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**THE REPUBLIC OF SERBIA**

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**SECURITY COUNCIL MEETING  
SECURITY COUNCIL RESOLUTIONS  
1160 (1998), 1199 (1998), 1203 (1998)  
1239 (1999) AND 1244 (1999)**

**Report of the Secretary-General  
on the United Nations Interim Administration Mission in Kosovo  
(S/2015/303)**

*Check against delivery*

**S T A T E M E N T**

by

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FIRST DEPUTY PRIME MINISTER AND MINISTER OF FOREIGN AFFAIRS  
OF THE REPUBLIC OF SERBIA**

**New York, 26 May 2015**

Mme President,  
Distinguished Members of the Security Council,  
Ladies and Gentlemen,

I am very pleased to address this esteemed body also on this occasion. As we sit down to consider the most recent Report of the Secretary-General of the United Nations on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK), I extend to you, distinguished Members of the Security Council, my gratitude for the continued attention you devote to the question of Kosovo and Metohija which is of paramount importance for the Republic of Serbia. Drawing upon the constructive cooperation that we have had ever since the establishment of the provisional administration of the United Nations in Kosovo and Metohija, I continue to believe that our common endeavour, based on UNSCR 1244 (1999), will make it possible for us to achieve a sustainable political solution for the question of Kosovo and Metohija.

By its constructive approach, the Republic of Serbia has made every effort to render a concrete contribution to the achievement of the goal of transforming the Western Balkans into a zone of lasting peace, stability and prosperity. It is not in dispute that, after much turbulence, substantial progress has been achieved in the region of the Western Balkans, both with regard to the building of peace and democracy and in the field of regional cooperation and European integration. I do concur with EU High Representative Federica Mogherini who said in her Statement to this esteemed body at the session convened to discuss cooperation between the United Nations and regional and sub-regional organizations on 9 March 2015 "that the Balkans offer us all, today, reasons to be proud, and optimist." Yet, the recent terrorist attacks in Zvornik in Bosnia and Herzegovina and Kumanovo in Macedonia are a clear demonstration of the fragility of the stability in the region, wherefore all of us in the region, as well as relevant international factors, should invest additional efforts to preserve that stability.

These events, Mme President, have borne out the assertions I have made repeatedly in this Council that an undiminished presence of the United Nations mission is of paramount importance for stability and the creation of conditions conducive to a lasting and sustainable solution for the question of Kosovo and Metohija. My country appreciates very much the status-neutral UNMIK engagement aimed at establishing preconditions for a peaceful life together and the security of all residents of its southern Province and the respect of their human rights. We therefore expect that, proceeding from UNSCR 1244 (1999), UNMIK will continue to carry out its mandate in the coming period as well, particularly in the areas which are important for Serbs and other non-Albanians in Kosovo and Metohija and which are a precondition for their survival and normal life. We also appreciate the contributions made by other international organizations which, through their missions under the auspices of the United Nations, make up part of international civilian and security presences in Kosovo and Metohija. They include KFOR, EULEX and OMIK, as well as specialized agencies of the United Nations.

In particular, Mme President, we are appreciative of the efforts made by Mr. Farid Zarif, Special Representative of the Secretary-General of the United Nations, in monitoring the implementation of the UNMIK mandate and coordinating the international civilian and security presences. We are well aware of the challenges he is faced with.

Mme President,

The formation of government in Priština and the continuation of the dialogue between Belgrade and Priština at the high level have been singled out as key political developments in the Report before us. The Government of the Republic of Serbia is fully committed to the dialogue, conducted with the facilitation of the European Union, and expects that its resumption will solidify the basis for the implementation of the agreements already reached. The essence of the process of normalization is exactly in finding mutually acceptable answers to questions that burden the life of the people of the Province and prevent them from realizing their basic rights. This can be achieved only through dialogue, based on the genuine understanding of the needs and interests of the other side and the readiness to compromise, clearly demonstrable in practice. In this context, I am pleased to note that mention has been made in the Report also of the direct communication initiated by Serbia's Prime Minister Aleksandar Vučić with Mr. Mustafa. Serbia approaches the dialogue with Priština openly and is desirous of finding practical solutions that will enable all the people of the Province to lead a normal life within a broader process of the region's integration in the European Union. There is no doubt that the participation of the Serbs in the political life in Kosovo and Metohija is a contribution to that end.

Distinguished Members of the Security Council,

The Government of the Republic of Serbia fulfils conscientiously, consistently and timely all its obligations under the agreements reached thus far within the First Agreement on Principles Governing the Normalization of Relations, initialled in Brussels on 19 April 2013. I am pleased that the current Report recognizes the importance of the establishment of the Community of Serbian Municipalities which is the key question for the Republic of Serbia in the context of the direct continuation of the implementation of the Brussels Agreement. Let me point out that, going forward in the dialogue with Priština, the key questions for the Republic of Serbia continue to be the return of internally displaced persons (IDPs), property of the Serbian Orthodox Church and property issues.

I would also like to use this opportunity to emphasize that the Government of the Republic of Serbia has taken a constructive stance vis-a-vis the participation of the Provisional Institutions of Self-Government (PISG) in Kosovo and Metohija in the work of regional fora. Respectful of the agreements reached on regional representation and cooperation, the Republic of Serbia has acquiesced to Priština's participation in the Regional Cooperation Council and the South-East European Cooperation Process and in the activities of the Migration, Asylum, Refugees Regional Initiative (MARRI). The acquiescence has not changed the position of the Republic of Serbia on the status of Kosovo and Metohija nor has Serbia desisted from its views. However, there are attempts, Mme President, to include Priština's representatives in the work of international organizations outside the said Agreement; they are not acceptable for the Republic of Serbia and do not help preserve the positive atmosphere contributive to the continuation of the dialogue at all. When, and if ever, these questions are taken up, they should be discussed in the framework of the dialogue. In that regard, though, we continue to believe that the opening of such questions at this moment is not in the interest either of Belgrade or Priština or, for that matter, of our international partners with whom we share interest in the stability of the Western Balkans.

Mme President,

Serbia welcomes the work of UNMIK, carried out in cooperation with the Organization for Security and Cooperation in Europe and the missions of other organizations present in Kosovo and Metohija, on monitoring the status of non-majority communities in the Province.

The Government of the Republic of Serbia attaches great importance to the quest for a proper solution to IDPs from Kosovo and Metohija. Creating sustainable conditions for their return is a key factor in the process of reconciliation. Regrettably, even sixteen years after the end of the conflict no conditions exist for a sustainable return of the IDPs to Kosovo and Metohija, primarily due to the lack of proper interest in this question by the PISG in Priština. This sad fact is noted in the regular Reports of the Secretary-General of the United Nations on the work of UNMIK and UNHCR reports.

Only 1.9 per cent of the 220 000 persons who left Kosovo and Metohija in 1999 has realized a sustainable return over the last fifteen years. About 204 000 of these persons are still displaced in Serbia. The most recent UNHCR data, presented in the current Report, bear out the descending trend: only 14 persons, it is revealed, returned to Kosovo and Metohija in the last four months. Self-defeating statistics indeed.

To achieve lasting solutions, key obstacles to unencumbered and sustainable returns should be overcome, a consistent and full implementation of the legal framework for return, including protection of property rights and security, should be ensured and the obstruction of returns should be removed, with full respect for the principle of responsibility of international and local factors engaged in the process.

This is an occasion, Mme President, to remind once again that Serbia tops the list of European countries by the number of IDPs in protracted displacement. In that context, I call on United Nations and other representatives of the international administration in Kosovo and Metohija to help us overcome the problems that prevent IDP returns and make the situation of returnees ever more difficult, not least by ever more frequent incidents.

Surely, a contributive factor in the delay of IDP returns has been physical insecurity, manifested in the continued attacks on Serbs and their property and aggravated by the atmosphere of impunity for crimes committed against Serbs. Such attacks are widespread; one of them happened during the Christmas visit of Serbs from Đakovica, 12 000 of whom lived in the town prior to 1999, to the Church of the Presentation of St. Mary in the Temple. It demonstrated once again the intolerance and non-acceptance of Serbs by the majority community and provided ample evidence that, with the displaced Serbs unable to visit their places of worship freely and safely and mark religious holidays in a dignified way, the exhortations by Kosovo institutions to displaced Serbs to return are disingenuous and that capacities to ensure safety and security to all in Kosovo and Metohija, especially at the local level, are non-existent.

Under the Anti-Discrimination Law and other rules and regulations in force in Kosovo and Metohija in this area, obstructing access to places of worship and preventing religious practices for the purpose of preserving one's identity are violations of law. This problem calls for a dedicated commitment if we are to overcome the present situation. The commitment would also demonstrate the good will and the serious intention of all relevant actors and serve the purpose of normalizing relations, making the life together possible and

respecting the basic rights and fundamental freedoms of all residents of Kosovo and Metohija.

The decrease in the number of potentially ethnically motivated incidents is noted in the Report before us, just as is an increase in the number of incidents affecting unoccupied properties owned by non-majority communities and religious and cultural sites. Such comparisons are unbecoming, Mme President, since we cannot tolerate any attack on members of other communities. The incidents are eloquent proof that much serious and genuine work still has to be done to achieve reconciliation and approach this problem in an appropriate way and that proper records on them should be kept and their perpetrators tried.

Distinguished Members of the Security Council,

Creating conditions for Serbs and other non-Albanians to enjoy basic human rights and the rights belonging to them as non-majority populations in the Province without discrimination would certainly help improve the general atmosphere for IDP returns. We regret the recent closure of the Office of the United Nations High Commissioner for Human Rights in Priština, justified by financial constraints, has been done without consultation with the Republic of Serbia and, if anything, is unwarranted by the situation of the human rights in Kosovo and Metohija.

Last April, the Republic of Serbia submitted a report on the implementation of the Convention against Torture in which it pointed out that it is unable to report on the Convention implementation on part of its territory under international administration. In that regard, we welcome the recent decision of the Committee against Torture to request information from UNMIK on the implementation of the Convention in Kosovo and Metohija.

Mme President,

We condemn each and every desecration of religious sites of any religion. In that regard, the cause of our deep concern is not only the desecration of a cultural monument of world renown such as the Visoki Dečani Monastery, but also the fact that it has been desecrated by the scribbling of graffiti that glorify ISIL and the 'future Caliphate' at the time when the international community is investing enormous efforts to suppress this scourge and the greatest threat to peace and stability in the world.

As I did the last time I addressed the esteemed Council, it is with concern that I warn that the desecration of Serbian churches and monasteries is continued and that, last January, the "UÇK" graffiti were scribbled on the Orthodox church in Lipjan and the fence wall of the church in Đakovica despite security provided by the Kosovo Police Force. These acts, let me point out, present not only threats and insults to the Serbian Orthodox Church and its clergy, but also a way to intimidate the remaining Orthodox population in the Province, preponderantly the Serbs.

I take this opportunity to point to the need of taking additional measures to protect the Serbian cultural and religious heritage in Kosovo and Metohija. Attacks on these sites are tantamount to attacks on the identity of the Serbs and influence in the direct way their feeling of security and acceptance in the local community. They bring into question the commitment of the competent authorities in the Province to the protection and preservation of the Serbian cultural and religious heritage. At the same time, we are

witness to the parallel process of altering historic facts aimed at marginalizing and eliminating the presence of Serbs and Serbia in the history of Kosovo and Metohija.

Mme President,

In the context of the struggle against terrorist threats and the rise of violent extremism globally, the need for greater security has assumed an added dimension. As a co-sponsor of UNSCR 2178 (2014), the Republic of Serbia has taken all necessary steps to suppress the financing and organizing of terrorism and ever more frequent phenomena of recruiting foreign terrorist fighters to join armed terrorist organizations in the Middle East, such as the Islamic State.

Serbia will continue to act resolutely in the efforts to suppress terrorism in all its forms and manifestations. We expect the international missions in Kosovo and Metohija and the local PISG to make a contribution, within their powers, to our common struggle which has global importance.

Mme President,

In the context of priority importance that the Government of the Republic of Serbia attaches to the solution of the property issues in Kosovo and Metohija, let me draw your attention to the ongoing privatization processes conducted by the Kosovo Privatization Agency contrary to International and European Conventions on Human Rights. UNMIK, too, once assessed that the process is contrary to UNSCR 1244 (1999) since the Agency had not been established under the laws in force in Kosovo and Metohija in accordance with the Resolution.

Much in evidence is the tendency to privatize public and socially-owned companies in communities with Serbian majority populations. These companies are sold to persons of Albanian nationality. The nationality of the persons coming into possession of the companies is not in dispute, Mme President; rather, it is the fact that unlawful measures are being taken, motivated by the destruction of the economic resources in Serbian communities.

I take this opportunity to point to the importance of addressing appropriately the property issue of the *Trepča* Combine, mentioned in the Report. For Serbia, any other solution of this issue, bar the one achieved within the Brussels dialogue, would be unacceptable. I am convinced that we all are aware of the importance of the respect of ownership rights irrespective of whether private or State property is involved. In this sense, it is necessary to ensure that all activities in Kosovo and Metohija relative to privatization be returned to the valid legal framework. Particularly so since these activities have necessarily an ethnic connotation in the Province, which is inadmissible in the democratic world. I recall that the protection of the property of economic entities and the suspension of privatization in Serbian communities are important items of the coalition agreement on the basis of which the representatives of the Serbian community entered the Priština government. The agreement was re-confirmed at the meeting in Brussels on 21 April 2014.

Distinguished Members of the Security Council,

The importance of the continued monitoring and assessing the work of PISG judiciary and other agencies and their readiness to take over the executive powers, now

exercised by EULEX as provided for by the decision to extend its mandate and reconfigure it from June 2014, cannot be emphasized enough.

Serbia pointed on a number of occasions to the need for continuous monitoring and establishing objective criteria for the assessment of the work of Provincial institutions by the relevant missions present in Kosovo and Metohija under the United Nations auspices. In its 2014 Kosovo\* Progress Report, the European Commission noted that much still remained to be done in respect of the functioning and responsibility of the Provincial judiciary. In the Report, it is also said that concrete results are needed in the fight against organized crime, corruption, money-laundering and the financing of terrorism.

Mme President,

The current situation in the Province bears out our assessment that conditions have not been fulfilled for the transfer of competencies to PISG. The fact that these competencies have been entrusted to EULEX does not diminish the powers and responsibility of the Special Representative of the Secretary-General of the United Nations.

I expect that, within its mandate, EULEX will continue to carry out its executive powers in the field of the rule of law, against the backdrop of the realistic assessment of the situation in Kosovo and Metohija in that area.

Distinguished Members of the Security Council,

Serbia is committed to the process of reconciliation. We consider that it is important for the process that we confront our own past and, in that context, establish the fate of the missing persons. This is important primarily for the families of the missing persons, as well as a contribution to the process of inter-ethnic reconciliation in the Province. To establish the fate of the missing persons, the Serbian expert teams cooperate with UNMIK and EULEX, as well as with the competent authorities in Kosovo and Metohija.

The process of mutual reconciliation cannot be complete without prosecution of the former members of the Kosovo Liberation Army responsible for the persecution of Serbs, the Roma and other non-Albanians, as well as their political opponents among Kosovo and Metohija Albanians. We expect that necessary conditions will be created to try those suspected of the commission of war crimes and crimes against humanity. We attach special importance to trying the cases arising from the finding of the European Union Special Investigative Task Force on inhuman treatment of people and illicit trafficking in human organs. We expect the decision on the establishment of the 'specialist court' to be taken as soon as possible.

Mme President,

Distinguished Members of the Security Council,

In conclusion, let me point out once again that the quest for a lasting and sustainable solution for Kosovo and Metohija is a national priority for Serbia. Such a solution can be arrived at only through negotiations and dialogue with PISG in Priština and with full respect of the legitimate interest of the Albanian, Serbian and other populations in Kosovo and Metohija on the basis of UNSCR 1244 (1999).

The solution of the question of Kosovo and Metohija must be in the interest of our citizens; they should be enabled to live in normal conditions, just as all communities should be ensured a safe life together. On our road to the solution, we must achieve mutual reconciliation. This will surely be helped by the process of the adoption of European standards and values that we have begun on the journey of our entire region to the European Union. We consider that the commitment to European integrations is the principal driving force behind the normalization of relations between Belgrade and Priština. We expect that the European Union, too, will continue its active engagement in facilitating our dialogue with Priština.

The Government of the Republic of Serbia will certainly continue its active engagement in the implementation of the Brussels Agreement in the interest of peace, economic progress and reconciliation.

Thank you for your attention.