

# Sidste Nyt fra Albanien, Kosóva og Makedonien

## Serbien og Montenegro

*The Latest News from Albania, Kosóva and Macedonia*

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Prizren 17.03.2004. Hentet på en Kosóva Albansk-internetside et par dage efter.

Siden blev ret hurtigt lukket ned. Senere er der etableret en helt anden side på pgl. adresse.

Hvorfor sådan et billede nu hvor der skal til at forhandles? For at minde om at »fernissen« er meget tynd, og at der ikke skal meget til, før der kan ske gentagelser.

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# Forhandlinger om Kosóva's fremtid skal påbegyndes nu

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## Indledning

Som ventet besluttede Sikkerhedsrådet 24.10. at der skulle påbegyndes forhandlinger om Kosóva's fremtid. Se nærmere om forhistorien i [»Sidste Nyt ... # 274«](#)

I dette nyhedsbrev anvendes i almindelighed den Albanske betegnelse for området; når vinklen er klart Serbisk skrives evt. Kosovo.



Det var tidligere blevet aftalt at den Norske Diplomat - Kai Eide - skulle undersøge forholdene og skrive en rapport. Eide skrev at der var sket forskellige fremskridt, men at der var mange store problemer, både gamle og nye, og at tiden var inde til at der skulle forhandles om fremtiden.

Eide's vigtigste argument var - i virkeligheden - at han ikke troede at man kunne komme meget længere ad den hidtidige vej (ikke mindst Kosóva Albanerne har gjort deres til at forhindre at man kunne komme længere i en kombination af aktivitet i anden retning og ved passivitet i denne).

På linierne - og især mellem linierne - fremgik desuden at der efter hans opfattelse *nu* var bedre måder det Internationale Samfund kunne tage sig af Kosóva på end ved at have en FN-guvernør indsat. Måske skulle man overlade EU en større del af ansvaret.

De kommende forhandlinger vil ikke få et let løb. Der er mange interesser indblandet, mange såvel åbne som skjulte motiver der skal tages hånd om, og der er en vis risiko for at *nogle* Kosóva Albanere vil gå over stregen, hvis de mener at Albanerne er ved at blive snydt.

Det Kosóva Albanske standpunkt er at Kosóva skal være en selvstændig stat - der ikke må opdeles - og at Kosóva skal støttes økonomisk og militært af EU og USA. Nogle af dem mener at dette skal være sikret *før* man går til forhandlingsbordet; enkelte mener at der slet ikke skal forhandles med Serbien - og at de der indlader sig på det er forrædere.

Det Kosovo Serbiske og det Serbiske standpunkt er at Kosovo skal have et meget vidtgående selvstyre, men at Kosovo ikke skal være et selvstændigt land. Nogle - men deres indflydelse er efterhånden meget reduceret - mener at Serbien aldrig må opgive »ejendomsretten« over Kosovo og »det gamle land« og mener at den nuværende Serbiske politik er stærkt kritisabel.



Ibar-floden. Still fra Forsvarets TV's Kosovo-udsendelse September 2005.

Når det i de senere år er kommet dertil at Serberne er parate til positivt at indrømme Kosóva et meget vidtgående selvstyre, er det af dén simple grund at man ønsker at den Kosovo Serbiske del nord for floden Ibar skal have præcis de samme rettigheder over for Kosovo/Kosóva som helhed. Der er tale om en høj grad af parallellitet.

Set meget rationalistisk kan spørgsmålet om autonomi, selvstændighed og suverænitet (statslig »ejendomsret«) være underordnet hvis hele området - inden for overskuelig tid og på én eller anden måde - bliver tilknyttet EU.

Kosóva Albanerne vil imidlertid ikke *anerkende* et sådant synspunkt foreløbig - og slet ikke i de forestående forhandlinger. Mange af dem vil - *om nødvendigt* - foretrække at »køre videre« næsten som i dag, fordi de mener at tiden arbejder for deres sag.

Prisen for at »køre videre« er at det vil trække ud med at konstruere en moderne stat og at opbygge en moderne økonomi, og endvidere at alle de dårlige vaner der har fået lov til at udvikle sig i de senere år vil gro fastere og fastere.

Der er i øvrigt en del Albanere der er helt *tilfredse* med en sådan udvikling, for det giver dem mulighed for desto længere at fastholde magten over deres netværk og for at score kassen i dén grå, sorte og *virkelig* sorte del af samfundslivet.

De Kosóva Albanske Ledere har ofte talt om at de ønskede et multi-etnisk samfund, som bl.a. Amerikanerne har lagt så stor vægt på; den primære grund var dog at de ønskede støtte til at etablere Kosóva som en selvstændig stat og at de ikke ville risikere at Kosóva blev opdelt, - og virkeligheden viser også at det modsatte er tilfældet. Der kan nemlig ikke findes mange eksempler på at Albanske Ledere har løftet en finger for at skabe et multi-etnisk samfund, tværtimod er det typiske billede at de har forholdt sig passive, og det må konstateres at Albanerne slet ikke har levet op til dét som Clinton og Albright forventede af dem i denne henseende i 1999, dvs. i Rambouillet og da man forberedte og iværksatte NATO-interventionen.

Der er næppe meget andet at gøre end at arbejde for at hele området - inden for overskuelig tid og på én eller anden måde - bliver tilknyttet EU, men når det kommer dérhen skal der arbejdes massivt med at få Serberne og ikke mindst Albanerne til at bære et positivt ansvar. Umiddelbart ser opgaven temmelig besværlig ud.



NATO's Generalsekretær Jaap de Hoop Scheffer på besøg hos Præsident Rugóva. Maj 2005. Foto: NATO

## Hvad *kan* man så gøre? Hvad er tilrådeligt?

Først og fremmest må man se realistisk på situationen og på hvad der hidtil er sket:

(1) Man må acceptere at den logiske fortsættelse af NATO-interventionen ganske vist var at der blev etableret et Internationalt Styre, men at udviklingen er gået i en meget uheldig retning, at økonomien nu er helt forvredet - i mange henseender grundlæggende »usund«, og endelig at der kan konstateres en høj grad af ansvarsfraskrivelse mht opbygningen af et moderne multi-etnisk samfund.

(2) Man må anerkende at en meget rationalistisk politik ikke kan realiseres, i det mindste ikke i en helt bogstavelig form. Man må anerkende at nogle af de *nationale* forestillinger har overordentlig stor betydning for den politiske adfærd på begge sider af Ibar, men ganske særligt blandt Albanerne.

(3) Man må acceptere at Kosóva i virkelighedens verden er opdelt i en Albansk og en Serbisk del. Der er ganske vist steder hvor Albanere og Serbere er relativt tæt på hinanden, men et egentligt - dvs. et positivt og dagligt - samkvem er snarere undtagelsen end reglen. Kai Eide formoder at der er flere Serbere der flytter væk end der vender tilbage til Kosovo. Et meget stort antal af de Serbere der flygtede i foråret og sommeren 1999 er stadig ikke vendt tilbage og sandsynligheden for at kommer tilbage er meget lille.

I overensstemmelse hermed har SG Kofi Annan fornylig skrevet: "I would emphasize that [...] standards implementation must continue with greater commitment and results. Progress in this regard is essential for the success and sustainability of any future status process." Annan er (som mange andre) af den opfattelse at de Kosóva Albanske Ledere har gjort alt for lidt for at Albanerne levede op til de forventninger det Internationale Samfund har haft og har til dem mht at få opbygget et multi-etnisk samfund.

(4) Man bør erindre at den lange serie af aftaler, påbud og ordninger fra 1. Verdenskrig og frem har vist sig at være ubrugelige fsv angår Kosóva, og at de på mange måder har vist sig at være direkte kriseskabende.

**Dernæst** må man analysere og diskutere forskellige fremtidsmuligheder og tage afstand fra tanken om at »noget« er besluttet på forhånd, dog bortset fra to helt grundlæggende ting, at Kosóva ikke kan føres tilbage til status før 1999, og at Kosóva skal have en vidtgående form for autonomi. Begge dele står klart og tydeligt i #1244.

Man må fastholde tanken om at en langsigtet løsning skal være resultatet af forhandlinger mellem dem der har fundamentale interesser i en sådan løsning, og som har en væsentlig rolle at spille i den, dvs. Serberne, Kosovo Serberne, Kosóva Albanerne og EU. Alle parter skal - i den sidste ende - gå *positivt* og *tydeligt* ind for forhandlingsresultatet og skal arbejde aktivt for dets realisering og håndhævelse, hvad der er ensbetydende med at hver af de fundamentalt



interesserede *kan* nedlægge veto. Forhandlingerne må nødvendigvis ledes af en forligsmand der er trænet i at få »umulige« parter til at mødes og til at nå frem til et resultat (som det fremgår andetsteds er FN ved at udpege en sådan forligsmand).

Forhandlingerne må omfatte alle væsentlige emner, fx den økonomiske udvikling af området, sikring af de grundlæggende menneskerettigheder, minoriteternes vilkår, etableringen og håndhævelsen af sikkerheden og retsordenen - incl. bekæmpelse af korruption, organiseret kriminalitet og terrorisme -, den politisk styreform på overordnet niveau og på lokalt niveau og endelig de overordnede statsretlige forhold. Formentlig må opmanden (og Det Internationale Samfund) lægge vægt på at forhandlingsresultatet skal betragtes som en helhed, hvad der bl.a. indebærer at alle tilsagn, del-aftaler m.v. automatisk bortfalder, hvis der ikke kan opnås enighed om et samlet resultat.

I virkelighedens verden spiller USA, Rusland m.fl. en rolle på denne del af Balkan, men det bør overvejes - mellem de fundamentalt interesserede, USA, Rusland m.fl. - hvilken positiv rolle disse stater bør eller kan forventes at spille i spørgsmålet om Kosóva's fremtid. Deres direkte deltagelse i forhandlingerne er ikke så indlysende naturlig som den har været, men de kan være med til at sikre at forhandlingsresultatet sikres.



Kosóva's Premierminister Bajram Kosumi på besøg hos Albaniens Premierminister Sali Berisha, i slutningen af Oktober 2005. Foto: Premierminister Berisha's kontor

Albanien, Makedonien og Montenegro kan ikke umiddelbart anses for at være direkte parter i drøftelserne om Kosóva's fremtid, selv om de indirekte er meget berørte, bl.a. ved at forhandlingsresultaterne kan påvirke dem. EU's drøftelser med disse lande kan grundlæggende have sit eget forløb, men må - givetvis - i visse henseender foregå synkront med Kosóva-forhandlingerne.

Tilsvarende gælder Grækenland (som er medlem af både NATO og EU) og Tyrkiet (som er medlem af NATO, og som forhandler om optagelse i EU). Begge lande har interesser i området og er engageret i forskellige former for Balkan-samarbejde, men kan ikke umiddelbart anses for at være direkte parter i drøftelserne om Kosóva's fremtid.

## Sikkerhedsrådet's drøftelser 24.10.2005

FN's Pressetjeneste har udsendt flg.:

### **The Security Council endorses start of status talks on Kosovo, top UN envoy calls this 'historic'**

24 October 2005 – The Security Council today endorsed the start of talks on the future status of ethnically-divided Kosovo, with the United Nations administrator of the Serbian province, which the world body has run for the past six years, calling it a very historic day.

"The Council offers its full support to this political process which would determine Kosovo's Future status and further reaffirms its commitment to the objective of a multi-ethnic and democratic Kosovo which must reinforce regional stability," the Council said in a [presidential statement](#) on the province where ethnic Albanians outnumber others, mainly Serbs, by about nine to one.

"The Security Council agrees... that notwithstanding the challenges they face in Kosovo and the wider region the time has come to move to the next phase of the political process," the statement, read by Council President for October, Ambassador Mihnea Ioan Motoc of Romania, added after a briefing by Secretary-General Kofi Annan's Special Representative for Kosovo, Søren Jessen-Petersen.

Just how difficult those challenges could be in the talks, which Mr. Annan has said could include the options of independence or autonomy, was underscored by Serbian Prime Minister Vojislav Kostunica who told the Council earlier today that any solution must respect the sovereignty and territorial integrity of Serbia and Montenegro as an internationally recognized State.

The UN has run Kosovo since the North Atlantic Treaty Organization (NATO) drove out Yugoslav troops amid grave human rights abuses in fighting between Albanians and Serbs in 1999.

Mr. Jessen-Petersen also stressed the challenges lying ahead. "We all know that the positions of Belgrade and Pristina on the issue of Kosovo's status are far apart," he said referring to the capitals of Serbia and Kosovo.

The Council welcomed Mr. Annan readiness to appoint a special envoy to lead the future status process. The Secretary-General told reporters he would likely appoint former Finnish President Martti Ahtisaari, who has most recently served as his Special Envoy for the Humanitarian Crisis in the Horn of Africa.

The 15-member body stressed the need for "undiminished energy" in meeting the so-called Standards, a series of goals which include protecting minorities, establishing democracy, decentralization and creating the necessary conditions to allow a sustainable return of Serbs who fled. It urged the authorities in Belgrade to do their utmost to facilitate the future status process and to engage constructively.

Mr. Jessen-Petersen stressed that the process offers an opportunity for the Kosovo Albanian leadership "to show true commitment and take more decisive steps towards building the kind of multi-ethnic, democratic, and tolerant society that will undoubtedly bring them closer to realizing their dreams and goals when status is decided."

He cited six priority areas for action starting with the need to reassure the Serbs by improving the living conditions of those now in Kosovo and fostering the sustainable returns of those still displaced. "I don't expect major returns before status is clarified, but to reassure Kosovo Serbs



of their future and to promote returns we need a constructive engagement of Belgrade and the direct involvement of the Kosovo Serbs," he said.

The other priorities are: a comprehensive reform of local government, an issue of crucial importance to minorities; establishing a transparent and non-politicized security apparatus; capacity building to ensure that Kosovo's institutions can take on their responsibilities; restructuring the UN Interim Administration Mission in Kosovo (UNMIK); and maintaining a safe and secure environment.

"The security environment in Kosovo is at the moment stable, but isolated recent incidents remind us that, with the difficult status process about to begin, there is no place for complacency," he declared. "That process, and possibly provocations from all sides, will undoubtedly test our ability to maintain the secure environment that has, by and large, prevailed in Kosovo during the last 18 months."

Calling the latest development the end-game after six and a half years of a holding operation, Mr. Jessen-Petersen told reporters afterwards this was a very historic day. "The next months will be very difficult, we will be tested on the ground in Kosovo." But he added: "Let us just for one moment stop off and welcome the fact that the Security Council has just adopted a historic statement."

Also addressing Council members was Kai Eide, the Secretary-General's former Special Envoy for the Comprehensive Review of Kosovo, who introduced the report on his work.

Mr. Eide repeated his long-standing view that there would never be a good moment for addressing Kosovo's future status, and said both parties remain diametrically opposed with very little common ground. While prospects for reconciliation are modest, he supported the commencement of a process to determine future status, because it was important to keep the political process from stagnating.

## **SECURITY COUNCIL PRESIDENTIAL STATEMENT OFFERS FULL SUPPORT FOR START OF POLITICAL PROCESS TO DETERMINE KOSOVO'S FUTURE STATUS** **Says Standards Implementation Must Continue with Stronger Commitment;** **Special Envoy, Head of Mission, Serbia's Prime Minister Address Council**

Despite prodigious remaining challenges, the time had come to start the political process for determining Kosovo's future status, the Security Council declared today after considering the comprehensive review of progress in that province and hearing from the Prime Minister of Serbia and Montenegro.

Through a statement read out by its President, Mihnea Ioan Motoc of Romania (document S/PRST/2005/51), the Council stressed that for the process to move forward, however, "the implementation of standards in Kosovo must continue with undiminished energy and a stronger sense of commitment".

Among those standards -- targets meant to foster democracy and trust between ethnic Serbs and Albanians -- particular attention should be given to protecting minorities, advancing the process of decentralization, creating the necessary conditions to allow sustainable returns, preserving cultural and religious heritage sites, and promoting reconciliation, the Council urged.

The Council also urged the authorities in Belgrade to do their utmost to facilitate that process and to engage constructively with the other parties. It called upon interested regional and international organizations to cooperate closely in the future status process.

In a separate meeting just prior to the issuance of the statement, Kai Eide, the former Special

Envoy of the Secretary-General for the comprehensive review of the situation in Kosovo, introduced the results of his work, saying that he had emphasized that there would never be a good moment for addressing Kosovo's future status as both parties remained diametrically opposed on the issue, prospects for reconciliation remained modest, and the situation of inter-ethnic relations was grim.

He supported the commencement of the status process now because it was important to keep the political process from stagnating, he said. Furthermore, all would benefit from clarity on the status issue and the commencement of the process would give enhanced leverage for the further implementation of standards. He urged the international community to make full use of that leverage. Insufficient standards implementation entailed the risk of turning a future status into a failed status.

The status process itself would be different from other such processes in the former Yugoslavia because Kosovo was still part of a sovereign State, among other factors. Every effort should be made to bring all the parties together, and the process should be clear and should be concluded within a reasonable time frame without rushing. In addition, a significant international presence on the ground would be required for some time to come.

Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), said the start of the status process would be a galvanizing moment in Kosovo. The resolution of Kosovo's status could have only a positive effect on the wider region in terms of political stability and economic growth. In any case, continuing the status quo was not a viable option.

However, there was much work to be done outside the status talks as they proceeded, he stressed. With that in mind, UNMIK had identified freedom of movement and returns as priority areas for its work. On returns, it was necessary to continue to reassure resident Kosovo Serbs and improve their living conditions, while promoting the sustainable return of those still displaced. In that regard, the constructive engagement of Belgrade and the direct engagement of Kosovo Serbs were needed.

Other priorities he described included capacity-building, as well as a comprehensive review of local government structures and continuation of the comprehensive security agenda. The transfer of justice and police functions to local authorities must also be accomplished -- in a gradual, phased and non-political manner.



Vojislav Kostunica, Prime Minister of Serbia, emphasized that his country was fully prepared to assume its share of responsibility in the process of resolving the issue of Kosovo and Metohija in accordance with the fundamental principles of international law and the democratic values of the contemporary world.

Within that general framework, his country was committed to a compromise solution and willing to ensure substantial autonomy for Kosovo and Metohija as part of the State Union of Serbia and Montenegro. The future of his country, and, to a certain extent, Europe itself, would depend on a just and viable solution to the Kosovo issue.

The general situation in Serbia and Montenegro, as well as in Kosovo and Metohija, differed greatly from that of June 1999, he said, noting that his country was affirming itself as a bulwark of basic democratic values, both within its territory and in the region.

“I am convinced that the international community, embodied in the United Nations, would not succumb to threats of violence and permit the dismemberment of a democratic State and the undermining of the most basic principles of international order”, Mr. Kostunica concluded. “No democratic and free State could accept that under any circumstances.”

The meeting in which the review of Kosovo was considered began at 10:15 a.m. and ended at 11:15 a.m. The President’s statement was read out in a meeting that commenced at 1:18 p.m. and concluded at 1:25 p.m.

## **Presidential Statement**

The full text of presidential statement S/PRST/2005/51 reads, as follows:

“The Security Council welcomes the report prepared by the United Nations Secretary-General’s Standards Review envoy, Ambassador Kai Eide, on the Comprehensive Review of the implementation of Standards, as well as of the overall situation in and relating to Kosovo (Serbia and Montenegro), forwarded by the Secretary-General on 7 October 2005 (S/2005/635). The Council pays tribute to Ambassador Eide’s work in compiling his important report.

“The Security Council recalls the Secretary-General’s report of 23 May 2005 (S/2005/335) in which he initiated the Comprehensive Review conducted by Ambassador Eide. In light of the findings in Ambassador Eide’s report, the Council stresses that further, more sustained progress is required, and that the implementation of Standards in Kosovo must continue with undiminished energy and a stronger sense of commitment, as underlined by the Secretary-General in his letter. It urges Kosovo’s leaders to increase their efforts to ensure the implementation of standards at all levels, allowing tangible results to be delivered to all Kosovo’s citizens. Particular and time-conscious attention should be given to protecting minorities, developing further the process of decentralization, creating the necessary conditions to allow sustainable returns, preservation of cultural and religious heritage in Kosovo, and promoting reconciliation. The Council also urges the authorities in Belgrade to do their utmost to facilitate this process, and to engage constructively. The Council reaffirms its full support for the Special Representative of the Secretary-General, Mr Søren Jessen-Petersen, and UNMIK in their continuing work to support the implementation of Standards, which must continue during the Future Status process and will be an important factor in determining the degree of progress.

“The Security Council agrees with Ambassador Eide’s overall assessment that, notwithstanding the challenges still facing Kosovo and the wider region, the time has come to move to the next phase of the political process. The Council therefore supports the United Nations Secretary-General’s intention to start a political process to determine Kosovo’s Future Status, as foreseen in Security Council resolution 1244 (1999). The Council reaffirms the framework of the resolution, and welcomes the Secretary-General’s readiness to appoint a Special Envoy to lead the Future Status process. It looks forward to an early appointment. The Council offers its full support to this political process, which would determine Kosovo’s future status, and further reaffirms its commitment to the objective of a multi-ethnic and democratic Kosovo, which must reinforce regional stability.

“The Security Council welcomes the intention of the Contact Group (France, Germany, Italy, the Russian Federation, the United Kingdom and the United States of America) to remain closely engaged in the political process that will be led by the United Nations, and to support the Secretary-General’s Future Status Envoy. The Council calls upon interested regional and international organisations to cooperate closely in the process to determine Kosovo’s future status. The Council also supports the meaningful involvement and cooperation of countries in the region.

“The Security Council requests that the Secretary-General provide regular updates on progress in determining Kosovo’s Future Status, as defined by Security Council resolution 1244 (1999), and will remain actively seized of the matter.”

## Background

This morning, the Security Council had before it a comprehensive review of the situation in Kosovo annexed to a letter dated 7 October 2005 {2003 in the original. BA} from the Secretary-General addressed to the President of the Security Council (document S/2005/635), in which the Secretary-General says that he accepts the conclusion of his Special Envoy Kai Eide, author of the review, that the time has come to move to the next phase of the political process in that province, even if the implementation of so-called standards have been uneven.

[The standards to be met, in a province where ethnic Albanians outnumber Serbs roughly nine to one, concern eight targets meant to foster trust between the two groups in areas, such as building democratic institutions, enforcing minority rights, creating a functioning economy, and establishing an impartial legal system.]

The Secretary-General says that, following the report and after further consultations, he intends to initiate preparations for the possible appointment of a special envoy to lead the future status process for Kosovo.

“I would emphasize that, at the same time, standards implementation must continue with greater commitment and results”, the Secretary-General says. “Progress in this regard is essential for the success and sustainability of any future status process.”

According to Mr. Eide’s review, Kosovo has entered a new period of dynamic political development, following a period of political stagnation and widespread frustration. Notable progress has been made in the development of a new institutional framework, including executive, legislative and judicial bodies at the central and local level, as well as a civil service.

The review goes on to say, however, that the Kosovo Serbs have chosen to stay outside the central political institutions and maintain parallel structures for health and educational services, fearing that they will become a “decoration” to any central-level political institution. The Kosovo Albanians, it says, have done little to dispel this fear.

In any case, it says the interests of the Serbs would be better served if their representatives returned to the assembly. Albanians should stimulate that process and Belgrade should abandon its negative position on Serb participation.

In other areas, as well, progress is mixed, according to the review. Economic structures and laws have been established, but the current economic situation remains bleak. Similarly, the rule of law is hampered by a lack of ability and readiness to enforce legislation at all levels. Organized crime and corruption continue to be great threats to stability, and the outlook for a multi-ethnic society is grim.

In addition, the overall return process has virtually come to a halt, and the continued existence

of Roma camps and others inside Kosovo is a disgrace, according to the review. To achieve viable minority communities, a wider decentralization process will be required.

Despite those problems, the review maintains that there will not be any better moment for addressing Kosovo's future status. The political process must not be allowed to stagnate again, and it was unlikely that postponing consideration of future status would lead to better results in achieving standards. However, the international community must not let the future status process overshadow the achievement of those standards.

Among international and regional organizations, the European Union at present has the most leverage in obtaining the desired progress, the report adds, saying that the Union should, in the near term, consider stepping up its presence on the ground. In addition, it would be expected to play a more prominent role when status has been determined.

"The international community must do the utmost to ensure that, whatever the eventual status, it does not become a failed status", the review concludes. "Entering the future status process does not mean entering the last stage, but the next stage of the international presence."

### Statements

KAI EIDE, former Special Envoy of the Secretary-General for the Comprehensive Review of Kosovo, introduced that document (S/205/635), saying that he had emphasized in previous reports that there would never be a good moment for addressing Kosovo's future status. That impression was confirmed during his recent work. Both parties remained diametrically opposed with very little common ground, and prospects for reconciliation remained modest.

Summarizing the report, he said that the picture on the ground was mixed. There had been significant progress on institutional structures, though there was a lack of ability and readiness to enforce legislation. The situation with regard to inter-ethnic relations, however, was grim, with frequent incidents of violence, unresolved property cases, and a halt in the return process. To reverse those negative trends, he urged greater emphasis on decentralization and on protecting the abilities of all communities to determine their own future.

He said that, despite the problems that remained, he supported the commencement of a process to determine future status, because it was unlikely that postponing that process would lead to significant progress in the implementation of standards, and it was important to keep the political process from stagnating. There was also a shared expectation in Pristina and Belgrade the process would start now. Furthermore, all would benefit from clarity on the status issue. People would be able to make informed decisions about their own future.

With regard to standards, he said that the commencement of the status process would give enhanced leverage for their implementation. He urged the international community to make full use of that leverage. Insufficient standards implementation entailed the risk of turning a future status into a failed status.

The status process itself would be different from other such processes in the former Yugoslavia, because Kosovo was still part of a sovereign State, though it was administered by the United Nations through provisional self-governing institutions. Every effort should be made to bring all the parties together, and the process should be clear and concluded within a reasonable time frame without rushing.

In conclusion, he said that, while a reconfiguration of the international presence in Kosovo was required, Kosovo would continue to depend on a significant international presence on the ground, both military and civilian. Entering the future status process did not mean entering the last stage, but the next stage of the international presence.



SØREN JESSEN-PETERSEN, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), noted that, while the Council had for the past 12 months noted positive developments in Kosovo, it had also underlined the need for further progress. A fortnight ago, the Secretary-General had recommended that the process of settling Kosovo's future status should soon begin. The start of the status process would be a galvanizing moment in Kosovo. The resolution of Kosovo's status could have only a positive effect on the wider region, including in terms of political stability and economic growth. While the way ahead would be difficult, continuing with the status quo was not a viable option.

Political life in Kosovo, he added, could not be consumed, however, primarily by the status talks. Forward movement was needed as much outside the status process as within it. There was much work to be done as the talks proceeded. With that in mind, UNMIK had identified six priority areas for its work in the coming months. The first was to continue with the implementation of the standards. Freedom of movement and returns were two key areas. On returns, it was necessary to continue working hard to reassure and improve the living conditions of Kosovo Serbs living in Kosovo, while promoting the conditions for sustainable returns for those still displaced. In that regard, the constructive engagement of Belgrade and the direct engagement of Kosovo Serbs were needed.

One of the key standards, he continued, related to the economy. Privatization, modernization and development of a market-oriented regime would lay the groundwork for the economy's eventual growth. The International Monetary Fund (IMF) was currently in Pristina working with the Provisional Institutions of Self-Government and UNMIK to create a basis for a major donor support conference to be held in December. Without clarity on status, however, progress would be limited, as foreign direct investment (FDI) and access to loans would remain problematic. Economic opportunities for all could act as a key source of reconciliation.

Another priority was to support the Provisional Institutions of Self-Government in pursuing a comprehensive review of local government structures, he said. Comprehensive reform for the benefit of all communities was now on the agenda. The UNMIK would also continue to pursue a comprehensive security agenda. The rule of law with effective delivery of justice was a key requirement for any viable society. Transfers in the areas of justice and the police were crucial to prepare for status talks. In that regard, the Mission had made it clear that transfers would be gradual, phased and non-political at each stage.

Continuing, he said the Provisional Institutions and UNMIK must strengthen efforts in the field of capacity-building, to ensure that Kosovo's institutions were fully capable of taking on the responsibilities that would flow to them. Much progress had been made in the past year, and the Provisional Institutions had committed to establishing an action plan that would allow for strategic planning on the part of the Government. The UNMIK would also continue to be restructured in the coming period, with a view to establishing the optimum set-up throughout the status process. In that regard, it was cooperating with its international partners to develop a phased transition to eventual future arrangements following, but without prejudice, to the status of future talks. The UNMIK would continue to ensure the maintenance of a safe security environment for everyone in Kosovo. Isolated recent incidents were a reminder that, with the difficult status process about to begin, there was no room for complacency.

While the future status process would provide risks and confront leaders with difficult choices, it also represented a huge opportunity for Kosovo, he concluded. In the status process, the voices of civil society and all the people of Kosovo must be heard. Kosovo's other communities, including Turks, Bosniacs, Roma and Egyptians, had as much a claim to Kosovo's future as Serbs and Albanians. Indeed, Kosovo's diversity was its treasure. After more than six years of United Nations involvement, the international community had both the chance and the challenge to support the people of Kosovo, as they left behind a painful past and built a peaceful future. He knew that he could count on the Council's engagement in the next decisive phase in

implementing resolution 1244.

VOJISLAV KOSTUNICA, Prime Minister of Serbia, emphasized that Serbia and Montenegro was fully prepared to assume its share of responsibility in the process of resolving the Kosovo and Metohija issue, in accordance with the fundamental principles of international law and the democratic values of the contemporary world. Within that general framework, his country was committed to a compromise solution and willing to ensure substantial autonomy for Kosovo and Metohija as part of the State Union of Serbia and Montenegro. The future of his country and, to a certain extent, Europe itself, would depend on a just and viable solution to the Kosovo issue.

The Council faced a daunting task today, he said, namely, the decision whether to move to the next stage in resolving the Kosovo and Metohija issue, although the tasks of the previous stage remain uncompleted. His delegation had repeatedly provided convincing information not only on the absence of multi-ethnicity in Kosovo and Metohija, but also on grave violations of fundamental rights and freedoms. In his comprehensive review, Ambassador Eide presented many important facts, particularly with regard to the difficult position of the Serbian and other non-Albanian communities in Kosovo and Metohija.

Today, more than 60 per cent of Kosovo Serbs were internally displaced persons in central Serbia, he said. The Serbs in Kosovo and Metohija were now reduced to a dwindling rural population, living in fear and often deprived of their most basic rights. Since June 1999, Orthodox Christianity had been exposed to deliberate and brutal persecution. Some 150 Orthodox churches and monasteries had been destroyed or irreparably damaged, Orthodox cemeteries desecrated and destroyed, and Orthodox Christians had been denied the basic right to profess and practice their faith. The report attributed the massive human and minority rights violations not only to ethnically motivated violence against minorities, but also to the fragility of institutions, particularly the police and judiciary.

In spite of those facts, however, Ambassador Eide recommended moving to the next stage of the process, namely, the future status talks, he said. The critical question remained whether the future status talks could succeed if the crucial standards with regard to human rights and basic freedoms in Kosovo and Metohija were neither fulfilled nor anywhere near fulfilment. It was only through a completely realistic assessment of the situation in Kosovo and Metohija that a democratic and multi-ethnic Kosovo and Metohija could be attained.

In the forthcoming talks, Serbia and Montenegro would be fully guided by the general principle and norms of international law and universally accepted democratic values, he said. He believed that the Council would act upon the principle of sovereignty and territorial integrity and define the framework and mandate of future status talks as talks on the future status of a province within the internationally recognized State of Serbia and Montenegro. Any solution must respect the sovereignty and territorial integrity of Serbia and Montenegro as an internationally recognized State, a Member of the United Nations and member of other international organizations.

The future status talks should also take into account the fact that Serbia and Montenegro was a democratic State, he said. Any attempt at imposing a solution through de facto legalization of a partition of Serbia, including through forcible secession of a part of its territory, would be tantamount not only to legal violence against a democratic State, but also against international law itself. His country's political efforts would be directed to defining a specific and viable form of substantial autonomy for Kosovo and Metohija, whereby the legitimate interests of Kosovo Albanians would be fully acknowledged.

A peaceful, negotiated solution to Kosovo and Metohija's future status talks within the State of Serbia and Montenegro would be a decisive step towards European integration, not only for his country, but also for the region as a whole, he said. A negotiated solution implied a compromise that would make it impossible for Serbs and Albanians alike to attain all their goals

and aspirations. Those fundamental commitments constituted a framework within which his country was embarking upon the process of defining the future status of Kosovo and Metohija. The future status process would have the best likelihood of success if it took the form of direct talks between representatives of the two sides, he added.

The general situation in Serbia and Montenegro, as well as in Kosovo and Metohija, differed greatly from that of June 1999, he said, noting that Serbia and Montenegro was increasingly affirming itself as a bulwark of basic democratic values, both within its territory and in the region. His country was committed to making every effort to reach a negotiated solution based on compromise, together with the Council, and in a way compatible with the norms of international law. He was convinced that the international community would not succumb to threats of violence and permit the dismemberment of a democratic State and the undermining of the most basic principles of international order. Indeed, no democratic and free State could accept that under any circumstances.

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## **Albanien's standpunkt**

### **Premierminister Berisha i Montenegro [18.10.2005]**

An important point discussed during the meeting was Kosovo issue. Mr. Berisha presented the stand of the Albanian Government related to it. He said that this issue should be resolved in accordance with the will of the Kosovo people and in cooperation with the Contact Group. The Albanian Prime Minister pointed out also that it is of a special importance to guarantee the rights and freedoms of the Serbian and other minorities, as well as the dialogue Pristine -Belgrade. He also noticed the great achievements of the international administration and the government of Pristine in the post war Kosovo.

**Kommentar:** Formentlig var Premierminister Djukanovic rimeligt fornøjet over at høre Berisha's opfattelse, for Berisha har - klarere end ellers i de senere år - udtrykt et ønske om at indbyggerne i Kosóva skulle have mulighed for selv at afgøre om de ville være selvstændige. Grunden er at Djukanovic adskillige gange har talt for at Montenegro skulle have mulighed for at løsrive sig helt fra forbundet med Serbien. EU har hidtil insisteret på at dette forbund blev opretholdt.



SRSG Søren Jessen-Petersen på besøg hos Præsident Moisiu et par dage før drøftelserne i Sikkerhedsrådet 24.10.2005. Foto: Præsidentkontoret

October 19, 2005

The President of the Republic, Alfred Moisiu received in a meeting at noon Mr. Soren Jessen Petersen, the United Nations Secretary-General Special Envoy in Kosova.

President Moisiu expressed the pleasure for the visit of Mr. Petersen and appreciated his contribution at the head of United Nations Organization in Kosova and his very important role in Kosova and abroad.

On his part, the Head Administrator of Kosova pointed out that it is the merit in complex of the Contact Group, the region and our country's work that we actually are at the eve of the beginning of negotiating process for the solution of the Kosova status, which, although complex and difficult, it is expected to be concluded in 2006. On Monday it is expected that the UN Security Council will agree on the recommendations of the Secretary-General, Kofi Annan for the beginnings of these talks.

Mr. Petersen congratulated the Head of the Albanian State on successfully holding of the electoral process and his role in this aspect, by praising it also as a contribution to the stability of Kosova. Mr. Petersen stated that actually it is required to be fulfilled the standard for building a truly democratic and multi-ethnic society and that the solution of the problems can be achieved only through dialogue with the real inclusion of the minorities in the central and local institutions. Mr. Petersen expressed the conviction that Albania, as up to the present, will continue to play a constructive role in the region.

President Moisiu praised the professionalism and responsibility of Mr. Aide [Eide; Albanerne skriver ofte navne og steder i en slags lydskrift, BA], reflected in his report which was presented to the UN Secretary-General and hailed the decision of Mr. Annan for the beginning of the negotiating process on the status of Kosova. Mr. Moisiu pointed out that the politics in Kosova has marked progresses and the role of Mr. Petersen in building the foundations of a Rule of Law is a visible reality. Mr. Moisiu stated that Kosova cannot return where it once was, cannot be divided and neither can be attached to any other country and this would mean for it to be independent, the same as other former parts of former Yugoslavia which are independent states at the present. President Moisiu expressed the support of the Albanian State to Mr. Petersen in fulfilling his mission in Kosova.

## **Den Albanske Præsident Alfred Moisiu sender hilsen til Præsident Rugóva**

October 26, 2005

The President of the Republic, Alfred Moisiu has sent a congratulatory message to the President of Kosova, Ibrahim Rugova on the occasion of the United Nations Security Council decision for the beginning of the process of the determination of Kosova political status.

“With this decision, Kosova successfully concludes a transition period during which there marked meaningful achievements in establishing the democratic standards and there were established the basis for the founding and functioning of the institutions. I am convinced that through your active contribution and that of the central and local institutions, Kosova will manage to successfully conclude also this decisive phase of the status determination.

Albania is sure that the process will confirm the free will of the Kosova citizens for an independent, democratic and integrated Kosova in the Euro-Atlantic structures, by giving this way a real push to peace and stability in the region.” – it is emphasized in the message of President Moisiu.

Præsident Moisiu's nylige tale i Zagreb optrykkes nedenfor da den anlægger et bredere perspektiv:

### **THE ADDRESS OF PRESIDENT MOISIU AT THE ZAGREB SUMMIT**

October 14, 2005

Distinguished President Mesic,  
Distinguished Presidents,  
Ladies and Gentlemen,

From the outset, I would like to thank my friend, the Croatian President Mesic for the well organizing of this Summit and to warmly praise Croatia for having received the invitation to begin the talks of accession in the European Union. I think that the success of Croatia and the historical decision regarding Turkey, which we also praise, are important steps that offer to today's debate a particular meaning.

The replenishment of the new European map with the countries of Western Balkans is an unavoidable process and serves to the benefit of both sides. Balkans cannot be a forgotten part of the world, but they are an active part of the good and difficult days of the past, of the present and of the future of the European family.

We have been trying for more than a decade to achieve those economic, legal and political standards that will enable our accession in the European Union. We thought at the beginning that the integration would come very soon, and now when we have crossed more than half of the way, we realize that more time and other major efforts are needed. This must not discourage us, nor make us think that the Western Balkans will be treated as the annex of the big European family. It is already clear that without the accession of the Western Balkans countries, the process of European integration cannot be considered completed.

The challenges and problems that must be met are not unknown to my country and, I believe, also to our other neighbours of the Western Balkans. The main ones are the major need to strengthen the Rule of Law, to strike the organized crime, trafficking and corruption, to consolidate the market economy, to increase the administrative capabilities and to found a close regional collaboration and mutual trust climate. These challenges are of a national, regional and



trans-national character. As the Head of the Albanian State I have the pleasure to observe that the program proclaimed by the new Albanian government is focused on the fight against corruption and organized crime, encouraging the general economic and social development as priority issues of our integration efforts.

On her part, Albania appreciates the EU commitment as a long-term investor for peace, stability and economic development in the region and considers the confirmation of a clear European perspective for all the Western Balkans countries and units as very positive. The European Union assistance and collaboration with us is one of the main factors for our getting closer to the European structures and standards.

We have noticed during this period that Europe also has found itself in front of important challenges. The "No" voting of the constitution by the two member and founding European Union countries was a development that had an inevitable impact on the members and also on us that aspire the membership. We do not want to read this "No" as a refractory positioning towards us and neither as such to contribute to the "tiring" factor of the European Union related to the expansion. On the other hand, our reading of this development does not put into discussion the conclusions of the Thessalonica Summit on keeping the open doors for our countries.

We are conscious that the internal political developments have their weight on the integration process. Albania, through the successful holding of parliamentary elections and the calm and democratic rotation of power took an important step forward. Through the next year' signing of Stabilization and Association Agreement, Albania will enter in a new phase of relations with the European Union. This process enjoys the full support of the entire political spectre, public opinion and our governments which consider it as priority, the most important project for Albania and the major investment for the present and for the future.

In the regional context, Albania follows with continuity a dialogue, collaboration and understanding policy through which, it sensitively contributes to the strengthening of peace and stability.

We think that Kosova cannot remain outside the European integration process. Kosova has approached the culminating moment: the beginning of the negotiations for the determination of its final status. We believe that the status will be no doubt in line with the will of Kosova inhabitants which means Independence that ensures justice and does not live room for future problems and concerns. Only such a solution generates peace in Kosova and in the region.

Distinguished colleagues,

Albania appreciates the financial assistance of the European Union for the reforms' process and the initiative and proposition of the European Commission for the Instrument and Assistance of Pre-Adhering (IPA) for the countries involved in the Stabilization and Association process. We think that also for the potential candidate countries must be foreseen that step by step to move in providing the funds that must enable them to enhance the capabilities to absorb these funds.

This expansion of the European policy of cohesion in the Western Balkans countries would be an important step in the integration path of these countries and also in that of realizing a truly integrated Europe.

Thank you!

## Andre synspunkter

### Makedonien

»Kosovareport« skriver:

Macedonian Prime Minister Vlado Buckovski, in Washington for talks with President Bush and U.S. officials, says he believes Kosovo and Serbia will reach agreement on conditional independence for the southern Serbian province. Mr. Buckovski spoke during a news conference at VOA's Washington studio.

With the negotiations on Kosovo's future status about to begin, Mr. Buckovski expressed confidence that the leaders of Serbia and its predominantly Albanian province of Kosovo will reach agreement during the course of 2006.

"I'm expecting hard negotiations," he noted. "But from the other side I'm optimistic about the prospects of a compromise between Belgrade and Pristina. I'm expecting that in 2006 Belgrade and Pristina will find a solution on the final status of Kosovo."

Mr. Buckovski has reason to be interested in developments in Kosovo. Macedonia lies on the southern border of the province and his coalition includes an ethnic-Albanian party with close links to ethnic-Albanian leaders in Pristina, capital of Kosovo.

The Macedonian prime minister believes the basis of a compromise lies in Pristina's understanding that the rights of the minority Serbs in the province, as well as their religious shrines, must be protected. Serbian leaders, he adds, must also understand that failure to negotiate seriously over Kosovo will jeopardize Serbia's goal to eventually join the European Union.

Serbian Prime Minister Vojislav Kostunica has proposed that Kosovo should have a status somewhere between autonomy and independence. Mr. Buckovski expressed support for that position.

"By my opinion, Kostunica's statement about Kosovo: More than autonomy, less than independence, is a step forward concerning a possible compromise between Belgrade and Pristina," he noted. "And definitely, [in] my opinion, some kind of conditional independence, probably, will be a first step in a possible compromise between Belgrade and Pristina together with the international community."

Den Serbiske Regering har udsendt flg.:

Solution for Kosovo in the form of substantial autonomy within existing borders of Serbia-Montenegro

Belgrade, Oct 28, 2005 - Serbian Prime Minister Vojislav Kostunica said today during a meeting with a delegation of the Macedonian parliament, led by parliament Speaker Ljupco Jordanovski, that the solution for Kosovo-Metohija should be sought with full respect for the UN Security Council Resolution 1244 and the preservation of the sovereignty and territorial integrity of the state union of Serbia-Montenegro, as an internationally recognised state.

Kostunica said that the solution must be looked for in the form of substantial autonomy for the province, within the existing borders of the state union, through dialogue and compromise, without imposed solutions. Any solution imposed would be a precedent and violation over international law and could have incalculable consequences for the stability of the region and all of Europe, he said.

The Serbian Prime Minister said that the solution must be found through patient dialogue and compromise, in which no side will get all. "We are willing to find a compromise solution by giving substantial autonomy to Kosovo-Metohija, as an integral part of our country", Kostunica added.

The Speaker of the Macedonian parliament advocated the respect of the international principle of inviolability of borders and preservation of sovereignty and territorial integrity of all states. There can be no new precedents concerning this issue, Jordanovski said and warned that any change of borders would jeopardise the stability of the region.

Jordanovski said that the Macedonian minority has a good status in Serbia and added that the Serbian government pays much attention to the status of national minorities.

The participants in the talks agreed that relations between Serbia-Montenegro and Macedonia are good and that they can be improved.

Kostunica voiced concern over the continued imprisonment of Bishop Jovan. The right to freedom of religious confession is a fundamental human right fully respected in all democratic civilised countries, Kostunica said and added that the imprisonment of Bishop Jovan is incomprehensible and a unique case in which a high church official has been sentenced to imprisonment for professing his religion.

Members of all religious communities have the right to freedom of religious confession and that is a generally accepted principle in all modern states, Kostunica said. The participants in the talks jointly concluded that all religious disputes should be solved exclusively through dialogues between churches.

## **Grækenland**

Den Serbiske Regering har udsendt flg.:

Belgrade/Athens, Oct 31, 2005 - Serbian Prime Minister Vojislav Kostunica said today following a meeting with Greek Prime Minister Kostas Karamanlis and President Karolos Papoulias that Greece supports the Serbian position that the solution to the Kosovo status must not be imposed and has to result from a compromise. Official support of Greece on this matter is of great importance to Serbia, he added.

"We are very thankful to Greece for its endorsement of our efforts to reach a solution to the status of Kosovo-Metohija solely through dialogue and talks, which must be neither limited by time nor rushed", Kostunica said in a statement to the Tanjug news agency.

He said it was only logical for the Serbian delegation to visit Greece after the UN Security Council session on the status of Kosovo. Since Greece is a leading country in the region, it was important that the delegation explain in detail the Serbian viewpoint that Kostunica had stated on behalf of the Serbian government in his speech in New York.

The Prime Minister recalled that in the past, Greece has upheld the stance that the solution to the future status of Serbia's southern province should add to peace and stability in the region. Kostunica told his interlocutors that the final solution should be in line with the principle of inviolability of state borders, guaranteed by the UN Charter and a number of other documents.

He reiterated that the solution must in no means be an imposed one, that it has to result from a compromise between both parties, which can only be reached through dialogue.

The task of the next special envoy of the UN Secretary-General will be to enable this dialogue

to take place, as well as to accelerate it. The most important message from the Athens meeting is that the solution must not be imposed, especially when the country in question is a democratic one, such as Serbia-Montenegro, stressed Kostunica.

He also pointed out that Greece approves this viewpoint, which is what Serbia had anticipated, and stressed the importance of Greek support when considering the country's position in the region, the EU and NATO.

During the meetings in Athens, Kostunica also pointed out to his hosts that it is a historical decision and a precedent that now lay ahead.

Should the decision on Kosovo-Metohija be the right one, it will lead to peace, stability and multiethnicity of the region, Kostunica pointed out.

Speaking about the possible expectations from a meeting with the Contact Group on Kosovo-Metohija scheduled for November 2 in Washington, the Serbian Prime Minister said it is expected that the talks on the province's status should follow soon, but stressed that they need to be straightforward.

"However, neither time limitations nor a speeding up of the dialogue are acceptable", highlighted Kostunica. He pointed out that during the meeting with Greek President Karolos Papoulias, the two officials discussed the very fact that a narrow time limit must not be set for something as complex as a negotiating process, in this case a dialogue on the future status of Kosovo-Metohija.

In a statement following the meeting with Kostunica, Greek Prime Minister Kostas Karamanlis said that the solution to Kosovo's status must be a result of talks, pointing out the importance of the realisation of democratic standards and full respect of minority rights in the southern Serbian province.

Kostunica will meet in Athens today with Speaker of the Greek parliament Anna Benaki Psarouda and President of the PASOK opposition political party Yorgo Papandreou.

On the second day of his visit to Greece, Kostunica will visit Mount Athos and the Hilandar Monastery.

The Prime Minister will be accompanied by Minister of International Economic Relations Milan Parivodic, Minister of Economy Predrag Bubalo and Minister of Culture Dragan Kojadinovic.

In a statement to the Beta news agency, Serbian Minister of Economy Predrag Bubalo said he met with Greek Minister of Economy and Finance Yorgos Alogoskoufis. They agreed that Serbia, as an industrial country with huge production capacities, could become the regional manufacturing base with the support of Greek service sectors such as tourism, banking, transport and trade.

Setting up a base of that kind is a logical thing to do since Greeks have placed investments into several Serbian companies and they hold a distinguished position in its banking sector. It is therefore expected that Greece participate in the financing of the manufacturing sector in Serbia, he explained.

The economy ministers also discussed problems certain Greek firms are experiencing in Serbia, as well as the takeover of the Nacionalna Stedionica bank by Greece's EFG Eurobank, the beginning of the implementation of projects within the Hellenic plan for the reconstruction of economy in the Balkans, which includes the completion of the highway through Serbia (Corridor 10), and the transport of electricity on the North-South route.

Serbian Minister of International Economic Relations Milan Parivodic and Greek Assistant Minister of Foreign Affairs Evripidis Stylianidis, who is in charge of development cooperation, announced that a tender for Corridor 10 will be called in spring. They also discussed the funding of the project, in which the European Investment Bank will participate with up to 50 percent of capital.

Parivodic and Stylianidis also talked about the Greek initiative to reconstruct the Nebojsa tower in Belgrade, where the Ottomans murdered Riga Fereou, the Greek poet and revolutionary who was also an advocate for the cooperation of the Balkan peoples.

Serbian Minister of Culture Dragan Kojadinovic met today in Athens with Greek Alternate Minister of Culture Fani Palli Petralia and discussed the strengthening of the countries' bilateral cooperation in the sphere of culture, especially in the film and theatre arts, publishing and modern art.

In a statement to the Tanjug news agency, Kojadinovic stressed the importance of this cooperation because Belgrade is finally coming back on the European scene as a significant capital city in the domain of culture. He especially pointed out that it is important to include the young population in the cooperation between Serbia and Greece, so that in the future they and the generations to come can maintain the friendly relationship between the two countries.

Since the previous cultural agreement between Serbia and Greece, signed back in 1959, has become out-dated, a new one should be signed, said Kojadinovic.

He thanked Fani Palli Petralia for the Greek support in the protection of Serbian monuments in Kosovo-Metohija, particularly the ones that had been damaged in the March 2004 outburst of violence of ethnic-Albanians.

“During our meeting I pointed out that what is happening in Kosovo-Metohija is not only an expression of ethnic hatred, but also of religious intolerance. Ethnic-Albanians are striving to eradicate the foundations of the Serbian culture and history, even of the Orthodox civilisation, since they claim that medieval Orthodox churches were built on the foundations of Iliric monuments. It is a fabrication of history”, he said.

When it comes to Kosovo-Metohija, Serbia is relying on international law and justice, Kojadinovic said and added that the province is a part of Serbia, and that “there does not exist a hand that will give its signature for the independence of the Serbian Jerusalem”.

He also thanked Petralia for Greek assistance in the reconstruction of the Hilandar monastery, but pointed out that Serbian workers and art restorers are having problems receiving Greek visas, without which they cannot work on the reconstruction of the monastery.

## **Kina**

B92 skriver 27.10.2005: PEKING -- Thursday – Chinese Government officials support keeping Kosovo a part of Serbia and maintaining Serbia-Montenegro's territorial integrity.

Serbia-Montenegro Foreign Minister Vuk Draskovic, who was in Peking yesterday, said that Chinese officials made it clear that they stand behind Serbia's Kosovo plan and believe that the question of Kosovo's status must be solved through compromise.

Draskovic told China's Vice President Zeng Qinghong that Kosovo is to Serbia what Taiwan is to China.

“I expressed my belief that the UN Security Council, which China is a full-time member of, will



not allow force to prevail over justice. China's senior officials stand firmly behind the principle stances that the UN and the entire international community must respect the charter for the maintaining of state borders, and that any other approach would be an attack on the UN charter and international law." Draskovic said.

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### Niels Aadal Rasmussen's rapport: »Kosovo Independence – de jure versus de facto«.



Niels Aadal i Forsvarets TV

Rapporten er på Engelsk. Forrest er der et resumé på Dansk:

Rapporten beskriver Kosovos nuværende status og belyser derpå relevante overvejelser over dets fremtidige status, på den ene side folkeretligt – de jure status, på den anden side med henblik på bæredygtighed – de facto status. Denne de jure, de facto tilgang er i første række et analytisk værktøj, som afdækker en række betragtninger, der vil indgå i forhandlingerne om Kosovos fremtidige status. I anden række afspejler den, at mens Kosovo albanerne ønsker størst mulig selvbestemmelse, så erkender de at være afhængige af international bistand. Omvendt mener serberne, at folkeretlige hensyn af bevarende karakter er afgørende, men indrømmer at de ikke kan tage ansvar for Kosovos sikkerhed eller økonomi. Forenklet kan man sige, at albanerne ønsker uafhængighed de jure, men ikke de facto, mens serberne ønsker uafhængighed for Kosovo de facto, men ikke de jure.

Rapporten gør rede for de internationale forhandlinger, deres aktører og indhold, som vil føre til Kosovos uafhængighed. Endelig tager rapporten stilling til regionale betragtninger og Kosovos potentielle bidrag til regional sikkerhed.

Kosovo er allerede faktisk uafhængigt af Serbien og statusforhandlingerne er derfor rettet mod at gøre denne status permanent som ønsket af albanerne. Forhandlingernes rammer trækkes op i konklusionerne.

**Niels Aadal Rasmussen** er mangeårig medarbejder i Udenrigsministeriet, var chargé d'affaires på den Danske Ambassade i Tirana fra 1999 til 2001, og er i øjeblikket forsker (research fellow) på DIIS - Danish Institute for International Studies.

Rapporten kan downloades fra: <http://www.diis.dk/sw15761.asp>

Hovedpunkterne kan findes i en kronik i »Berlingske Tidende« 21.10.2005. Kronikken kan downloades fra:

[http://www.diis.dk/graphics/Publications/Andet2005/NRA\\_Kosovo\\_Berlingske\\_211005.pdf](http://www.diis.dk/graphics/Publications/Andet2005/NRA_Kosovo_Berlingske_211005.pdf).

Niels Aadal blev i September interviewet af Forsvarets TV. Udsendelsen kan ses på: <http://wms1.jay.net/ftv/arc09/3605.wmv>. Indslaget kan ikke (uden en smule trylleri) downloades eller lagres, men kan ses i et »streaming« format, når der klikkes.

Udsendelsen varer ca. 24 minutter, incl. besøg i Kosóva og interviews med Danske officerer m.fl.

Det blev oplyst at den Danske militære taktik er blevet ændret. Man har rykket sine enheder ud i nærområdet og kan derfor være fremme på få minutter, hvis der er optræk til uroligheder af en slags. Taktikken er temmelig ressourcekrævende, men virker bedre end den hidtidige, hvor alle ting skete fra hovedlejren.

Temaet multietnicitet blev vendt. Det fremgik at der i dag kun er få eksempler på vellykket »multietnicitet«. Det Danske kontingent tager forskellige initiativer der tager sigte på at bryde isen, men gennemslaget er meget beskedent, enten ender et arrangement - som en fodboldkamp - med at blive et arrangement for Danskerne og Albanerne eller for Danskerne og Serberne.



Kaj Vittrup. Still fra Forsvarets TV's Kosovo-udsendelse September 2005.

Kaj Vittrup, der er chef for det Internationale Politi mener at der »under overfladen« er enkelte Serbere der besøger Albanske områder - fx for at gå på indkøb, men bekræfter indirekte at der er et voldsomt socialt pres på hhv. Serberne og Albanerne for ikke at besøge »modsatte« områder.

Niels Aadal mente at multietniciteten havde fremtiden for sig og mindede om hvordan forholdet nu var mellem Danskere og Tyskere i det sønderjyske/nordslesvigske grænseområde.

Niels Aadal medvirkede 24.10.2005 i Poul Friis' samtaleprogram på DR P1. Indslaget varer en lille time og kan høres når man først klikker på adressen:

<http://www.dr.dk/p1/aspinclude/PlayMedia.asp?ClipID=44365>

- og derefter på den 'ram'-fil der bliver downloadet (udsendelsen er i RealPlayer-format).



## Brev til Kai Eide fra uafhængighedsbevægelsen *vetevendosje*

<http://www.vetevendosje.org>

Monday, 19 September 2005

Honorable Mr. Eide

Nothing is happening that has not happened before in Kosova: the people to-day cannot decide on their own faith – freedom is being denied to them. You are not doing anything different from what the others did before you, because the faith of our country has always been an issue of international officials from Brussels or New York, but never a possibility of the people to freely self-determine and pursue their collective fundamental interests.

As a UN official you are not an exception. Moreover, even if you wanted to be as such, you can not. When you decided to accept the function you are acting, someone else presented you with a working plan that you have to pursue. You accepted it. You came to a place where State Institutional Mechanisms of Serbia, only during the last war, murdered over 12.000 unarmed civilians, forced 1.000,000 people from their homes, burned and destroyed 120.000 houses, raped thousands of women and kidnapped over 3.000 people, many of which are still missing. Instead of going to Serbia and demanding accountability for these crimes, you came here as an evaluator of the level of fulfillment of these unjust criterias, these racist standards, which have been imposed upon people of Kosova. What a dishonest duty!

Why racist standards?, you might ask. Racist because they serve as imposed tasks that the people of Kosova have to complete in the eyes of the world to prove their worthiness and deserve negotiations with the Serbian state, the latter still being unpunished, fundamental justice still unrealized. Negotiations before justice mean entombing the latter.

Not only this: you might not know, but the standards that you are evaluating are a farce. They have no causal relation with the commencement of negotiations. In reality, you are not coming to our country to evaluate the objective achievements of the standards, but only to ascertain the appropriateness of political climate and the people's mood to give the green light to the talks.

Leaders have never presented a problem for you; it is the people that remain your biggest challenge. Each time you came to Kosova you gathered 4-5 leaders, talked to them, posed smiling and shaking hands in front of cameras, and reduced, mistakenly, the whole political will of 2 million people in them. You, meeting only with these people is not a coincidence: for the last six years UNMIK has, with greatest determination – by tolerating and allowing their corruption – invested in their blackmail. Alike, you shamelessly manipulate.

No wonder – throughout the time you can not hide the commodity of your mission. In previous occasions you where someplace else, this time it happened to be Kosova. And you will depart from here with the lightness that you came. Why would you care: you will never personally suffer the consequences of your decisions. Nor will your children. However, truly, a whole population will suffer them.

*SELF-DETERMINATION! Movement (VETËVENDOSJE!)*

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## Ambassador John R. Bolton, U.S. Permanent Representative to the United Nations



Ambass r Bolton da han blev udn vnt af Pr sident Bush, August 2005. Foto: Det Hvide Hus

### **Statement before the Senate Foreign Relations Committee Washington, DC October 18, 2005**

#### **Introduction**

Chairman Lugar and distinguished members of this Committee, thank you for the invitation to testify today. This is an opportune time to discuss how to build on what we accomplished last month with the successful conclusion of the High-Level Event and negotiation of the Outcome Document at the 60th meeting of the United Nations General Assembly. It is critical that we maintain momentum and begin taking tangible steps to realize the goals outlined last month if we are to achieve our shared objective of reforming the United Nations into a more transparent, efficient institution accountable to member states.

At the outset, I would like to take this opportunity to thank my fellow panel member, Paul Volcker, and his entire team for their service and diligent work in helping to uncover and expose what led to the Oil for Food scandal that allowed Saddam Hussein to exploit the good will of the entire international community. I know we are all studying closely the findings and recommendations of his Commission with a view to considering the shortcomings of the Oil for Food Program as a catalyst for positive change at the United Nations. In particular, we note the call by the Volcker Commission for better auditing and management controls – including an independent audit board – stronger organizational ethics, and more active management of the UN and its programs by the Secretariat. Fortunately, Mr. Chairman, I am pleased to tell you here today that we have already begun taking the initial steps to change the culture at the UN that allowed a scandal like Oil for Food to occur in the first place.

To be sure, these are only initial steps and much more remains to be done, but they are important nonetheless. In so doing, we are not talking about band-aid solutions applied to particular problems; rather, we mean to "launch a lasting revolution of reform" as Secretary Rice put it. And the time for that revolution is now. We are promoting reforms that will instill a sense of responsibility and affect a wholesale cultural shift in the way that many UN entities conceive

of their plans and operate. We must look at which UN agencies are most effective in fulfilling their missions, and why it is that others fail.

In the short time I have, I would like to discuss some of the ideas being considered to reform the United Nations to fulfill the purpose of its Charter. I would also like to provide a status report on where we stand on our most important priorities. I look forward to answering your questions and hearing your views here today and any time you or your staff wishes to come to New York. The U.S. Mission in New York has an open door policy because we realize how critical it is to work with you in achieving our shared goals.

## **U.S. Priorities in Reforming the United Nations**

During the past nine months, we have made clear that the number one objective of President Bush and Secretary Rice and our government has been to aggressively promote and push for management reform, budget reform and reform of the function of the UN Secretariat. We also strongly support creation of a Human Rights Council, one that both replaces and fully addresses the inadequacy of the current Commission on Human Rights.

Another key priority is the establishment of a Peacebuilding Commission. While significant progress has been made in establishing a new Peacebuilding Commission that would advise on post-conflict reconstruction and stabilization, we must view it as part of a package of comprehensive reforms. There is no question that the U.S. fully supports a Peacebuilding Commission which advises the Security Council on post-conflict resolution and reconciliation.

There must be progress on these reforms simultaneously if we are to achieve meaningful, lasting change. A strong Human Rights Council would unquestionably benefit from the work of the Peacebuilding Commission and vice-versa, and both would undoubtedly benefit from a more streamlined, transparent and accountable management structure.

While there are other key priorities I will discuss, I would first like to address these three issues before discussing some of our other priorities at the United Nations.

### ***Management Reform***

Underpinning all of the reforms we propose, and the important new institutions we are calling for is the need for a revolution in the way the United Nations operates. This will be critical to avoid the need to ever have another independent inquiry investigate a scandal of the scope and size of Oil for Food. This is why Secretary Rice speaks of a "launching a lasting revolution of reform" and why it is so important for delegations to be so vocal in their condemnation of these activities. This is not so much a criticism of the Secretariat, but rather, of ourselves and other member states, for ultimately the UN Secretariat works for member governments, a fact we must leverage in the future as we chart a course for reform. As President Bush remarked, "the process of reform begins with members taking our responsibilities seriously."

Fortunately, significant positive steps have been taken. The Outcome Document successfully negotiated last month took some important first steps in approving concrete reforms. The Document calls on the Secretary-General to put forward specific proposals on reforms, including a UN system-wide code of ethics, stronger whistleblower protection, more extensive financial disclosure for UN officials, creation of an independent ethics office, review of mandates that are more than five years old, and independent oversight of internal UN operations. We have also seen positive steps taken with regard to improving the UN's technology infrastructure, which will facilitate communication and potentially save millions of dollars by cutting waste and inefficiency.



Further steps are needed, however, and we will work diligently to ensure that the institution follows through on these important reforms. No doubt we and many like-minded countries wish the Outcome Document had gone further. Broadly speaking, the negotiations dealing with management reform were hampered because different delegations interpret the term "UN reform" to mean different things. It is difficult to negotiate meaningful reform if the negotiators cannot agree what steps constitute reform. The U.S. has a clear vision, though, of the specific reforms we would like to see and have developed.

To be sure, there were elements we wished had been preserved in the final text, but it is a good start. We have developed a specific check-list which we will use as a marker to measure UN Secretariat progress. I have attached that list as an appendix to this testimony. We will continue to seek the authority to adopt more flexible policies regarding the deployment and hiring of personnel, even though the language was not included in the Outcome Document. Too many countries have personnel in cherished positions that they are desperate to hold on to, regardless of qualifications. Some delegations insisted that language be inserted on "equitable geographic distribution" with regard to hiring conditions, as opposed to the language of the Charter we insisted on, which emphasizes efficiency, competence and integrity as the "paramount consideration." In granting the Secretary-General a broad mandate for reform, some delegations attempted to hamper his review by calling on him to be restrained by "existing mandates and ongoing endeavors." That would have simply been a prescription for "business as usual" and was excised.

Part of our responsibility is to identify what is working well within the panoply of institutions and agencies within the United Nations, and what is not. The key of course is what steps need to be taken to see that these goals are fulfilled. It was for this reason that President Bush applauded the initial effort but emphasized that these are the "first steps." In his own words, "The United Nations has taken the first steps toward reform. The process will continue in the General Assembly this fall, and the United States will join with others to lead the effort."

One key task is to identify those programs that we consider to be the best run in terms of efficiency, accountability, transparency, and, of course, performance. As has been discussed before by many officials, both within the UN system and in member state governments, there are several identifiable factors that seem to account for the variation in performance of UN agencies.

One factor appears to be the size of the management structure. Simply put, more is not necessarily better and, in fact, can make a body unwieldy. The logic here is not complicated and is, in fact, the very reason I speak today before a Committee and not the Senate as a whole. The problem, of course, comes with changing structures where countries, or sometimes individuals themselves, have vested interests in remaining part of a particular UN agency. The consequence, of course, is a myriad, almost bewildering range of UN governing councils, executive boards, assemblies, commissions, committees, conferences, 'open-ended working groups,' panels of 'independent' experts, and subsidiary bodies, not to mention the proliferation of agencies, programs, funds, organizations, missions, secretariats, offices, tribunals, facilities, institutes, representatives, envoys and observers. There is continuing pressure for high level conferences due in part to the plethora of UN bodies and mandates, all of which at some point seek high level affirmation through a conference. Another factor is that most member states, as well as the UN Secretariat, bear little or no financial cost for staging conferences. None of this is to deny that it is sometimes necessary to hold high-level conferences when transnational problems require us to push the frontiers of cooperation. Where conference agendas conflict or overlap with the mandates of other institutions or simply review outcomes of earlier conferences, however, their costs – both financial and political in terms of re-opening issues – far outweigh the benefits.

There is no doubt that the activities of many of these institutions can be rationalized, and that some of them can be merged or eliminated, having outlived whatever usefulness they might

once have had. One might go further and ask what the clear distinction is between the Second and Third Committees, --and they with the Economic and Social Council (ECOSOC) --for which there seems to be considerable overlap. Moreover, all of the Committees are committees of the whole, which leads again to the problem of unwieldy bodies forced to accept the lowest common denominator in terms of outcomes.

### ***Reform of Financing***

Many UN agencies are, in fact, well run and do work which serves the international community and member states well. In looking at some of the best-run agencies within the UN system, there appears to be another factor at play in determining the level of performance that we should explore – the funding mechanism. Just as the management of the UN Democracy Fund will be held to high performance standards because contributions to it are entirely voluntary, the same seems to be the case for other UN activities.

The United Nations Development Fund for Women (UNIFEM) played a positive and important role to ensure women's strong participation in the democratic elections in Iraq last January, and have even help set up Iraq's first independent women's radio station. In addition, there is a reason why 83 public, community and independent foundations chose the U.S. Fund for UNICEF as the beneficiary of the grantmaking last year. As William Brisben, U.S. Representative to UNICEF noted to the Executive Board just three weeks ago, one of the keys to UNICEF's success is its emphasis on measurable results, which document and prove to existing and potential contributors that their money is being well-spent. Many NGOs, including the Kiwanis and Lions Club, are now partnering with UNICEF because they recognize that it is a well-run organization.

Catherine Bertini, former UN Under Secretary-General for Management and former head of the World Food Programme (WFP), noted that, "Voluntary funding creates an entirely different atmosphere at WFP than at the UN. At WFP, every staff member knows that we have to be as efficient, accountable, transparent, and results-oriented as is possible. If we are not, donor governments can take their funding elsewhere in a very competitive world among UN agencies, NGOs, and bilateral governments."

As the UN's largest financial contributor, with our annual assessment constituting 22% of the regular budget, the United States bears special responsibility because we are in the position best suited to advance reform. This is not necessarily to suggest that voluntary contributions are the proper model for all operations at the United Nations; other options are available and, in fact, utilized. It is noteworthy that many member governments, including the United States, already make voluntary contributions to particular specialized agencies or programs in addition to their assessed contribution.

### ***Human Rights Council***

We were pleased that member states agreed to language in the Outcome Document last month on the need to establish a new Human Rights Council, which is indeed progress, and a mandate making it poised year-round to focusing on "grave" situations in specific countries. Some of the thorniest details, though, have not yet been clarified. We should bear in mind that some delegations, not surprisingly a group comprising some of the world's most notorious human rights abusers, fought to delete this section in its entirety. Given the importance and difficulty of negotiating the details of how the Council will function, we are pleased that the Secretariat has already scheduled informal consultations on this crucial issue for this month. An immediate priority for the United States during the 60th UNGA session will be passing a detailed resolution establishing the new Council. Rest assured that the U.S. position remains unchanged. As Secretary Rice noted in her remarks to the General Assembly last month, the

new Human Rights Council "must have fewer members, less politics, and more credibility.... It must have the moral authority to condemn all violators of human rights – even those that sit among us in the hall.... And it should never – never empower brutal dictatorships to sit in judgment of responsible democracies."

### ***Peacebuilding Commission***

We were pleased with the progress made last month toward the establishment of a new Peacebuilding Commission. In particular, we were pleased that the Outcome Document specified that members of the Commission should include major contributors – of funds and troops for peacekeeping operations. One of the flaws and inequities of the UN is the weak correlation between member states' contributions, broadly speaking, and their voice in the Organization. The agreed membership standards for the Peacebuilding Commission represent a small but positive step toward redressing this problem.

In advising on stabilization and reconstruction in the immediate aftermath of a conflict, we must be certain that the Commission functions in an accountable and transparent manner. The work ahead in the upcoming months is to define how the Commission will provide its advice and, more importantly, how to ensure that creation of this Commission ensures Security Council oversight, guidance, and control of this intergovernmental advisory body. We believe it should be an intergovernmental advisory body under the direct supervision of the Security Council because the mission of the Peacebuilding Commission is to improve the timeliness and effectiveness on the ground of UN and bilateral donor activities during critical periods in a political transition so that countries do not relapse into conflict.

Other member states have argued for granting control to the General Assembly or the Economic and Social Council (ECOSOC). Some member states are attempting to engage in "mission creep" by redefining the scope of the Peacebuilding Commission and attempting to involve it in pre-conflict situations or long-term development. We do not believe this should fall under the purview of the Peacebuilding Commission, which needs to have a clearly defined and specific mission and mandate in order to maximize its effectiveness. There are existing mechanisms for managing UN activities in the development, humanitarian and social arenas under normal circumstances. The Peacebuilding Commission should not duplicate those. To do so would make UN operational activities less effective and more bureaucratic. The attempt by some to expand the mandate of the Peacebuilding Commission highlights the singular and primary reason we must view reform in a comprehensive light, not a piecemeal one.

### ***Terrorism***

The Charter specifically calls upon the Security Council to consider threats to international and peace security and take appropriate action as necessary. We believe that the best way to prevent conflict in the first place is through the active promotion of democratic institutions and economic development. The promotion of freedom through democracy and the protection of human rights and human dignity is a high priority for the President and all of us in the Administration because it is a key component to winning the global war on terrorism. It was with this in mind that President Bush emphasized the point last month that, "We must change the conditions that allow terrorists to flourish and recruit, by spreading the hope of freedom to millions who've never known it. We must help raise up the failing states and stagnant societies that provide fertile ground for the terrorists."

The key, of course, is to tailor policies and UN activities to particular problems in the most efficient and effective way possible. In the case of terrorism, for example, we are actively working with other member states to conclude the Comprehensive Convention on International Terrorism (CCIT). As President Bush noted, "We must complete the Comprehensive

Convention on International Terrorism that will put every nation on record: the targeting and deliberate killing by terrorists of civilians and non-combatants cannot be justified or legitimized by any cause or grievance." We are also strongly supportive of Security Council Resolution 1624, initiated by the United Kingdom, which condemns the incitement of terrorist acts and calls on states to take appropriate steps to end such incitement.

### ***Democracy Fund***

It is also necessary to sow the long-term seeds of peace through the promotion of liberty and democracy. The United States has been a champion in this regard. Just last year, for example, President Bush called for the establishment of the UN Democracy Fund. The Fund was opened on July 4 of this year, and launched by President Bush, together with Indian Prime Minister Singh and Secretary-General Annan this fall. Countries such as India, the world's largest democracy, with its pledge of \$10 million, have taken a leadership role to help promote the view that every free nation has a responsibility in advancing the cause of liberty. We were pleased that the Outcome Document contained explicit language endorsing this Fund that President Bush called for at the last UNGA in 2004. It is the first UN entity or program explicitly labeled for "democracy," in itself a seed of UN reform.

So far, 15 countries have voluntarily pledged \$43 million to this fund. What initiatives such as the Democracy Fund highlight is that the international community and many individual states are generous in their giving, but they want to know that their donations are being well spent. The funding mechanism for the UN Democracy Fund is entirely voluntary, and member states can cut off their contributions at any time should they find it does not meet their standards of accountability and effectiveness. This will serve as a powerful incentive for the Fund to utilize its resources wisely. We look forward to working to ensure its success.

### ***Peacekeeping Operations***

Sometimes it is necessary for the international community to rally together to prevent conflict, ethnic cleansing, genocide and warfare through direct intervention and the establishment of Peacekeeping Operations. No doubt many of these operations have served a valuable purpose and many lives have been saved. Other Peacekeeping Operations have played a critical role in ensuring the implementation of ceasefire and peace agreements and have helped to resolve disputes.

It is critical for member states of the Security Council to take appropriate action to ensure that peacekeeping operations generate solutions rather than prolong stalemates. We must maintain constant scrutiny of mandates as we pursue our objectives of encouraging the parties to move towards long-term peace. I know this Committee has been particularly interested in the proliferation and expansion of these operations, and I want to assure you that we continue to look for ways that the Security Council might pressure countries to resolve their conflicts.

### ***Responsibility to Protect***

Related to the issue of preventing conflict is the important progress we made in the section on the "Responsibility to Protect," which moves us toward a new strengthened international moral consensus on the need for the international community to deal with cases involving genocide, war crimes, ethnic cleansing, and crimes against humanity. We were successful in making certain that language in the Outcome Document guaranteed a central role for the Security Council. We were pleased that the Outcome Document underscored the readiness of the Council to act in the face of such atrocities, and rejected categorically the argument that any principle of non-intervention precludes the Council from taking such action.

## ***Nonproliferation and Disarmament***

Given the nexus between terrorism and weapons of mass destruction, we were disappointed that member states were not able to agree on text that we felt addressed the most pressing threats the international community faces. As many of you know, the Nuclear Nonproliferation Treaty (NPT) Review Conference was held in May 2005 and failed to reach consensus on these issues as well. In many ways the discussions over the summer on this section of the Outcome Document were simply a repetition of the discussions at the NPT Review Conference. Assiduous efforts by many countries such as Norway to find acceptable language failed, but we will continue to do our part to prevent the proliferation of weapons of mass destruction, through such activities as the Proliferation Security Initiative (PSI).

The lack of consensus on any text on this subject shows, though, how much work we have to do. Ignoring the positive steps we have made on disarmament such as through the Treaty of Moscow, many countries rejected language on the mechanisms we proposed to help counter the true threat facing the international community today—the proliferation of weapons of mass destruction to state and non-state actors, and the possibility that terrorists may acquire such weapons. While we have made progress on UNSCR 1540, many countries have yet to enact the laws or take other steps necessary to implement their obligations under that resolution in their territories. We are not giving up on these matters, and will continue pursuing concrete, practical methods to address them. We will also continue to get other member states to join us in activities such as the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, the Nuclear Terrorism Convention, or the Global Threat Reduction Initiative, which are key to securing the facilities and materials against theft, unauthorized access, or terrorism.

## ***Development***

Finally, I would like to discuss the important progress made in incorporating development language in the Outcome Document that recognizes actions and commitments made by the donors since the Millennium Summit and the Monterrey Consensus. Of particular note is that the final version included numerous provisions highlighting the measures that developing countries must take to promote their own growth and development.

Still though, the development section of the Outcome Document proved one of the most arduous to negotiate. The negotiations on this section of the Outcome Document also included a hodgepodge of other issues, many of which should have been discussed in other fora or venues. We were able to revise language on climate change that over-emphasized the role of the Kyoto Protocol. We were also able to resist efforts to secure international endorsement for a global tax on airplane tickets to finance development, noting only that some national governments intended to impose such taxes.

On the subject of development itself, the negotiations were hamstrung because some delegations wanted to lock-in guarantees on how much financial assistance they would receive while ignoring what we considered to be the most important issue: economic policy in developing countries. Prosperity requires policies and institutions at the national level that generate wealth and enable countries to participate in the global economy. Rich countries and successful developing countries have diverse traditions and institutions, but all rest on basic building blocks of a market economy, respect for property rights, enforcement of contracts, and the rule of law. As Secretary Rice noted in her remarks to the General Assembly, "Donor countries have a responsibility to increase their assistance to developing nations. And developing nations have a responsibility to govern justly, to advance economic liberty, and to invest in their people."

Our team in New York emphasized, and both the President and the Secretary reiterated, that the United States is committed to the Millennium Development Goals as well as consensus established in Monterrey in 2002. We also reaffirmed our support for concluding a successful Doha round on international trade. It was important, however, to define and clarify what that support meant. Some delegations attempted to interpret that support in creative ways by inserting language into the text that was tantamount to locking in guaranteed shares of markets in international trade. Even in the late stages of the negotiation of the Outcome Document, there was language that some would interpret as requiring nations such as the United States to give technology and intellectual property rights to other nations. We were able to fix these problems, and were especially pleased that the final version also included numerous provisions highlighting the measures that developing countries must take to promote their own growth and development.

While we would have preferred more precise language in some sections, I think that part of the reason we were successful in getting as much as we did was because of the Administration's strong record in assisting developing countries. The position of some delegations that the United States was not living up to its end of the bargain was untenable. The United States has nearly doubled Official Development Assistance from \$10 billion in 2000 to \$19 billion in 2004. We have launched new initiatives such as the Millennium Challenge Account. This account is increasing U.S. aid for countries that govern justly, invest in their people, and promote economic freedom.

We have also enacted the President's Emergency Plan for HIV/AIDS Relief and supported the G8 Gleneagles Summit's significant focus on the special needs of Africa. As the President noted in his remarks, the United States agreed with other G8 leaders to cancel 100% of the multilateral debt for those eligible Heavily Indebted Poor Countries (HIPC). This is a top priority for the President because, as he noted before the General Assembly, "We have a moral obligation to help others – and a moral duty to make sure our actions are effective."

Beyond our actions, we have seen the United Nations begin to form partnerships with the private sector to leverage limited resources. This new paradigm, dependent on voluntary contributions, has evolved significantly over the years and has resulted in a number of successful programs such as the Global Alliance for Vaccinations and Immunization (GAVI) and the new Child Survival Partnership program. These are innovative projects and we applaud the UN Secretariat for moving in this direction, one we expect will continue, given its success.

## **Conclusion**

Mr. Chairman, I know I have touched on a broad range of topics related to the Outcome Document here today, but even in so doing, I know that some issues were left untouched. Let me thank you for the continued interest you and this Committee, indeed the entire U.S. Congress, have shown in helping to realize our shared goal of reforming the United Nations. Let me assure you and the American people, though, that we are carefully studying the reports of Mr. Volcker and his Commission to ensure that another Oil for Food scandal never occurs.

While I have addressed broader themes here today, I have done so because we must address the underlying conditions which allowed such a scandal to take place. We need to improve and reform the UN so that all UN agencies are able to fulfill the important missions for which they were created in the first place. This is the only way to accomplish the goal defined by Secretary Rice of launching a lasting revolution of reform. As the Secretary and others have said, we greatly appreciate your commitment to UN reform, and remain committed to work with you to that end. With greatest respect, we oppose mandatory withholding, but look forward to working with Congress on legislation that would give the Secretary leverage in her efforts to negotiate UN reform. We believe the legislation introduced by Chairman Lugar and Senator Coleman is a

constructive approach and we look forward to further consultations with you on this legislation. I look forward to answering your questions and hearing your views and those of your fellow Committee members.

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### **Vojislav Kostunica's indlæg i fuld længde**

Ladies and Gentlemen,

Distinguished Members of the Security Council,

I would like to begin by expressing great respect for this august body of the world organisation. I am addressing you today, as representatives of the UN Security Council Member States, in the firm belief that you constitute the most credible and reliable guarantor of the foundations of not only the United Nations, but of the entire world order. You know better than anyone else that the inviolability of the sovereignty and territorial integrity of states is one of these fundamental principles.

My country, Serbia and Montenegro, is a loyal and active member of the United Nations. Both in word and action, it has repeatedly proved its commitment to the principles that govern world peace and stability today. In the same spirit of trust, we expect that the Security Council will exercise its authority and, in the case of Serbia and Montenegro and its province Kosovo and Metohija, safeguard the sovereignty and territorial integrity of my country.

I believe that we all share the conviction that the dismemberment of a democratic state and the change of its internationally recognised borders against its will are options not to be contemplated. This would not only be an unprecedented case in international law and the practice of the United Nations, but also a dangerous precedent with grave long-term consequences for the international order in general. I would like you to consider that the responsibility facing the Security Council today is not related solely to the fate of a single Balkan state. What is at stake here is a set of core principles that the United Nations is based upon, and should act upon, in its mission of safeguarding the world peace.

It is very important for me, Mr. President, to emphasise to the Security Council that Serbia and Montenegro is fully prepared to assume its share of responsibility in the process of resolving the Kosovo and Metohija issue, in accordance with the fundamental principles of international law and the democratic values of the contemporary world. Within this general framework, we are committed to a compromise solution and willing to ensure substantial autonomy for Kosovo and Metohija as a part of the State Union of Serbia and Montenegro. The future of my country, of the region and, to a certain extent, of Europe itself will depend on a just and viable solution to the Kosovo issue. We, thus, come before this forum with respect and trust, expecting it to make



a vital contribution in the spirit of its previous documents, and in particular the UN Security Council Resolution 1244 of June 10, 1999. This Resolution clearly reaffirms the sovereignty and territorial integrity of Serbia and Montenegro, and we are confident that the future decisions of the Security Council will not depart from this fundamental principle of the United Nations.

Mr. President, the UN Security Council today faces a daunting task. It has to decide whether to move to the next stage in resolving the Kosovo and Metohija issue, even though the precisely defined tasks of the previous stage remain uncompleted. At the previous sessions of the Security Council on Kosovo and Metohija, we have offered several fully documented assessments of the difficult situation in the province, with a particular emphasis on the hopeless position of Serbs and other non-Albanians. We have repeatedly provided convincing information not only on the absence of multi-ethnicity in Kosovo and Metohija, but also on grave violations of the fundamental rights and freedoms, from the right to life itself to freedom from fear.

Ambassador Kai Eide's report, which is before the Security Council today, has two main aims: to provide a comprehensive assessment of the situation in Kosovo and, on the basis of that assessment, to determine whether talks on the future status of the province should be initiated. In particular, Ambassador Eide's task was to evaluate progress in the implementation of standards that constitute the foundation of a democratic, multiethnic and economically viable society.

In his comprehensive review, Ambassador Eide presents many essentially important facts, particularly with regard to the difficult position of the Serbian and other non-Albanian communities in Kosovo and Metohija. I quote: "Little has been achieved to create a foundation for a multiethnic society," so that the situation in this respect is "grim". The minority communities – and especially the Kosovo Serbs – suffer from more than a perceived insecurity". In any case, according to Ambassador Eide, "it is difficult to expect that people from minority communities should take risks in order to verify whether freedom of movement and security" are or are not realities. "At present, property rights are neither respected nor ensured," he says, and these include many cases of illegal seizure of Serbian state property through the privatisation process that are not specifically mentioned in his report. "Illegal construction and occupation of homes... is a widespread phenomenon". Where minority communities are concerned, the Eide report states, "harassment, looting, stealing of cattle, and other similar incidents occur very frequently." "This comes in addition to widespread illegal occupancy of property, especially agricultural land, which makes it impossible to access such property and to use it or cultivate it without a security risk".

The following sentences in the Eide report are particularly significant, Mr. President: "Lack of security and respect for property rights as well as uncertainty about the future, contribute heavily to the fact that the overall return process has virtually come to a halt. There is a strong feeling that those who commit crimes enjoy impunity and that the possibility for establishing viable livelihoods is very limited. The great majority of the people who left Kosovo after June 1999 have not come back". These statements gain particular importance in the light of precise data not offered in the report. Today, more than 60 per cent of Kosovo Serbs are internally displaced persons (IDPs) in central Serbia. Apart from Northern Mitrovica, there are no more Serbs in Pristina, Prizren, Pec, Gnjilane, Urosevac, and other towns in the province. The Serbs in Kosovo and Metohija are now reduced to a dwindling rural population, living in fear and often deprived of their most basic rights. The best illustration of the precarious legal position of the Serb community in Kosovo and Metohija is the fact that 17,000 court cases involving individual property claims by local Serbs have been positively resolved, but none of these decisions have been implemented. Since June 1999, Orthodox Christianity has been exposed to deliberate and brutal persecution. Some 150 Orthodox churches and monasteries have been destroyed or irreparably damaged, Orthodox cemeteries throughout the province have been desecrated and in many cases destroyed, Orthodox Christians have been denied the basic right to profess and practice their faith.

The Eide report attributes these massive violations of human and minority rights not only to ethnically motivated violence against minorities, but also to the fragility and malfunctioning of institutions, particularly the police and judiciary. This holds both of the provisional institutions at the central level (where, as the report emphasises, “the Kosovo Serbs fear that they will become a decoration... with little ability to yield tangible results”), and of the institutions of local self-government, which – with regard to the protection of the Serb and other non-Albanian communities – have not been properly defined yet, let alone implemented.

In spite of all these facts, Ambassador Eide recommends that we should move into the next stage of the process, the future status talks. He also adds that there “will not be any good moment for addressing Kosovo’s future status,” and insists that the implementation of standards should continue throughout the future status talks. Nevertheless, the critical question remains: whether the future status talks can succeed if the crucial standards with regard to human rights and basic freedoms in Kosovo and Metohija are neither fulfilled, nor anywhere near fulfilment in the foreseeable future. Today I believe we have to answer this question as follows. It is only through a serious, completely realistic assessment of the situation in Kosovo and Metohija, to which Ambassador Eide’s report is a significant contribution, that we can attain what I want to see as a common aim of all those involved in the Kosovo issue – a democratic and multiethnic Kosovo and Metohija, where respect for rights will replace fear and violence.

Mr. President, I wish to underline here that in the forthcoming talks Serbia and Montenegro will be fully guided by the general principles and norms of international law and universally accepted democratic values. Let me also express, on behalf of my country, the firm belief that the Security Council will act upon the principle of sovereignty and territorial integrity of democratic states, and so define the framework and mandate of future status talks as talks on the future status of Kosovo and Metohija as a province within the internationally recognised state of Serbia and Montenegro. I want to point out, Mr. President, that all the principles for resolving the Kosovo and Metohija issue, which I am relying on here, are precisely the principles of the United Nations, which the Security Council is responsible for implementing.

Our first principle, I repeat, is that any solution must respect the sovereignty and territorial integrity of Serbia and Montenegro as an internationally recognised state, a member of the United Nations and other international organisations. This principle is supported by the basic sources of international law including, inter alia, the United Nations Charter and the Helsinki Final Act, while in the particular case at hand it is confirmed by the UN Security Council Resolution 1244, where the sovereignty and territorial integrity of Serbia and Montenegro, is recognised *expressis verbis*. Apart from the basic sources of international law, the borders and territorial integrity of the states created after the break-up of former Yugoslavia are additionally guaranteed by specific international documents and agreements such as the Opinions of the Arbitration Commission of the Conference on Yugoslavia (in particular, Opinion No. 3 of January 11, 1992) and the General Framework Agreement for Peace in Bosnia and Herzegovina of November 21, 1995 (the Dayton-Paris agreement).

In addition to being supported by the basic sources and rules of international law, this principle is confirmed by all Security Council resolutions covering the Kosovo crisis prior to Resolution 1244, namely Resolutions Nos. 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999). They all recognise *expressis verbis* the sovereignty and territorial integrity of Serbia and Montenegro. Let me also say that I see the Security Council, itself legally bound by the United Nations Charter, as the right place to state unambiguously that in this instance we are not discussing non-binding obligations of states but rather most stringent norms of international law, the *jus cogens* norms, the respect for which is a *sine qua non* condition for the international community to function as a whole.

Second, the future status talks should take into account the fact that Serbia and Montenegro is a democratic state. We find it inconceivable, as I am sure do the members of this august body, that solutions should be imposed against its will on any democracy, least of all solutions that

threaten its internationally recognised borders. Any attempt at imposing such a solution through de facto legalisation of a partition of Serbia, i.e. through forcible secession of a part of its territory, would be tantamount not only to legal violence against a democratic state, but against international law itself.

Third, our political efforts will be directed to defining a specific and viable form of substantial autonomy for Kosovo and Metohija, whereby the legitimate interests of Kosovo Albanians will be fully acknowledged. Allow me to remind you that substantial autonomy for the province was proposed as a political solution for the Kosovo crisis by the Security Council Resolution 1160 (1998), and reaffirmed by the Conclusions of G8 Foreign Ministers of May 6, 1999 and the June 1999 Agreement that brought an end to the hostilities.

I believe that the members of this august body will agree with me when I say that a peaceful negotiated solution to Kosovo and Metohija's future status within the State Union of Serbia and Montenegro will be a decisive step towards European integration, not only for my country, but for the region as a whole. A negotiated solution implies a compromise that will make it impossible for Serbs and Albanians alike to attain all their goals and aspirations. On the other hand, it is only compromise that can further our integration into the European economic, social and cultural space and, ultimately, the European Union itself.

These fundamental commitments, Mr. President, constitute a framework within which our country, with good intentions and faith in the future, is embarking upon the process of defining the future status of Kosovo and Metohija.

The future status process, Mr. President, will have the best likelihood of success if, in its crucial and most sensitive part, it takes the form of direct talks between representatives of the two sides. I am certain that we can all agree that future status talks should aim at a negotiated solution to be reached by the parties, with adherence to the essential principles and norms of international law. If this is genuinely our goal, our talks must be direct. If this cannot be achieved immediately, at the very beginning, it is clear that the Special Envoy must do his best to make it possible. It is our firm belief that the only way to attain a negotiated solution is through direct talks, mediated by the Special Envoy and his associates.

Finally, I would like to say that the general situation in Serbia and Montenegro, as well as in Kosovo and Metohija, differs greatly from that of June 1999. A democratic government has been established in Serbia, Serbia and Montenegro has resolved its status within the United Nations and irrevocably joined the European integration process. This has added a democratic dimension to the internationally recognised sovereignty and territorial integrity of Serbia and Montenegro, which were already clearly reaffirmed in June 1999. Genuine respect for human and minority rights, good neighbourly relations, and peace in the region and the world have become the principal guidelines of my country's domestic and foreign policy. Serbia and Montenegro is increasingly affirming itself as a bulwark of basic democratic values, both within its territory and in the region.

Allow me, Mr. President, to close this speech by stating that my country is committed to making every effort to reach a negotiated solution based on compromise, together with the Security Council and in a way compatible with the norms of international law. I hope that the other party to the dispute will be ready to assume its share of responsibility. I am convinced that the international community, embodied in the United Nations, will not succumb to threats of violence and permit a dismemberment of a democratic state and the undermining of the most basic principles of the international order. I am convinced and no one can understand this better than you, that no democratic and free state could accept this under any circumstances. For, ladies and gentlemen, this is exactly what we are discussing today.

Mr. President, ladies and gentlemen, knowing that we share common principles underlying both the international legal order and the UN itself, I express full confidence in the Security Council

and its just treatment of the Kosovo and Metohija issue. I expect from you today nothing less than elementary justice, and nothing more than agreement that my country is entitled to the protection of the same universal principles that apply to each one of your countries, as well as to all states that belong to the world family of democratic nations.

In the belief that the Security Council will consider in full earnest the arguments I have presented, I would like to thank you, Mr. President, for the opportunity to address this important session.

Thank you, Mr. President.

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