

**STATEMENT BY FARID ZARIF, SPECIAL REPRESENTATIVE OF THE
SECRETARY-GENERAL FOR KOSOVO, TO THE SECURITY COUNCIL
26 May 2015**

Madam President, Excellencies,

The first quarter of this year has been an important one for Kosovo and for the Southeast European region. I wish to begin by commending the new Pristina government for its prudent and reasoned approach to tackling the many inherited and new challenges it faces, and for its ambitious reform agenda.

Both Belgrade and Pristina stand at important stages along their respective European paths. Their demonstrated ability to work together on subjects of common concern has been of fundamental importance in overcoming the legacy of hostility and conflict. An equally encouraging fact is that over the recent months, there has been increasing direct contacts at the local level, alongside the EU-facilitated dialogue at the higher political level.

Two meetings between Prime Minister Vučić of Serbia and Kosovo's new Prime Minister Mustafa, held on 9 February and 21 April in the framework of the Brussels dialogue, were further important milestones, which will hopefully lead to concrete achievements. Excuses should not be countenanced for procrastinating in the remaining implementation steps of the April 2013 agreement, nor, I believe, should older issues become shackles on opportunities to open new ground in this dialogue. Along with our EU and other international partners on the ground, I continue to encourage the political leaders in Belgrade and Pristina to demonstrate creativity and foresight in identifying areas of common interest. It is also important for technical engagements at working levels to be free from polemical haggling and focus on facilitating delivery of tangible results, which directly benefit people's lives. With regard to the vital process of judicial integration, it is encouraging that the recruitment of judges and prosecutors has begun with a number of applications submitted for these positions by yesterday's deadline. I trust this process will continue with flexibility and goodwill particularly regarding educational qualifications.

I applaud the initiative of Prime Ministers Vučić and Mustafa to also communicate directly to resolve pressing issues. Such direct engagements, which usefully complement and help maintain the momentum of their structured dialogue, should gradually become the norm, rather than a headline-worthy exceptional event.

One of the core provisions of the April 2013 agreement, namely the establishment of the Association/Community of Serb-majority municipalities, however, remains unresolved. Steady leadership is required from both Pristina and Belgrade in order to enable progress during the technical discussions in Brussels scheduled for today. While fully acknowledging the complexity of issues and time required to establish the functional Community/Association, it will be vital to demonstrate goodwill in order to maintain the political momentum. Equally firm support from the international community will also remain essential in this regard.

Turning to developments within Kosovo, on 23 April, after some two months, the representatives of the main Kosovo Serb political platform, the Serbian Civic Initiative, resumed their participation in the Kosovo government and Assembly. It is encouraging that

Kosovo Serb leaders, together with Prime Minister Mustafa and others in his cabinet, found ways to overcome their differences and preserve the integrity of the governing coalition. Additionally, a member of the Serbian Civic Initiative was also appointed as Minister for Communities and Returns.

After protracted disagreements, on 24 April all four Municipal Assemblies in northern Kosovo agreed to adopt their budgets in line with Kosovo legislation, which led to effective unblocking of the municipal bank accounts on 15 May.

I should also note the practical cooperation which has been developing between the mayors of North and South Mitrovica, Goran Rakić and Agim Bahtiri, respectively. On 30 April, both attended the funeral held in North Mitrovica for a Kosovo Albanian boy whose body was found some three weeks after his disappearance. The two mayors, in a meeting held on 21 May with the Kosovo Ministers for Communities and Returns and Local Government Administration, as well as representatives of the Kosovo Albanians in Brđani/Kroi i Vitakut neighbourhood, reached agreement to address the long festering issues of returns and residential construction in that area through an inter-ministerial working group. I commend both mayors for their prudent leadership, and believe that the success of such an inclusive approach will serve as an instructive example on the way forward for other issues that remain outstanding in this and other regions of Kosovo.

The 24 May incident in the Leposavić/Leposaviq municipality, where a regular EULEX rotation convoy suffered material damages, reportedly due to gunfire, is unfortunate and I hope the investigation into this regrettable event will be prompt and with the cooperation of the local community.

Madam President,

A matter of pressing importance is the completion of necessary steps toward establishment of the Specialist Court, in order to try cases arising from the findings of the EU Special Investigative Task Force in accordance with the highest standards of international justice. In my meetings across the Kosovo political establishment, I have underlined the clear expectations from the international community, as well as from those who may have been the victims of past crimes, that there be no undue delays in the steps required from Kosovo toward the establishment of the Court. I had hoped to be able to report today that the relevant constitutional and legislative steps had been completed, but the issue has been tentatively scheduled for action this Friday. In that connection, I have also urged political leaders in Pristina to work diligently to promote a clearer public understanding of the importance of this matter for Kosovo's future. I am pleased to note growing public acceptance of the Court as a way to deal with the past and focus on the future. In the meantime, the Lead Prosecutor, Mr. David Schwendiman, has officially assumed his functions last week.

Madam President,

With regard to progress on establishing the fate of missing persons, a total of 1,653 persons still remain listed as missing from the Kosovo conflict. Swift progress on this issue is essential to help heal the wounds of the conflict and alleviate the grief of the families of the victims. UNMIK continues to support and encourage progress on this issue, which will

largely depend on disclosure of further information by all sides regarding events leading to such disappearances.

The pace of returns and reintegration of internally displaced persons has further slackened, while the continued occurrence of security incidents affecting returnees and their properties further undermines the efforts aimed at returns, reconciliation and integration. The repeated incidents in recent weeks and over this past weekend targeting returnees in Klinë/Klina municipality, in western Kosovo, are particularly troubling. I called for intensified efforts to bring perpetrators to justice, and am pleased to report that several arrests have been made. We will follow up on investigation and look forward to the completion of due process. At the same time, I welcome the initiative to establish an inter-ministerial group for return led by the Minister for Communities and Return, as well as temporary deployment of additional police officers to Klinë/Klina.

With regard to UNMIK's human rights-related activity, let me take this opportunity to brief you on the Mission's Human Rights Advisory Panel, established in 2006 to investigate individual complaints of alleged human rights violations during the early years of UNMIK's deployment. The Panel received 527 complaints and closed 464 of them, while 63 cases remain outstanding. The Panel has consistently recommended compensation for moral damages. However, the relevant General Assembly resolutions prohibit compensation by the United Nations for non-economic loss resulting from peacekeeping operations. Nonetheless, in my discussions with our local and international interlocutors, I have been advocating establishment of a suitable mechanism to compensate for moral damages, as well as for further investigation by appropriate judicial authorities of inconclusive cases.

With regard to the preservation of cultural and religious heritage, the draft Law on Cultural Heritage, which was recently submitted to the Kosovo Assembly, generated significant controversy. I welcome the subsequent decision of the Kosovo government to withdraw the draft law in order to allow for broader consultations, which will lead to the early adoption of a consensual law.

Madam President,

On 30 April, the European Commission adopted a proposal for a Stabilisation and Association Agreement with Kosovo. The dynamic approach of the government contributed to this development. Political leaders in Pristina have expressed their resolve to redouble their efforts so that further progress can be made in upholding the rule of law, stimulating economic development and promoting democracy.

I should also note the regional cooperation within the "Western Balkans 6" forum, in which Kosovo participates. The meeting at the prime-ministerial level in Brussels on 21 April demonstrated the potential for enhanced regional cooperation and integration. This forum should be used to facilitate agreements in the future, such as construction of a Nis-Pristina highway, resumption of the Mitrovica-Pejë/Peć rail line and re-establishment of a direct air-link between Pristina and Belgrade.

The powerful potential for efficient regional cooperation was also demonstrated in addressing the recent phenomenon of irregular migration from Kosovo. Similar efforts will be needed for tackling issues of violent extremism. In this respect, the substantial efforts of the Kosovo

authorities, including the adoption of the law on the prohibition of joining armed conflicts outside Kosovo in March and the establishment of a Government Anti-Radicalization Taskforce, are particularly notable. Kosovo's law enforcement agencies and leaders of the religious communities have also played a key role. We have already seen concrete results of these measures, most recently in the indictment of 32 people on charges related to violent extremism and continuing active investigation of other cases. Radicalization is a global concern and the Western Balkans is no exception to it. I trust that outreach efforts and active regional cooperation will continue so that adequate responses to this transnational challenge are developed.

Finally, I would like to add my voice to many regional and European leaders' expressing deep concern regarding the deadly armed clash with the police of the former Yugoslav Republic of Macedonia, which took place in the town of Kumanovo, on 9 and 10 May. The violent clashes involved several individuals from Kosovo. I am pleased to note that regional leaders, including the President and Prime Minister of Kosovo, denounced this violence and took great care not to inflame tension. Time should be permitted for a transparent and comprehensive investigation by the relevant authorities.

Madam President,

I conclude my remarks by expressing my deep appreciation to you and other members of this Council for your support for UNMIK. I also wish to thank the membership of the Council for their sustained and constructive engagement with both parties. This engagement will remain essential in encouraging full implementation of the April 2013 agreement, and supporting progress on other challenging issues, such as the establishment of the Specialist Court. UNMIK will continue working closely with its local and international interlocutors to support all vital processes in accordance with its mandate.

Thank you very much.