

**STATEMENT BY ZAHIR TANIN, SPECIAL REPRESENTATIVE
OF THE SECRETARY-GENERAL AND HEAD OF UNMIK**

SECURITY COUNCIL DEBATE ON UNMIK

New York, 31 October 2019

Mr. President,

Distinguished Members of the Security Council,

The holding of early general elections in Kosovo on 6 October, which gave the people an opportunity to select their representatives from among 1,067 parliamentary candidates, including 343 women, has brought forth the most significant change in the political landscape of Kosovo in twelve years.

Please allow me to make some observations about these elections, in which the turnout was the highest since 2010:

The decision to call snap elections came at a time that was characterized by internal political division, a broken unity within the governing coalition and, most importantly, the public's perception of inability to deliver on promises to the people of Kosovo.

The preliminary results point to a victory by the opposition, Vetëvendosje (Self-determination) and the Democratic League of Kosovo (LDK), which are currently

exploring coalition options. This change in the political environment was manifested in the decision of most voters to rally behind unconventional political candidates, who do not share the background or vision of past leaders.

Kosovo-Serb majority areas recorded the highest voter turnout in recent times, confirming a trend of active participation by this community in Kosovo elections. Serbian List may become the only Kosovo-Serb parliamentary group represented in the legislature.

Overall, the elections were assessed positively by international observers, but challenges, such as campaign financing and intimidation and voter pressure in the Kosovo Serb-majority areas were also highlighted.

In terms of women's political participation, this election marked the first time a major political party in Kosovo nominated a woman as its prime ministerial candidate. Other encouraging signs were campaign pledges made towards greater gender parity in government, and the high turnout among young voters.

Mr. President,

I remain hopeful that the new leadership can use the momentum of this election to deliver on its promises to the people by advancing the rule of law, fighting corruption

and organized crime, and tackling unemployment. The international community also expects the new leaders to affirm their commitment to the negotiations with Belgrade and ensure that obstacles to dialogue are removed. Particular efforts should be made to ensure that political rhetoric and actions are conducive to resumption and progress in the dialogue after a year of stalled negotiations.

I welcome the continuous efforts by many key international players to regenerate momentum in the political dialogue. While I am convinced that an agreement between Belgrade and Pristina can be sustainable only if it is based on responsible action and local ownership of the process, it is also imperative that during this transition in Kosovo, the international community stands united and firm in its support toward a viable agreement.

Mr. President,

Let me turn to an issue that was already raised during your last debate on Kosovo on 10 June. As you are aware, on 28 May, two UNMIK staff members were arrested by the Kosovo police. The arrests took place in the course of a Kosovo police operation targeting smuggling and organized crime. As I stated to this Council on 10 June, UNMIK stands fully behind efforts of Kosovo institutions to combat organized crime and corruption.

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I wish to recall that during their arrest, both staff members were badly beaten and injured, and they were subsequently detained, and later released. Additionally, criminal proceedings were instituted against both staff members, including a detention hearing against one of them. To ascertain the facts, I established an investigation team comprised of UN Secretariat staff members from outside UNMIK with extensive investigative and legal expertise. The team carried out an exhaustive investigation, interviewing more than 50 witnesses, and examining photographic, video and documentary evidence. International partners and Kosovo institutions, including Kosovo Police, cooperated with the investigation. The investigation team has now submitted their report to me.

Here are the facts:

- The investigation team found no evidence to support accusations of wrongdoing by the two UNMIK staff members. The team confirmed that both were on official duty when they were arrested. Their arrest and detention occurred despite their having clearly identified themselves as UN staff.

- The team found substantial evidence of the use of excessive force by Kosovo Police. As a result, Mr. Krasnoshchekov suffered fractures in the back and side of the skull, cheekbone and upper jawbone and was assessed to have “acute stress and anxiety-depressive reactions”. Mr. Dimović suffered multiple

contusions and skin excoriations in the head and thorax, hearing loss in both ears and a deviated septum. He has also been diagnosed with Post-traumatic Stress Disorder.

- Without the prior authorization of the United Nations, Kosovo Police drove and retained an UNMIK vehicle, and forensic examinations were conducted on an UNMIK-owned telephone and two SIM cards.

- The arrest and detention of UNMIK staff members while on official duty, as well as the institution of criminal proceedings against them, were in clear violation of their immunity from arrest and detention and from legal process. The use of excessive force, interference with Mission property, and the continuation of criminal proceedings against both staff members are in clear breach of the applicable legal framework, including Security Council resolution 1244, UNMIK regulations and international human rights law standards. The international staff member was also declared “persona non grata”, a concept that is not applicable to, or in respect of, UN personnel. These actions are unacceptable and should not be condoned.

- All ongoing criminal proceedings against the two staff members must therefore be terminated immediately; the status, privileges and immunities of UN personnel must be fully respected at all times; Kosovo authorities should investigate those Kosovo Police involved in the incidents to ensure appropriate

accountability; and steps should be taken by the institutions of Kosovo to ensure that such incidents will not be repeated.

Mr. President,

In recent days, UNMIK has engaged the Kosovo authorities on the outcome of this investigation. I am pleased to report that these discussions have taken place in a positive spirit. As long as this Council maintains the mandate for the international presences in Kosovo, I look forward to the institutions of Kosovo and UNMIK operating in full respect of one another. We are proud that UNMIK played a central role in the formation of the Kosovo police and judiciary, and we are hopeful that their intention is to address any failings and to operate in accordance with international norms and standards.

Mr. President,

In advancing our mandate, we continue to foster the rule of law and human rights, an essential element of which is access to justice for every individual. An UNMIK-funded legal aid centre provides free legal assistance to people from vulnerable groups. We continue to assist the integration of the judiciary in northern Kosovo and supporting court infrastructure across Kosovo. In addition, we are assisting the local authorities in northern Kosovo to establish the first-ever regional shelter for survivors of gender-

based violence. We have also launched a platform that brings together civil society organizations across Kosovo to empower people in advocacy and grassroots monitoring of their fundamental rights.

Within our trust-building framework, which remains central to our vision, the Mission has advanced support for language rights. In cooperation with the Kosovo Language Commissioner and the International Organization for Migration we have engaged language experts from Belgrade and Pristina to prepare the first Serbian-Albanian/Albanian-Serbian dictionary since 1984, which is available online.

Mr. President,

Today marks 19 years since this Council adopted resolution 1325 on Women, Peace and Security. On this occasion, I would like to underline the importance of gender-inclusive and responsive political processes. Our Mission continues to support such efforts with women leaders and international partners, including UN Women and the European Union through concrete projects.

I would also like to reiterate, Mr. President, the Secretary-General's call for assisting the most vulnerable communities in Kosovo by contributing to the United Nations Trust Fund in support of the Ashkali, Egyptian and Roma communities in Kosovo. I welcome the initial contribution to the Trust Fund received earlier this year. However,

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I would like to urge additional contributions to enable meaningful response to the pressing needs of the affected communities.

Mr. President,

As we approach the 75th anniversary of the United Nations, we are reminded of the central importance of “We the Peoples”. These first three words of our Charter remind us that the vital work of governments in the maintenance of international peace and security can only endure if anchored in strong societal foundations. This vision of our founders inspires UNMIK’s work. I wish to express my deep appreciation to this Council for your sustained engagement and continuous support of our Mission.

Thank you, Mr. President.