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United Nations Mission in Kosovo

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## **SRSB address to the United Nations Security Council**

PRISTINA\_ SRSB Søren Jessen-Petersen has just finished addressing the UN Security Council at the start of the UNSC's session on Kosovo at UN Headquarters in New York. This is the text of his address:

“ Mr President,

Let me begin by congratulating you as the President of the Council. You will appreciate my particular pleasure in seeing Denmark in the chair. I also want to thank you personally for honouring us with your presence today.

The three month period since my last appearance before the Security Council has been a challenging one. The progress made – and let there be no doubt that there has been progress – must be seen in the context of the challenges that Kosovo has faced.

In particular, March 2005 saw some very difficult moments. The Government formed in December 2004 made good progress through its first 100 days, and the momentum was considerable. However, in early March, a few days after my last report to this Council, that Government came to an end when Prime Minister Haradinaj resigned following notification of an imminent indictment from the ICTY. Within 24 hours following his indictment and after appealing for calm and for a continuation of progress in building a democratic society, Mr Haradinaj proceeded voluntarily to The Hague.

During those days, Kosovo showed the region and the world a commendable respect for the judicial process. Democracy was respected, and a new Government – continuing the coalition of the two parties, LDK and AAK, and under the leadership of Bajram Kosumi as Prime Minister– was formed within three weeks. Throughout those difficult days and weeks, the political leaders and citizens of Kosovo managed a highly unusual situation with maturity and without any disorder or instability.

In particular, standards implementation stayed on track. The brief delay around the time of the formation of the Government was quickly overcome. The new Government showed the same commitment to moving forward on standards and made continued progress on its programme during the months of April and May.

As in most new democracies – and let us remember that democracy in Kosovo is only a few years old – there is political tension. For the first time in its recent history, Kosovo has a strong opposition, under the leadership of Hashim Thaci and Veton Surroi, which, as everywhere, is critical of the work of the Government, while in agreement on the overall goals for Kosovo.

In order to manage any tensions more constructively, and in view of the critical period ahead for Kosovo and the significant political issues coming up, I decided to propose bringing political party leaders and the President of Kosovo together in a 'Forum'. The purpose of this Forum is to enhance constructive dialogue and ensure maximum possible consensus on critical and crucial issues, without substituting for constitutional fora. My proposal has met with agreement and I will convene the first meeting of the Kosovo Forum next week.

Mr President,

I am glad to report some positive developments on dialogue between Pristina and Belgrade. The first meetings of Direct Dialogue since March 2004 resumed one year later, beginning with the Working Group on Missing Persons on the 16<sup>th</sup> March. This was followed by meetings in April and May on the key issues of Energy and Returns of Displaced Persons. These Working Group meetings will take place on a regular basis in Belgrade and Pristina and are supported by intermediate technical meetings to work on substantive issues. This dialogue not only serves to make progress on the specific issues, which range from humanitarian to economic, but it is an important sign of building confidence – crucial as we move closer towards status discussions.

We need to continue encouraging political dialogue. I welcome the fact that Pristina and Belgrade have now expressed their readiness to engage in high-level political dialogue. It is vital that political leaders begin to talk with each other sooner rather than later. Pristina and Belgrade have every mutual interest in co-existing and interacting peacefully and constructively.

Over the past months, we have witnessed greater engagement and dialogue with the Serbian Orthodox Church. The Church and the PISG signed a Memorandum of Understanding on 25 March to allow for the reconstruction of Serbian Orthodox religious sites; this followed a lengthy delay due to talks within the Church on how to proceed. The PISG had already allocated 4.2 million euros last year, and is now actively considering to earmark an additional 1.5 million for reconstruction of Serbian Orthodox religious sites that were damaged during March 2004 violence.

It is obvious that long term preservation of cultural heritage in Kosovo (which includes Serbian Orthodox, Ottoman/Islamic, Catholic and vernacular sites) must be an increasing priority in the coming months. In this context I would like to mention the successful International Donors Conference for the Protection and Preservation of Cultural Heritage of all communities in Kosovo, held two weeks ago in UNESCO in Paris with the support of that organisation, the EU, the Council of Europe, and others. Participants at the meeting pledged some 10 million euros and technical assistance in a clear expression of support for the cultural heritage in Kosovo. A technical mission to restore a church in Prizren, supported by UNESCO, took place just a few weeks ago, and more will now follow.

However, the news is not all good. Despite recent encouraging developments on dialogue between Pristina and Belgrade, I am concerned that there is still – after more than 15 months – no clear signal from Belgrade to the Kosovo Serbs to participate in the institutions. Dialogue between Pristina and Belgrade, although welcome and important, cannot substitute for the direct involvement of the Kosovo Serbs in shaping their own future in an internal dialogue in Kosovo.

Progress in Kosovo will continue, even without the meaningful participation of the Kosovo Serbs, but progress in establishing a fully multi-ethnic Kosovo and integrating all communities will remain limited as long as one ethnic group is pressured to stay outside the political, economic, and social processes. The fault for this obstacle towards progress does not lie in Pristina. The victims, however, are the Kosovo Serbs who are eager to participate at this crucial moment of time. Those who oppose progress can always find some reason to defer allowing participation, but the recent trends have proven that bolder engagement can actually foster real progress for the benefit of all. Belgrade, in my view, would help the Kosovo Serb community, and itself, by moving from reticence and delay to commitment and engagement.

Mr President,

**Standards** remains the roadmap for the short term but also for the long term. It is a way of building and strengthening democracy and a multi-ethnic society, and also a way for Kosovo to move progressively towards EU integration.

We have seen a continued strong commitment by the PISG during the reporting period. The structures working on standards implementation have shown themselves to be solid and durable. While we recognise that there is still much to do, the trends in a number of areas have been positive, and this is reflected in my technical assessment annexed to the SG report before the Council. We feel that the authorities, and increasingly the citizens, have understood the need to implement standards, and have made efforts to reach out to the minorities.

Mr President, let me say a few words on some specific issues.

**Decentralisation**, or local government reform, is not a standard as such, but it is an important process. Decentralisation will benefit the population as a whole, as it will bring services closer to the citizens, and it will also help to meet minority concerns.

After some hesitation following its formation, the Government has acted. A Steering Board and five Working Groups have been established and are convening, including two held this week on legislation and on pilot projects, which are to be established shortly. The Kosovo Serbs were invited to, and did participate in these meetings, thus having the opportunity to shape the process. I would also add that Belgrade was invited to join the Kosovo Serb delegation and that we were of course flexible on the modalities, but again failed to do so. Regrettably, the post of Deputy Minister for Local Government Administration, reserved for a Kosovo Serb, still remains vacant. As we push for further progress on decentralisation, I believe that the recent Contact Group agreement on the principle of ‘no partition’ of Kosovo does send a clear signal that the majority community has no reason to fear that meaningful decentralisation would be a cover for division. On the contrary, if well conceived and implemented, it should eventually promote co-existence around the efficient sharing of local capacities and resources.

I would add that we are currently looking at a number of initiatives that could be carried out prior to full-scale decentralisation and that could empower municipalities, for example in the field of policing and administration of justice.

Mr President,

**Security** has further improved and this is key, as it is a basis for progress in all areas. I want again to pay tribute to the Commander of KFOR and his forces, whose excellent work and close co-ordination with UNMIK and KPS is playing a key role in maintaining a safe and secure environment. The environment has indeed been generally calm during the reporting period, with only a few incidents of note. In particular, very little occurred in the way of inter-ethnic incidents. Unfortunately, the Commander of KFOR and I are concerned, and we have repeatedly said so, that – partly due to deliberate misinformation – perception of security remains a problem and leads to mainly self-imposed limits on freedom of movement. There is a tendency in some media to generalise and to misrepresent every incident involving Kosovo Serbs. Before the police investigation has even begun, some journalists – and some politicians – already pronounce an event as being ethnically motivated, thus feeding the fears of the Kosovo Serb community, including IDPs. In most cases we find, after professional and thorough investigations, that such assertions have no foundations.

There are also assertions that perpetrators are not sentenced – this is simply also misinformation. As a recent example, six Kosovo Albanians were found guilty of murder of two Kosovo Serbs in March 2004, and sentenced to a total of 38 years just last week by the Gjilan/Gnjilane District Court. It is also worth noting that Serbian cabinet ministers, in recent meetings with senior UNMIK officials, have indicated that trust in the KPS on the part of the Kosovo Serb population has indeed increased. The KPS, as you may be aware, has a minority component of about 16%, and Kosovo Serbs make up about 10% of KPS numbers. I might add another example of progress: of 29 lay judges sworn in at the end of April, 16 were minority community members, of which 13 were Kosovo Serbs.

There are signs, and also evidence, of increased **freedom of movement** by Kosovo Serbs, although there are still too many who do not feel free to move. As a sign of the improving environment, there has been a reduction of escorts and of military and police presence at specific sites or locations. As a most recent example, at the beginning of this month, the first Serbian play since the end of the conflict was held at Kosovo's main theatre in Pristina, and was prepared and performed by Serbs with large Serb attendance.

The number of **returns** is still disappointingly low. PISG, UNMIK, and UNHCR continue to work hard on improving conditions for returns, so that displaced persons can return to Kosovo if they so choose. I have recently met with IDPs in Serbia and returnees in Kosovo, and can report to you, Mr President, that their main concern is not primarily security; rather, they are concerned by property issues and by the lack of economic prospects.

There has been some qualitative progress in returns, as for example the first urban returns to Klina. My visits to returnees in several areas, including Bablyak and Brestovik, have convinced me that conditions are present to allow tomorrow's returns to take place, and that positive encouragement by responsible politicians, both in Pristina and in Belgrade, can convince more displaced persons to return to Kosovo.

There have been increased efforts on the part of the Kosovo Government on returns. This includes personal appeals by the Prime Minister to potential returnees, and visits to Podgorica and to Skopje by the Minister of Returns – himself a Serb – and the Minister of Local Government Administration. These visits have resulted in better

understanding and improved regional co-operation, as well as agreements with regional partners, as for example a recent Protocol on returns with Montenegro.

The Working Group on Returns, held on 12 May between Pristina and Belgrade under the chairmanship of UNHCR, was a successful first meeting and will continue. In a very positive development, the respective heads of delegations from Pristina and Belgrade met in Pristina to discuss issues of substance in a productive bilateral working meeting.

As regards **functioning democratic institutions**, I can report that the rapid formation of the new Government in March showed continued evidence of a stable political situation. The Assembly of Kosovo has lately shown itself to be a more transparent and democratic place for debate according to the established rules; the recent debate, 5-6 days ago, on decentralisation was a step forward. I and colleagues from the OSCE will continue to provide assistance and advice to the Assembly Presidency to ensure that this key institution functions democratically, as I trust it will.

We are rigorously stressing the need for local ownership, and the policy of transfer of competences to the PISG has continued. We are at this point carefully looking at transfer in police and justice areas, where we can transfer competencies short of sovereignty in order to ensure that the local authorities assume maximum responsibility and accountability, also in the area of security.

Mr President

We have continued to support the PISG's efforts to co-ordinate and strengthen **institutional capacity building**. The PM has given full political backing to a PISG initiative, supported by UNMIK and the international community, to draw up a strategic plan in order to guide assistance and help focus on priorities. It is expected that the strategic plan will be developed by the summer and will serve as a basis for better targeting and co-ordinating donor efforts so that we can build up the institutions that Kosovo needs. It is clear that considerable donor assistance will be necessary in a number of sectors over the next months and years.

On **accountability**, the policy we developed has served as an incitement to the PISG to address accountability problems and take corrective measures where necessary. UNMIK is prepared to take action if and when appropriate, but counts on the PISG to assume its responsibilities directly.

Mr President,

There have been some significant developments on economic issues which have helped to improve the investment climate somewhat, including in the area of privatisation, access to loans from the European Investment Bank, and long-term lease possibilities for investors.

However, it must be stressed that the extremely problematic economic conditions could at any moment lead to social instability – as they would in any society with high unemployment and continued stagnation. In spite of our efforts to make the investment climate more attractive and to stimulate the economy, it is clear that there will be no real overall progress until the status issue is resolved.

In **conclusion**, Mr President, let me stress again that according to realistic and fact-based criteria, Kosovo has seen steady further improvement during the reporting period. At the same time, the PISG knows that much still needs to be done in key standards areas, and we are pursuing the shortcomings on a daily basis.

We must however recognise that the pace of further progress on standards implementation is reliant on several factors. Firstly, it depends on the willingness of the majority community to continue making efforts to create a multi-ethnic and democratic Kosovo. This willingness does exist, despite the recent, painful conflict, and we must and will continue to support those who display that willingness. Secondly, the degree of Kosovo Serb participation will influence the extent to which their interests are reflected in the ongoing standards implementation; here, as we have urged repeatedly, Belgrade must give a clear, positive signal. Thirdly, status resolution and the ensuing certainty will mean that we can make faster and more substantial progress on a range of issues.

I want to be very frank: with a resolution to the status issue, and therefore an end to the uncertainty, I am confident that we will see much more significant results on issues such as returns, freedom of movement, and the economy.

Status resolution will also have clear regional benefits, including for regional dialogue and trade. There are clearly limits to the results on regional integration that can be achieved without having certainty on status. Leaving it pending will delay regional integration and adversely affect the interests of all – including Belgrade, Podgorica, Skopje, and Tirana. In my meetings with regional partners, the interest in seeing status resolution is strong.

We are all working toward the same ultimate goal: stabilising the region and the pursuit of the EU perspective. European integration is vital for Kosovo and for the region. It will serve, as it has elsewhere, to break down borders and ensure greater prosperity for everybody.

As you will have seen in his report, the Secretary General believes that a comprehensive review of standards should be initiated this summer. That comprehensive review can *inter alia* draw on existing structures and working groups in Pristina to support its work on reviewing the standards, and all interested parties will no doubt have a chance to make their voice heard.

I am confident that progress will continue in the interest of all communities in Kosovo, based on a forward-looking, constructive and honest approach by all concerned. The role of the Security Council in moving Kosovo from a holding operation to a sustainable and lasting solution is crucial, and I thank you for your support.”