my country's sincere gratitude to the vast majority of States Members of the United Nations, as well as to the majority of those seated in the Security Council, that respect Serbia's sovereignty and territorial integrity. I appeal to them to continue to refrain from recognizing any solution to Kosovo that is not the product of a clear agreement between the parties. That is the only way to help us reach an equitable negotiated settlement in accordance with resolution 1244 (1999). Despite all protestations to the contrary, any other outcome would, in effect, constitute a deeply dangerous precedent that would permanently threaten the stability and borders of many States Members of the United Nations.

Serbia has put diplomacy at the forefront of its peaceful efforts to undo the damage caused by the unilateral declaration of independence. We took to the task vigorously, as would any other dignified country that found itself in our situation. But for the first time in our region's history, the impulse for vengeance and retribution was consciously suppressed. For the first time, when faced with a threat of such magnitude, a Balkan nation did not reach for its sword. Serbia's resolve was not, nor will it be, bellicose or belligerent. We shall, however, stand firm and unequivocal in resisting attempts to partition our homeland, claim our heritage and compel our citizens to live in a country that they do not consider their own.

What we seek is a just conclusion to the Kosovo conflict. No maximalist, one-sided imposition can propel the Western Balkans past the point of no return towards its European future. One of the principal lessons of our history is that zero-sum outcomes never fulfil their promise. Whenever one side got everything, the other just bided its time, in anticipation of more favourable circumstances that would allow for the return of what was thought to have been wrongly taken away. Again and again, today's victor became tomorrow's vanquished. In the absence of true consent by all, lasting harmony remained beyond reach. Thus has the cycle of enmity continued unabated for centuries.

Democratic Serbia is determined to bring that bane to an end. Our hand is outstretched. But a

conscious choice to replace hostility with concord must be made in unison by true leaders, compassionate in their hearts and steady in their vision. Forging a covenant of peace is the only way for Serbs and Albanians to end up on the same side, at long last.

In pursuing that noble goal, we may draw inspiration from the words of one of the founding fathers of the Non-Aligned Movement who, not too far from this Chamber, asked the world many years ago to remember that peace was not a relationship of nations, but a condition of mind brought about by a serenity of soul. Lasting peace can come only to peaceful people.

The President: I now give the floor to Mr. Hoxhaj.

Mr. Hoxhaj: It is my honour and pleasure to address the Security Council today with regard to the latest developments in Kosovo. First, let me thank the Secretary-General for his efforts for peace, stability and progress in my country and in the Western Balkans. I would also like to thank all States Members of the United Nations for their support in building a democratic and independent Kosovo. Let me reiterate here that the only aspiration Kosovo has today is integration into Euro-Atlantic institutions and membership in the United Nations.

Today, Kosovo is an independent State in its fifth year. Its State-building process during those years is a Kosovar, European and international success story. We adopted and implemented a modern Constitution that includes all provisions of United Nations Special Envoy Martti Ahtisaari's comprehensive settlement proposal — a Constitution that commits Kosovo to the principles of democracy, secularism and multi-ethnicity.

Before the declaration of Kosovo's independence there were perceptions that its statehood would create instability in the region. However, in the period since 17 February 2008, Kosovo's independence produced peace, stability and security in the whole region. That is why Kosovo's independence has been recognized by all of its neighbours, with the exception of Serbia, and by the overwhelming majority of European countries. Today, close to half of the States Members of the United Nations have recognized our State. I would like to thank Haiti, Sao Tome and Principe, and Brunei Darussalam for their decision to formally recognize Kosovo.

Today, I will speak about Kosovo's current situation, the progress we have made and the challenges that lie ahead. I should like to make four points. The first relates to Kosovo's consolidation of statehood. During the reporting period, Kosovo's leaders and its citizens, due to the commitment and support of international partners, focused on strengthening its multi-ethnic and democratic institutions. The President, Parliament and the Government were active and effective in further building a cohesive State, strengthening the rule of law, implementing needed reforms and tackling the pressing priorities of our society. Besides other important national and international tasks, the President was active in the fight against corruption and in our European agenda. Under her leadership, Kosovo has established two important bodies, the National Anti-Corruption Council and the National Council for European Integration.

Parliament adopted 22 important laws and made significant progress in aligning Kosovo's legislation with European standards. Two of those laws help to promote and protect the cultural and religious heritage of the city of Prizren and the village of Velika Hoča. Kosovo's institutions have granted special protection to 45 Serbian Orthodox cultural heritage sites, based on the highest international standards.

We have undertaken reforms and made investments to ensure economic growth and to enable Kosovo to compete with other countries. As a result, Kosovo's gross domestic product growth is estimated at 5 per cent — a rate twice as high as in the period before independence and twice as high as that in the region. However, unemployment is a pressing issue for us. While Europe is facing financial and debt crises, Kosovo has maintained its macroeconomic and fiscal stability. Due to very good planning and implementation, Kosovo reached a new stand-by arrangement with the International Monetary Fund, whereby the Fund will provide €107 million in support for our Government's programmes.

Kosovo's institutions have also been very focused on law enforcement, reforming the justice system and public administration. As the report of the Secretary-General (S/2012/275) confirms, Kosovo's institutions and the European Union Rule of Law Mission in Kosovo (EULEX) have done very good work on several trials and cases involving war crimes, corruption and organized crime. Such cases are the

main focus of EULEX. Kosovo's police continues to devote itself to the rule of law and has incorporated a relatively strong representation of Kosovo Serbs and other communities. Thanks to our justice and police institutions, the crime rate has fallen by 11 per cent since last year.

Let me reiterate that the Government of Kosovo remains committed to and supports the EULEX Special Investigative Task Force in its investigation of all allegations contained in the report of Mr. Dick Marty. Kosovo's institutions are very determined to support the full clarification of those allegations in an open, independent, professional and transparent way. We welcome adoption by the Parliament of Albania of a law ensuring full cooperation between Albania and the EULEX Task Force.

My second point speaks to the situation in the north of Kosovo. In the past five years, Kosovo has made important progress in the integration of the Serb community at the central and local levels of governance. Today, the Kosovo Serb community takes part in Parliament. Out of 120 members, 13 are from the Serb community. Serbs are also represented in the central Government by a Deputy Prime Minister and three ministers. Through the decentralization process, we have established six new municipalities, where Kosovo Serbs participate in self-governance in the areas of administration, police, justice, education and culture.

Kosovo has been built on the principles of citizenship and multi-ethnicity. Based on our Constitution and laws, Kosovo citizens enjoy the right to dual citizenship. Therefore, when the presidential and parliamentary elections were held in Serbia on 6 May, Serbs living in Kosovo were able to vote in the elections. In accordance with an agreement reached with the Organization for Security and Cooperation in Europe (OSCE), that organization facilitated the voting process for Kosovo Serbs. Under the OSCE symbol, mobile voting centres were opened, Kosovo Serbs voted and their votes were counted outside the territory of the Republic of Kosovo.

That was an important step for the State of Kosovo, because Serbia agreed not to organize any type of election activities in Kosovo, 13 years after the end of the war. It is very important to mention that Serbia did not try to organize local elections in the three municipalities in the north. That is a good sign

that Serbia is beginning to accept the reality of an independent Kosovo.

We are very concerned about the situation in the three northern municipalities of Kosovo. Serbia still maintains illegal police and security structures in that part of Kosovo, in violation of resolution 1244 (1999). The stability and security situation is very tense, and there are still barricades set up by those entities. What we are facing in that part of Kosovo now is not new to the region. In the 1990s, barricades in Croatia and Bosnia were set up by police and security structures that were led and financed by Serbia in much the same way that the illegal structures in the north of Kosovo are controlled, led and financed by Serbia. Serbia's agenda in that part of Kosovo is to keep the status quo and to create conditions for a deadlocked conflict, and subsequently to territorial partition. Due to that situation, it has not been possible for our institutions to integrate the Kosovo Serbs and to implement the Ahtisaari Plan in that part of our country, as we have successfully done in the rest of Kosovo.

That is the only corner of Europe where there is no rule of law and no democratic participation in institutions. As the report of the Secretary-General states, the Kosovo Force and EULEX are prevented from operating there to fulfil their mandates. Moreover, the entire stability of Kosovo and the architecture of security in the region hinges on the situation in the north. Let me give an example. In the early morning of 8 April, a 38-year-old Kosovo Albanian father was killed in his apartment and two of his four children were wounded in an explosion. That happened in north Mitrovica, and it is not an isolated act. The city of Mitrovica is divided not by the River Ibër, but by fear. Through fear and threats, the security structures are expelling all non-Serb communities from northern Kosovo.

The position of my Government is very clear. The violence has to stop, and Serbia has to withdraw its police and security units from the north of Kosovo. Kosovo has always been a multi-ethnic society, and it will forever remain so. As such, we are against any kind of partition, change of borders or exchange of territory. For our Government, the integration of the 30,000 Kosovo Serbs in the north is crucial and should happen in the same way that 100,000 Kosovo Serbs were integrated in the rest of Kosovo. In that sense, our Government is determined to pursue an internal dialogue with Kosovo Serbs in the northern

municipalities in order to integrate that community into democratic institutions and help to shape an agenda for social and economic development.

My third point concerns the technical dialogue between the Republic of Kosovo and the Republic of Serbia. I would like to highlight the agreements reached on regional cooperation and integrated border management. On 24 February, an agreement was reached on Kosovo's regional representation and cooperation. Based on this agreement, Kosovo will now participate on its own account and will speak for itself at all regional forums as an equal partner with other participating States. This will require Kosovo to sign new agreements and allow it to apply for membership in different regional organizations. Kosovo and Serbia have also reached an integrated border management agreement, which includes a technical protocol on its implementation that provides for a European solution to the issue of an inter-State border.

There is no doubt that the dialogue has marked progress in terms of concluding the agreements. These are bilateral and legal agreements between two independent countries. However, the credibility of the whole dialogue process is at stake. Agreements are worthless if they remain only on paper and are not implemented on the ground, and most of these have not been implemented at all. For example, Serbia has not signed and ratified the technical protocol on the implementation of the integrated border management agreement due to the fact that it still believes that the partition of northern Kosovo is an option. On the other hand, Serbia has accepted an agreement on Kosovo's representation in regional forums, but has boycotted meetings at which Kosovo has been present and insisted on obligations not foreseen in that agreement.

Some agreements have been only partially implemented, such as those on the freedom of movement and on free trade. These have been directly impacted by the road blocks in the northern municipalities and by the systematic arrest of Kosovo citizens by the Serbian authorities. In the past two months, more than 10 Kosovo citizens who were passing through Serbia on the way in or out of Kosovo were arrested without any reason and then released.

Kosovo has approached the dialogue in good faith and played a very constructive role in reaching and implementing agreements. The European Council

decided on 2 March to grant Serbia the status of candidate country as a result of the agreements reached in the technical dialogue. But we deeply regret that Serbia has not shown the same good faith approach in implementing the agreements. Furthermore, Serbia still maintains illegal security, police and criminal structures in the territory of Kosovo, which are in gross violation of the very spirit of the European Union and a threat to regional and international peace and stability. Over the past three months, we have seen two faces of Serbia — the Serbia that behaves as a pro-European country in relation to Brussels, and the Serbia that behaves in an anti-European way in relation to Kosovo and to the region.

My final point today is on Kosovo-European Union relations. This year began with the visit of European Commissioner for Home Affairs Cecilia Malmström to Kosovo, marking the beginning of the visa liberalization dialogue. The road map is expected soon. Kosovo's institutions have made significant progress in fulfilling the criteria for visa-free travel of our citizens.

In the current reporting period, there was another very important development for Kosovo's relations with the European Union. The European Union has confirmed that Kosovo has a clear European perspective. However, agreements reached in the bilateral talks between Kosovo and Serbia have paved the way for our country to follow the same European path as other countries in the Balkans. The European Commissioner for Enlargement and European Neighbourhood Policy, Štefan Füle, announced the launching of a feasibility study for a stabilization and association agreement between Kosovo and the European Union during his visit to Kosovo on 27 March.

We are aware that the overall process will require some time and a lot of reforms in some key areas, such as the rule of law, public administration, trade and market economy. However, the launching of the feasibility study for the stabilization and association agreement confirms the start of the process of establishing contractual relations between Kosovo and the European Union.

Let me conclude by saying that the main goal of Kosovo's institutions and its people is integration into the Euro-Atlantic institutions. We are committed to good-neighbourly relations, and we are working hard

to implement the required reforms for membership. We believe that dialogue is a democratic value. Neither threats nor violence can solve mutual issues between Kosovo and Serbia.

We will never compromise the independence, sovereignty and functionality of our State. We call upon Serbia to withdraw its illegal police and security structures, to start implementing fully and in good faith the agreements reached in the technical dialogue, and to behave in accordance with the European principles of cooperation and good-neighbourly relations.

The President: I now give the floor to the members of the Security Council.

Mr. Menan (Togo) (*spoke in French*): I would like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for introducing the Secretary-General's quarterly report (S/2012/275) on the United Nations Interim Administration in Kosovo (UNMIK). I would also like to welcome Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and Mr. Enver Hoxhaj, and to thank them for their briefings.

In February, at a debate on the same item (see S/PV.6713), Togo welcomed the negotiations that had begun between the authorities of Serbia and Kosovo. These negotiations had promoted a thaw in diplomatic relations between the two parties after a particularly tense time in northern Kosovo in late 2011, marked by acts of violence between the Kosovar and Serbian communities.

Unfortunately, we note that, as the report indicates, many acts of violence have undermined this thaw, including arrests on both sides of Serbian and Kosovar officials, attacks on individuals, and especially the organization in February of a referendum and local elections by the Serbian municipalities in northern Kosovo in the face of the opposition of the Kosovar authorities and the international community.

Despite these tensions, we note that negotiations have continued under the auspices of the European Union, leading to the conclusion of an agreement on Kosovo's regional representation and cooperation, which will allow Kosovo to take part in regional and international meetings. However, we regret the fact that divergent interpretations over the footnote of this agreement has not made it possible for representatives of the Pristina and Belgrade authorities to take part in

the same regional meetings. In that regard, we welcome the readiness of UNMIK to support both parties in implementing the agreement. We also welcome the signing, in the course of the ninth dialogue session in February, of technical protocol between both parties, providing an operational dimension to the agreement on integrated management of crossing points reached on 2 December 2011.

The report indicates that concrete progress has been achieved in the areas of the economy and the fight against corruption, but it also reveals many obstacles on the path to reconstruction, such as crime and recurring threats to religious and cultural heritage sites. We encourage the Kosovar authorities to take the necessary measures to protect these heritage sites from theft and vandalism.

Like other States, Togo remains concerned by the allegations of human organ trafficking, and we await the conclusion of the investigations. In that respect, we can only commend the willingness expressed by the Albanian authorities at the highest level to fully cooperate with Mr. John Clint Williamson, lead prosecutor of the Special Investigative Task Force of the European Union Rule of Law Mission in Kosovo, who has been tasked with investigating accusations of organ trafficking.

My country believes that the positive signs and progress we have seen could suddenly be called into question if we cannot find a definitive settlement to the question of the status of Kosovo. The ongoing inter-ethnic incidents and violence, the frequency of which has increased as a result of the electoral process under way in Serbia and the rejection of peaceful coexistence, reveal a lack of consensus among the Serbian and Kosovar authorities regarding the final status of Kosovo. Togo urges all the parties concerned to refrain from these actions, which can only exacerbate tensions among the different communities and undermine the prospects for reconciliation between them. We invite the parties to continue dialogue, which is the only path to a peaceful and lasting resolution of their differences.

In that respect, the constructive approach of the Serbian and Kosovar authorities was evidenced by the restraint and spirit of compromise they demonstrated in allowing the first round of the Serbian general elections to be held in a calm and peaceful atmosphere on 6 May in northern Kosovo, with the cooperation of

the OSCE. That is a sign of their desire to find solutions to their differences through dialogue.

My country reiterates its warm gratitude to UNMIK, the Kosovo Force, EULEX, OSCE and all partner organizations that, in a difficult context, continue to promote the smooth operation of the Kosovar institutions, to establish security and the rule of law, and above all to bring together the different communities in Kosovo and to strive for a definitive settlement of its status.

Lastly, my country once again invites the leaders of Serbia and Kosovo, as well as the Serbian leaders in northern Kosovo, to continue their dialogue and to continue to cooperate with all of their partners with a view to resolving outstanding issues.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We thank Mr. Zarif for presenting the Secretary-General's report (S/2012/275) on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). We welcome the participation in this meeting of the Minister of Foreign Affairs for Serbia, Mr. Jeremić. We share his assessments. We listened carefully to Mr. Hoxhaj's statement.

The position of Russia in not recognizing the Kosovo declaration of independence remains unchanged. Resolution 1244 (1999) remains in full force and binding on all parties as the international legal basis for a settlement in Kosovo and for ensuring security in the district. International entities in the district must act on the basis of status neutrality. Any question concerning stability and security in Kosovo must be addressed in accordance with the norms of international law and the fundamental decisions of the United Nations.

It is important to prevent any type of forcible attempt by the Kosovo authorities to gain control of Serbian municipalities in northern Kosovo. As demonstrated by events from July to November 2011, such attempts can seriously destabilize the situation. The referendum on the question of the legitimacy of the Kosovar Albanian authorities, held in the Serbian municipalities of the district on 14 and 15 February, was an expression of the despair of the Serbian authorities at the lack of support from the international agencies in Kosovo.

We still believe that UNMIK, on the basis of the mandate received from the Security Council, must play

a maximally active role in facilitating the process leading to a settlement in Kosovo. In this context, we welcome the UNMIK-sponsored coordination meetings on questions of security, as well as the direct outreach by the head of UNMIK, aimed at keeping local channels open for dialogue. We call on UNMIK to fulfil its obligations regarding the external representation of Kosovo in international organizations and mechanisms.

We note signs of desire on the part of some countries and organizations, as well as the Kosovar Albanians, to make broad use of the understanding reached in the Belgrade-Pristina dialogue mediated by the European Union regarding the representation of Kosovo in regional Balkan organizations. In particular, we are seeing the increasing use of the name "Kosovo" in the documents of the European Union, in the spirit of the agreements of 24 February. There is also talk of Pristina's plans to open a mission to NATO in Brussels, under the banner of "Kosovo". We believe that, in order to ensure stability, it is essential to adhere strictly to the parties' agreed parameters, without arbitrary interpretation.

In equal measure, we call for a full and objective investigation of crimes in Kosovo, including evidence of illegal trade in human organs disclosed by the Special Rapporteur of the Parliamentary Assembly of the Council of Europe, Mr. Dick Marty. We are concerned about the slow pace of the investigation being conducted by the European Union Rule of Law Mission in Kosovo into Mr. Marty's findings of illicit trading in human organs in Kosovo. These findings point directly to the involvement of the current leaders of Kosovo in these crimes. The investigation must be impartial. All perpetrators must be held responsible. On the basis of these concerns, we have endorsed the Serbian proposal that the investigation be handed over to the United Nations.

The security situation in the district remains tense. There is still a high level of crime against national minorities, including instances of vandalism of Orthodox sanctuaries and the burglarizing of Kosovar Serbs' homes. The realities of illicit trade in weapons and in human beings, as well as drug smuggling, remain a serious problem for Kosovo. The status of internally displaced persons returning to Kosovo, including Serbs, is still unsatisfactory. There are many reasons for that, including the fact that the returnees are unsure of their personal safety.

Recently, we have seen disturbing reports in various media that the Kosovar authorities are establishing contacts with representatives of the Syrian opposition in order, inter alia, to train insurgents in the district. That would run afoul of the efforts of the Special Envoy of the United Nations and the League of Arab States, supported by the entire international community. Moreover, turning Kosovo into an international training centre for insurgents of various armed groups could be a serious destabilizing factor beyond the Balkan region. We call on the international entities operating in the district to curb such backsliding.

International entities must also focus their attention on protecting Orthodox sanctuaries and people of the Orthodox faith. We share the concerns of the Serbian authorities and the Serbian Orthodox Church that the Kosovo Force has turned over to the Kosovo Police the responsibility for ensuring the security of the most significant Serbian cultural and religious heritage sites in the district, despite the fact that, as indicated in the Secretary-General's report, the Kosovo Albanian population is unfavourably disposed to the adoption and implementation of legislation to protect Serbian cultural and religious artifacts. There is an obvious divide between the obligations of the Kosovo authorities and their implementation. Such acts could give rise to additional security tensions in Kosovo.

Mr. Tarar (Pakistan): We thank Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo, for his briefing. We welcome Mr. Vuk Jeremić, Foreign Minister of Serbia, and Mr. Enver Hoxhaj to the Council.

We are pleased to note that the overall situation in Kosovo has remained stable during the past four months. We appreciate the efforts of the Special Representative to reduce tensions associated with the elections in Serbia. We are, however, concerned that the overall security situation in northern Kosovo still remains fragile.

The United Nations Interim Administration Mission in Kosovo continues to play a vital role in ensuring stability in Kosovo. All constituents of the international presence in Kosovo must maintain neutrality while executing their respective mandates.

We welcome the continuation of the European Union-mediate dialogue, which, during the current

reporting period, has resulted in an agreement on regional representation and cooperation. Any differences on the implementation of the agreement should be resolved through dialogue. Furthermore, the implementation of the technical protocol on the integrated management of crossing points would help address the situation in the north. We also note the progress made towards the certification of university diplomas.

Both sides need to avoid actions and rhetoric that would inflame tensions. In that regard, the holding of a referendum in northern Kosovo on 14 and 15 February was a counter-productive exercise. Similarly, the authorities of Kosovo must also ensure the provision of security for all segments of society, including minorities, and guarantee the safety of religious and cultural sites. There is also a need for better cooperation between parties in resolving the cases of missing persons.

The achievement of lasting peace needs a vision and a demonstration of flexibility by the leaders of both sides. The leaders also have the responsibility to prepare their publics to make the necessary accommodations. We would urge all parties to pursue the path of dialogue and engagement for the sake of lasting peace in Kosovo and the region.

Mr. Loulichki (Morocco) (*spoke in French*): First of all, I would like to express our thanks to Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo, for his briefing on the latest report of the Secretary-General (S/2012/275) and the recent developments in the issue of Kosovo.

Morocco regrets that the security situation in Kosovo did not improve during the period covered by the Secretary-General's report. Quite the contrary, it regressed compared to the previous period, thereby risking the destabilization of the Balkan region. Indeed, there are still hotbeds of tension in northern Kosovo, despite the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) and other missions present on the ground, such as the Kosovo Force and the European Union Rule of Law Mission in Kosovo, aimed at easing tensions and avoiding an escalation of violence among the communities. This situation, unfortunately, will not bring the two parties closer or help them to reconcile their positions on many pending fundamental questions

that concern both the present and the future of both countries.

At the political level, we commend the real prospects for an improvement in relations between the European Union (EU), on the one hand, and Serbia and Kosovo, on the other, and we note that the two parties have reached an agreement on Kosovo's regional representation and cooperation, under EU auspices. This clearly shows that cooperation between Serbia and Kosovo is possible, even on sensitive issues, when there is political will. The same goes for the conclusion of a technical protocol for the implementation of the agreement on integrated management of crossing points by Serbian and Kosovo forces, the objective of which is to provide for better control and security for all.

This human aspect is essential and should encourage the two parties to avoid rhetoric and prevent any act threatening the integrity, safety and security of individuals. In that regard, we commend the efforts of UNMIK that has contributed to the arrests of those responsible for organized crime in order to hand them over to the competent judicial authorities. On the other hand, we remain concerned by allegations of trafficking in human organs, and convinced of the importance of shedding full light on those serious allegations.

The tension between the communities in Kosovo could degenerate if the two parties do not make a steadfast commitment to maintaining dialogue and working together to strengthen their mutual trust and interests through the implementation of the parameters established in resolution 1244 (1999).

Mr. Mashabane (South Africa): South Africa would like to thank the Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, for his briefing today on the report (S/2012/275) on the activities of the United Nations Interim Mission in Kosovo (UNMIK). We welcome Minister for Foreign Affairs Jeremić back to the Council and thank him for his statement. We also welcome Mr. Hoxhaj and thank him for his statement too.

South Africa reiterates its position that resolution 1244 (1999) remains in force and forms the basis for the resolution of the situation in Kosovo. It is therefore incumbent on the international presence in Kosovo, including the Kosovo Force and the European Union Rule of Law Mission in Kosovo, to maintain a status-

neutral position in the execution of their mandates, in line with the Council's previous decisions.

My delegation continues to support the dialogue process facilitated by the European Union between Belgrade and Pristina, as mandated by the General Assembly. We have noted the recent agreements that were reached in Brussels on 24 February on Kosovo's regional representation and cooperation, as well as the agreement regarding the implementation of the integrated border management deal that was concluded in December 2011. South Africa encourages all sides to maintain this dialogue in order to reach agreement on all outstanding issues.

Although there have been some positive developments, tensions between the two sides remain. We call on all sides to utilize regular direct contact as an important confidence-building measure to improve trust and allow the parties to address the outstanding and contentious issues.

We welcome and commend UNMIK's mediation in facilitating a solution to the challenges related to the Serbian parliamentary, presidential and local elections that took place on 6 May. Arbitrary arrests by both sides are provocations aimed at causing instability to threaten any political will to encourage constructive dialogue. All parties should exercise restraint and refrain from taking unnecessary actions that may erode the fragile trust between the two sides. Violence and the use of excessive force will only reverse the gains made by the parties in the dialogue process, ultimately making reconciliation more difficult to achieve.

We welcome the parties' commitment on the issue of missing persons, and we are confident that, with the assistance of the International Committee of the Red Cross, much can be achieved. It is unfortunate that progress on voluntary returns appears to be slow compared to previous years. It remains the responsibility of both sides to encourage returns by ensuring safe conditions on the ground. In that regard, my delegation urges all parties to show cooperation and flexibility in finding solutions to this crucial outstanding issue. Negotiations remain the only approach to produce a reciprocally beneficial and sustainable solution.

My delegation remains concerned by the resistance against legislative measures aimed at protecting cultural and religious sites in Kosovo. We are aware that those sites are under security risks, and

we call on Pristina to strengthen the security measures in place to guard them. We are appreciative that the Kosovo authorities have expressed willingness to employ necessary security measures at the sites. Public reconciliatory pronouncements from the leaders on both sides are welcome and remain positive contributions towards reconciliation.

With regard to the allegations of organ trafficking, we reiterate our position that a credible, thorough, impartial and independent inquiry into those allegations should be conducted.

In conclusion, South Africa once more urges both sides to refrain from any actions that could undermine the achievements attained in the dialogue process. We therefore call on the parties to exercise flexibility to enhance their engagement in order to resolve outstanding matters and for reconciliation to prevail. I would like to express South Africa's appreciation and support for the role of UNMIK, under the capable leadership of Mr. Farid Zarif, in implementing resolution 1244 (1999).

Mr. Osorio (Colombia) (*spoke in Spanish*): I would like to begin by expressing my appreciation to the Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, for his detailed presentation on recent events and progress in the development of the mandate of the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to welcome the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić, and the Minister for Foreign Affairs of Kosovo, Mr. Enver Hoxhaj.

Colombia recognizes and supports the important role played by UNMIK, and believes that, in defining its priorities, it must continue to promote security, stability and respect for human rights in Kosovo and the region through cooperation with the parties involved and regional and international agencies.

Colombia believes that the regional perspective is decisive in resolving differences and therefore expresses its support for the guidance of the European Union in bringing Pristina and Belgrade closer together, as well as the involvement of the Organization for Security and Cooperation in Europe in the process. It is encouraging to see the progress that Serbia and Kosovo are making with their European agendas. In March, the European Union voted to grant candidate status to Serbia, on which we congratulate it. During the same month, the European Commissioner

for Enlargement launched a feasibility study for a stabilization and association agreement between the European Union and Kosovo. I think that is a very positive step.

In order to move towards a peaceful solution, we have to work based on the agreements already achieved, which can support the leadership and political resolve of the parties. In that regard, we are concerned that, for various reasons, the confrontation on the ground continues to threaten progress and to jeopardize prospects for the process to continue to move towards reconciliation. We therefore once again urge the parties to take steps to reduce tension and to avoid situations of arbitrary arrest, passive responses to acts of intolerance and bellicose rhetoric. It is a positive development that during the Serbian electoral process on 6 May, that country's Government held consultations with UNMIK on the organization of the local elections in Kosovo and took into account the Mission's views and recommendations.

The report before us notes a decline in the number of voluntary returns to Kosovo due to the lack of available land and completed housing units. However, we should highlight the support that the Office of the United Nations High Commissioner for Refugees and its partners and donor States have given to the difficult task of aiding voluntary returns by bringing displaced persons together and through outreach and information campaigns.

Concerning the allegations in the report by Council of Europe Special Rapporteur Dick Marty on inhuman treatment of people and illicit trafficking in human organs, we note the work of Mr. John Clint Williamson, lead prosecutor of the Special Investigative Task Force of the European Union Rule of Law Mission in Kosovo. We hope that the recent contacts and visits will contribute to the speedy finalization of the investigations.

Lastly, I should like to say that Colombia is optimistic about the progress that has been made in the dialogue in Brussels, such as concluding a technical protocol that builds on the previous agreement on the integrated management of border crossing points, aimed at restoring full freedom of movement in the north. Another development that deserves attention is the agreement reached between Belgrade and Pristina, thanks to facilitation by the European Union, concerning regional representation and cooperation.

Nevertheless, there are differences between the parties about some aspects of its interpretation. We call on the parties to continue the dialogue and definitively lay the groundwork for peaceful coexistence as good neighbours, according to the principles of the Charter of the United Nations.

Mr. Tatham (United Kingdom): I would like to start by thanking the Secretary-General's Special Representative for Kosovo, Mr. Farid Zarif, for his briefing today. I also welcome to the Council His Excellency Mr. Enver Hoxhaj, the Foreign Minister of Kosovo, and His Excellency Mr. Vuk Jeremić, the Foreign Minister of Serbia.

The United Kingdom is grateful for the Secretary-General's comprehensive report (S/2012/275). On the political level, there has been steady progress over the reporting period. The number of recognitions continues to rise. We have seen both the launch of the feasibility study by the European Union (EU) on Kosovo and the announcement of EU candidate status for Serbia. The engagement of Belgrade and Pristina in the EU-facilitated dialogue has been a crucial vehicle for progress for both countries. I welcome the further expressions of commitment to that dialogue that we have just heard from the Foreign Ministers of Kosovo and Serbia.

That dialogue has produced a number of practical agreements, which the United Kingdom commends. However, we are concerned that Belgrade has yet to sign the protocol on integrated border management. We would also urge both Governments to implement the agreement facilitating regional cooperation and to accept the decision of the host in international meetings concerning the placement of the footnote. It is absolutely essential that the agreement is implemented to enable the countries of the Western Balkans to work together to address the challenges facing the region.

We encourage Kosovo to engage proactively with the EU feasibility study. It is a valuable opportunity to focus on the important reforms required, particularly in the economic sector, which will be crucial to Kosovo's development and the promotion of trade. We welcome the inauguration of the National Anti-Corruption Council and hope that it receives full support for its mandate. The Government of Kosovo also needs to take ownership of reforms in the areas of the judiciary, the rule of law and administrative capacity. Driving

forward those initiatives using the tools available through the European Union Rule of Law Mission (EULEX) would provide huge benefits to Kosovo.

We share the Secretary-General's concerns about the rising tensions in the run-up to Serbia's elections. We witnessed an unfortunate series of arrests and incidents on the ground, accompanied by unhelpful rhetoric on both sides. We welcome the efforts of Special Representative Zarif in liaising with the Government in Belgrade to reach agreement not to hold or recognize any local elections in Kosovo. The United Kingdom welcomed the peaceful holding of Serbian presidential and parliamentary elections for dual nationals in Kosovo on 6 May. We are grateful to Secretary-General Zannier and the Organization for Security and Cooperation in Europe (OSCE) for their patience and for the crucial role they played. We support their continued involvement in the second round of elections on 20 May. The OSCE agreement demonstrated how the Governments in Belgrade and Pristina can work constructively with each other and the international community to ensure that the rights of their dual nationals are protected.

The approaching end of supervised independence will be an important milestone for Kosovo. It is essential that Kosovo use this historic moment to demonstrate its continued commitment to the full implementation of the comprehensive settlement plan, including respect for the culture and for the implementation of the rights of minority communities. That is particularly true for the Kosovan Serb community in the north. It is now for the Government of Kosovo to truly engage on this issue, bringing the rule of law, education and employment to all its citizens.

The freedom of movement continues to be a challenge in the north. We welcome the progress made in opening Gates 1 and 31, but the majority of traffic continues to use the illegal bypasses. Efforts need to be made to close them. I encourage all those who exercise influence in northern Kosovo, including the Government of Serbia, to work actively to deter violence and to give consistent backing to both the Kosovo Force and EULEX in the exercise of their legitimate mandates to guarantee security and freedom of movement.

We welcome the thorough work being done the EULEX Special Investigative Task Force looking into

allegations made in the Marty report. Serious allegations have been made, and it is inevitable that any investigation will be complex and lengthy. In that context, we do not believe it appropriate or warranted to talk about the slow pace of investigations. We urge the Government of Kosovo's continued cooperation with the investigation. We also note the recent and welcome enactment of legislation by Albania's Parliament that will allow the Task Force to autonomously conduct investigative activities on Albanian territory.

In conclusion, the United Kingdom continues to support Kosovo and Serbia's irreversible progress towards joining the European Union. We urge them both to make the most of the opportunities provided by the European Union this year to enable them to move along their respective paths. We also look forward to the continued constructive engagement of Belgrade and Pristina in the EU-facilitated dialogue, which provides a space for both Governments to propose creative solutions in the development of their relationship.

Mr. Wittig (Germany): I would first like to welcome His Excellency Mr. Enver Hoxhaj, Foreign Minister of Kosovo, and His Excellency Mr. Vuk Jeremić, Foreign Minister of Serbia. I would also like to thank Mr. Zarif for his comprehensive briefing.

The past few months have seen important political developments in Kosovo. I would like to focus on four issues, namely, elections, Serbia and Kosovo's European perspective, the security situation and the successful work of the Special Investigative Task Force of the European Union Rule of Law Mission (EULEX).

First, concerning elections, Germany is very pleased that the Serbian elections, including the voting in Kosovo, took place in a calm and organized manner. That is a success for both sides. None of the parties involved used the elections to escalate tensions. The United Nations Interim Mission in Kosovo (UNMIK) and the Organization for Security and Cooperation in Europe (OSCE) played a crucial part in that positive outcome. Through their support to Serbian citizens throughout Kosovo by virtue of supporting the voting process, they contributed substantially to the peaceful situation, particularly in northern Kosovo. The agreements between the OSCE and Kosovo and Serbia regarding the organizational role of the OSCE in the elections are clear evidence of the constructive and flexible approach of all sides involved. The German

Foreign Minister himself was strongly and actively committed to that process.

The Kosovo authorities have clearly demonstrated that they take the protection of ethnic minorities in Kosovo seriously. We welcome the role played by all international and local actors, in particular EULEX and the Kosovo Force (KFOR), in providing security. They have significantly contributed to maintaining a safe and secure environment in Kosovo. In early May, for the second time in a year, the joint German-Austrian reserve force was deployed in order to be prepared for possible tensions during the elections. We urge all parties concerned to continue on that path and to do their utmost to ensure that there are no incidents during the forthcoming second round of the Serbian presidential elections.

My second point is on Serbia's and Kosovo's European perspective. Germany fully supports Serbia's pro-European stance. In the recent Serbian parliamentary elections, 75 per cent of the voters expressed their commitment by voting for parties that advocate further rapprochement with the European Union (EU). That is a positive signal for Serbia, the region and Europe as a whole. We count on any new Government to continue on that path.

Against that backdrop, it is deplorable that the implementation record of February's EU-led dialogue is still lagging behind expectations. The full and sustainable implementation of agreements already concluded should be placed very high on the agenda for the coming months. We welcome the progress made during the reporting period on the issue of missing persons, which would not have been possible without the direct support of UNMIK. However, further progress is urgently needed.

My third point is on the current security situation. In spite of the positive developments during the elections to date, the situation in northern Kosovo is of great concern to us. Due to the international presence and the commitment of local and national authorities, the situation has remained calm. Yet, the underlying tensions have not been resolved. Members of the Council have repeatedly condemned the acts of violence perpetrated by both sides. During the past few months, deplorable, but, fortunately, isolated, acts of violence occurred. In particular, we condemn, in the strongest terms, the attacks on the Embassy of the

Former Yugoslav Republic of Macedonia in Pristina on 16 March.

Let me recall that, throughout the recent tensions, both KFOR and EULEX have acted, and continue to act, in accordance with their mandate in a status-neutral way that aims to ensure and maintain a safe and secure environment, including freedom of movement, and to establish the rule of law.

My fourth point pertains to the allegations raised in the so-called Marty report. Let me once again stress that Germany's primary objective is to see a full and independent investigation of those allegations. We therefore very much welcome the further progress made by the EULEX Special Investigative Task Force in the past month. We look forward to further updates being provided in the UNMIK reports.

The investigation is on a very good path. Ambassador Williamson has further strengthened his ties with relevant actors and States. Pristina, Belgrade and Tirana continue to fully cooperate with the Task Force and its investigations. In particular, Germany very much welcomes last week's adoption by the Albanian Parliament of a new law on cooperation with the Task Force. That visibly demonstrates that it can count on the cooperation of States relevant to the investigation.

Let me conclude by reiterating our appreciation for the contributions made by UNMIK and to commend the dedication and service of its staff. Germany will continue to pay great attention to the developments in Kosovo. We will also continue to promote Serbia's and Kosovo's joint and shared European future.

Mr. Kumar (India): I would like to join other speakers in thanking Special Representative of the Secretary-General Farid Zarif for his comprehensive briefing on the situation in Kosovo and the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to thank Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, for his statement outlining his country's perspective on the situation in Kosovo. We also listened carefully to the statement of Mr. Enver Hoxhaj.

The Secretary-General's report on the United Nations Interim Administration Mission in Kosovo (S/2012/275) for the quarter ending 15 April highlights in detail the situation on the ground in Kosovo. We

would like to congratulate Serbia on obtaining European Union (EU) candidate-country status in early March this year. We also note that the European Union launched a feasibility study for a stabilization and association agreement with Kosovo in late March. Those events mark the most positive political developments during the reporting period arising from concrete progress in the EU-facilitated dialogue between Belgrade and Pristina.

We are happy to note that, in February, the parties reached an agreement on Kosovo's regional representation and cooperation in an EU-facilitated dialogue. We hope that differences in the application of the footnote concerning Kosovo's status and its mutually exclusive interpretations will soon be resolved by mutual agreement and understanding. The conclusion by the parties of a technical protocol providing an operational dimension to the agreement on the integrated management of crossing points is also a welcome development.

We are seriously concerned about the overall security situation in Kosovo, which has been marked by political tension, as well as criminal incidents, including the attack on an embassy in Pristina. Compared to the same period last year, there has also been an increase in crimes affecting minority communities. Such crimes, including damage to Serbian Orthodox churches and household property, have serious implications for inter-communal relations in Kosovo. In that connection, we suggest that the concerns of the Serbian Orthodox Church over the transfer of security responsibilities at Dević Monastery should be heeded.

We urge UNMIK to continue to prioritize adequate protection of Serbian religious and cultural heritage in Kosovo, particularly in view of the significant resistance that has been noted in the Kosovo Albanian population against legislative measures and their implementation aiming at the protection of Serb cultural and religious sites and the gap between the commitments made by the Kosovo authorities in that area and their implementation.

With respect to the rule of law, UNMIK should continue to provide document certification services of a civil nature and to facilitate the interaction of the Kosovo authorities with INTERPOL and other organizations. UNMIK should also remain engaged in the missing persons issue and other confidence-

building measures between the communities. We also welcome the adoption of the law by the Albanian Parliament to facilitate cooperation with the European Union Rule of Law Mission in Kosovo, especially the agreement on the Special Investigative Task Force, led by Mr. Williamson, allowing the Task Force to fully implement its mandate.

In conclusion, we encourage UNMIK to continue to implement its mandate in a status-neutral manner, in strict accordance with resolution 1244 (1999) and other relevant decisions of the Security Council. That will help us to realize the hope of the Secretary-General that the trend of tension and confrontation that has become discernible in the past year will gradually subside and that the positive trends of dialogue will be strengthened. To that end, leaders on both sides should exercise their leadership in such a manner as to reduce tension and promote a climate conducive to dialogue and mutual understanding.

Mr. Li Baodong (China) (*spoke in Chinese*): I would like to thank Special Representative of the Secretary-General Zarif for his briefing. I welcome the presence of His Excellency Foreign Minister Vuk Jeremić of Serbia at today's meeting. I also listened carefully to the statement of Mr. Hoxhaj of Kosovo.

Although the current situation in Kosovo is generally stable, it nevertheless continues to be vulnerable and fragile. We express our concern about the tense relations among the ethnic communities in Kosovo, and in northern Kosovo in particular. We hope that the parties concerned will take a cautious approach and settle their differences through dialogue, refraining from any action that may further complicate the situation or escalate tensions. China has always maintained that the sovereignty and territorial integrity of Serbia should be fully respected.

On the question of Kosovo, a settlement plan that is acceptable to all should be reached within the framework of resolution 1244 (1999) and through dialogue and negotiation between the parties concerned. Recently, several rounds of dialogue were conducted between Belgrade and Pristina, and definite progress has been achieved on certain issues. We hope that the parties concerned will increase their efforts and continue to push forward with the dialogue. That is not only in the interest of the parties concerned; it also serves the well-being of the people. It is also in the

interest of peace and stability in the Balkan region and all of Europe.

The United Nations Interim Administration Mission in Kosovo (UNMIK) has made unremitting efforts to promote regional peace and stability and enhance dialogue. China expresses its appreciation in that regard. We support UNMIK continuing to carry out its mission in accordance with the mandate of the Security Council. We hope that UNMIK, the European Union Rule of Law Mission in Kosovo and the Kosovo Force will strengthen their coordination and play a positive and constructive role in promoting the settlement of the relevant questions.

China expresses its deep concern about the illicit trafficking in human organs. Any acts that violate the norms of international law and international humanitarian law should not be condoned. The concerns expressed by Serbia in that regard are justified. We support the United Nations carrying out investigations into the relevant cases.

Mr. Araud (France) (*spoke in French*): I would like to thank Special Representative of the Secretary-General Farid Zarif for his briefing, as well as the Ministers for Foreign Affairs of Serbia and Kosovo for their attendance today.

During our meeting last February, my delegation said that it was cautiously optimistic about developments in Kosovo (see S/PV.6713). I have been comforted in that feeling by two developments that have taken place since then.

First of all, thanks to the agreement reached among Serbia, Kosovo and the Organization for Security and Cooperation in Europe (OSCE), Serbian voters in Kosovo holding dual nationality were able to participate peacefully in Serbian legislative and presidential elections on 6 May. I wish to thank the Secretary General of the OSCE, his teams and the Irish presidency of the organization for their efforts. NATO's preventive deployment of an additional battalion and the presence of the European Union Rule of Law Mission in Kosovo (EULEX) helped to maintain a safe environment during the election period. But it is especially the restraint observed in statements and actions in Belgrade and Pristina that I wish to welcome. We hope that that attitude will be maintained beyond 20 May, the date of the second round of the Serbian presidential election, which we hope will be just as calm as was the voting on 6 May.

Secondly, Serbia and Kosovo have progressed towards European rapprochement. The granting of candidate status to Serbia and the launching of a feasibility study for a stabilization and association agreement for Kosovo are tangible evidence of the progress that has been made. The first development is the outcome of efforts made by the Serbian authorities, particularly in cooperating with the International Criminal Tribunal for the Former Yugoslavia and the internal reforms that they have conducted. The granting of status is also an incentive to follow through. The second development reflects our determination that Kosovo advance towards the European Union. The two events were made possible by progress in the dialogue between Belgrade and Pristina facilitated by the European Union. We call on the two capitals to work together to implement all of the agreements that they have reached and to resume the dialogue as soon as possible.

The European Union is also strengthening its commitment in Kosovo, with EULEX being reconfigured to take into account progress made in administering Kosovo and to better adapt to the needs of the country.

France is committed to the existence of a Kosovo that is sovereign, stable, viable, peaceful, democratic and multi-ethnic, which requires a long-term solution to the question of the north of the country. The Ahtisaari plan provides a solid basis for establishing broad autonomy for the Serbians in the north, consolidating the rights of minorities all over Kosovo and protecting their religious heritage sites. We support the decision to close the International Civilian Office and hope that that will also be accompanied by a commitment to implement all the provisions of the Ahtisaari plan.

An international presence must be maintained on the ground as long as the security situation requires it. That is particularly true in the north, where the free movement of EULEX and Kosovo Force (KFOR) personnel must be respected by all parties.

We take seriously the concerns expressed by the Secretary-General about the small number of refugees choosing to return to Kosovo. We call on the Kosovar authorities to shed full light on malfeasance and criminal acts, particularly those against Serbian religious and cultural sites.

The rejection of impunity is also a responsibility of the international community when it comes to the most serious crimes. We have full confidence in the EULEX Special Investigative Task Force and in Prosecutor Williamson to investigate allegations of disappearances and organ trafficking contained in the report of Council of Europe Special Rapporteur, Senator Marty. Considerable financial, technical and human resources have been mobilized to conduct an effective and impartial investigation.

The commitment of the Kosovar authorities and Kosovo's neighbouring States to fully cooperate with Prosecutor Williamson is an additional guarantee. We welcome in particular the decision taken by the Government of Albania to adopt a law giving EULEX the same powers as those conferred on the International Criminal Tribunal for the Former Yugoslavia, including the possibility of recording testimony outside the presence of an Albanian magistrate or police officer.

The report of the Secretary-General (S/2012/275) contains in its annex information on the work of the Special Investigative Task Force. That effort at communication must continue so that the Security Council will be informed, as it has requested, while respecting investigative secrecy and applicable elementary rules of confidentiality.

Mr. Moraes Cabral (Portugal): I wish to welcome Foreign Ministers Vuk Jeremić and Enver Hoxhaj and to thank them for their statements. I also thank Special Representative Farid Zarif for his comprehensive briefing.

As the situation in Kosovo over the past few months — stable yet fragile — has already been addressed in detail by the Foreign Ministers' statements and by the Special Representative's briefing, I will focus my statement on three specific aspects.

First, there is the will for compromise showed by Serbian and Kosovo authorities in arranging for Serbs in Kosovo to vote in Serbian parliamentary and presidential elections with facilitation by the Organization for Security and Cooperation in Europe (OSCE), a process that has taken some months to be finalized and agreed upon. Their cooperative attitude must be noted and commended, as the event could have had, and still can have, negative consequences in terms of security and stability in parts of Kosovo.

We therefore call on Belgrade and Pristina to continue to fully cooperate with OSCE and other international actors, as well as on all parties to avoid any actions or statements that could increase tensions. The OSCE's involvement in the process must be sincerely applauded. We also welcome the very positive role played by the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force in that context.

As to Serbian local elections, in spite of Belgrade's decision not to hold them in Kosovo, two municipalities in northern Kosovo nevertheless held them. We note very positively the Serbian authorities' statements that the results would not be recognized, as well as Kosovo authorities' restraint on the matter.

Secondly, there is a need for clearer and more effective application of the agreements reached on different issues through the Belgrade-Pristina dialogue. As Portugal and others have recurrently advocated, that dialogue is paramount for the achievement of progress between Serbia and Kosovo in areas essentially pertaining to everyday life for thousands of people. Not only the international community and the European Union, but also — first and foremost — the two parties themselves must not allow the momentum to be lost. We therefore call upon the parties to renew their efforts to achieve an understanding on the practical aspects of the implementation of the various agreements. Progress in this regard can further relations between Serbia and Kosovo and the European perspectives of each. We expect the dialogue to be resumed in full after the Serbian elections.

Thirdly, Portugal deeply regrets and condemns reported attempts to damage Serbian religious, historical and cultural heritage in Kosovo. This is not, as some might be led to believe, a minor issue; it looms large on the overall situation in Kosovo and can turn underlying tensions into open clashes. It is incumbent on the Kosovo authorities to protect such heritage, and all efforts must be undertaken — supported by international forces if necessary — for its safeguarding as the responsibility for their security is transferred to the Kosovo Police.

Finally, allow me to briefly address the report on the activities of EULEX, particularly in regard to the activity of the Special Investigative Task Force. As a matter of principle, we have always maintained that opacity and impunity are obstacles to lasting peace. In

this sense, Portugal commends the efforts already undertaken by EULEX, and welcomes the recent activity of the lead prosecutor and head of the Special Investigative Task Force. Portugal takes note of the reported level of willingness to cooperate on the part of all quarters contacted so far by the lead prosecutor, notably from the Albanian Government, which has taken positive steps in offering to cooperate with the Task Force, the Serbian War Crimes Prosecutor and the lead prosecutor of the International Tribunal for the former Yugoslavia. Portugal supports the work carried out by the Task Force and considers that it is through thorough, transparent and comprehensive investigations that the truth behind those horrifying allegations can be fully uncovered. That must be the wish we all share.

Serbia has been granted candidate status to European Union accession in early March. Portugal is proud to have been at the forefront of the promotion of this step, which we believe is not only deserved by Serbia, but also necessary for the regional stability and prosperity that we associate with European integration. This is, we hope, a decisive step towards the progressive complete integration of the Western Balkans into the European Union. As regards Kosovo, we note positively the recent launch by the European Commission of a feasibility study for a stabilization and association agreement between the European Union and Kosovo, thus opening an important phase in their relations.

Mr. DeLaurentis (United States of America): I thank Special Representative Zarif for his briefing. I would like to welcome both Foreign Minister Hoxhaj and Foreign Minister Jeremić back to the Council, and thank them for sharing their perspectives with us.

I would like to make four main points today. First, the United States welcomes the peaceful participation by dual nationals in Serbian presidential and parliamentary elections in Kosovo on 6 May. We look forward to an equally incident-free second round on 20 May. Kosovo's and Serbia's coordination with the Organization for Security and Cooperation in Europe (OSCE), which allowed dual nationals to exercise their right to vote without infringing on Kosovo's sovereignty, demonstrated how both countries can effectively work with the international community to overcome political differences.

Going forward, this successful cooperation should serve as a model for future peaceful elections and promote the development of democratic institutions in the greater region. We are hopeful that both Governments will use this practical approach to discuss ongoing problems in northern Kosovo over the coming months. We also welcome the fact that Serbian authorities dismissed as illegitimate local elections in northern Kosovo.

Secondly, we echo the Secretary-General's hope for a "normalization of relations" between Pristina and Belgrade. It is time for this long-standing problem to end. The United States continues to reject any action that would undermine Kosovo's independence, sovereignty or territorial integrity. The Government of Serbia's ongoing support for illegal parallel structures and Serbian security forces in northern Kosovo remains a barrier to progress. We call on Belgrade to remove its security forces from Kosovo immediately, and we call for the implementation of all agreements that the parties have reached thus far in the course of the dialogue facilitated by the European Union (EU).

We express concern over the difficulties encountered in implementing the EU regional representation and cooperation agreement, and hope that both Governments will use this opportunity to participate fully in regional forums. We congratulate Serbia on its selection as an EU candidate nation, and Kosovo on the feasibility study under way for an EU stabilization and association agreement. Both nations are making good progress on the road to European integration.

Thirdly, we note that, unfortunately, freedom of movement within Kosovo remains hampered. While we welcome the news that gates 1 and 31 reopened during the reporting period, we also note that the EU Rule of Law Mission in Kosovo (EULEX) must continue to transport Kosovo Police and customs officers by air to those gates, only because northern Kosovo Serbs continue to deny EULEX full and unconditional freedom of movement. The Kosovo Force (KFOR) has also been denied full freedom of movement. We look to Serbia to cooperate with KFOR and EULEX to restore complete freedom of movement for all people and to support KFOR efforts to restore and maintain a safe and secure environment. All parties looking to promote law and order along the border must provide full, unhindered support.

Finally, the United States takes seriously all allegations of serious crimes committed in the region, including in connection with the 1999 conflict. We welcome Albania's cooperation with the ongoing EULEX investigation into these allegations, as underscored by the Albanian Parliament's adoption of legislation in this regard last week. We again underline our full support for the work of EULEX and the progress made by the Special Investigative Task Force, under the leadership of Mr. Clint Williamson. Let me also say that any attempts to politicize the investigation or duplicate its efforts do a disservice to the alleged victims and their families, and risk calling into question the impartiality of any decisions reached.

The United States stands with the international community in our commitment to long-term peace and stability for Kosovo and for the entire Balkan region. Kosovo's progress towards developing a plan to implement resolution 1325 (2000) on women and peace and security is but one example of how seriously Kosovo is taking its obligations as a sovereign State and responsible member of the international community.

The OSCE facilitation of voting in the 6 May Serbian presidential and parliamentary elections and the upcoming second round of presidential elections in Kosovo on 20 May is yet another example of how international multilateral institutions are effectively promoting peace, stability and reconciliation in the region. We look forward to seeing both Serbia and Kosovo continue on their paths towards full cooperation and European and Euro-Atlantic integration.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): I thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK), contained in document S/2012/275. I also welcome and thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his detailed introduction of the report.

We believe that the United Nations plays a crucial role in guaranteeing stability and neutrality in Kosovo and the region. We express our total support for the Mission and for the Special Representative of the Secretary-General, and encourage them to continue to carry out their mandate in accordance with resolution 1244 (1999).

I should like to make a few comments on the report before us. First, we welcome the new progress made by Belgrade and Pristina in the dialogue facilitated by the European Union. However, we also take seriously the observation that tension and confrontation on the ground continue to pose tangible risks to peace and stability in Kosovo and the region. We are concerned about the growing perception referred to in the report that it continues to be difficult to reach a definitive solution to underlying issues of the conflict. In that regard, we urge the parties to seek broad and lasting solutions in line with resolution 1244 (1999), especially to resolve the issue of future elections in Kosovo, reduce tension overall and support conditions for constructive dialogue.

Secondly, we note that the situation in north Kosovo continues to be extremely sensitive when it comes to development of the political situation between Pristina and Belgrade. We are following the situation with regard to the expected operationalization of the agreement on integrated management of the crossing points, as well as with regard to the normalization of free movement.

With regard to security in general, we are concerned about criminal incidents that primarily affect minority ethnic communities, including incidents involving intimidation, acts of aggression, robbery, arson, vandalism and damage to Serbian Orthodox churches and the looting of private homes. We support the work done by UNMIK to encourage Kosovo authorities to take specific preventive measures to attempt to reverse this trend. We urge Pristina and Belgrade to take responsibility for reducing tension, as well as to continue to use positive language in their communications.

Thirdly, we note that there is a continuing downward trend in voluntary returns to Kosovo. According to the Secretary-General's report, the number of returns during the first quarter of this year decreased by 48 per cent as compared to the same period in 2011. We therefore support the Secretary-General's call for scaling up political will and attention in order to reverse this trend.

We also regret that there continues to be a certain degree of resistance to measures intended to protect Serb cultural and religious sites in Kosovo. We urge Kosovo authorities to redouble their efforts to bridge

the gap between commitments and activities undertaken in this regard.

Fourthly, we are following with interest the work of the Special Investigative Task Force to look into allegations of inhuman treatment of persons and organ trafficking in Kosovo. The report of the Secretary-General barely touches on this important issue. We are pleased that the Task Force has enjoyed support and cooperation to date. Nevertheless, this is a complex investigation that covers various jurisdictions. We hope that every allegation will be thoroughly investigated and that those responsible will be brought to justice. We therefore continue to believe that it would be desirable to arrive at an arrangement that could involve the United Nations in the process of addressing the allegations.

Lastly, we take note of the report on the work of the European Union Rule of Law Mission that is appended to the report of the Secretary-General. We believe that it is important to consolidate efforts to promote the rule of law in Kosovo. A passage from that report drew our attention, namely, the announcement of a reconfiguration of the Mission in the light of developments concerning the rule of law. Although the report states that structural changes will not impact the Mission's goals, we would like to have more information in that regard.

The President: I shall now make a statement in my capacity as the representative of Azerbaijan.

At the outset, I would like to thank Mr. Farid Zarif, Special Representative of the Secretary-General, for presenting the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/275). We welcome the participation in today's meeting by His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and thank him and Mr. Enver Hoxhaj for their statements.

The position of Azerbaijan with regard to the sovereignty and territorial integrity of Serbia and non-recognition of Kosovo's unilateral declaration of independence remains unchanged. Resolution 1244 (1999) continues to be the binding international legal basis for resolving the Kosovo issue and providing security in the area. The resolution outlines explicit guidelines and steps to be taken for a comprehensive settlement in a political process and through negotiations.

Positive trends in dialogue between Belgrade and Pristina, as well as progress towards European integration, were registered during the reporting period. We welcome the decision of the European Union (EU) to grant candidacy status to Serbia, which had been pending since 2009. We also note the agreement reached by the parties in an EU-mediated dialogue on Kosovo's regional representation and cooperation, with the understanding that such designation is without prejudice to positions on status and is inline with resolution 1244 (1999) and the advisory opinion (see A/64/881) of the International Court of Justice of 22 July 2010.

At the same time, we cannot but express our deep concern at the increase in tension and incidents on the ground during the reporting period that continued to pose tangible risks to peace and stability. We note the efforts aimed at de-escalating tension and call upon all stakeholders to resolve disagreements peacefully.

The report of the Secretary-General, the United Nations Interim Administration Mission in Kosovo (UNMIK) and other international presences have stressed that the public referendum conducted by the northern Kosovo Serb municipalities in February had no legal consequences. It is our strong understanding that, without exception, the same position equally applies to all unilateral actions taken contrary to resolution 1244 (1999) and in contravention with the perspective of achieving a solution based on mutual understanding and consensus.

The situation with regard to the voluntary return of internally displaced persons to Kosovo remains a matter of concern and requires redoubled efforts. Azerbaijan aligns itself with the call of the Secretary-General for strengthened political will and focus in order to reverse the continuously declining trend in voluntary returns.

The issue of missing persons continues to be one of the major obstacles to reconciliation efforts, and obviously requires strengthened cooperation between the parties, as well as the engagement of UNMIK and other international partners.

The protection and restoration of religious and cultural heritage should remain an UNMIK priority. We deplore any acts of vandalism against cultural and religious sites and recall the obligation to comply with the commitments made by the relevant parties in that regard.

We take note of the information that the Special Investigative Task Force of the European Union Rule of Law Mission in Kosovo continued working to address reports related to inhuman treatment of people and illicit trafficking in human organs. Azerbaijan looks forward to an objective, fair and transparent investigation of the facts and believes that the establishment of truth will definitely serve the principles of justice and the rule of law. At the same time, we still do not see any obstacles that could prevent the process from being empowered by, and accountable to, the Security Council.

In conclusion, I would like to commend UNMIK, under the leadership of Special Representative Zarif, for its efforts and important role in maintaining peace and stability in Kosovo and the entire region.

I now resume my functions as President of the Security Council.

There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.20 p.m.