

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

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Mr President, Excellencies,

During the three months since my last presentation before this Council, there has been some consolidation of the political situation in Kosovo. Regionally, some new positive developments, together with some new reasons for concern, have emerged. Some of these are well covered in the Secretary-General's report before you; others have emerged since submission of the report, and deserve to be highlighted. I take note that, besides this being the last briefing on UNMIK of 2016, it is also the last report on UNMIK by Secretary-General Ban Ki-moon, who has personally dedicated considerable time and attention to this issue during the past decade.

Mr President,

Many of the political expectations with which Kosovo began the year yielded fewer results than hoped. Difficulty building a broad political consensus has meant that the territorial demarcation agreement with Montenegro, agreed in 2015, remains unratified, with attendant consequences for Europe's visa liberalisation plans for Kosovo. Political divisions have also made it more difficult to reap the benefits of normalising relations with Serbia within the EU-facilitated dialogue. Kosovo's EU Stabilisation and Association process, a major development with far-reaching potential, has been given little focussed attention by officials or the public, despite holding forth the promise of much

wider opportunities than the visa liberalisation matter can by itself.

The political violence of earlier months has subsided. However, the divergent positions of the ruling and opposition parties are just as entrenched, and the general political atmosphere remains deeply polarised. For Kosovo this is unfortunate, at a time when relations among traditional regional rivals, for example Tirana and Belgrade, have benefitted from renewed dialogue and the strengthening of economic ties.

Despite the political polarisation, some of Kosovo's leaders are forging ahead with a farther-sighted view of reconciliation, and the re-building of mutually beneficial relations. I would like to highlight President Thaçi's recent engagement jointly with the family associations of both Albanian and Serb missing persons, and his emphasis on treating this issue on humanitarian, not political, grounds. He has also recently met with a mixed Serb and Albanian youth group, to encourage understanding of the possibility of a common future, better than the situation today. Such gestures remind us of the potential of genuine dialogue, including but not limited to the EU-facilitated political process.

In contrast, the accelerated passage through parliamentary procedure of a new law on the Trepca industrial complex emerged as another obstacle to constructive dialogue. Irrespective of the details of the law itself, the manner of its adoption was certain to produce the negative reactions that we witnessed. Assembly members were given less than 48 hours to review the draft, with almost no opportunity given for analysis and argument. Both the law and the procedure generated strong protest among the Serb community as well as from Belgrade, to the extent that Kosovo Serb representatives and officials have suspended their participation in governing institutions. The international

member of the Special Chamber of the Kosovo Supreme Court has requested that the Constitutional Court review the constitutionality of the law, based on concern that it appears to contravene fundamental property rights.

Mr President,

The divergence between the preoccupations of governing elites and their electorates is a common pattern. This phenomenon is present in Kosovo as well. The priorities identified as being most important by voters at community level are often strikingly distant from the issues dominating the elected bodies and popular media spaces.

The results of recent surveys, including one commissioned by UNMIK, indicate that there is little ethnic division in priorities at community level: unemployment, corruption and lack of economic development are the biggest concerns. Among other recent notable findings:

- The level of trust in governing institutions is low. The level of trust in international institutions is also low. A range of party political allegiances appear to be shifting.
- All ethnic groups place more emphasis on dialogue among community leaders as the method for advancing reconciliation, than on political level dialogue.
- The normalisation of relations with Serbia is considered to be an important priority in roughly equal proportion in both Kosovo Albanian and Kosovo Serb communities, over 50% in both cases.
- Both Kosovo Serbs and Kosovo Albanians, in substantial majority, believe that the Association/Community of Serb-majority Municipalities will increase the security of Kosovo Serbs.

In their annual reports, the EU and the World Bank continue to highlight low levels of employment generation, and the exceptionally high rate of youth unemployment, as fundamental issues to be tackled in Kosovo. Youth unable to find opportunities within accepted parameters are vulnerable to the temptations of alternative narratives, including extremism.

Mr President,

Regardless of these familiar dichotomies between political issues and ground-level concerns, the European perspective remains a force for stabilisation throughout the Balkans region. The dialogue process has delivered progress during this period, including on the freedom of movement, and in recent days a breakthrough was announced on the telecommunications issue. In contrast, there have been few visible signs of progress on the implementation of the Community/Association of Serb-majority Municipalities.

Ultimately, political and societal reconciliation processes must reinforce each other. I hope what awaits Kosovo in 2017 is political dialogue accompanied by necessary progress at community level. In these efforts, the EU and UN roles continue to converge.

I take this opportunity to praise some excellent efforts for reconciliation at municipal level, where municipal authorities have listened and responded to the concerns of their communities, resulting in real progress. In Ferizaj/Urosevac, the Mayor appointed a Deputy Mayor for Communities, despite being under no legal obligation to do so. The municipal authorities responded to a request for assistance to clean and secure a Serbian Orthodox cemetery, and undertook to provide ongoing support to maintain the cemetery. In Fushe Kosove/Kosovo Polje, the municipal authority approved the allocation of funds to clean three

Serbian Orthodox cemeteries. In Mitrovica North, the long-standing barricade on Prince Milos Street was quietly and voluntarily removed during the evening of 28 October.

Unfortunately, exceptions do exist. The declaration by the Suhareke/Suva Reka Municipal Assembly in late October, opposing Kosovo Serb returns, is regressive and regrettable. The absence of response by Kosovo governing institutions is disappointing. The pain caused by the unresolved cases of missing persons is real and understandable, but the right of safe and dignified return is also fundamental. An opportunity to demonstrate commitment to reconciliation has been missed.

Mr President,

I wish to highlight progress in efforts to advance the rule of law in Kosovo. Commitment to the impartial application of the rule of law should be recognised and supported. There is deserved recognition for the determination to pursue cases of high-profile corruption, including the investigation of organised crime activities involving a few members of Kosovo's political class.

A clear distinction should be made between individual and institutional responsibility. While the Assembly of Kosovo moved to adopt a resolution on KLA values, it is individuals who have been convicted of crimes, not groups or organisations.

I had the opportunity a week ago to meet with David Schwendiman, the newly appointed Special Prosecutor of the Kosovo Specialist Chambers. He informed me that preparations for full functionality of the Specialist Chambers are well advanced. The integrity of the judicial process requires that all parties refrain

from seeking to exert improper influence or to sway public opinion, including through unfounded speculation about the specific content of the judicial process.

The death in custody of Vetevendosje activist, Astrit Dehari, has raised concerns, and has provoked indignation in many quarters. In light of the many questions that have been raised, an objective, thorough and transparent investigation into this incident is essential.

Mr President,

Violent extremism and terrorism are evolving threats in Kosovo and the region. Countering this threat requires a holistic approach, in which law enforcement is one essential component. Last week, the authorities in Kosovo arrested a number of individuals who have allegedly been recruited by extremist militants in Syria to plan and conduct attacks in Kosovo and the region. Kosovo's security bodies deserve special commendation for their vigilance.

Mr President,

As I have reported to you, UNMIK is steadily adapting itself to more effectively address the contemporary challenges of Kosovo. A logical optimisation of our existing resources is helping to ensure that the Mission discharges its mandate in a focussed and constructive manner, together with all its partners. Of crucial importance is the Mission's relationship with the Kosovo institutions, and I am pleased to confirm that the improvement in relations reported in the Secretary-General's most recent report on Kosovo, is continuing. Among the many benefits for all parties, this improved communication helps the Mission to ensure accurate and balanced reporting on the situation in Kosovo.

As highlighted by members of this Council in past meetings, we can all help to advance the cause of reconciliation. The empirical data from knowledge-products, such as the surveys mentioned, help to update our understanding of the real concerns among the different geographic and ethnic communities. What did not work yesterday might work today. This concept, and constructive innovation in general, should guide our endeavours.

To play our part in supporting a better future for all people in Kosovo, the Mission continues to rely upon the support of this Council. I thank you sincerely for that support.

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