



Statement by H.E. Mr. IVICA DACIC, First Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Serbia at a meeting of the Security Council of the United Nations devoted to the work of the United Nations Interim Administration Mission in Kosovo:

"Madam President,
Distinguished Members of the Security Council,
Ladies and Gentlemen,

I thank the Secretary-General, Mr. Guterres and his Special Representative and Head of UNMIK Mr. Zahir Tanin for the Report on the work of UNMIK and their committed engagement in the implementation of the mandate that the Security Council entrusted to the Mission by its Resolution 1244 (1999).

I shall be open and straightforward in my statement. For some time now, some members of the Security Council have called for the reducing of the frequency of the reporting and the convening of our meetings; some for a change of the meetings' format and making it closed. More radical ideas have also been bandied hereabout: that the Mission be terminated, that its mandate be changed, that it be transformed into a political mission, etc. We understand some of the arguments put forward in that regard: the Security Council agenda is congested, the crises in Syria and Yemen are incomparable with the situation in Kosovo and Metohija. Yet, I call on you to listen to my arguments and to think about them, too.

The situation in Kosovo and Metohija has changed since 1999, but it is far from ideal. It is evident from all preceding Reports that Kosovo is not a 'young democracy' and 'multi-ethnic society' facing occasional challenges, as some purport it to be. The Reports raise very important questions, just as does the situation on the ground: Has genuine reconciliation among communities occurred in Kosovo and Metohija? Have perpetrators of all crimes been punished? Are the fundamental human rights of minority communities respected in Kosovo and Metohija? Have internally displaced persons been enabled to return? Regrettably, the answer to all these questions is 'No'.

I shall discuss the current Report and the events that took place in this reporting period later on; before that, though, I would like to point to some important facts which all of you calling for the termination of the Mission or the reduction of the number of our meetings should bear in mind.

UNMIK has been present in the field already for 19 years and has done much to change the situation in Kosovo and Metohija. A great job has been done, but it has not been completed. A long road has been traversed since 1999; much time was needed to bring the representatives of Belgrade and Priština to sit at the same table and commence negotiations. First agreements were not easy to achieve, but they were achieved nonetheless. Even though we have been facing big problems in the implementation of the agreements by Priština from the very beginning, we continue to believe that the only way to find a long-term sustainable solution is dialogue and that it must be resumed. I therefore consider that it is a duty and an obligation of the Security Council to help find such a solution and normalize the situation in Kosovo and Metohija, which is, we must not forget, important also for the stability of the entire region.

Much effort has been made to stabilize the situation all these years and only if we continue to address all open questions peacefully can we expect to normalize the situation in the Province. We must, therefore, not allow that, through some hasty and unnecessary moves, all the efforts that we have made so far be put in jeopardy. This is why I call on you to look at the broader picture and support our efforts to arrive at a lasting solution together. The calls to downsize UNMIK and reduce its budget, change its mandate or make Security Council meetings less frequent fall far short of contributing to the creation of a climate conducive to the achievement of these goals. They only add to the existing rifts both among the Members of the Security Council and between Belgrade and Priština. At this moment we do not need a back-and-forth debate on whether the Security Council should devote 3 hours every 3 months (12 hours per year) to this topic indeed. What we do need is to implement all agreements without adding conditions and to find solutions for all unresolved issues only through dialogue.

Distinguished Members of the Security Council,

Let me say now a few words about the current Report of the Secretary-General and the events on the ground that took place in this reporting period. They provide telling evidence that the situation in Kosovo and Metohija continues to be unstable and that international presence is still very much needed. You will probably remember that we all were shocked at the last meeting by the brutal murder of Oliver Ivanović, the leader of the Freedom, Democracy, Justice initiative and one of the most prominent Serbian politicians in Kosovo and Metohija. Priština's representatives vowed to "leave no stone unturned until the perpetrators [...] are brought to justice." The perpetrators have not been tracked down and brought to justice, while next to nothing is known about the investigation except that no progress has been made and that it has been taken over by the Special Prosecution Office of 'Kosovo' "due to the complexity of the case".

Entire Serbia and the Serbs in Kosovo and Metohija, in particular, were shattered and deeply concerned, Madam President, over the events that took place in Kosovska Mitrovica on 26 March. On that day, the talks within the internal dialogue on Kosovo and Metohija were interrupted in a barbaric act by masked members of the special units of 'Kosovo Police', armed

to the teeth. A brutal raid of the building with the use of naked force against unarmed civilians threw the dangerous, irresponsible and unacceptable behaviour of representatives of the Provisional Institutions of Self-Government into sharp relief. Director of the Office for Kosovo and Metohija Marko Đurić and other officials of the Government of Serbia, as well as the Ministers in the provincial government of Kosovo and Metohija from the Serbian community and the deputies in the provincial Parliament and other citizens, 36 of them, were injured in the raid. One Serb, a Minister in the provincial government, was hospitalized.

Unlawfully apprehended, Director Đurić, the chief negotiator of the Serbian side in the technical dialogue with Priština, was ill-treated and beaten and, his hands cuffed, eventually dragged in front of an orchestrated display of mob hatred paraded through the streets of Priština in an unseemly act of humiliation unrecorded, you will agree, in the history of diplomacy. I hope you have all seen shots of what happened and how Pristina manhandled the chief negotiator on the Serbian side. And how is Mr. Đurić expected to sit again at the negotiating table in the wake of such a treatment? Priština sought to justify this behaviour by alleging that the visit of Mr. Đurić had not been approved, which is absolutely not true. Notification of the visit in line with the Agreement on the Arrangement of Official Visits, made under the auspices of the European Union, had been sent in time, in fact way before the deadline provided for in the Agreement.

It is difficult to understand this act in any other way but as a provocation of the Priština side. It dealt a serious blow to the dialogue and accounted for the violation of peace and security not only of the Serbs of Kosovo and Metohija, but also of the entire region. It is eloquent proof of the instability of the situation in the Province and of the speed with which peace and security fall prey to irresponsible and one-sided acts. We were shocked by what happened in Kosovo and Metohija on that day, just as we were disheartened by the absence of proper response by the European Union, the facilitator of the dialogue, in particular. EULEX, its Rule of Law Mission in Kosovo and Metohija, is supposed to oversee the rule of law, including the conduct of 'Kosovo police'. KFOR, also, turned a blind eye to the actions of the special units of 'Kosovo police' notwithstanding prior agreements according to which it should have prevented the members of the special units from coming to the north of the Province with the majority Serbian population where the said incident occurred in the first place. I will remind you that I have signed the Brussels Agreement together with Hashim Taci and Catherine Ashton. Before the signature of the Agreement we visited NATO Headquarters in Brussels where Secretary General Rasmussen at the time undertook the obligation on behalf of KFOR to prevent any armed attack against the territory inhabited by majority Serbian population without its consent. How this incident could have happened then? Threat or use of force must not be tolerated in any circumstances and must be unreservedly, clearly and unequivocally condemned by all relevant international factors. I should only like to remind you once again that Marko Djuric came to Kosovo and Metohija to talk about a political solution to the problem of Kosovo and Metohija. He did not come there to cause rebellion or do anything contrary to the Brussels dialogue. Has anyone recorded any such untoward treatment of diplomatic representatives of a State as occurred in Pristina? We are talking about Head of the Negotiating Team who sat with them a few days before at the same table like you do now. Imagine that anyone of you sitting here being paraded through the streets with hands cuffed and discuss peace and dialogue in the process! Their intentions were quite clear.

We share the concern of the Secretary-General over the conduct of 'Kosovo police' in the operation of the arrest of Mr Đurić, which resulted in a number of injuries and support his call for a thorough inquiry into the 26 March events, with corrective action in case of failures to uphold human rights.

We had the opportunity at the recent meeting in Skopje to hear from Bojko Borissov himself, whose country currently holds the Presidency of the European Union, say clearly in front of all of us to Hashim Taci: Has it had to be like that? Serbia's response was restrained.

These operations are cause for great concern over Priština's aspirations to begin, by changing and expanding the mandate of the so-called 'Kosovo Security Force', the process of their transformation into 'Kosovo Armed Forces'. This would be not only a flagrant violation of UNSCR 1244 (1999) and the Kumanovo Military Technical Agreement, but also a massive step towards destabilizing the security situation in the Province and the entire region. The Resolution, I recall, does not provide for the establishment of 'Kosovo Armed Forces'; what it does provide for is that KFOR is the only legal military force in Kosovo and Metohija and responsible for all security aspects in the Province. The preservation of KFOR's status neutrality and its undiminished presence, therefore, is of paramount importance for the realization of its mandate. Let me point out that the European Union and NATO have not supported Priština's intentions to establish an 'Army of Kosovo' and I expect that they will continue to uphold their position consistently. What I would like to draw your attention to on this occasion is that a number of countries, EU and NATO members, has accepted the accreditation of the so-called 'Kosovo military attaches' in violation of UNSCR 1244 (1999). Under the Resolution, Priština may not have an army or a Ministry of Defence and, for that matter, 'military attaches'. According to which provisions of the Vienna Convention should this be done? How can an entity that you recognize as an independent State have defence attaches if it has no army of its own?

Mme President,

I would like to remind you once again that Serbia is firmly committed to solving all issues through dialogue and, in that, we have demonstrated considerable political maturity and responsibility in the past years. Five years ago, I personally signed the First Agreement of Principles Governing the Normalization of Relations between Belgrade and Priština, the so-called Brussels Agreement. As I already said, that Agreement was not easy to achieve at all and the obligations we assumed under the Agreement were not easy to implement. Yet, we did implement almost all of them, including the politically most sensitive ones, such as the integration of the police and judiciary. On the other hand, Priština also assumed the obligations by signing the Agreement, the most important of which is the establishment of the Community of Serbian Municipalities, contained in as many as six provisions of the Agreement. This is, I emphasize, the key part of the Agreement and the obligation that, despite repeated calls by the international community, Priština has not implemented all these years. As a consequence, instead of analysing the achievements of the Community in the last five years, we continue to talk of its establishment even today. The establishment of the Community is of crucial and enormous importance for Serbia and Kosovo and Metohija Serbs, since it is designed to protect their vital interests, guarantee the preservation of their identity and improve their everyday life. Its establishment is not and must not be a gesture of one's goodwill, but a right achieved and

guaranteed by all the signatories of the Brussels Agreement, including the European Union. It is not possible to implement agreements selectively and to alter them unilaterally. The Community must be established in accordance with the Brussels Agreement, its principles and Implementation Plan.

Statements that may be heard from Priština's representatives, like the most recent one to the effect that the establishment of the Community of Serbian Municipalities is contingent on the granting of a 'chair' in the United Nations confirm that Priština has no real intention to fulfil its obligations under the Brussels Agreement and that it is grossly violating it instead. It is with regret that I have to note that the Head of EU Office in Kosovo, transgressing its mandate, expressed her support for this platform of Priština in wanton disregard of the Agreement to which the European Union put its seal. We have reason to believe that, five years late, Priština embarks upon this process disingenuously notwithstanding its assertions that measures will be taken in respect of the Community. We are afraid that this may very well be yet another political stratagem, aimed at reducing international pressure, rather than genuine readiness to finally comply with the obligations that Priština has assumed. It is therefore necessary that the Security Council call today, in one voice, for the establishment of the Community of Serbian Municipalities without delay. Repeated calls to both parties to fulfil the obligations they have assumed are inappropriate, for one side, Mme President, has already done so, the other has not.

To make sure that what is agreed upon is complied with, to facilitate the implementation of the Brussels Agreement and to uphold stability and establish the rule of law in Kosovo and Metohija, international presence is essential. In this regard, the current level of EULEX competencies must be maintained.

Potential changes, though, would have to be carried out under the watchful eye of the Security Council. All along, it must be borne in mind that such changes would affect the work of the other Missions (KFOR, UNMIK, OMIK) and that they would have to change, too, if they are to continue to function unencumbered. The transfer of EULEX competencies to the Provisional Institutions of Self-Government, however, would bring about a loss of the status neutrality of the Mission and add to the affirmation of the phony statehood of 'Kosovo'.

Mme President,

It would be very remiss of me not to mention, also on this occasion, 200 000 expelled Serbs and non-Albanians and a large number of destroyed and burned churches, monasteries and cultural-historical monuments. It is said in the Report that the UNHCR recorded three voluntary returns in the reporting period. You've heard well: three. Do you believe that it is enough and that the international community should give up and stop creating conditions in Kosovo and Metohija to make it possible for internally displaced persons to return and realize their rights? This is the minimum that we owe to all those who could not return home to Kosovo and Metohija to this very day. Is the fact that only 1.9 per cent of internally displaced persons have achieved sustainable returns not an argument strong enough in favour of the continuation of UNMIK's activities and of its strengthening?

The recent arbitrary arrests at the Jarinje crossing provide ample evidence of the violence

resorted to by the Provisional Institutions of Self-Government, i.e. of the lack of will of the Priština side to promote genuine democracy and the rule of law and respect basic human rights and fundamental freedoms. Most often, secret lists, compiled mainly on the basis of false reports and fabricated evidence, are used to make these arrests. They are aimed at creating insecurity and fear among the Serbs in Kosovo and Metohija, affect their freedom of movement and discourage the return of internally displaced persons. The number of returnees can hardly be expected to increase unless systemic solutions are introduced to address the problems that plague them every day. Their count, makes a long and woeful list indeed: in addition to arbitrary arrests, they include institutional discrimination, intimidation, failure to sanction national and religious hatred and ethnically motivated violence, personal and property insecurity and the absence of the rule of law, as well as the desecration of monuments, the concrete instances of which are mentioned also in the Report.

I repeat also on this occasion: the crimes committed in Kosovo and Metohija must not go unpunished. The process of confronting the truth is the first step to reconciliation, but it is necessary that all those who committed crimes be made to account for them. For its part, Serbia has made big steps in that direction. Conversely, the perpetrators of crimes against Serbs and non-Albanians in Kosovo and Metohija have not been punished, not even 19 years later. Positions held by some individuals in the Provisional Institutions of Self-Government can and must not obstruct the pursuit of justice. It is a matter of grave concern for us that no indictment has yet been brought in the Specialist Chambers for the crimes committed by the 'Kosovo Liberation Army' and that the beginning of the work of the Chambers is being constantly postponed.

In his reflections on his time as Specialist Prosecutor, David Schwendiman summed up this concern well: "Haste is no friend of justice, but neither is unreasonable delay. The further things get from when crimes were committed, the less credible efforts to address them are going to seem and the weaker the perception of their efforts as legitimate is going to be."

In upholding its laws, fully aligned with international law, Serbia will not desist from prosecuting the persons for whom there is evidence that they have committed the criminal offence of war crime against the civilian population in Kosovo and Metohija. The recent decision of INTERPOL to re-issue Notices for a certain number of individuals charged with the commission of crimes in Kosovo and Metohija is very important in that regard.

Mme President,

Distinguished Members of the Security Council,
Serbia protects its national and State interests, fully respecting the tenets of international law including, primarily, the principles of sovereignty and territorial integrity. It will continue to use all diplomatic means against Priština's secessionist attempts which set a dangerous precedent already embraced, as we have seen, by separatist movements in other parts of the world. I am convinced that, if perchance found in Serbia's situation, none of you would act differently. All of Serbia's endeavours reflect the efforts to defend its sovereignty and territorial integrity and, ipso facto, the authority of international law, United Nations Charter and legally-binding UNSCR 1244 (1999). And to underline the unacceptability of unilateralism as a way of solving any question in international relations.

For a long time now, we have been witness to Priština's attempts to join international organizations. The most recent have been its applications to UNESCO, INTERPOL and the World Customs Organization. These attempts, let me point out, run counter to the basic principles of international law and politicize dangerously and unnecessarily the work of these organizations.

In conclusion, I would like to thank all countries that have not recognized the unilateral declaration of independence of Kosovo for their consistent support and principled respect of the Charter of the United Nations and UNSCR 1244 (1999), as well as those which have withdrawn recognition or are considering it. I would also like, in this context, to advise the Members of the Security Council which protest the withdrawals that their protests are not contributory to the quest for an efficient and effective solution of the problem. Unconditional support of one side is not a way to reach compromise. We treat all of you, distinguished Members of this respectable body, as friends and partners. A reciprocal treatment, including a greater understanding of our position and arguments, would be welcome, just as it is expected. We were on the same side during both World Wars. On 28 July this year we shall mark 100 years since the Serbian flag was first flown over the White House and all public buildings in the United States on the order of the then President Woodrow Wilson to honour the enormous suffering of the Serbian people in the First World War. French President Macron is expected to visit Serbia this year. He will unveil, with President Vučić, the renovated monument Gratitude to France built to honour the historic alliance in the First World War. A Summit of the European Union and the Western Balkans on a European future of our region will be held in London in July. Serbia wants to find a common interest with the Western countries. After all, there can be no lasting peace and stability in the Balkans and all of Europe without respect for the interests of Serbia and the Serbian people.

Serbia's policy is the policy of peace and economic linkage and prosperity. I therefore call on all of you once again to focus on a quest for a compromise and sustainable solution to this decades-long problem, so that the Western Balkans as a whole may become a region of lasting peace, stability, security and mutual trust.

Thank you, Mme President."