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Mr. President, thank you for convening this session of the Security Council.

Excellencies, once again we are gathered to discuss the situation in the Serbian province of Kosovo.

At the very beginning, I would like to express my country's deep gratitude to the substantial majority of UN member States that respect Serbia's sovereignty and territorial integrity.

The solidarity we have received from all over the globe encourages us to persevere in our efforts to resolve the future status of Kosovo peacefully, in a way that is acceptable to all responsible stakeholders.

Our principled position on our province's future status remains the same. Serbia will never recognize UDI—the February 17<sup>th</sup>, 2008, unilateral declaration of independence by the ethnic Albanian authorities in Pristina.

This remains our political, moral and legal obligation. And it is also our democratic duty, for our nation is united as one on this fundamental point.

The Kosovo case is a significant test for the world community—for there is a choice to be made here, between unilateralism and consensus. UDI is a challenge that we must work together to overcome, for the sake of peace and stability, and in the name of international law.

The UN General Assembly tasked the ICJ—the International Court of Justice—to determine whether UDI conforms to international law. The crucial stage in the legal process is just about to begin.

This is the first time in history that the Court will rule on the legality of an attempt at secession by an ethnic group from a UN member State in peacetime.

It is also the first time all five Permanent Members of this Council will participate in a proceeding before the Court.

The total number of actors that will present their views in The Hague is a record for the ICJ, exceeding even the figure in the cases involving the legality of the use of nuclear weapons.

There is therefore little doubt that the Court's conclusions will have over-arching consequences for the international legal order.

It is in this context that Serbia appeals to all UN member States to respect the fact that the International Court of Justice is actively considering the UDI issue. It is our shared duty to ensure that the Court's deliberations are not pre-judged. The ICJ proceedings should be allowed to run their course, unhindered by political pressures, such as further recognitions of Kosovo's UDI.

Mr. President,

I would like to welcome the presence of Special Representative Lamberto Zannier, and wish to underline the Secretary-General's assertion—contained in the present report—that “UNMIK has successfully concluded its reconfiguration” on July 1<sup>st</sup> of this year. It has now reached the end-state of its draw-down.

The United Nations remains an indispensable actor in Kosovo. It is therefore critical that this Council continues to support UNMIK's presence as a crucial pillar of peace and stability.

The exercise of UNMIK's external representation function remains especially important. Its role is critical for regional organizations such as CEFTA and the RCC to function in accordance with established procedures.

Moreover, the UN's ability to work effectively with EULEX must remain unconstrained. That is why it is important for the amendments to the UNMIK budget for the next fiscal year passed by the General Assembly to be fully applied, and for all vacant positions to be filled as soon as possible.

Mr. President,

Serbia strongly believes that disagreements on status must not impede the determination to act together on improving the lives of all residents in the province.

We have proactively worked with all legitimate actors on the ground in Kosovo, while ensuring our Constitutional red lines are not crossed.

I am pleased that the report commends Belgrade's policy of constructive engagement, by acknowledging our "pragmatic approach" to the resolution of practical issues.

Mr. President,

Commitments made in this chamber should be honored. What is agreed in and welcomed by the Security Council must be implemented in full—from resolution 1244 (1999) to the Secretary-General's Six Point Plan, to which I will now turn.

I begin with Police, where I wish to highlight two important developments that took place during the reporting period, in furtherance of applying this crucial segment of the Secretary-General's Plan.

First, virtually all Kosovo Serb police officers returned to their posts as a direct consequence of our engagement. This has contributed to an improvement in the security situation throughout the province—especially in the Serbian enclaves in the South.

The second important development concerns the signing of the Protocol on Police Cooperation between the Serbian Ministry of the Interior and EULEX. The Protocol is based on the best practices of our long-standing cooperation with UNMIK Police on these matters. It is entirely status neutral, and fully conforms to resolution 1244 (1999). Its implementation will greatly contribute to the fight against organized crime and terrorism in Kosovo—an area that continues to be the hub of a sinister international network of arms, drugs, and human traffickers.

On Judiciary, despite some constructive preliminary discussions with UNMIK and EULEX, we have regretfully not been able to move forward on issues such as determining the territorial jurisdiction of the Court in Mitrovica, the appointments of judges and prosecutors designed to reflect the ethnic communities they would serve, and the applicability of UNMIK law. It is our hope that our talks will intensify in the time ahead, for consensual solutions must be found, in accordance with the provisions of the November 2008 report.

On a number of other fronts, cooperation has deepened. For example, Special EULEX Prosecutors and Serbia's War Crimes Prosecutors have intensified collaboration on serious cases. These include organ harvesting committed by the KLA on ethnic Serb civilians in the well-publicized "Yellow House," and the infamous KLA-run jails and liquidation centers in places

like Klečka in the Lipljan municipality.

With respect to the delicate matter of Customs, we have also achieved some results. Technical cooperation between Belgrade and EULEX has proceeded smoothly, as information is exchanged regularly on topics of mutual concern, such as smuggling. However, progress on the important issue of revenue collection and how it will benefit relevant communities has been more limited. We hope that, in the months ahead, we can come to workable arrangements with our UNMIK and EULEX partners, within the framework endorsed by this Council in November 2008.

Mr. President,

Concerning Administrative Lines and Security, I would like to acknowledge the useful role played by KFOR. Serbia will continue to act as its reliable partner, in accordance with resolution 1244 (1999) and the Kumanovo Military-Technical Agreement.

KFOR's status-neutral presence in the province is still required in order to protect Kosovo Serb enclaves and our holy sites from threats, incursions and attacks. According to Annex I of the



report before us this afternoon, a handover of responsibility from KFOR to the Kosovo Police is being envisaged at the Gazimestan memorial monument to our martyred heroes. Serbia strongly opposes such plans. Gazimestan is hallowed ground for the Serbian nation, and KFOR has done an exemplary job in protecting it. It is critically important that they continue to guard it, together with other holy sites.

Concerning Transportation and Infrastructure, the Serbian Government has worked hard to resolve pressing electrical energy issues. As a result of our active engagement with UNMIK and the OSCE, the disconnection policies that discriminated against the Kosovo Serb community highlighted in the report have been rectified. Consequently, a vast majority of Serbian enclaves and monastic communities in the South have had their power restored.

Yet the critically important issue of facilitating the entry and transport of Serbian officials into the province remains unresolved.

It is difficult to imagine how we can positively contribute to developments on the ground, if our ability to work closely with the Kosovo Serb community throughout the province is hindered.

We must find a way to overcome this obstacle in a status neutral manner, consistent with resolution 1244 (1999).

Mr. President,

Regarding Serbian Patrimony—the last of the Six Points—we would like to salute UNMIK’s “efforts to achieve durable solutions for the protection of Serbian heritage in Kosovo,” to quote from the report, as well as its good-faith attempts to work with other legitimate stakeholders in this sensitive field.

The Serbian Government and the Serbian Orthodox Church have fully supported the renewal and restoration of our holy sites, conducted under the auspices of UNESCO and the Reconstruction and Implementation Council, chaired by the Council of Europe.

Unfortunately, the precarious state of Serbian Patrimony remains a deeply troubling part of the reality on the ground in Kosovo.

For instance, local officials in the town of Decane continue to defy the international community. They have repeatedly refused to restore the cadastral record of land belonging to the monastery

of Visoki Decani—a UNESCO World Heritage Site that has been placed on its List of World Heritage in Danger. Judges have been intimidated in connection with this case, while a public disinformation campaign orchestrated by KLA War Veterans' Associations claimed the monastery "represents centuries-old Albanian cultural heritage [...] taken over by the Serbs in the 19<sup>th</sup> century." It is deeply regrettable that no one from Pristina has chosen to condemn such dangerous distortions, and set the record straight once and for all.

In August of this year, the whole-scale pillaging of the largest medieval hermitage complex in the mountains above our ancient capital of Prizren took place.

This unique and now-abandoned monastic center was built by the Serbian ascetic Saint Peter of Koriška, and dates back to the early decades of the 13<sup>th</sup> century. Frescos were damaged and altars were vandalized. In one of the pictures taken at the scene, we see carved into a wall the acronym "UÇK"—meaning the Kosovo Liberation Army.

The extent of the material damage is still being documented. What is beyond dispute is that the perpetrators succeeded in debasing our faith, and destroying yet another part of our patrimony. Unfortunately, the authorities claim they have no leads, and no arrests have been made.

Ethnic Albanian authorities are still refusing to reconsider the outrageous decision to pave-over with concrete the remains of the twice-destroyed Serbian church in the center of Djakovica—thus compounding physical destruction with the attempt to erase every trace of its

existence.

This is the third time I am raising the issue in this chamber. Is it possible that the international community is powerless to get this awful deed reversed? Do we have the will to undo this act of cultural cleansing?

Once again, Excellencies, we ask for your help.

Mr. President,

It is our assessment that our UNMIK and EULEX partners largely share our determination to constructively engage in overcoming challenges. Let me underline the great importance of our common status neutral approach for moving forward on a whole host of concrete matters. We invested great efforts in building up this solid basis for our cooperation.

Regretfully, Kosovo's ethnic Albanian authorities have not demonstrated enthusiasm to embrace the status neutral framework for dealing with unresolved practical issues.

We believe this reticence does no one any good. All parties have their constraints. But these must not harm those who matter the most, the residents of the province.

Last time we met, I called on everyone to concentrate on improving the lives of citizens, instead of making them victims of our disagreements.

I proposed that we focus on the central humanitarian issue of internally displaced persons. The report before us speaks of the upsetting consequences of a failure to engage on this issue in good faith. A total of only thirty-one of the more than 200,000 Kosovo Serb IDPs were able to return to the province during the reporting period, out of the thousands that expressed a concrete interest to do so in the weeks following our last session in this Council.

Serb IDPs have been informed in writing by various local authorities, that they cannot come back home. This must not be allowed to stand.

The denial of the right of return to Kosovo Serb IDPs took place against the backdrop of tensions in the Northern village of Brdjani. The ethnic Albanian authorities insisted on going ahead with the construction of new, unauthorized settlements. Breaking their agreement with EULEX, they dispatched a special operations police unit called ROSU to support the illegal construction of Kosovo Albanian dwellings in Brdjane, only to pull it back at the last minute under intense pressure from the international community.

In short, while Pristina insists that ethnic Albanians settle in new areas, their local authorities actively prevent Kosovo Serb IDPs from going back to their homes in the South.

Mr. President,

As the report indicates, Pristina called some local elections to be held on November 15<sup>th</sup>.

Unfortunately, the legitimacy of the entire electoral process has been lost by the failure to hold them within the status-neutral framework of resolution 1244 (1999). According to the report

before us, the SRSG did not call them, the OSCE cannot monitor them, and the UN will not certify them. Under such circumstances, it is simply impossible for Serbia to support them.

The situation is deeply regrettable. An opportunity was missed to de-politicize this vitally important issue. Had a choice been made to work in concert instead of at cross-purposes, perhaps we could have paved the way for a properly incentivized Kosovo Serb community to actively participate in the process.

It is now imperative that we focus our energies on finding a way forward. As has always been the case, we remain in favor of establishing functional decentralization acceptable to the non-Albanian communities directly concerned.

We stand ready to engage through a status neutral organization—the OSCE, for example—to create a legitimate decentralization package designed to succeed.

Mr. President,

In a few days, the Republic of Serbia will celebrate the 65<sup>th</sup> anniversary of the liberation of our capital from fascists.

It marked the end of a brutal occupation that had forcefully partitioned our country amongst the Axis and their collaborators, and brought profound misery to our people.

A great number of valiant men and women lost their lives in this triumph over evil. Their heroism will always be remembered. Thanks to their sacrifice, our nation stood up proudly again.

They set in motion what has come to pass now, decades later: the embrace of interdependence, and the conviction that only by working together, in good faith, can we overcome the traumatic consequences of the past.

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My responsibility—like that of every other representative of a UN member State—is to act in the interest of my people and my country.



In the 21<sup>st</sup> century, national success cannot come about in isolation. That is why Serbia will continue to engage in the best possible faith with the international community in addressing all outstanding challenges in the Western Balkans. And whilst we remain fundamentally committed to defending our territorial integrity in a peaceful manner, so we are to fulfilling our European destiny. Serbia's central strategic priority continues to be EU membership.

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At the last General Debate, a great world leader proclaimed: "We are called upon by our times to unite as one and work together for mutual benefit and win-win progress, like passengers in the same boat."

It is a call which we wholeheartedly support. Serbia is dedicated to solving all differences at the negotiating table, not the battlefield. Enough bullets have been fired in the Balkans. Never again should we descend into the maelstrom of war.

Today, we have an obligation to foster engagement grounded in mutual respect. This will not be easy—for the wounds have not yet healed. But if we take up the challenge of reconciliation and find the courage to act together, then it will be said of *this* generation that when the need was great and when the odds seemed against us, we did the right thing and brought a lasting peace

to our lands, so that our children could live out their dreams.

Thank you, Mr. President, for calling on me to address this Council today.