



# Security Council

Sixty-seventh year

*Provisional*

## 6822<sup>nd</sup> meeting

Tuesday, 21 August 2012, 10 a.m.

New York

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<i>President:</i>	Mr. Araud . . . . .	(France)
<i>Members:</i>	Azerbaijan . . . . .	Mr. Musayev
	China . . . . .	Mr. Wang Min
	Colombia . . . . .	Mr. Quintana
	Germany . . . . .	Mr. Berger
	Guatemala . . . . .	Mr. Rosenthal
	India . . . . .	Mr. Hardeep Singh Puri
	Morocco . . . . .	Mr. Bouchaara
	Pakistan . . . . .	Mr. Tarar
	Portugal . . . . .	Mr. Cabral
	Russian Federation . . . . .	Mr. Zhukov
	South Africa . . . . .	Mr. Sangqu
	Togo . . . . .	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Tatham
	United States of America . . . . .	Mrs. DiCarlo

### 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/2012/603)

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12-46686 (E)



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*The meeting was called to order at 10.05 a.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/2012/603)**

**The President** (*spoke in French*): 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. Ivica Dačić, Prime Minister of the Republic 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. Hashim Thaçi 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/2012/603, 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:** I thank the President of the Security Council for the opportunity today to introduce the report of the Secretary-General on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2012/603), and to brief the Council on current developments and issues that the international community is confronting in Kosovo.

In particular, I wish today to highlight, once more, the risks of the sometimes quiet, yet hazardous, tendency towards complacency. From the perspective of those of us on the ground, opportunities to reinvigorate a political process are fleeting, while the cost of missing

such opportunities can be very high. My assessment is that more active and deliberate political international engagement with the parties is urgently needed. The elevation of the level of representation of the parties at the table today attests to such an assessment. During the current reporting period, sessions of the European Union-led Belgrade-Pristina dialogue remained suspended owing to the May general elections in Serbia and the political process leading to the formation of a new Government on 27 July.

I had the opportunity, some two weeks ago, to meet with the new leadership in Belgrade, including President Tomislav Nikolić and Prime Minister Ivica Dačić. I wish to take this opportunity to congratulate His Excellency Mr. Ivan Mrkić on his appointment as the new Minister for Foreign Affairs of Serbia. During my meetings with the Serbian leadership, I welcomed their early and clear assurances of their commitment to the full implementation of agreements previously reached in the dialogue, and also to the early resumption of dialogue.

A clear demonstration of a full faith commitment to the dialogue, including through the expeditious implementation of the agreements reached, is now very important from both sides. As highlighted in the Secretary-General's report, delays in carrying out commitments or in settling subsequent discrepancies in interpretation should not be an excuse to prolong the pause in the process. I trust that, with the new Government now in place in Belgrade, the European Union-facilitated dialogue will soon resume. I further hope that those involved in the process will have used the period of the recent hiatus to focus on further enhancements to the process, including dedicating increased attention to the implementation stage.

The first official visit of the Secretary-General to the region, in late July, just after the end of the period covered by his report, contributed to raising the level of the discussions on a number of essential issues. I believe it also contributed to setting the stage for what we all have hoped to witness, namely, an energized approach to tackling key issues in the very near future. Important as it is to ensure the parties' renewed commitment to dialogue, the international community should also strive to renew its engagement during the next critical period.

On the ground, considerable progress has been made towards increased cohesion and efficiency

among the internationally mandated presences. Increased exchanges among UNMIK, the European Union Office in Kosovo, the Kosovo Force (KFOR), the European Union Rule of Law Mission (EULEX) and the Organization for Security and Cooperation in Europe have resulted in improved coherence of efforts on many issues of common interest. Such coordination also brings into clearer view those issues that can be addressed through improved joint effort, as well as those that have been held up by the lack of political progress.

The European Union Office in Kosovo has continued stepping up its operations, under the leadership of European Union Special Representative Žbogar. During the current reporting period, EULEX carried out a substantial internal restructuring aimed at streamlining its operation, while also increasing conceptual clarity and efficiency. Alongside that conceptual redesign, it remains essential, in our view, that great care be taken to ensure capability and readiness for effective interventions, especially in areas where the development of rule-of-law institutions remains insufficient and where they are at times subjected to political currents.

Although UNMIK's operational activities are limited, we have nonetheless remained focused on increasing positive results from our engagement with the Kosovo authorities, in areas that contribute directly to improvements in the lives of the Kosovar people. I was gratified by the findings of a survey held in June that showed a healthy trend in the standing of the United Nations among the Kosovo population. The European Union-sponsored poll revealed that more than three-quarters of the Kosovo population had trust in the United Nations, an increase of some 15 per cent since the previous survey, in 2010.

In addition to our relations at the political level in Kosovo, the Mission's work has been undergoing refinement, with the objective of enabling us to work more efficiently with the local communities, the institutions and our international partners in support of a much-needed progress in human rights protection, the return of internally displaced persons and refugees, and determining the fate of missing persons.

Our endeavours also include coordinated steps to improve constructive engagement at all levels in the northern part of Kosovo. Concerning that area, far more effort will be needed to change the familiar posturing and rhetoric that emanates alternately from Pristina,

Belgrade and northern Kosovo. As I have stressed in previous Council meetings, setting enabling conditions for a legitimate and genuine representation of the interests of the population in northern Kosovo should be a matter of priority. Achieving that goal will require demonstrated goodwill as well as political maturity from all sides. We hope that progress towards that goal will not continue to be hindered by the unconstructive patterns and political bluster that have become far too pervasive. That essential component of overall political progress will also depend upon positive engagement and support from the members of the Council.

It is my sincere hope that, during the forthcoming period, neither the parties nor the key international stakeholders will allow any opportunity to be missed for imparting vitality to the efforts aimed at addressing the root and core political problems in a deliberate and forthright manner. We must be mindful not to conflate short-term stability with genuine progress towards fundamental solutions.

Accordingly, I wish to appeal once again to the members of the Council to positively apply their authority and influence in order to assist and encourage the parties towards a more creative, bold and forward-looking approach to negotiations, based on compromise and mutual respect. I believe that only by pursuing that path can we expect any real progress, along with greater successes, eventually putting the unfortunate past to rest. A less active approach now will, in my view, amount to perpetuating the status quo, which is in the interest of no one.

I wish to add, on the occasion of the conclusion of their 12-month tenure in the coming days, a special word of appreciation to the outgoing KFOR Commander, Major General Drews of Germany, and his Deputy, Brigadier General Luif of Austria, for their exceptional professionalism and consistent engagement in maintaining a safe and secure environment during the past year. They have been instrumental in promoting the goal of synergy of effort among the mandate-holders on the ground.

Finally, I wish sincerely to thank the Council members for their continuing support for the work of UNMIK.

**The President** (*spoke in French*): I now give the floor to Mr. Dačić, Prime Minister of the Republic of Serbia.

**Mr. Dačić** (Serbia) (*spoke in Serbian; English text provided by the delegation*): I would like to thank you, Mr. President, for convening this meeting of the Security Council pursuant to resolution 1244 (1999).

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

During the current reporting period, the citizens of Serbia voted in free and fair general elections. International observers concluded that the vote was in line with the most rigorous international standards, as in any stable democracy.

The consolidation of regional peace, security and stability is a priority for the newly elected authorities of the Republic of Serbia. I would like to remind this body that practically right after the Second World War had come to an end, those who had been the most fervent of enemies began to lay the foundations for a new, stable and prosperous Europe. That was the starting point for today's European Union (EU), in which Serbia too seeks its place. On the other hand, more than 20 years since the breakup of the former Yugoslavia and the ensuing and civil wars, the peoples of the region continue to live in the past and making mutual accusations, instead of finding a sustainable solution for the future.

That is why resolving the final status of Kosovo and Metohija is one of my Government's most important priorities. Through a process of negotiations and dialogue, we stand ready to arrive at a sustainable solution that takes into account the legitimate interests of Albanians, Serbs and all others who live in Kosovo. I want to be very clear that Serbia will never, under any circumstances, implicitly or explicitly, recognize the unilateral declaration of independence by Kosovo's ethnic Albanian authorities, because it was not the result of mutual agreement. Our nation will remain united on that fundamental issue. We will continue to defend our constitutional order using all peaceful means at the disposal of a democratic State Member of the United Nations. I believe that none of the countries represented in the Chamber would act differently were its nation to find itself in a situation similar to ours.

Before proceeding with the rest of my remarks, I would like to express my country's sincere gratitude to the majority of the States Members of the United Nations, which 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 and final agreement between the parties.

Kosovo's final status remains unresolved. No solution to that status has been approved by the Security Council, and no comprehensive settlement has been accepted by the stakeholders. Accordingly, it is the position of the Republic of Serbia that Kosovo cannot be allowed to accede to any international organization in which membership is reserved for sovereign States.

With respect to the interim arrangements reached at Brussels during the EU-facilitated technical talks, as referenced in paragraph 14 of the report (S/2012/603) of the Secretary-General before the Council today, I underline that there is no doubt that they are status-neutral and accord with resolution 1244 (1999). As a point of fact, the participation of the Pristina authorities as non-State actors is restricted to meetings in regional forums whose aim is "to promote cooperation or integration in the Balkan region", to quote from the terms agreed by the parties. Let me reiterate once more that that refers exclusively to participation, not membership.

The Secretary-General's report is explicit in that regard:

"many difficulties in Kosovo are not simply the result of the ... differences among the parties but also of the ongoing lack of international consensus, which could assist the parties in reaching the necessary compromises and thus making faster progress towards lasting political settlements" (S/2012/603, para. 47).

We fully share that assessment. For that to be achieved, a further effort by the international community is needed. Serbia is ready to participate constructively in such a process.

Serbia remains fundamentally committed to a process that would ultimately lead to lasting peace between Serbs and Albanians. The EU-facilitated technical dialogue is part of that endeavour. In that regard, let me underline that the new Serbian authorities, including the new President and Government, intend to implement all the agreements reached so far, while also insisting that Pristina must do so as well.

While the technical dialogue should continue, it is not a panacea. Serbia is ready for high-level talks. Negotiations on all outstanding issues cannot be avoided. Such a process will necessitate not only

strong leadership and vision, as the Secretary-General indicates; political will to compromise will also be required by both sides. Belgrade cannot only keep giving, and Pristina taking. Such an approach could never produce a legitimate and sustainable agreement, for its basis would not be consent but imposition. My Government is ready to engage in good faith at all levels in order to achieve a mutually acceptable and comprehensive solution to the final status of Kosovo.

Today's report draws our attention to unilateral developments that gravely undermine the prerogative of this body and the authority of resolution 1244 (1999), which all Member States are bound to respect under Chapter VII of the Charter of the United Nations. I refer in particular to a major change in the functions of the European Union Rule of Law Mission (EULEX). According to the report contained in annex I of the Secretary-General's report, EULEX has successfully started the process of realigning its structure with its revised priorities. The Mission has now been reconfigured. Following the adoption of new planning documents, the new structure came into effect during this reporting period. No further details are provided.

The broader context is the announcement by the so-called International Steering Group that the self-assigned mandate of the so-called International Civilian Office to forcibly implement the Ahtisaari proposal, which Serbia has not accepted, will come to an end in autumn. The Secretary-General's report tells us that reforms were enacted by the authorities in Pristina, and that they are expected to remove the executive authority of the international organizations in Kosovo.

It is the view of Serbia that the Security Council is the only institution of indisputable and universal legitimacy authorized to make the sort of changes that the report refers to. That is the reason that this body's presidential statement of 26 November 2008 (S/PRST/2008/44) and the Secretary-General's report (S/2008/692) of 24 November 2008 were able to affirm that EULEX would fully respect resolution 1244 (1999) and operate under the overall authority and within the status-neutral framework of the United Nations.

As what EULEX calls its reconfiguration has not been put before the Security Council for approval, nor authorized by anyone representing the United Nations, it does not conform to resolution 1244 (1999). Moreover, unilaterally "remove[ing] the executive authority of the international organizations [operating] in Kosovo"

(S/2012/603, para. 7) is a further demonstration of Pristina's complete disregard of the exclusive jurisdiction of the Security Council on this matter. Let me underline that, in spite of those disturbing developments, our long-standing position on the European Union's engagement in Kosovo remains unchanged. We believe that the EU should sustain its status-neutral efforts in order to build the lacking institutional environment and improve the dismal societal conditions in the province.

I would like clearly to state Serbia's position that what is required is deeper engagement by EULEX, not retrenchment. If EULEX does not have enough capacity, an alternative is for the United Nations Interim Administration Mission in Kosovo (UNMIK) to review its own reconfiguration and presence level, in accordance with resolution 1244 (1999). Should it become necessary, Serbia will work through the Fifth Committee of the General Assembly to ensure that additional funds are allocated to UNMIK through the upcoming budgeting process.

The Secretary-General's report addresses the security threats faced by the Serbian community in both north and South Kosovo. It draws attention to the double murder of the elected Kosovo Serb village representative and his wife near the town of Uroševac. Unfortunately, the perpetrators remain at large, as is almost always the case in attacks against Serbs. The report also highlights the numerous threatening letters and pamphlets sent by ultra-nationalist pan-Albanian organizations to returnees. In addition, it lists various cases of arson, theft, looting of homes and stoning of Serb vehicles.

Moreover, it underscores that

"acts of vandalism and religious intolerance have continued during the reporting period, including thefts of money, gates and a bell from the premises of an Orthodox Church and the desecration of Orthodox cemeteries" (S/2012/603, para. 35).

Furthermore, the report mentions "[f]our incidents of verbal or physical attacks against Orthodox monks" (*ibid*, para. 35). No descriptions are given, with the document remaining silent about whether arrests were made in connection with any of those hate crimes.

In our view, those and many other incidents are part of an orchestrated campaign of intimidation directed at Kosovo Serbs. It clearly has the ultimate aim of completing the total ethnic cleansing of Serbs

and the cultural cleansing of our patrimony. The results are clear. In the current reporting period, only 45 Kosovo Serb internally displaced persons returned to the province. According to reports by the Office of the United Nations High Commissioner for Refugees, that number is less than half who did so during the same period last year. Let me remind the Council that, according to the United Nations, more than 200,000 non-Albanians have been expelled from the territory of Kosovo and Metohija since June 1999.

The Secretary-General's report notes a "decision by the Kosovo authorities to ban, as from July, the use of Serbian licence plates issued for Kosovo" (*ibid*, para. 14). That has led some Kosovo Serbs to adopt the new automobile number plate system issued by Pristina. The stated aim of that programme is, apparently, to eliminate discrimination, as all residents of the province are supposed to be provided with ethnically unidentifiable plates. However, a recent European Union-funded report brings this fundamentally into question. Authored by the European non-governmental organization Diadikasias, it is entitled "Freedom of movement: issuance of RKS license plates to members of non-Albanian communities in Kosovo, 2012."

I cite its troubling conclusion: "There is a pattern, according to which only certain couples of letters are issued to members ... of the Serbian community". According to the evidence, Kosovo Albanians are issued plates with different letter combinations. This worrisome and highly discriminatory practice was confirmed to the authors of the report by a Kosovo police official, who is quoted in the document as saying that "It is a public secret that Serb cars are marked."

Seven decades after the old continent saw the end of regimes visually marking members of ethnic groups in public, the practice has now returned to European shores. Such a practice, if it is true, must be condemned in the harshest of terms. This is yet another piece of evidence that the ethnic Albanian authorities are engaged in an ongoing campaign to discriminate against and terrify Serbs.

Furthermore, the Secretary-General's report draws attention to numerous instances of the disproportionate use of force by the Kosovo police service, and underscores the repeated refusal by the so-called Minister of the Interior, Bajram Rexhepi, to launch disciplinary action against those under his command who engage in brutal and discriminatory conduct or whose inaction threatens

the safety of Serbs. The Secretary-General explicitly concludes that the incidents outlined in his report "provide grounds for serious concern with regard to the institutional capacity of the Kosovo police to manage tensions and build public confidence" (*ibid*, para. 18). Against that backdrop, the announced abrogation of the executive functions of the European Union Rule of Law Mission (EULEX) is even more worrisome. Serbian officials have continued to meticulously follow the investigation launched by the EULEX Special Investigative Task Force into the allegations made in a December 2010 report written by the Swiss task force member, Mr. Dick Marty, and nearly unanimously approved by the Council of Europe Parliamentary Assembly.

According to the Council of Europe Parliamentary Assembly report, entitled "Investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo", hundreds of Serbs were abducted in Kosovo before, during and immediately after the 1999 conflict and sent to secret detention camps in the Republic of Albania. Many of them were subsequently selected for forced surgery before being murdered. Their internal body organs were extracted and sold on the international black market.

In the same way as Serbia has done everything to uncover and prosecute all those who committed atrocities against the Albanian population in Kosovo, Serbia expects that the full truth will be sought out and that all who are responsible for such war crimes against Serbs in Kosovo will be punished.

The families of the Serbian victims must not be seen as being any less deserving of justice than the victims of other war crimes committed in the former Yugoslavia during the 1990s.

Serbia supports the work of the EULEX Task Force, which has, as annex I of the Secretary-General's report states, intensified contacts and working relationships with a number of State and non-State actors. Nonetheless, as has been the case since before the establishment of the Task Force, the critical question of jurisdiction remains unanswered. That will be necessary in order for the Task Force to be able to uncover the full truth about various terrible allegations, including those made in the Council of Europe Parliamentary Assembly report, which, in paragraph 68, identifies a number of senior Kosovo Liberation Army officials as having "played vital roles as co-conspirators in various

categories of criminal activity”. That includes human-organ trafficking.

As on previous occasions before the Council, Serbia underscores its belief that the Security Council must play a significant role in the matter, as it is the organ able to secure the obligatory and binding cooperation of Member States. International media stories continue to bring to our attention the fact that the alleged criminal trail leads to many parts of the world, including to some of the members of the Security Council. We appeal to the Council to ensure that a comprehensive and independent investigation remains a United Nations priority. Serbia has made proposals with regard to the investigation mechanism we envision.

As with the briefings given to the Security Council twice annually by senior officials of the International Criminal Tribunal for the Former Yugoslavia, we expect that the investigators dealing with the organ trafficking case will brief the Council in a similar manner.

We are committed to reaching lasting peace between Serbs and Albanians in the Balkans. But for such a peace to be lasting it must also be just. I say this not only as Serbia’s Prime Minister, but foremost as someone who was born in Kosovo and Metohija, in Prizren, a city that in the Middle Ages served as the Serbian capital and in which today there are fewer than 20 Serbs.

That will require both parties to make difficult and courageous decisions. We are ready to do our part. Serbia is ready for normalization and regional reconciliation. That is in the interests of ordinary citizens. Serbia is also ready to engage in a dialogue whose goal is to arrive at a comprehensive solution, but we are not, nor will we be, ready to accept Kosovo’s unilateral declaration of independence. Unilateral moves, on anyone’s part, do not bring us closer to a comprehensive settlement. Quite the contrary, they can only pull us farther away.

What has so far been lacking is a credible interlocutor who is willing and able to do what is necessary to reach a comprehensive settlement. Compromises will need to be made for an agreement to be reached. It is not only we who must grasp that point; Pristina must do so also.

As we consider how to move forward, we could draw inspiration from Nelson Mandela, who has movingly written that “If you want to make peace with your enemy, you have to work with your enemy. Then he becomes your partner”.

**The President** (*spoke in French*): I thank Prime Minister Dačić for his statement.

I now give the floor to Mr. Thaçi.

**Mr. Thaçi** (*spoke in Albanian; English text provided by the delegation*): It is my pleasure to address the Security Council today on the latest developments in Kosovo.

Let me begin by thanking Secretary-General Ban Ki-moon for his unflagging efforts for peace and progress in Kosovo and the Balkans. His first visit to the Republic of Kosovo, last month, reaffirmed our shared values, mutual interests and common efforts towards a prosperous Kosovo. As the Secretary-General was able to see during his visit, my country is among the most successful examples of State-building in the context of various peacebuilding missions in different parts of the world over the past few decades. Therefore, let me say at the outset that both the United Nations and Kosovo should be proud of that significant achievement. Our determination and the immense support of the international community have produced a modern and viable State with a main goal of integration into Euro-Atlantic institutions.

The status of Kosovo has been determined; it was decided on in February 2011. Allow me to inform the Council that I will be focusing on the following matters of importance regarding the consolidation of Kosovo’s statehood: the end of internationally supervised independence, the situation in the northern municipalities, the technical dialogue between the Republic of Kosovo and the Republic of Serbia and Kosovo’s prospects for European integration.

It is a fact that since February 2008 Kosovo has built a cohesive State and has strengthened its multi-ethnic and democratic institutions. As the Prime Minister of the Republic of Kosovo, I am honoured to report on the recent State-building progress as the result of the historic decision by the International Steering Group to end the supervised independence of Kosovo. Five years ago, Kosovo declared its independence, based on an internationally designed process by the United Nations led by the Special Envoy of the Secretary-General, President Martti Ahtisaari. As a result of the implementation of the Comprehensive Settlement Proposal, Kosovo was transformed into a functional, democratic and multi-ethnic State.

The adoption and implementation of the Constitution, the decentralization of power to municipalities across the country, the establishment of six new municipalities for the Serb communities and the election of 24 members of Parliament from the communities, out of which 13 are from Serb communities, in our 120-seat Parliament — those are only a few examples of the significant transformation of my country. In my Government, three Kosovo Serbs serve as ministers, including a Deputy Prime Minister.

Essential to that process has been the establishment of an elaborate system of minority rights, to bring all of Kosovo's citizens, regardless of their ethnic identity, into the political structures of the new State. The entire legal framework covering the public sector's legislation guarantees equal rights and the representation of all ethnic groups in Kosovo. My Government has built a strong foundation and multilayered system of rights that meet, and at times exceed, international norms. Our unwavering commitment to those principles further demonstrates that Kosovo is a multi-ethnic State based on European values and standards, where the principles and the spirit of the Ahtisaari plan will forever be part of our State and society.

In the recent months we have adopted 21 important laws and amendments related to the ending of supervised independence, on community rights, on decentralization, on cultural and religious heritage and on dealing with the past and reconciliation. Some of them are in the implementation stage as we speak. During the reporting period I made the decision to appoint a language commissioner and a director for channel 2 of Kosovo's public broadcasting system, which is exclusively for Serbs and other communities. As the report of the Secretary-General (S/2012/603) says, the respective laws and amendments are intended to strengthen the protection of the Serbian Orthodox Church and other cultural heritage sites. We are proud to preserve 45 religious, historical and cultural objects listed as special protective zones. My Government recently approved a list of cultural heritage monuments and sites under temporary protection. We are very mindful of, and committed to, the safeguarding of all religions. The Kosovo police is fully prepared to take over the responsibilities of providing protection for monasteries and other structures currently the responsibility of the Kosovo Force (KFOR).

At a time when many countries are coping with economic problems, ethnic strife and governmental

deadlock, the case of Kosovo can offer lessons in State-building. The end of internationally supervised independence has opened a new chapter in Kosovo's statehood by establishing viable democratic institutions, a free-market economy, modern infrastructure and justice as well as a public administration, education and culture. We have continued to advance public administration reform, based on the recommendations of the European Commission progress report, towards an independent, effective and multi-ethnic administration, by incorporating the practices of democratic governance.

Kosovo has the most stable institutions in the region, and it has maintained its macroeconomic and fiscal stability in spite of the European financial and debt crisis. This year we foresee an economic growth of 5 per cent. The end of the supervised independence reflects the international community's confidence that Kosovo, with the support of its current leadership and its people, will successfully join the European Union (EU) in the coming years. My Government is very committed to, and focused on, the rule of law and the fight against corruption and organized crime. The European Union Rule of Law Mission in Kosovo (EULEX) has played a crucial role in the past few years. Based on our achievements, we fully endorse reconfiguration and downsizing by about 25 per cent. As the EULEX report (S/2012/603, annex I) confirms, Kosovo's rule of law institutions have made great progress and EULEX will continue to be a strategic partner of the Republic of Kosovo. The end of supervised independence and the reconfiguration of EULEX are complementary in consolidating statehood and are a clear sign of Kosovo's overall progress.

We fully acknowledge EULEX's role in the rule of law and in the EU integration process. Accordingly, we remain committed to adopting a new legal basis in the context of the extension of the EULEX mission until mid-June 2014. The outcome of the negotiations will be adopted by the Kosovo Parliament as a bilateral agreement between Kosovo and the EU.

In the past month, the number of formal recognitions of Kosovo's independence has continued to increase in what has proven to be an unstoppable process. I would like to thank the Republic of Chad and the Republic of Mali for their recent decisions to recognize Kosovo's independence.



Almost half of the States Members of the United Nations have now recognized the Republic of Kosovo, and we expect additional recognitions in the coming weeks and months. We firmly believe that non-recognition endangers our stability, undermines European and international investment in State-building efforts and jeopardizes prospective integration throughout the region. Implementing the provisions of the Comprehensive Settlement Proposal and ending supervised independence will be enormous milestones in building a multi-ethnic, vibrant and diverse Kosovo.

I am pleased to inform the Council that a growing number of communities are requesting various services from my Government. More than 50,000 Kosovo Serbs have been issued personal identification documents and passports of the Republic of Kosovo, including numerous Serbian religious and community leaders.

Our commitment to the promotion and protection of the rights of communities and their members, including the right of return, remain central to our domestic policy. My Government has allocated over €8 million for 2012, and over the next three years will allocate more than €21 million solely targeted towards the rights of returns and communities.

Numerous viable strategies and action plans have been adopted and new municipal offices for communities and returns have been established to promote and protect the rights of non-majority communities, displaced persons, returnees and repatriated persons, as well as to ensure equal access to public services and coordinate the returns process.

On 30 April, my Government reached an agreement with the Organization for Security and Cooperation in Europe to enable Kosovo Serbs with dual citizenship to vote in the recent Serbian elections. The dual citizenship principle is enshrined in the Constitution of the Republic of Kosovo in accordance with European standards. The turnout of Kosovo Serbs in those elections was approximately 30 per cent, which was smaller than the turnout in the most recent local and parliamentary elections organized by Kosovo institutions.

It is important to emphasize that for the first time since the end of the war, Serbia has agreed not to organize elections in Kosovo, thus accepting the legitimacy of the constitutional order of my country.

In the current period, a security incident occurred on 28 June in Pristina at the Merdarë/Merdare crossing

point. A total of 32 Kosovo police officers were injured as a result of direct clashes with Serbian protestors, who threw stones and attempted to remove a Kosovo border marker.

The response by our police force, which was established in 1999 by the United Nations, was measured and non-violent. Today the Kosovo police is the leading security sector institution, with minority communities accounting for approximately 15 per cent of the force — a number that is exemplary by all Balkan standards.

A criminal act occurred on 6 July. We strongly condemn the murder of two Kosovo citizens in the village of Tallinoc/Talinovac in Ferizaj/Uroševac municipality. Kosovo authorities consider that murder a criminal act contrary to the values of our society and State. Our swift response indicated that such violence is intolerable, and the authorities were required to investigate the case to ensure that the perpetrators would be brought to justice as soon as possible.

Allow me to note that credible data illustrates that ethnically motivated crimes in Kosovo have significantly declined during the post-independence period. Nowadays, Pristina is safer than most regional capitals. In that context, according to the survey launched by the United Nations Development Programme in July, Kosovo Serb satisfaction with security institutions has experienced a positive trend upward. The survey also confirmed that personal security is no longer considered a prevailing issue.

I am pleased to inform the Council that, on 4 June, my Government announced the establishment of the Interministerial Working Group on Dealing with the Past and Reconciliation, which signals the Government's commitment to that important initiative. The point is not to punish, but to establish a reparations programme for victims and their families and to prosecute perpetrators, so that members of every ethnic community can move forward towards reconciliation.

Let me reiterate here that my country has made enormous progress in integrating the Serb community at both the central and local Government levels. We are committed to, and have succeeded in, integrating more than 100,000 Kosovo Serbs throughout Kosovo and in our institutions. They now enjoy self-governance in the Gračanica/Graçanicë, Novo Brdo/Novobërdë, Klokot/Kllokot, Ranilug/Ranillug, Parteš/Partesh and Štrpce/Shtërpçë municipalities.

However, we have been unable to achieve the same results in three municipalities in the northern area of Kosovo, where there are only 30,000 local Serbs. At the same time, Serbia has attempted to exercise administrative control over those municipalities through its illegal police and security structures, which are led, financed and directly controlled by the Government in Belgrade. Serbia has not allowed local Serbs to cooperate with the international presence, KFOR, EULEX or Kosovo institutions.

My Government's position is clear on the issue of the north. We are against the ideas of partition, border alteration or exchanging territories. As a result, my Government has recently decided to establish an administrative office in northern Mitrovica. The office will provide all services to the citizens of that part of Kosovo and will coordinate the Government's engagement and investments in that area. Initially, the office will include seven directorates and 55 employees and will be headed by a community activist in northern Mitrovica. That is another important step towards establishing the northern municipality of Mitrovica as stipulated by the Ahtisaari proposal. The office will provide up to 80 new jobs and will have a budget of about €4 million per year for basic services to the community and for infrastructure projects in northern Mitrovica. We have received positive feedback from local citizens, measured by the thousands of applications for employment that have been received by the administrative office.

This year I announced the launching of a dialogue between my Government and the Kosovo Serbs of the northern municipalities, in order to address the situation in that area. We have already developed a plan on how to integrate that area with the rest of Kosovo. In addition, in the progress report for the past year in Kosovo, the European Commission required an integration strategy covering the three northern municipalities. We must insist on the rule of law in that part of Kosovo, the withdrawal of Serbia's illegal police and security forces; freedom of movement for all people; economic development and support; the return of displaced persons; and reconciliation.

On behalf of the Republic of Kosovo, we have pledged to communicate and cooperate with every single Serb leader elected in the northern part who respects the institutions of my country. We are ready to find the best solution for integrating Kosovo's Serbs politically, economically and socially with the rest of Kosovo.

However, we will never compromise the independence, sovereignty, territorial integrity or constitutional order of our State.

Kosovo believes in dialogue as a democratic value, and in that spirit we began a technical dialogue with the Republic of Serbia in March 2011. That dialogue, held under European Union facilitation, as stipulated by the General Assembly, has resulted in considerable progress and has produced seven important bilateral agreements. Some of those agreements are in the process of implementation; however, the majority remain on paper only.

The agreement on integrated border management was concluded on 2 December 2011, but the technical protocol has still not been signed by Serbia. Serbia refuses to implement the agreement on regional cooperation. We believe that true progress in the dialogue can be made only if the agreements are fully implemented; that is why the Republic of Kosovo has proved itself to be constructive and effective in reaching and implementing the agreements. The credibility of the technical dialogue is at stake, and we call on Serbia to deliver on what was agreed during this process.

At the same time, let me reiterate here that the normalization of relations with Serbia is our priority. We are aware of the fact that the absence of normal relations and border demarcation between Kosovo and Serbia is a major impediment to the achievement of stability, security and prosperity throughout the Balkans.

I wish to reaffirm here very clearly that while we are very dedicated to dialogue, at no time and in no circumstances will the territorial integrity of Kosovo ever be put into question. The Kosovo State is a political and juridical fact.

I firmly believe that both nations should not remain hostages to political tensions, especially since the past and the future of our countries are deeply intertwined. We will advance our Euro-Atlantic aspirations and move ahead towards membership in the European Union and NATO.

The main agenda of my Government, along with political stability and economic development, is membership in the European Union. Since 1999, the EU has been an integral part of the international effort to build a new future. We continue to cooperate closely with the EU Office in Kosovo, EULEX and with the representatives of EU member States in Pristina.

During the reporting period, Kosovo made progress in the process of establishing formal relations with the European Union. Through a feasibility study, we have established a path towards starting negotiations on the signing of a stabilization and association agreement with the EU. In addition, on 14 June we officially received the visa liberalization road map adopted by the European Commission, and we have formally entered into a structured dialogue regarding the rule of law. Furthermore, this autumn the EU will publish a feasibility study on Kosovo's readiness to negotiate a stabilization and association agreement with the European Union. That will be a historic moment that will open a new phase in EU-Kosovo relations.

Kosovo deserves to advance within the European integration process. Our history, culture and geography make us European; we already share core European values and will continue to practice them.

On behalf of the institutions and the people of the Republic of Kosovo, let me conclude here by re-emphasizing the fact that for my country, the consolidation of statehood and the strengthening of international recognition are our main priorities. Today our optimism is fuelled by the fact that we are a modern, viable and multi-ethnic State moving towards integration into Euro-Atlantic institutions. We are and will remain a full, proactive and responsible member of the international community by being an exporter of peace, stability and prosperity in the Balkans and in Europe.

**The President** (*spoke in French*): I shall now give the floor to the members of the Council.

**Mr. Bouchaara** (Morocco) (*spoke in French*): Allow me to begin by thanking Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), for his exhaustive briefing. I should like also to welcome His Excellency Mr. Ivica Dačić, Prime Minister of the Republic of Serbia, and to thank him for his briefing. We also thank Mr. Thaçi.

The period covered by the report (S/2012/603) of the Secretary-General was characterized by relative calm in spite of the incidents that took place in northern Kosovo, where the security situation remains precarious, as underscored by the Secretary-General. It is crucial that an increased commitment be demonstrated with respect to the management of the security sector, in

particular with respect to the protection of minorities, their property and their cultural and religious heritage. The period was most notably marked by the holding, on 6 and 20 May last, of parliamentary and presidential elections in Serbia, including the voting in Kosovo, which took place in an orderly fashion thanks to the responsible approach adopted by both parties, with the support of the Organization for Security and Cooperation in Europe, the European Union Rule of Law Mission in Kosovo and the Kosovo Force.

We are pleased that several agreements were signed between parties on a number of important issues, including regional cooperation, freedom of movement, the certification of diplomas, civil registry books, cadastre records, the integrated management of crossing points and the free movement of goods. It is clear that the effective implementation of those agreements, which will require a commitment by both parties to rise above their differences of opinion, will have a positive impact on the daily lives of the people and will contribute to the easing of tensions and to the strengthening of conditions conducive to dialogue, in particular with respect to the most difficult issues.

We note also that during the reporting period, as highlighted by the Secretary-General, dialogue between the parties was suspended owing to electoral calendar. The reaffirmation by the new Serbian President of his country's commitment to honouring the obligations undertaken with Pristina, and his statements in favour of continued dialogue with the authorities of the latter, are encouraging developments.

On another note, we welcome the progress made in the investigation of allegations of illicit trafficking in human organs, and we look forward in particular to the start, on 3 September, of the trial of persons accused of being involved in organized crime, human trafficking and the illegal exercise of medical activities. It is important that every effort be made to investigate those allegations and that the perpetrators be brought to justice. We thank UNMIK for its support for the parties, which made it possible for progress to be achieved, in particular concerning the issue of missing persons.

In spite of the fact that incidents continue to occur, there are grounds for hope with respect to the continuation of dialogue between the parties and their commitment to respect previous agreements and in particular to refrain from any actions that could heighten inter-communal tensions. Indeed, a great

deal of progress has been made in improving relations between the parties. That progress must continue.

It is important to continue, with the support of the international community, to deploy the efforts required to ensure a better future for the peoples of the region and to reach compromise solutions, through negotiation and dialogue, concerning the various issues under consideration, in keeping with the provisions of resolution 1244 (1999).

**Mr. Tatham** (United Kingdom): I should like to start by thanking the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing today, for his work and for the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) as a whole. I would like to welcome to the Council His Excellency Mr. Hashim Thaçi, Prime Minister of Kosovo. I would also like to welcome His Excellency Mr. Ivica Dačić, Prime Minister of Serbia, to today's Council meeting, and to congratulate him on his appointment. The United Kingdom looks forward to working closely with the new Government in Serbia.

The United Kingdom is grateful for the Secretary-General's comprehensive report (S/2012/603). There continues to be steady progress in Kosovo on the political level, as reflected in the International Steering Group's decision to work towards an end to supervised independence in September. That step recognizes the positive steps Kosovo has taken over the past four years, especially its adoption of laws complying with and implementing the Comprehensive Settlement Proposal. Of particular note are the laws on Prizren and Velika Hoča, the appointment of a language commissioner and moves to appoint a director for a new Serbian TV channel, RTK2.

The momentum created by Kosovo's desire to end supervised independence must be maintained through its European Union (EU) accession path. Regional cooperation and good-neighbourly relations are an integral part of EU accession. It is understandable that the election period in Serbia and the subsequent business of Government formation have created a hiatus in the process of EU-facilitated dialogue. With the formation of the new Government in Serbia, however, we hope to see a resumption of the EU-facilitated dialogue with Kosovo as soon as possible — and, indeed, not just resumption but, to use the Special Representative's word, reinvigoration.

It is crucial that Belgrade implement technical agreements already reached on regional cooperation, the freedom of movement and, in particular, integrated border management. I welcome to the commitment to that end that we have just heard from Prime Minister Dačić, and hope to see rapid follow-up. Pristina must also maintain its active commitment to those agreements and put in place the measures necessary for implementing the agreement on cadastre records. We support the development of the Pristina-Belgrade dialogue to address key political challenges, including northern Kosovo.

On the situation in northern Kosovo, Pristina and Belgrade must engage with each other in order to tackle key outstanding issues. It is important that they act responsibly, cooperating with both the European Union Rule of Law Mission (EULEX) and the Kosovo Force (KFOR). The United Kingdom is grateful for the professional way in which EULEX and KFOR have continued to carry out their mandates in demanding circumstances. Attempts to inhibit their freedom of movement — and instances of this are set out in the Secretary-General's report — are of course unacceptable.

It is the responsibility of Pristina to identify a way forward, but that responsibility has to be supported by Belgrade in line with the EU conditions set in December 2011 for a visible and sustainable improvement of relations with Kosovo. We want to see an approach from both sides, and from all members of the new Government in Serbia, that creates space for compromise and cooperation. That must be supported by action to address the illegal parallel structures that exist in the north.

The Kosovo Government must demonstrate its commitment to minorities across Kosovo. It must set out its strategy for the north, including a socio-economic vision. In that regard, we welcome the opening of the northern Mitrovica administrative office, a crucial first step towards providing practical support to Kosovo citizens in the north. We hope that the international community will demonstrate its support for sustainable governance in northern Kosovo by assisting Pristina in consolidating that initiative.

The United Kingdom is concerned about recent ethnically motivated violence. The incidents during Saint Vitus Day celebrations were unacceptable. Visible measures aimed at preventing inter-ethnic incidents

will be key to engaging the Kosovo-Serbian community in the north.

We welcome efforts by the Special Representative to focus on returns and the challenges faced by minorities in Kosovo. Security is an important factor for returnees but, in our view, the overriding considerations are socio-economic, including access to employment and education. The Office of the United Nations High Commissioner for Refugees attributes a recent drop in returns to the lack of available land for returnees and the limited number of houses being built. It is essential that funding be maintained to support the continuation of the returns process, both by the Kosovo Government and by the international community. The United Kingdom is the largest bilateral donor, having contributed £400,000 to returns projects during 2012. We encourage others to offer their support.

The United Kingdom welcomes the thorough and vigorous work being carried out by the EULEX Special Investigative Task Force, which is looking into the allegations relating to organ trafficking made in the Marty report. We remain strongly of the view that EULEX is the right body to take that work forward. It has the necessary authority and jurisdiction, and it has established close cooperation with key stakeholders, including the authorities in Albania and Serbia. We are confident in its capacity and determination to take that important work forward.

The United Kingdom will continue to support the irreversible progress of both Kosovo and Serbia towards EU membership. We look forward to their EU perspectives being embedded further in the Commission's enlargement package this autumn. We hope that both Pristina and Belgrade will underpin their EU progression with a spirit of cooperation and constructive reconciliation when the EU-facilitated dialogue resumes.

**Mr. Hardeep Singh Puri** (India): Let me, at the outset, thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to thank His Excellency Prime Minister Ivica Dačić of Serbia and Mr. Hashim Thaçi for their statements.

The reporting period has seen several important developments. It is a matter for satisfaction that the conduct of the Serbian presidential and parliamentary elections in Kosovo went off in a peaceful and orderly

manner, thanks to the efforts of UNMIK and other international organizations, especially the Organization for Security and Cooperation in Europe (OSCE), to establish an appropriate modality for the voting acceptable to all sides.

We also welcome the expression on the part of both Belgrade and Pristina of the will necessary to resume the European Union — facilitated dialogue, once the new Government assumes office in Belgrade, in order to discuss the implementation of the agreements reached so far and take up new subjects. In that regard, we particularly welcome the statements by President Tomislav Nikolić reaffirming Serbia's commitment to honouring all agreements reached in the dialogue, as well as his readiness to engage in talks with the Pristina leadership in the future. We hope that the talks will resume soon and result in concrete progress on the contentious issues.

The question of missing persons is an important humanitarian issue. We hope that, with the direct support and encouragement of UNMIK, it will be possible to make further progress on it. We have noted the steps taken by the Special Investigative Task Force of the European Union Rule of Law Mission (EULEX) to investigate allegations of organ trafficking, as well as Albania's recent adoption of a law on cooperation with the Task Force. We reiterate our stand that a thorough and impartial investigation should be carried out into all aspects of the matter.

We share the Secretary-General's assessment that the situation in the northern part of Kosovo continues to be fragile and requires constant vigilance and restraint from all sides in order to reduce the potential for instability. We note with concern that during the reporting period a number of inter-communal violent acts took place in June and July. The attack on buses transporting Serb children is a matter for serious concern, as are the continuing violence and crime against the Serbian minority, including the murder of a returnee couple. We share the Secretary-General's view of the need for genuine outreach by Kosovo institutions, particularly the police. We urge the international organizations present in Kosovo, especially the Kosovo Force (KFOR) and EULEX, to exercise their authority in order to prevent a recurrence of such incidents and ensure the minority's safety.

In conclusion, I would like to express our appreciation for the fact that UNMIK has continued

to implement its mandate in an impartial and status-neutral manner, and to facilitate cooperation between Pristina and Belgrade, the communities in Kosovo, and KFOR, EULEX and the OSCE. We commend and support the Special Representative and UNMIK for their contribution to improving the situation in northern Kosovo, and for the services that the Mission is rendering in areas that better the daily lives of all Kosovars. The Mission should be continued in accordance with resolution 1244 (1999) and other relevant decisions. Other agencies in Kosovo — the OSCE, KFOR, EULEX and so on — should continue to cooperate and coordinate with UNMIK in accordance with their respective mandates.

**Mr. Berger** (Germany) (*spoke in French*): First and foremost, allow me to welcome His Excellency Mr. Ivica Dačić, Prime Minister of Serbia; His Excellency Mr. Hashim Thaçi, Prime Minister of Kosovo; His Excellency Mr. Enver Hoxhaj, Minister for Foreign Affairs of Kosovo; and His Excellency Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia.

Like the speakers who have gone before me, I should like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his detailed briefing. Over the past three months, we have witnessed two major political events in Kosovo and in the region, which I would like to touch upon today.

First, presidential and legislative elections in Serbia were held in May, and led to the establishment of a new Government in Belgrade. We are pleased that a wide majority of Serbians — 75 per cent — supported parties advocating a strengthened integration of Serbia with the European Union (EU). I would like to assure Mr. Dačić that Germany shall continue to be a reliable partner ready to closely cooperate with his Government and support the process of necessary reform.

We also welcome the fact that Serbian citizens of Kosovo were able to participate in elections without having encountered any major security issues. That is the result of pragmatic cooperation between all parties involved and the noteworthy support of the Organization for Security and Cooperation in Europe, the Kosovo police, the European Union Rule of Law Mission in (EULEX) and the Kosovo Force (KFOR).

The Government of Kosovo took the opportunity presented to demonstrate that it actively took into account the interests of the Serbian minority in the country. The elections also demonstrate that it is

possible to make compromises on practical issues when there is a political will to find a solution that benefits both parties.

After the establishment of a new Serbian Government, we hope that dialogue mediated by the EU between Belgrade and Pristina will swiftly resume. Given the possibility of EU membership for both Serbia and Kosovo, such dialogue continues to be the most effective means of contributing to keeping peace and stability in the region going.

Therefore, we fully back the initiative of the High Representative of the EU, Catherine Ashton, which has the objective of raising the dialogue, under the auspices of the EU, to a political level so as to accomplish tangible and sustainable progress in normalizing relations between Belgrade and Pristina. We welcome the fact that Prime Ministers Dačić and Thaçi have noted that they were ready to engage in such dialogue.

(*spoke in English*)

The swift and full implementation of existing agreements, for example on integrated border management and on the representation of Kosovo in regional organizations, remains key. As a second step, agreements need to be reached in areas that have not been tackled yet, like energy and telecommunications.

On his recent, very timely visit to Kosovo and other countries in the region, including to places of symbolic importance such as Srebrenica in Bosnia and Herzegovina, and Prizren and the Visoki Dečani Monastery in Kosovo, the Secretary-General consistently highlighted the need for the resolution of existing tensions through dialogue and closer regional cooperation. With regard to Kosovo, we hope that both sides will respond to the Secretary-General's call by constructively engaging in the high-level dialogue process, as a necessary step towards fulfilling their countries' European aspirations.

The second major political development that I would like to touch upon today is the decision taken by the International Steering Group on 2 July to end the supervision of Kosovo's independence and, accordingly, to close the International Civilian Office in Kosovo. Ending supervised independence, which still requires the adoption of the necessary constitutional and legislative amendments by the competent Kosovo authorities, is based on our firm conviction that Kosovo has grown into a democratic and multi-ethnic State through the implementation of its obligations under the

Ahtisaari plan. Those obligations include, inter alia, the adoption of laws on the rights of ethnic minorities, on cultural and religious heritage and on decentralization.

However, certain challenges persist. We condemn all acts of inter-ethnic violence by all parties and reaffirm our strong support for continued cooperation between the Kosovo police and EULEX in that regard. Other parties, including Serbs in northern Kosovo, need to refrain from violence and enhance their cooperation with EULEX as well. However, the report provided by EULEX clearly indicates that acts of violence against perpetrators of all ethnic backgrounds are being investigated and prosecuted. Statements making different claims are therefore simply false and dangerously misleading.

We welcome UNMIK's focus on the challenges faced by minority communities in Kosovo and on the question of voluntary returns to Kosovo. However, any future analysis of the question of voluntary returns will also need to take economic and demographic factors into account.

Finally, I would like to touch briefly upon the situation in northern Kosovo, where the security situation remains volatile. Owing to roadblocks and repeated physical attacks on EULEX staff and vehicles, the free movement of EULEX remains impaired. We strongly condemn ongoing roadblocks and threats against EULEX staff and call upon all parties, especially the Serbian authorities, to use their influence on the responsible actors in northern Kosovo to allow EULEX to fully carry out its mandate.

We also strongly condemn continued acts of violence against KFOR, such as the use of firearms by Serbian protesters against a group of KFOR soldiers on 1 June in a clear attempt to severely injure or even kill the soldiers.

Ultimately, the problems in northern Kosovo can only be solved politically. Building confidence between the local population and the competent authorities in Pristina remains indispensable. In that context, we commend the Government of Kosovo on its decision to establish an administrative office in north Mitrovica. That decision marks an important step in a broader strategy to reach out to the Serbian population in the north. We encourage all actors on the ground, including UNMIK, to support Pristina's outreach initiative.

Let me once again stress that Germany takes the allegations contained in the so-called Marty report seriously. We are therefore very pleased that the important work of the EULEX Special Investigative Task Force has progressed significantly since our last debate in May (see S/PV.6769). The passing of a law that enables the Task Force to conduct full, fair and independent criminal investigations in Albania has been a major step. The Task Force has also intensified its cooperation with other relevant counterparts in the region and with the International Criminal Court for the Former Yugoslavia. We therefore call on all sides to stop engaging in discussions about reporting lines, roles and responsibilities, and rather unite behind the Special Investigative Task Force's important work.

**Mr. Zhukov** (Russian Federation) (*spoke in Russian*): We are grateful to Mr. Zarif for presenting the report of the Secretary-General on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2012/603). We welcome the participation in today's meeting of the Prime Minister of Serbia, Mr. Ivica Dačić, and we share his views. We have carefully listened to the statement made by Mr. Thaçi.

Russia's position with respect to the non-recognition of the unilaterally declared independence of Kosovo remains in place. Resolution 1244 (1999) continues to be of the utmost relevance and remains obligatory for all as the international legal basis for the settlement of the Kosovo crisis and for ensuring security in the region. We continue to believe that UNMIK remains, pursuant to the Council mandate, the primary international civil presence in Kosovo. It must play a fully active role in moving the settlement process in Kosovo forward.

In that context, we support the position of the new Government of Serbia, calling for the participation of the United Nations in the negotiation process between Belgrade and Pristina. We insist that UNMIK carry out its obligations with respect to the foreign representation of Kosovo in international organizations and mechanisms.

We are concerned with the decision of Kosovo to establish the so-called new administrative office in northern Mitrovica, whose financing is to be covered by funds that had been previously earmarked for the needs of the northern part of the city through UNMIK. That decision has already drawn a negative reaction

from the Serbian people in Mitrovica, and can only lead to further destabilization in the region as a whole.

Unfortunately, the situation in the enclaves is truly dismal, above all with respect to security, which was not duly reflected in the report on the activities of UNMIK. According to data, a dozen or so ethnically motivated killings took place over the past year. No appropriate investigation is being conducted by the Kosovo police or by the international presence, including the European Union Rule of Law Mission (EULEX). Against that backdrop, Serbs are in constant fear for their lives. In the enclaves there are frequent cases of houses built for Serbs being set on fire, and of the distribution of flyers calling for reprisals and for Serbs to leave Kosovo. A glaring example was the killing of Serbian returnees on 6 July in Talinovac, near the city of Urosevac. Another noteworthy incident took place on 28 June. As a result of clashes of Serbs with Kosovar police, dozens were wounded and beaten, including children.

There is also a continuing difficult situation with respect to the confiscation of Serbian property. According to far from complete data from the Kosovar property agency, there are no fewer than 20,000 cases of confiscated private property, including houses, apartments and land. According to statistics from Serbs themselves, the list of illegally seized property exceeds 30,000. A destabilizing factor is the activity of the Kosovar Albanian authorities who, under the pretext of implementing the Belgrade-Pristina agreement, are preventing the use of Serbian licence plates, forcing Serbs to fill out State documents, including for citizenship in the so-called Republic of Kosovo, and to pay back taxes.

In carrying out those measures, EULEX is playing an active role by implementing decisions of the so-called Kosovar Minister of the Interior. We have repeatedly spoken of the regrettable situation of property belonging to the Serbian Orthodox Church. The monasteries of Dević and Visoki Dečani have been subjected to acts of vandalism and the monks are subject to attacks. Pilgrims in buses are pelted with stones, despite security provided by the police. There is a clear disconnect between the policy for the return of internally displaced persons (IDPs) and the growing outflow from the region of members of national minorities, which shows that the Kosovar Government, with the acquiescence of the international presence, systematically hinders the return of individuals forced to leave the region, who number upwards of 200,000,

and that it has not acted to return their property or to uphold their fundamental human rights and freedoms.

Without a deep-rooted change in the attitude of Pristina and the international presence, resolving those issues will be impossible.

We stand for the comprehensive and full investigation of crimes committed in Kosovo against ethnic minorities. Passing over such incidents in silence or brushing them aside is unacceptable. That fully pertains to the investigation of findings of illegal trafficking in human human organs, discovered by the Rapporteur of the Council of Europe, Mr. Dick Marty. We are displeased by the slow pace of that process, led by EULEX. The findings contained in the Marty report direct imply the participation in those crimes by current leaders in the region. Investigations must be impartial and reliable. That is the very reason that we would once again support Serbia's proposal to transfer investigations to the United Nations.

To conclude, we would once again like to stress that UNMIK should not become a passive observer to the growing issues of national minorities, the protection of the Serbian cultural heritage and the return of local IDPs. The lack of an appropriate reaction to those matters could seriously destabilize the region. Noting the openness of the new Government of Serbia to continuing dialogue with Pristina, which should move to a political level, UNMIK must more closely cooperate or participate in the negotiation process and forthcoming meetings.

**Mr. Cabral (Portugal):** I would like to begin by welcoming Serbia's Prime Minister, Mr. Ivica Dačić, in his first appearance at the Council in that capacity, and to wish him the best in his high duties. I also welcome Prime Minister Hashim Thaçi of Kosovo and thank both Prime Ministers for their statements. I also thank Mr. Farid Zarif for his very comprehensive briefing and for his work as Head of the United Nations Interim Administration Mission in Kosovo (UNMIK).

On a general note, I would like to highlight the restraint and constructive pragmatism of the relevant political actors on all sides in the context of the holding in Kosovo of Serbian parliamentary and presidential elections. Together with the outstanding job done by the Organization for Security and Cooperation in Europe (OSCE), they contributed decisively to the successful conduct of the voting.



The situation in Kosovo over the past few months has already been addressed in detail by both Prime Ministers in their statements and by the briefing of the Special Representative. I shall focus my statement on three specific aspects.

First, the Belgrade-Pristina dialogue, facilitated by the European Union, should be resumed in the shortest possible term. Portugal calls upon the parties to constructively re-engage in the dialogue that constitutes the fundamental tool that brings the two sides together to work for the common good of all those involved in, and affected by, the situation in Kosovo. The Belgrade-Pristina dialogue must not be allowed to wither on the basis of transient political circumstances. The progress achieved so far has had an impact on the everyday lives of thousands of people regardless of their ethnicity or their political stance on the status of Kosovo, showing that the basis and the need for dialogue continue to exist. In that context, the implementation of the agreements reached should proceed swiftly, and differences over their interpretation should be resolved.

Secondly, the potential for instability in Kosovo remains, and the political and security situations must continue to be addressed by all involved in a balanced and cautious way. The incidents and breaches of public order mentioned in the Secretary-General's report (S/2012/603) and in Mr. Zarif's briefing have resulted in the wounding of civilians, including children, as well as of soldiers of the Kosovo Force (KFOR). Portugal vigorously condemns those incidents. We believe that they indicate that there are reasons for the international community to pay particular attention to the nature of, and motives for, those incidents and to be actively engaged both in preventing future violence and in reacting swiftly to similar occurrences.

Changes are coming to Kosovo at a fast pace. The next few months will be of great importance at both the political and institutional levels, as well as with respect to the security environment. In that regard, we take very seriously the Secretary-General's warning about the near future. There is indeed a need to genuinely reach out to the population in the northern part of Kosovo. Precipitous action may spark a sequence of events, the result of which may be unforeseen in scope and seriousness. Portugal calls upon all stakeholders to refrain from any actions that may increase tension, and to exert maximum restraint in reacting to provocations that serve only very limited interests at the expense of stability and of a commonly acceptable solution for

the situation in the north of Kosovo. In that regard, the United Nations, the OSCE, KFOR and the European Union Rule of Law Mission, among other international actors on the ground, will be required to carry out their mandates in a changing and demanding environment. We are confident that they will continue to fulfil what the international community and the Council expect of them.

Thirdly, with respect to human rights and the rule of law, Portugal is encouraged to see that significant and constructive activity took place in Kosovo during the reporting period, and on very diverse aspects of human rights issues. It is a positive sign that the "Dialogue between women in Kosovo" initiative was able to bring to the same table Kosovars, Albanians and Serbs, as well as representatives from neighbouring countries. In the same regard, we welcome the positive work being done on an action plan for the implementation of resolution 1325 (2000), which is to be finalized by the end of the year.

We also note the establishment of the Interministerial Working Group on Dealing with the Past and Reconciliation, whose results we are sure will be followed closely within and outside Kosovo. We are concerned, however, about the challenges that minority communities still face. It is vital for public institutions in Kosovo, namely, the police, to be perceived by all communities as neutral guardians and enforcers of the rule of law. The security situation, and the way it is perceived among minorities, is essential to their integration into Kosovo society and to the returnee process.

Finally, I should like to say a word about the work of the European Rule of Law Mission in Kosovo (EULEX). We consider any attempts to obstruct the work of EULEX and any threats to the security of its personnel, or indeed to the security of any international organization on the ground in Kosovo, to be totally unacceptable. It is imperative that EULEX find the necessary support and cooperation from all stakeholders to assist in the institutional reform needed in Kosovo, in addition to the ongoing successful fight against corruption and organized crime.

Portugal also reiterates its support for the Special Investigative Task Force concerning allegations of trafficking in human organs. We are encouraged by the degree of cooperation pledged by regional Governments and partners. We hope that that will translate into results in the foreseeable future.

The month between today and the next debate of the Security Council on UNMIK will prove to be very important not only for the future of Kosovo but also for Kosovo's neighbours, and indeed the entire region. The anticipated closure of the International Civilian Office entails political and institutional developments that are bound to have an impact on the ground, posing new challenges. We expect Kosovo to remain strongly committed to a peaceful, stable, democratic and multi-ethnic State. Portugal believes that, under the dutiful and insightful leadership of Special Representative of the Secretary-General Zarif, the United Nations will continue to thoroughly fulfil its mandate and uphold international peace and security.

**Mr. Wang Min** (China) (*spoke in Chinese*): I would like to thank Special Representative of the Secretary-General Farid Zarif for the briefing he has just given us. I also welcome His Excellency Prime Minister Ivica Dačić of the Republic of Serbia to today's meeting of the Security Council. I have listened attentively to the statement made by Mr. Thaçi.

The situation in northern Kosovo has remained tense. The number of voluntary returns among displaced persons has declined markedly, and we express our concern in that regard. Relations among ethnic groups in northern Kosovo are sensitive and complex. We hope that the parties concerned will adopt a prudent approach aimed at promoting national reconciliation and the stabilization of the situation by resolving their differences through dialogue, while avoiding any action that may further complicate or serve to escalate the situation.

China has always maintained that the sovereignty and territorial integrity of Serbia should be fully respected. On the question of Serbia, a mutually acceptable settlement plan should be agreed by the parties themselves through dialogue and negotiation, in the framework of resolution 1244 (1999).

China congratulates Serbia on the establishment of its new Government. We hope that Belgrade and Pristina will continue and move forward the process of dialogue. That is not only in the interests of the parties themselves and to the benefit of the well-being of the people, but also in the interests of peace and stability in the Balkans and the whole of Europe.

Secretary-General Ban Ki-moon recently visited the Balkan region, including Serbia and Kosovo. The United Nations Interim Administration Mission in

Kosovo (UNMIK) has made unremitting efforts to promote regional peace and stability and to advance dialogue. China expresses its appreciation in that regard. We support UNMIK's ongoing efforts to undertake activities in accordance with the Security Council's mandate. We hope that UNMIK, the European Union Rule of Law Mission and the Kosovo Force will strengthen their coordination and play a positive and constructive role in promoting the settling of relevant issues.

China is deeply concerned about the illicit trafficking in human organs. No acts that violate the norms of international law and international humanitarian law should be condoned. Serbia's concern in that regard is justified. We support the United Nations in investigating the relevant cases.

**Mrs. DiCarlo** (United States of America): I would like to thank Special Representative of the Secretary-General Farid Zarif for his briefing. I would also like to welcome to the Security Council today Prime Minister Ivica Dačić of Serbia and Prime Minister Hashim Thaçi of Kosovo. I thank them both for their comments. I would like to make five points.

First, the United States commends the Republic of Kosovo for several positive developments during the reporting period. We especially welcome the facilitation by the Organization for Security and Cooperation in Europe (OSCE) of peaceful Serbian parliamentary and presidential elections for dual nationals in Kosovo. The OSCE enabled dual nationals to exercise their right to vote without infringing upon Kosovo's sovereignty. Kosovo and Serbia worked effectively with each other and with the international community to promote the development of strong democratic institutions. It is unfortunate that two Serb municipalities in the north flagrantly ignored Kosovo and Serbian law by improvising a parallel voting process. We welcome Belgrade's rejection of those actions. Parallel structures have no legitimate role in Kosovo. They should have been dismantled long ago, in accordance with resolution 1244 (1999).

Now that the new Serbian Government is in place in Belgrade, we hope to see the resumption of the European Union (EU)-facilitated dialogue. That includes implementing agreements previously reached, including on integrated border management. We welcome the commitments today of both Prime Ministers to pursue constructive engagement through that mechanism. The United States continues to support the EU's efforts to

foster dialogue between Kosovo and Serbia, with the goal of normalizing relations between the two States in order to enable both countries to fulfil their European aspirations. As we have stated previously, the European Union is uniquely placed to lead that dialogue.

Secondly, the United States congratulates Kosovo on the upcoming end of supervised independence. We join our colleagues in the International Steering Group in recognizing the enormous progress that Kosovo has achieved, including upholding its commitment to implement provisions embodied in Special Envoy Ahtisaari's proposal and enshrining them into law.

The United States commends the International Civilian Office, which has worked with the Government of Kosovo to achieve those gains. The decision to end supervised independence in September is a vote of confidence in Kosovo's dedication and ability to build a multi-ethnic, democratic nations.

Thirdly, the United States remains concerned over threats to security and the freedom of movement in northern Kosovo. The report (S/2012/603) of the Secretary-General touches on that. However, more focus should have been given in the report to the lack of cooperation and attacks and threats to international personnel from hardliners in the north. Blockades continue to be erected, troop movements continue to be restricted and officials of the European Union Rule of Law Mission (EULEX) and troops of the Kosovo Force (KFOR) continue to be threatened. The principal threats to peace in Kosovo come from the nexus of hard-line criminal elements in the north. We look to Belgrade to set a positive tone, cooperate fully with KFOR and EULEX, and encourage Kosovo Serbs in the north to cooperate. KFOR's efforts in support of EULEX to close illegal border crossings and remove roadblocks are most definitely part of its mandate. The Council expects all parties to support those efforts.

We commend the Government of Kosovo for opening the administrative office for northern Mitrovica. The international community should not impede the Kosovo Government's natural prerogative and capacity to provide services to its citizens in the north. We hope to see cooperation on the part of UNMIK with the Kosovo Government on that issue. A significant number of northern Kosovo Serbs have applied for, and were granted, positions at the new administrative office. We condemn all violence against Kosovo Serbs working in the office and using its services. We hope to see those acts covered in the Secretary-General's next report.

I commend the Kosovo police and EULEX for their efforts to protect the local population, and we remain confident of their investigative capacity and professionalism. We note the collaboration between EULEX and the Kosovo police in investigating the recent double murder of a Kosovo Serb couple.

We share the Special Representative's concern that, as in previous years, hard-liners used the Saint Vitus Day celebrations to incite inter-ethnic tension. We condemn attacks, both on the Kosovo police and on pilgrims.

Fourthly, with regard to the allegations raised in the Marty report on alleged organ trafficking, the United States takes seriously all allegations of serious crimes committed in the region. We underline our full support for EULEX's work in that regard. We also commend the significant progress made by the EULEX Special Investigative Task Force. We again underscore our staunch support for Ambassador Williamson, the Task Force and the countries cooperating with the Task Force in its crucial work on all of the cases currently under investigation, especially those related to allegations of organ trafficking in connection with the 1999 conflict.

Finally, we are concerned about the violence that returnees continue to experience. Managing the returnee process is difficult. The looting of returnee houses, the stoning of vehicles and acts of physical violence are unacceptable and block reintegration. We commend the Kosovo Government for its commitment to supporting returning populations through its municipal offices for communities and returns. As is true elsewhere in the region, more needs to be done to create conditions for voluntary returns.

The United States remains committed to advancing peace, stability and prosperity in the entire Balkan region. We look forward to continued cooperation with both Serbia and Kosovo towards realizing their aspirations for European and Euro-Atlantic integration.

**Mr. Tarar** (Pakistan): We are grateful to Mr. Farid Zarif for his briefing. We welcome to the Security Council His Excellency the Prime Minister of Serbia. And we thank Mr. Thaçi for his statement.

The United Nations Interim Administration Mission in Kosovo plays a vital role in ensuring stability in Kosovo. We commend the Special Representative of the Secretary-General and his team for their contribution to the security and stability of Kosovo.

All constituents of the international presence in Kosovo must maintain neutrality while executing their respective mandates. Although the overall situation in Kosovo remained stable during the past three months, the situation in the northern area continues to be fragile. We are particularly concerned over the recurrence of violence in northern Kosovo. Such incidents can undermine the security and stability of the territory, as well as have a regressive effect on the political process. The incidents also point to the need to address deficiencies in the training and discipline of Kosovo's police.

We look forward to the resumption of the European Union-facilitated dialogue without any preconditions, following the formation of a new Government in Serbia. In order for the process to be productive, it is important to implement the agreements that were reached earlier.

We take note of the progress made for the certification of university diplomas. We would urge both sides to resolve the issues pertaining to the agreements on regional cooperation and freedom of movement, as well as the agreement on the integrated management of crossing points. The authorities in Kosovo need to move towards enacting the necessary legislation on cadastre records.

The implementation of agreements, however, will need the demonstration of political will and flexibility on the part of both sides.

The decline in the number of voluntary returnees during the reporting period covered by the Secretary-General's report (S/2012/603) is a matter of concern.

The report highlights some incidents of minorities being targeted. Such incidents exacerbate the perception of insecurity and deter voluntary returns; they should be investigated properly and the perpetrators should be brought to justice.

Acts of vandalism against sites of culture and religious heritage are unacceptable and need to be addressed effectively.

Finally, we call upon all parties to pursue the path of dialogue, engagement and mutual accommodation for the sake of lasting peace in Kosovo and the region.

**Mr. Quintana** (Colombia) (*spoke in Spanish*): I wish to thank the Special Representative of the Secretary-General for the information that he has provided to the Council today, which supplements that contained in the Secretary-General's report (S/2012/603) concerning

the recent progress made in the implementation of the mandate of the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to welcome the presence of His Excellency Mr. Ivica Dačić, Prime Minister of the Republic of Serbia, and His Excellency Mr. Hashim Thaçi, Prime Minister of the Republic of Kosovo.

Colombia recognizes and supports UNMIK's important role and believes that, in defining its priorities, the Mission must continue to promote security, stability and respect for human rights in Kosovo and the region through its cooperation with the parties involved and with regional and international agencies. UNMIK's work is essential in persuading the parties of the need to show moderation in their statements and to promote the dialogue that will make it possible to achieve sustainable solutions to the disputes.

With regard to the European Union Rule of Law Mission in Kosovo (EULEX), Colombia supports the joint efforts that have been made by that Mission and by the Kosovo authorities in order to implement the rule of law in Kosovo and reduce the level of impunity.

Colombia calls upon the parties to adopt measures to reduce tension and to avoid the eruption of a new crisis, as well as to work with the necessary political resolve based on previous agreements, bearing in mind that that is the only true way towards peace.

We condemn violent activities that are aimed at intimidating communities, as happened to Kosovo Serbs in the municipality of Klinë/Klina and in the village of Drenovc/Drenovac. We call upon the authorities and the communities to work towards reconciliation and peaceful coexistence among all inhabitants of Kosovo.

Colombia welcomes the initiative taken by the Office of the High Commissioner for Human Rights in Kosovo and UN-Women in lending their support to the entity for gender equality under the Office of the Prime Minister, with the aim of designing an action plan for the implementation of resolution 1325 (2000). In turn, we also recognize the work of the Office of the United Nations High Commissioner for Refugees and its partners in implementing outreach activities addressing displaced persons, both within and outside Kosovo.

We also wish to express our support for a regional perspective aimed at resolving the problems, and in particular, for the actions of the European Union in bringing about a rapprochement between Pristina and

Belgrade, and for the involvement of the Organization for Security and Cooperation in Europe in that process.

Finally, we reject and condemn all types of attacks perpetrated against the facilities and personnel of international organizations that are present in Kosovo and call for due respect for those persons and for their work, in particular that of EULEX.

**Mr. Sangqu** (South Africa): South Africa would like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing today on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK). We welcome Serbian Prime Minister Ivica Dačić to the Council and thank him for his statement. We also welcome Mr. Hashim Thaçi and thank him for his statement.

We wish to begin by expressing South Africa's appreciation and support for the role of UNMIK, under the capable leadership of Mr. Zarif, in implementing resolution 1244 (1999).

While the situation in Kosovo is somewhat stable, the incidents brought to our attention in the Secretary-General's report (S/2012/603) underline the fact that fault lines still exist that have the potential to negate the gains made, resulting in pushing the parties farther apart, unless they are addressed and a solution is found. We welcome the recent visit to the region by the Secretary-General and his call for strong efforts towards the normalization of relations between Belgrade and Pristina, including a true, serious and sincere commitment to dialogue.

My delegation continues to support the dialogue process between Belgrade and Pristina, facilitated by the European Union, as mandated by the General Assembly. We are pleased that the new Serbian Government, in particular the new President, has reaffirmed its commitment to that negotiation process and to honouring all agreements reached thus far. South Africa encourages all sides to strengthen that dialogue process in order to reach agreement on outstanding and contentious issues, including the difficulties being encountered in the implementation of agreements already reached. Implementation should be done in the same good faith manner in which agreements were reached in the first place.

The successful holding of the Serbian elections in Kosovo should not be underestimated. The peaceful and orderly manner in which they took place is a positive sign that there is political will to peacefully resolve

issues. The Organization for Security and Cooperation in Europe is to be commended for its role in facilitating that process. We are, however, concerned that the security situation in northern Kosovo remains fragile. The continued outbreaks of violence and increased tension between ethnic groups are symptomatic of the largely unresolved matters between Serbia and Kosovo. That is not conducive to creating the conditions for peace and national reconciliation to take place. Both sides should work towards exercising restraint and preventing violent confrontations from occurring. We call on all sides to utilize regular, direct dialogues as an important confidence-building measure to improve trust and allow the parties to address the outstanding and contentious issues.

We welcome the progress achieved so far in identifying the remains of some missing persons. The parties' commitment and cooperation on the issue of missing persons is to be commended. We remain confident that, with the support of UNMIK and assistance from the International Committee of the Red Cross, much can be achieved.

The treatment of ethnic minorities and the lack of protection measures appear to be impeding progress on their voluntary return to Kosovo. We have noted that the figures on the returnees are much lower, as compared to the previous year. The international community must affirm that it remains the responsibility of Kosovo's authorities to ensure that safe conditions on the ground are present, to protect the rights of minorities by law and that protective measures are employed in that regard. My delegation again urges the parties to show the necessary flexibility and to cooperate in finding solutions to this outstanding issue. The successful resolution of the issue of the treatment of ethnic minorities in Kosovo could be used as an important confidence-building measure to improve trust and create the climate for the parties to address other outstanding and contentious issues.

My delegation remains concerned that cultural and religious sites in Kosovo continue to face security risks, including vandalism. We call on Pristina to reinforce security measures to guard such sites. The public reconciliatory pronouncements from the leaders on both sides are welcome and remain positive contributions towards reconciliation.

Regarding the allegations about organ trafficking, we have noted the progress that has been achieved thus far, and we wish to reiterate our position that a credible,

third-party, impartial and independent inquiry into the allegations should be conducted.

In conclusion, South Africa maintains 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, to maintain a steady, neutral position in the execution of their mandates, in line with the Security Council's previous decisions. The two sides should refrain from any actions that could undermine the achievements attained in the dialogue process. We therefore call on the parties to exercise flexibility and to enhance their engagement in order to resolve outstanding matters and for reconciliation to prevail.

**Mr. Rosenthal** (Guatemala) (*spoke in Spanish*): We would like to thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK) contained in document S/2012/603. Likewise, allow me welcome and thank Special Representative of the Secretary-General Farid Zarif for his briefing. We are also grateful for the presentations that we heard earlier this morning from Prime Minister of Serbia Ivica Dačić and from Mr. Hashim Thaçi.

We commend Serbia on its successful elections and we hope that once the establishment of the Government in Belgrade is finalized dialogue with Pristina will resume, focused on the implementation of existing agreements as well as tackling new subjects. We welcome the clear reaffirmation of commitment by the new President of Serbia to fully comply with agreements already achieved. The Secretary-General's report describes events that make it clear that UNMIK continues to play an essential role as a guardian of stability and neutrality in Kosovo and the region.

I would first like to refer to the situation in northern Kosovo, which as the Secretary-General states, remains fragile. We call on the parties to act with restraint, to prevent a political setback or a resurgence of instability. We share the Secretary-General's concern about Pristina's intention to cut funding of the UNMIK Administration Mitrovica, diverting it to a local administrative office, which lacks the support and trust of the public.

The report highlights the ongoing challenges faced by minority communities throughout Kosovo. Since

the Secretary-General's last report (S/2012/275) there has been an increase in criminal acts greatly harmful to minority communities, as compared with the same period last year. What is especially alarming is that the attacks have now intensified and become more brutal. In that regard, we would like to receive recommendations on a more regular basis about how the Security Council can support UNMIK in fulfilling its mandate. That is also critical to increasing the rate of voluntary returnees to Kosovo.

That brings me to another point, which is the need to strengthen the rule of law and the judicial sector, especially the need to improve the response of public institutions, especially the police, when such incidents occur. We expect that every complaint will be conscientiously investigated and that those responsible are brought to justice.

In that connection, I should also like to refer to the Special Investigative Task Force charged with analysing allegations of human rights violations and organ trafficking in Kosovo. We are closely following the progress in that regard. We note the report by the European Union Rule of Law Mission in Kosovo (S/2012/603, annex I). We continue to believe that it would be best to find an arrangement that involved the United Nations in investigating those allegations.

Finally, I wish to express our complete support for the Mission, as well as for the Special Representative of the Secretary-General. We urge them to continue to fulfil their mandate in accordance with resolution 1244 (1999), which is the basis of the legal framework in Kosovo.

**Mr. Musayev** (Azerbaijan): At the outset, I would like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for presenting the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2012/603). We welcome the participation in today's meeting of His Excellency Mr. Ivica Dačić, Prime Minister of Serbia, and we thank him and Mr. Hashim Thaçi 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 a comprehensive settlement through a negotiated political process.

We welcome the peaceful and orderly conduct of Serbian presidential and parliamentary elections in Kosovo in May, and we commend the Organization for Security and Cooperation in Europe and other international partners for their contribution to the preparation and conduct of the voting.

We note that both sides have expressed the will to resume consultations in order to discuss the implementation of existing agreements. We believe that a good faith commitment to continued dialogue will contribute to further tangible progress in the near future.

Although the overall security situation remained generally calm during the reporting period, a series of incidents that occurred in northern Kosovo and other areas served to increase tensions on the ground.

We condemn the double murder on 6 July of a popular Kosovo Serb village leader and his wife in the home to which they had recently returned in Kosovo. We concur with Mr. Zarif that such terrible crimes must not be allowed to remain unsolved or go unpunished. We look forward to the conclusion of the ongoing investigation.

The situation regarding the return of internally displaced persons to Kosovo again showed few signs of improvement during the reporting period. More attention and strengthened political will are required to reverse the continuing decline in the number of returns. In that regard, we share the view of the Secretary-General that, among other measures, improved responses by public institutions, in particular the police and other public service providers, are needed to address the continuing challenges faced by the minority communities in all parts of Kosovo.

We take note of the information on some important developments pertaining to the investigation of facts related to organized crime, the inhuman treatment of people and organ trafficking. We strongly believe that establishing the truth will serve the principles of justice and the rule of law and will contribute to a lasting political settlement. The Security Council should play a greater role in that regard. We do not see any obstacles that could prevent the process from being empowered by and accountable to the Council.

The issue of missing persons continues to be one of the major obstacles to reconciliation efforts. It is therefore encouraging that during the reporting period, with the direct support of the United Nations Interim

Administration Mission in Kosovo (UNMIK) and other international partners, the sides have made important steps towards addressing that human rights issue in a spirit of cooperation. We look forward to further progress and encourage the sides to continue their efforts to that effect.

The protection of religious and cultural heritage in Kosovo should remain an UNMIK priority. Some progress was observed during the reporting period, including the reconstruction of several sites, improved interaction at the local level and legislative measures taken after long delays to strengthen the protection of cultural heritage sites in some areas.

At the same time, we deeply regret that acts of vandalism and religious intolerance have continued. We recall the obligation to comply with the commitments made by each side in that regard.

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 in the entire region.

**Mr. Menan** (Togo) (*spoke in French*): I would like to begin by thanking the Special Representative of the Secretary-General, Mr. Farid Zarif, for the report he just introduced to the Security Council on the United Nations Interim Administration Mission in Kosovo (S/2012/603). I also wish to thank His Excellency Mr. Ivica Dačić, Prime Minister of Serbia, and Mr. Hashim Thaçi for their statements.

At the previous Council meeting on the United Nations Interim Administration Mission in Kosovo (UNMIK) (see S/PV.6769), the Togolese delegation expressed its concern about possible difficulties in connection with the legislative and presidential elections to be held in Serbia with the participation of Kosovo Serbs. At that time, the overall atmosphere favoured scepticism and foreshadowed an uncertain future.

Today, however, Togo is pleased to note the commendable conduct of the elections, as indicated in the report of the Secretary-General, thanks to the many efforts on the part of the international community, in particular UNMIK, the Kosovo Force (KFOR), the Organization for Security and Cooperation in Europe (OSCE) and the European Union Rule of Law Mission in Kosovo, to create the conditions necessary for Serbians to participate in the recent elections.

We are convinced that the post-electoral context is also a propitious time to urge stakeholders in Kosovo to work together to consolidate and strengthen the achievements. The recent peaceful elections will help to restore citizens' trust in their ability to move beyond their differences in order to build democratic institutions.

That bright spot, nevertheless, should not lead to blind optimism. Although there has been progress in strengthening achievements through various agreements concluded among Kosovo stakeholders, much remains to be done to guarantee the security necessary in Kosovo for all of its communities to flourish.

During the reporting period, efforts made after so many sacrifices to guarantee security in Kosovo were called into question by acts of violence, in particular acts committed against KFOR personnel, and a certain undermining of the freedom of movement. The incidents that took place in northern Kosovo could threaten the peace, which continues to be fragile. We therefore call upon all Kosovo authorities and communities to demonstrate responsibility and establish conditions conducive to implementing the Government's priorities and meeting the needs of the population.

We are pleased that the Special Representative of the Secretary-General has often called for dialogue among the parties, which is the only guarantee for a settlement based on consensus on the pending issues of northern Kosovo, in particular democratic representation.

With respect to relations between Serbia and Kosovo, we hope that the establishment of a new Serbian Government will serve as an opportunity to resume the stalled consultations between the Belgrade and Pristina authorities, under the auspices of the European Union. My country calls upon the two capitals to follow that path.

My country also remains concerned about the issue of human rights in Kosovo. We believe that upholding human rights should be a matter for all members of Kosovo society and that everything must be done to ensure that no crime or unlawful behaviour be justified by the freedom of religion or belief. Along those lines, my country urges the Kosovo authorities to establish the conditions necessary to protect the fundamental freedoms of each community while respecting those of the others.

The reconciliation attempts undertaken by the Government in connection with Kosovo's past, with a view to overcoming the difficulties that the country has faced, must be encouraged. In that respect, my country welcomes the activities undertaken by UNMIK, the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women to promote and protect human rights in Kosovo.

So as to prevent duplication and take account of all of the different activities being undertaken in Kosovo with a view to reconciliation, a sustainable political settlement of the crisis and the preservation of the considerable investments that have been made, the partners must take a consistent and coordinated approach to the activities they undertake. We welcome the positive steps taken by certain partners which have stood by Kosovo, in particular UNMIK, KFOR, EULEX and the OSCE.

**The President** (*spoke in French*): I shall now make a statement in my capacity as the representative of France.

I wish at the outset to thank the Prime Minister of the Republic of Serbia and the Prime Minister of the Republic of Kosovo for their statements. I also welcome the presence among us of Mr. Farid Zarif, Special Representative of the Secretary-General.

As the key issues have already been discussed, I shall restrict myself to the following three points.

First, the end of Kosovo's supervised independence on 10 September is an opportunity that should be seized, not to revisit past legal controversies but to consolidate a sovereign, peaceful, democratic and multi-ethnic Kosovo living in peace with its neighbours. That will require the early resumption of dialogue between Serbia and Kosovo under the auspices of the European Union.

In that regard, we are encouraged by the statements made by the new Serbian authorities indicating their determination to make progress and to implement, at an early date, existing agreements. Pristina must also convince the Kosovo Serbs that the Serbs and the Albanians share a common destiny and have common interests both north and south of the river Ibar, and Belgrade, for its part, must dismantle the parallel structures that have been set up in the north. It is essential to consolidate the rights of minorities throughout Kosovo, to continue to protect their cultural



and religious heritage, and to ensure the return of refugees in suitable conditions.

Secondly, the prospect of European integration must enable Serbia and Kosovo to turn the page on past conflicts. The future of the two countries lies within the European Union. The granting of candidate status to Serbia and the launching of a feasibility study with regard to a stabilization and association pact for Kosovo are tangible elements of the progress that has been achieved. They have been made possible by the dialogue between Belgrade and Pristina, which has been bearing fruit since March 2011.

The European Union will now focus its efforts on supporting political dialogue between the two parties and ensuring compliance with past agreements between the two capitals. On the ground, the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force (KFOR) will continue to support the peaceful transition and will focus on establishing the rule of law and freedom of movement in northern Kosovo, restructuring their presence accordingly.

The United Nations Interim Administration Mission in Kosovo must take note of these developments. The international presence in Kosovo will not be there indefinitely. As Kosovo institutions mature, they will be increasingly up to the task of ensuring the security and political rights of minorities.

Thirdly, the region is not condemned to a cycle of violence or conflict. The situation on the ground is headed in the right direction, although it remains fragile. Soldiers and individuals deployed under KFOR and EULEX are responsible for ensuring respect for freedom of movement in Kosovo, pursuant to resolution 1244 (1999). Any obstacle to their own freedom of movement and any acts of violence against them must be unambiguously condemned.

Finally, the lack of consensus within the international community should not serve as a pretext for a lack of action. Dual-national Kosovo Serbs living in Kosovo were able to participate peacefully in the legislative and presidential elections held in Serbia. The transfer of security responsibilities at the Dević Convent to the Kosovo police also took place in a satisfactory manner — clear evidence of the fact that when there is political will on the part of both parties, agreements are possible, and can even be expedited, even on the most sensitive issues.

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

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

*The meeting rose at 12.25 p.m.*