



# Security Council

Sixty-eighth year

*Provisional*

## 7026<sup>th</sup> meeting

Thursday, 29 August 2013, 10.20 a.m.

New York

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*President:* Mrs. Perceval . . . . . (Argentina)

*Members:*

Australia . . . . .	Ms. Nassau
Azerbaijan . . . . .	Mr. Musayev
China . . . . .	Mr. Liu Jieyi
France . . . . .	Mr. Lamek
Guatemala . . . . .	Mr. Rosenthal
Luxembourg . . . . .	Mr. Maes
Morocco . . . . .	Mr. Loulichki
Pakistan . . . . .	Mr. Masood Khan
Republic of Korea . . . . .	Mr. Sul Kyung-hoon
Russian Federation . . . . .	Mr. Iliichev
Rwanda . . . . .	Mr. Manzi
Togo . . . . .	Mr. Menan
United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Tatham
United States of America . . . . .	Ms. Power

## Agenda

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/2013/444)

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*The meeting was called to order at 10.20 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **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/2013/444)**

**The President** (*spoke in Spanish*): Under rule 37 of the Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Farid Zarif, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting.

On behalf of the Council, I welcome Mr. Zarif, who is joining today's meeting via video teleconference from Pristina.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Enver Hoxhaj to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2013/444, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I now give the floor to Mr. Zarif.

**Mr. Zarif:** During the latest reporting period and since, important progress has continued to be made towards the implementation of the agreement reached between the parties on 19 April. Leaders in Pristina and Belgrade have upheld their commitment to work towards the implementation of the agreement in a timely and constructive manner, notwithstanding some complications in the process. Such progress remains fundamental to building mutual trust and realizing the key aspirations of both parties, the population in Kosovo and, indeed, the region.

Following the appointment in June of a Kosovo-Serb from the north as commander of the northern regional police directorate, his leadership team was announced on 20 August, including a Kosovo-Albanian deputy from the south. On 11 July, the Kosovo Assembly approved a revised version of a draft law on amnesty in order to facilitate the transition of qualified personnel from police offices of the Serbian Ministry of Interior in northern Kosovo to the Kosovo Police. However, that law, along with two others essential for implementation, faces challenges raised by the opposition in Kosovo's Constitutional Court.

In early July, Serbia's Interior Ministry completed the closure of its police offices in the four northern municipalities, subsequently verified by the European Union Rule of Law Mission in Kosovo (EULEX), the International Security Force in Kosovo (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK). While the local population remains wary of changes in the status quo, the initial stages of implementation in the police area have been met with broad public acceptance.

On 17 June, Serbia's High Judicial Council instructed the three operating Serbian courts in Kosovo to cease receiving cases in anticipation of the full implementation of the court-related components of the 19 April agreement. The provisions on the functioning of a unified justice system in Kosovo — detailed in both the agreement and its integral implementation arrangements of 22 May — will require substantial additional work by the parties in order to be fully realized. It is commendable that each side has demonstrated full awareness of the importance and delicacy of the subject and has proceeded with further talks on implementation in a cautious and deliberate fashion.

During the fifteenth round of meetings in Brussels on 27 August, Prime Minister Dačić and Prime Minister Thaçi discussed the complex subjects of telecommunication and energy — on which progress has been slow — and agreed that discussions would continue at the technical level. The parties also took stock of progress in the implementation of the 19 April agreement, including preparations for holding local elections in Kosovo on 3 November. Given the short time frame, organizing local elections throughout Kosovo has presented particular challenges.

The Organization for Security and Cooperation in Europe responded swiftly and garnered necessary resources to facilitate voting in the northern municipalities, as well as by eligible internally displaced persons. The registration of political entities for the elections is also an intensive exercise in the short time window. Although registration has begun, it remains a challenge that requires a flexible, confidence-building approach from all quarters, as does finding other mutually acceptable voting arrangements and material.

It is crucial that elections succeed in delivering viable local authority able to properly represent and defend the interests of local communities, as foreseen in the agreement. To that end, it is important that full participation in the election be encouraged, particularly in the northern municipalities, where local authority has long lingered under dispute and controversy. To achieve that result, steadfastness and flexibility will be required from each side, in particular to address effectively the concerns of the local population and overcome the uncertainty that currently prevails in the north.

As I have previously stated in the Council, the implementation of the historic 19 April agreement and each of its elements is a delicate process that demands sustained efforts and focus. In that light, it is essential for the parties to keep their focus on the implementation of what has been agreed, without introducing additional fundamental issues that are, at present, outside of the political dialogue agenda. Doing otherwise may put at risk the progress achieved so far.

Of equal importance for success is a sustained effort to improve confidence and promote progress in inter-community reconciliation. That is a shared responsibility of political leaders at all levels and will also require continuing international support. Accordingly, long-standing issues of vital importance for reconciliation should also receive renewed attention and vigor during this period, alongside bolstering the political process.

The determination of the fate of persons missing since the time of the conflict has made little new progress in recent months, despite the joint efforts of the Kosovo-Albanian and Serb family associations of missing persons to encourage more effective and collaborative action. While EULEX is prepared to undertake new investigations, within its mandate and means, to support comprehensive reviews of legacy

cases, and to support new police investigations when and wherever new evidence can be uncovered, it cannot succeed in that task without additional information from all concerned.

Achieving greater success in that regard requires foremost the exertion of renewed political will to encourage more information to be brought forward and to afford adequate witness protection. The affected families rightly demand justice, reparation and closure on the cases of their missing loved ones. On the eve of the International Day of the Victims of Enforced Disappearances, I call upon the parties to rededicate their commitment to that end.

Of similar importance are the further steps being taken to safeguard religious and cultural sites in Kosovo, both in the context of the high-level dialogue and work at the municipal level. Successful preparations by the Kosovo police have enabled it to take over from KFOR the responsibility for the protection of the Peć Patriarchate, in early August. It is important that such efforts do not falter, as is threatened, for example, by the procedural delays in the establishment of the cultural heritage council in Rahovec/Orahovac.

An important and timely visit in June by Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, served to underscore many of the same issues and outline a range of areas in which institutions responsible for the rule of law and human rights protection in Kosovo could be made more effective. Her recommendations focused, in particular, on remedies for weak legislation, more vigorous implementation of the law and tougher responses to instances of hate speech and ethnic intolerance.

On 28 June, the European Council issued important decisions on its enlargement, including the decision on the start of the accession negotiations with Serbia and the opening of negotiations for a stabilization and association agreement with Kosovo.

Those major steps are, in great measure, attributable to the visionary leadership demonstrated by both sides during the European Union-led political dialogue. Helping the parties sustain momentum is now the shared and central goal of all the international presences in Kosovo and beyond.

Among the greatest challenges is building confidence in the process in the north, where little such confidence presently exists. I wish to acknowledge

efforts being made in that respect by the parties and, equally, to note the significant gap that is yet to be closed. The formation, outside the framework of the 19 April agreement, of a provisional assembly for Kosovo and Metohija is a sign of the still predominant apprehension in northern Kosovo concerning the implementation of the agreement.

The political challenge involved is difficult to overestimate, not least in view of the ambitious time lines foreseen in the implementation plan. Accordingly, the parties should persevere with a high degree of creativity and flexibility and redouble efforts to address the substantive and detailed questions emanating from the population in the north.

For our part, UNMIK continues to actively adapt its activities in the field to most effectively support the political process and related work on the ground. UNMIK's facilitation and mediation roles have been enhanced by additional experienced personnel in the north, while the UNMIK Administration in Mitrovica has continued its active engagement in local mediation and conflict prevention.

Preparations are currently under way for the implementation of confidence-building and reconciliation projects in a number of key areas throughout Kosovo, mostly through the United Nations Kosovo team and other international partners. Our local mediation role and capacity continue to be drawn upon throughout Kosovo, providing an effective communication link in support of resolving practical public and social service issues. We are contributing to building local confidence, which helps keep residual tensions low and, in turn, broadens the space for further progress in the political dialogue.

The implementation of the 19 April agreement requires concentrated efforts and the avoidance of distractions related to issues that are yet to be tackled through direct dialogue. Through its ongoing support to the parties as they pursue solutions by making necessary compromises, the Council continues to play a key role in supporting the long-term success of this process. I wish to express deep appreciation to the Council members for their continued political engagement in that regard.

I close by thanking you, Madam President, and all members of the Council for their support for UNMIK's work as we continue to promote progress and reconciliation on the ground.

**The President** (*spoke in Spanish*): I thank Mr. Zarif for his statement.

I now give the floor to Mr. Ivan Mrkić, Minister for Foreign Affairs of the Republic of Serbia.

**Mr. Mrkić** (Serbia): I thank you, Madam President, and members of the Security Council for convening this meeting under resolution 1244 (1999).

At the outset, let me express my gratitude to the Council for continually addressing the situation in Kosovo and Metohija, which is demonstrated by the fact that the Council convenes meetings to discuss this issue regularly, every three months. I also thank Mr. Farid Zarif, Special Representative of the Secretary-General, for his commitment and dedication in guiding the United Nations team in the field and for his daily efforts to find a way to overcome the still-deep gap of distrust that divides the ethnic communities in Kosovo and Metohija.

The Republic of Serbia, too, is firmly resolved to work to achieve that goal, as we believe that reducing the distrust is the only right way, that is, a precondition for creating better living conditions for all. Last April, we signed the Brussels agreement in order to facilitate the solution of questions of vital importance for all people in the province, hopeful that the signers from Pristina would share our enthusiasm in overcoming the problems that we have been facing for far too long.

However, it is with regret that I have to state that that has not always been the case. We do hope that there is a political will in Pristina, although we know that concrete results in solving people's problems, particularly those besetting minority ethnic groups in the province, are in very short supply. We therefore consider that the continued presence of the United Nations in Kosovo and Metohija is of paramount importance for future developments, especially at this sensitive juncture when, after a very long time, possibilities can now be discerned for all those living in Kosovo and Metohija to begin to live better and for its ethnic communities to begin to overcome tensions.

The tensions between the communities have existed for decades, and it would be illusory to expect them to disappear within a matter of months. If indeed we long for a future where everyone can live in peace, without fear for their lives, we have to solidify the foundations laid down by the Brussels agreement and work, day in and day out, towards bridging the deep gap brought

about by decades of lack of trust and confidence. On the long road, in addition to goodwill and hard work, we also need an honest broker, not someone who will do our job for us but who will ensure that all the participants in the process are guided by the idea of the long-term betterment of all our people, rather than by the predominance of the ethnic majority.

It is precisely in that role of impartial overseer of the process of historic reconciliation that the Republic of Serbia perceives the United Nations. For several decades now, the world Organization has worked to improve the living conditions for all communities in Kosovo and Metohija, and it is equipped with the necessary knowledge and experience for the road that lies ahead.

I have to say that we would have liked to have made more progress on that road, alone and without outside assistance, and thus be able to seek agreements with representatives from Pristina on all matters without assistance. That in itself would demonstrate the political maturity of both sides. However, just as the signing of the Brussels agreement would not have been possible this year without European Union mediation, without Baroness Ashton, I am afraid the implementation of the agreements may not be possible without the active participation of the United Nations.

While we are firmly resolved to prove that Serbia is up to the challenges and tasks with which it is presented, we also need a guarantee that the other side will not undermine the agreements already reached. In view of the enormous efforts invested so far by the Republic of Serbia in finding solutions acceptable to all sides, we would like to see — and we do not see — the other side investing efforts to bring about very necessary changes in the field. Apparently, the status quo suits the other side much more, and that is why we assume that they want international actors to leave the province.

I am sure that the Council needs no reminding that the task of the international presence in Kosovo and Metohija is not to promote the independence of Kosovo. By resolution 1244 (1999), this body established the United Nations Interim Administration Mission in Kosovo (UNMIK) and charged it with the mandate of promoting security, stability and respect for human rights in the province. Accordingly, what we are dealing with is the setting of standards, which is our primary goal — not the establishment of a status, which appears to be that of Pristina.

As our goals — at least in that domain — evidently differ, we consider that the Brussels agreement is only the beginning of the normalization of relations, not the end. We would not be warning of attempts to undermine agreements had we not already registered a number of them in this short period of time. For instance, satisfaction is expressed in the report (S/2013/444) of the Secretary-General over the amendment of the law on the budget in the Assembly of Kosovo. We, too, would be satisfied if it did not break a prior bilateral agreement. In fact, the amendments to the law are contrary to the agreement made in the working group on the implementation of the integrated border management agreement last January.

Under that agreement, the funds collected from the transfer of goods for individuals and legal entities in the municipalities in northern Kosovo and Metohija are to be credited to the fund for the development of the north. The amendments adopted in the Assembly, however, provide for the establishment of a development trust fund for the association of Serb municipalities in Kosovo and Metohija. In that way, the funds would be initially credited to the Kosovo fund — treasury/budget — and only then to the fund for the development of the north. That modification runs counter to the spirit of the political agreement. Rather than eliminating the obstacles to the normalization of life, it creates additional ones.

Another example of the breach of trust is the situation in Brdjani. The report states that Serbs protested because of the attempts by internally displaced Albanians to build houses in that part of northern Kosovska Mitrovica. The truth of the matter, however, is the persistence of Kosovo and Metohija Albanians in altering the ethnic structure of Brdjani through land grabbing and building without a permit. In fact, local Serbs had agreed with returnee Albanians that they could rebuild their houses without any encumbrance whatsoever. Brdjani, it should be borne in mind, is a small place where everybody knows everybody else and where such agreements were possible. Yet the Serbs from Brdjani protested only after they discovered that Kosovo and Metohija Albanians were planning to build 172 apartments in that locality for veterans of the so-called Kosovo Liberation Army who had never lived there, and only for a fraction of that number for Albanians who had lived there before 1999.

That is yet another example in which UNMIK mediation would be of great help. We therefore

propose that the Secretary-General request his Special Representative to draw up an exact list of Kosovo and Metohija Albanians who lived in Brdjani prior to June 1999 and to present it with his next report. We are convinced that such transparency would contribute significantly to the resolution of disputes and that we need a neutral international presence to achieve it.

Building confidence in Kosovo institutions among minority communities is not aided by the signing of the 1 July military agreement with Albania, mentioned in the report of the Secretary-General. The Republic of Serbia protested the signing in the belief that the agreement on military cooperation should be placed in the context of the dialogue between Belgrade and Pristina. Its implementation is sufficiently complex even without the less than constructive surprises by Pristina, especially those with destabilization potential.

The exchange of military personnel, provided for by the agreement, would result in an increased presence of ethnic Albanians in a very small geographic area, interspersed with a number of enclaves populated by Serbs, Gorani and other non-Albanians, thereby adding to the anxiety of those already isolated communities. Such an agreement has a potential, in case a political decision is taken, to threaten the security of the people in a real way and to repeat the ethnic pogrom of March 2004. Whether or not such a scenario comes to pass, the signing of that agreement sends a clear message to all members of non-Albanian communities as to who controls force. It should be borne in mind that, at least in theory, the agreement provides for the possibility that full military force could be deployed, since the Republic of Albania does possess heavy weapons; whereas, at least formally, the so-called Kosovo Security Force does not.

Of course, we do not expect that Pristina will use the agreement with Albania for military actions in the field, but we must emphasize the consequence: intimidation of minority communities. Likewise, we did not believe that the pogrom was possible before it happened in 2004, or the dispatch of Pristina's special force to northern Kosovo and Metohija in the summer of 2011.

At that time, we also kept telling our fellow Serbs that threats to their lives were a thing of the past, but the reality contradicted us. If we want to solidify the trust that we have only begun to build, we now need much more than assumptions. We need guarantees that force will not be used.

Tensions continue, not only in the north but in the entire territory of Kosovo and Metohija. The Serbs living south of the Ibar River are facing problems. Although those problems are different than those of the Serbs in the north, they merit attention and serious efforts to find solutions. Particularly worrisome is the fact that some problems are institutional in nature and, as a result, they involve partial and sometimes full denial of basic minority rights in terms of security and restitution of property.

Although the report includes a separate chapter on northern Kosovo and Metohija, it is of particular concern that, by choosing to treat the subject this way, it actually minimizes emphasis on developments important for Serbs and members of other non-majority communities in Kosovo and Metohija. We propose that, for the next report, the Secretary-General asks his Special Representative to prepare an exhaustive review of the situation in which the Serbs, Gorani and the members of other communities south of the Ibar River live. Such a report would be very illustrative if it included examples of institutional encumbrances related to the exercise of rights, the registration of ethnically motivated criminal offences and the realization of property rights.

The property rights of Serbs are violated throughout Kosovo and Metohija, in particular by indiscriminate sales of companies in Serbian communities to Albanian business people through the Privatization Agency of Kosovo. The sales affect the economic viability of the Serbian communities, destroy conditions for return and undermine security. In addition, it has been a common practice to put only ethnic Albanian workers on lists of employees entitled to monetary compensations from the sale of a company.

In that connection, I recall the position maintained within the United Nations that the Privatization Agency of Kosovo is not a legal successor of the Kosovo Trust Agency, since it has not been established under a law in force in Kosovo and Metohija in accordance with resolution 1244 (1999).

In the light of the property issues mentioned, I consider it necessary to re-examine the decision on funding the Privatization Agency of Kosovo. It would be ill-advised to leave such a sensitive issue as privatization, which concerns all minority rights, within the competence of the Privatization Agency of Kosovo. The latter has already misused its powers in the interest of the majority community on a number of occasions.

It has been 14 years since the Council adopted a decision on the establishment and on the competencies of the United Nations Mission in Kosovo and Metohija, but some key aims of the international community remain unfulfilled. According to data from the Office of the United Nations High Commissioner for Refugees, there still remain 210,148 internally displaced persons from the province living in Serbia today. More than 70 per cent of them are Serbs, 17 per cent Roma, as well as Gorani, Bosniacs, Montenegrins and others.

Tension in Kosovo and Metohija continues to flare. Despite our efforts, we have not succeeded in reducing it, demonstrated by the security data presented in the report. It has been pointed out that, taken separately for each quarterly reporting period, it has been hard to make precise conclusions on the basis of the number of security incidents that took place during a particular period. As it stands, it is possible to wrongly conclude that the security situation is improving; whereas, in fact, we still have a long way to go to achieve that goal.

After the completion of the report, which states that the number of incidents related to minority communities has been reduced as compared to those in the preceding period, the murder of an elderly Serbian woman was discovered. The perpetrators were never identified. That reveals a new problem: the report is silent on the number of discovered and tried perpetrators and the number of cases, solved and unsolved. Also, no mention is made of the measures taken by the authorities — whether the police, the prosecutors or the courts.

The practice of not punishing the perpetrators of violence against Serbs therefore continues. We still do not know who killed 14 reapers at Staro Gracko in 1999, following the arrival of the international presences, or who shot the Serbian children as they played on the river at Goraždevac in 2003. Every year, as we remember those who lost their lives, we expect to hear what has been done concerning them, but we have had no answer for more than 10 years now. The pogrom of March 2004, which resulted in 19 dead and approximately 4,000 displaced, has not yet led to initiating a single court proceeding.

Had at least one of those cases been solved or had we seen any headway in investigations, we would now have something to prove to the Serbian community in Kosovo and Metohija that, over time, justice would be served in each case. We would be able to tell the community that meting out justice would not only discourage potential perpetrators from committing

violence again, but that, over time, it would create a different climate among Kosovo inhabitants, who, in that way, might one day become guarantors of their security.

Yet, none of those cases has been solved so far, which leads us to believe that the culture of impunity obtains in Kosovo and Metohija. It is therefore no surprise that violent demonstrations broke out in Pristina after EULEX arrested a few suspects in connection with war crimes committed against minorities. I repeat, in an environment like that, minorities surely do not feel safe. If the environment were at least a bit different, we would be witnessing more returns, and our Liaison Officer, who assumed his duties in June, would not be one of only 118 Serbs in Pristina, a city that numbered 40,000 Serbs not so long ago. There were only 302 Serb returnees to Kosovo and Metohija in 2012, fewer than in 2011, when 464 persons returned. We are witnessing a continued decrease in the already small numbers of returnees. The United Nations High Commissioner for Human Rights has pointed that fact out. Even though she offers a positive assessment of the legal and institutional frameworks for human rights protection, the High Commissioner indicates that their enforcement remains insufficient. That brings us back to the question of Pristina's political will to address those issues.

The lack of institutional clarity, highlighted in a joint study by the Council of Europe and the European Union, would not be such a big problem, if it were not yet another issue used by Pristina to intimidate the Serbian population by resorting to arrests under secret indictments. We continue to witness unfounded charges arbitrarily pressed against Serbs for war crimes. Equally disturbing is the postponement of the amnesty law, which, incidentally, barely made it through the Parliament, which makes Serbs justifiably apprehensive that, pending its implementation, many more of them might be arrested.

The Republic of Serbia takes this opportunity to call on EULEX, which is competent to find those responsible for war crimes, to make a contribution towards finding a solution to that problem by presenting a list of Serbs indicted, without interfering in individual court proceedings.

As on previous occasions, I would like to reiterate the importance of a full and effective investigation into allegations of people being killed for organ trafficking. The Republic of Serbia is ready to continue cooperating

with the EULEX investigation team in order to establish the truth and to achieve justice for the victims, as soon as possible.

I must point out that the intimidation and discouragement of returns can be much more subtle, if, for instance, one denies the history of an entire people. It so happens that we continue to witness attempts, made within UNESCO, to rename the cultural and historical heritage of the Serbs in Kosovo and Metohija as the heritage of Kosovo without mentioning Metohija, in other words, to 'Kosovize' it. Those attempts are tantamount to destroying evidence of the long existence and survival of Serbs for centuries in that area, all for the purpose of promoting the so-called independence of Kosovo.

As far as the Republic of Serbia is concerned, it does not, nor will it, recognize the unilateral declaration of independence. Let me also express our gratitude to all those Member States that share and support our position of principle. Too many latent tensions continue to exist everywhere in Kosovo and Metohija. Our experience has shown that often the slightest incident can trigger a situation that can escalate into protests with unforeseeable consequences.

Great efforts and concrete steps are needed to ensure physical safety and to secure the property of minority communities. Those steps need to be taken, as stated in the report, by Pristina, and we believe that the process will evolve a lot more easily and faster with UNMIK's assistance.

The first agreement to normalize relations is a good beginning, but it only sets a framework for the hard work that still lies ahead of us. We consider those foundations good enough to build a better tomorrow, and we must not miss this opportunity. We cannot simply ignore obstructions, for that not only means a return to the past but also signals a deepening in the mistrust, which we want to overcome.

Aware of the opportunity before it, the Republic of Serbia expects the continued assistance of the international community, the United Nations in particular, on the road to confidence-building, which we believe is the only sound foundation for bringing about a normal life for everyone in Kosovo and Metohija.

**The President** (*spoke in Spanish*): I now give the floor to Mr. Hoxhaj.

**Mr. Hoxhaj:** It is a great pleasure to address the Council again today and to inform it about key political developments that have taken place in Kosovo over the past three months. Today, I would like to brief the Council on the following issues: the state of the implementation of the normalization agreement between the Republics of Kosovo and Serbia, the landmark progress made towards European Union integration, and stability and achievements on a number of domestic issues.

Let me start by expressing our sincere gratitude to Secretary-General Ban Ki-moon for his support of peace and stability in Kosovo and the region. We welcome his efforts to understand the situation on the ground and to present a more realistic overview of the progress in Kosovo.

In the past three months, Kosovo has engaged proactively in implementing the obligations arising from the first agreement governing the normalization of relations between Kosovo and Serbia. There is a new political dynamic in Kosovo, where we have achieved substantial results. However, serious challenges remain, which can be overcome only with political commitment, flexibility and visionary dedication. In my view, reaching inter-State agreement is a good basis for the normalization of relations and mutual acceptance by both countries, but that should also serve as a basis for reconciliation and recognition.

Since 19 April, 15 joint meetings between Prime Ministers Ivica Dačić and Hashim Thaçi have been held in Brussels, thanks to the excellent mediation of Baroness Ashton on behalf of the European Union. In line with the provisions of the implementation plan, the main issues discussed in those meetings were: dismantling illegal and parallel Serb security and judicial structures; the formation of a Serb municipality association; the organization of local elections; and discussions on energy and telecommunication. I can confirm here today that there has been some progress in the integration of a police force, establishing an association and finalizing preparations for local elections. At the same time, there has been no significant progress on the integration of justice structures and in the areas of energy and telecommunication.

On 26 June, the Assembly of Kosovo ratified an inter-State agreement between Kosovo and Serbia by a more than two-third majority, namely, 84 votes, which included support by the opposition. After that, our Government submitted a number of amendments to the



Assembly regarding the law on local self-governance, the rights of communities and the budget. Those legislative changes will facilitate the implementation of the agreement and will enable Kosovo's institutions to extend their democratic and legal authority into the northern municipalities.

On 11 July, after a long society-wide debate, the Assembly of Kosovo approved a law on amnesty. The law aims to facilitate the integration of former employees from Serb parallel structures into Kosovo's institutional system. The generous list of exemptions from criminal prosecution and punishment for criminal offences is a huge compromise for our side. It is a political act taken for the sake of the normalization of inter-State relations and in support of peace and reconciliation.

The amnesty law has led to a political reaction from an opposition faction in Kosovo. Therefore, the law is currently under review by our Constitutional Court. As a democratic country, we fully respect the independence of the justice system. However, we remain hopeful that the Court will confirm that the amnesty law is in accordance with our Constitution.

In accordance with the normalization agreement and the implementation plan, we have had a breakthrough regarding the establishment of the association of Serb municipalities. A preparation team has been established, consisting of representatives from the four northern municipalities. The team will prepare a statute for the future association of the Serb municipalities, based on the statute of the existing Association of Kosovo Municipalities and in accordance with Kosovo law.

Another area of progress is the integration of the former Serb police into Kosovo's law enforcement institutions. Some concrete steps have taken place already in this area. The Kosovo police has established a regional police department for the northern municipalities. It has also appointed a provisional regional director of police, who is working in accordance with Kosovo law. There is a clear legal framework and a timetable. The upcoming months will be critical for the integration of former Serb police into the Kosovo police system. This will be important in order to restore the rule of law and public order in that part of Kosovo.

The next local elections will be held on 3 November throughout Kosovo. In the northern municipalities, local elections will be organized under the leadership of Kosovo's Central Election Commission and with

the support of the Organization for Security and Cooperation in Europe (OSCE). The local elections in the northern municipalities will be organized in line with Kosovo law, and the role of the OSCE is to facilitate that in a number of technical aspects. These will be the first municipal elections that will establish democratic institutions in the three northern municipalities. Therefore, we invite the local population to participate in this crucial electoral process. The elections represent an opportunity to build a joint commitment and new civic obligations towards a multi-ethnic Kosovo.

The participation of different parties is essential to ensure political competition and respect for the freedom of political association. To that end, Kosovo institutions are working to create a comprehensive list of voters in the northern municipalities, including those who are currently living outside Kosovo. However, Belgrade has a critical role to play by encouraging the participation of local Serb populations.

During the reporting period, we observed some progress on the implementation of the agreements reached thus far. But, at the same time, there are some clear tendencies in Belgrade to deviate from the original obligations deriving from the normalization agreement. On positive moves, we also welcome the closure of the Serb police offices in the northern municipalities. At the same time, there is evidence that members of Serb security structures continue to operate from private settings, remaining on standby to destabilize that part of Kosovo.

In the area of justice, there is no progress yet on the implementation of provisions, and that is due to a lack of political will in Belgrade. On the issue of the integration of justice personnel, there is no progress at all. We have offered the most advanced options to integrate those structures into Kosovo's constitutional system, but Belgrade has consistently tried to change the substance of the normalization agreement. The agreement foresees a unique system of police, justice and local governance throughout Kosovo, and Belgrade should stick to the deal.

On integrated border management, some progress has been noted in finalizing the construction of five permanent joint border points, which also sets the inter-State border line between Kosovo and Serbia. However, there are obstacles from Belgrade, which is not allowing Kosovo's citizens to travel through Serbia with Kosovo documents. That is a violation of the agreement on the freedom of movement. Serbia is also

undermining the agreement on customs by collecting custom tariffs from Kosovo citizens who cross Serbia's territory to enter Kosovo as their final destination.

In addition, Belgrade's failure this week to accept the agreement on energy and telecommunication, which has been pending for the past two years, is the best testimony of the lack of political will to resolve outstanding inter-State issues. However, we welcome the opening of the Kosovo Liaison Office in Belgrade and are rotating our Ambassador from Zagreb to Belgrade to start the mission.

In the past three months, Kosovo marked a milestone on its path to European Union membership. On 28 June, the Council of the European Union took a decision to authorize the European Commission to negotiate a stabilization and association agreement between the European Union and Kosovo. That decision represents an acknowledgement of our progress regarding democratic governance and the normalization of relations with Serbia. It opens, for the first time, a clear perspective for establishing contractual relations between the Republic of Kosovo and the European Union. By signing a stabilization and association agreement, Kosovo will undergo the same processes as all States in the region before joining the European Union.

We continue to trust that the stabilization and association agreement will contain all the essential elements to enable Kosovo to achieve the conditions necessary to be able to submit an application for membership. That will offer a strategic framework for social, economic and political modernization and transformation. It represents a legal framework that offers stability and security for foreign direct investments, economic growth and job creation. We have already formed a negotiating team and begun preparations for negotiating the provisions of the stabilization and association agreement. Based on the commitment of the European Union, we expect to finalize the agreement during spring 2014. Let me reiterate that Kosovo's European agenda remains a national priority for all political forces in the country.

Regarding visa liberalization, we have approved a package of laws that regulate a number of critical security-related issues, such as the status of foreigners, asylum, citizenship, the prevention of trafficking and integrated border management. That package of laws has now also been passed by the Kosovo Assembly. We expect new dynamics that will enable our citizens to

travel visa-free to Europe, as most of the benchmarks are already met.

Over the past three months, Kosovo has strengthened its international position and increased its interaction with multilateral organizations. In June we welcomed the recognition of our independence by important countries such as Egypt, the United Republic of Tanzania, Yemen, Guyana and El Salvador. More than 100 Member States have recognized Kosovo thus far, and we have established diplomatic relations with nearly 60 States. After achieving membership in the International Monetary Fund, the World Bank and the European Bank for Reconstruction and Development, we recently became a member of the Council of Europe Development Bank.

In this reporting period, the political, economic and security situation continued to be stable. Kosovo has the most stable political landscape in the region. Despite the global financial crisis, we have managed to maintain macro-economic stability and to have an annual growth of 5 per cent.

Inter-ethnic relations have also been very good and without any significant incidents except in the north of the country. Similarly, interfaith relations have been a positive example of peaceful coexistence for the entire region. A special multi-ethnic task force for the protection of cultural and religious heritage has been established within the Kosovo police. It consists of 202 officers who provide security for 23 monuments and sites of Serb heritage in Kosovo. The task force will also soon take responsibility for the security of the Patriarchate of Pejë.

The security situation throughout Kosovo has improved, mainly as a result of the normalization agreement with Serbia. Such improvement is essential to promoting economic development and job creation. The Kosovo police, in cooperation with the European Union Rule of Law Mission and the Kosovo Force (KFOR), has continued to display effective leadership in maintaining security throughout the country. However, in the past three months Serb security structures have caused a number of incidents, preventing displaced Albanians from returning and damaging citizens' private and public property.

The Government has continued its institutional, financial and political support for the return and reintegration of Kosovo communities. Since March, 258 persons have returned to communities around the

country. We have launched various activities aimed at fostering the reintegration of community returnees. We have constructed 26 new houses and implemented infrastructure and community-based projects.

On 9 July, the North Atlantic Council announced that the Kosovo Security Force had reached operational capability in line with NATO standards and principles. As a multi-ethnic force and a source of stability, the Kosovo Security Force has now strengthened its capacity to deal with disaster management and humanitarian assistance. The announcement marks an important moment in the expansion of relations between Kosovo and NATO and confirms that Kosovo is an example of a country with democratic, civilian oversight of the security sector. As ever, we express our gratitude to KFOR for its assistance to us in maintaining security and peace in Kosovo. Kosovo hopes to join NATO's Partnership for Peace programme in the near future and to become an equal member of NATO alongside other countries of the region.

Our institutions have continued to promote the protection of human rights and to strengthen institutional mechanisms for human rights. With the United Nations Human Rights Commissioner's visit to Kosovo in June, we gave further confirmation of our commitment to protecting and observing international human-rights standards. We will continue to invest in protecting and promoting the political, economic and socio-cultural rights of all communities living in Kosovo.

The fate of missing persons is an issue that continues to haunt our society; it requires continued genuine commitment and cooperation from Belgrade and the support of the international community. The sooner it is resolved, the greater will be the chances for inter-ethnic and inter-State reconciliation between Kosovo and Serbia. We have already raised this issue several times at our meetings in Brussels. We need to do our utmost to uncover the truth about the fate of those missing. In that regard, I think the United Nations can and should play a more important role.

Kosovo is grateful to the United Nations for its role in building State institutions and consolidating peace. We are all aware that State- and peacebuilding can result in long-term success only when they promote and enable democratic national ownership and include timely exit strategies. Fourteen years after the establishment of an international civilian and military presence, in June 1999, it is now time for the Council

to consider removing Kosovo from its agenda. The moment has come to adopt a new resolution recognizing the progress that has been made on the ground and that we have been reporting on a regular basis for many years now.

While there is no doubt that the United Nations Interim Administration Mission in Kosovo (UNMIK) played an active role in stabilizing Kosovo between 1999 and 2007, it is now important to acknowledge that it no longer has a role to play in Kosovo. It is time for the Council to consider transforming UNMIK into a United Nations political office for coordinating all United Nations agencies, funds and programmes. In that regard, the most important function for the United Nations in Kosovo would be to support us in our preparation for admission to the United Nations. We understand that, in order to achieve that, what is needed is political will and unity on the part of Council members. We call on the Security Council to take concrete, speedy and definitive action in order to enable Kosovo to take its rightful place in the family of free and democratic nations.

Let me conclude by reiterating the strong commitment of our Government and people to continuing to make Kosovo a successful and prosperous country, while leaving the legacies of the past behind and advancing our integration into the international democratic community. We remain strongly committed to fully implementing the normalization agreement with Serbia, and we take seriously all the obligations necessary for ensuring the northern municipalities' peaceful integration into Kosovo institutions. However, the full normalization of inter-State relations will be achieved only when Serbia recognizes Kosovo's independence. Similarly, the international community's contribution will come to fruition when Kosovo becomes a full and equal Member of the United Nations.

We remain deeply grateful to the Council, our European and NATO partners and the wider international community for helping Kosovo to become a multi-ethnic, democratic and cohesive State.

**The President** (*spoke in Spanish*): I shall now give the floor to the members of the Security Council.

**Ms. Power** (United States of America): I would like to thank Special Representative Zarif for his briefing. I would also like to take a moment to welcome the new Permanent Representative of China, Ambassador Liu Jieyi. And, of course, we welcome the Ministers

for Foreign Affairs of Kosovo and Serbia, Mr. Hoxhaj and Mr. Mrkić, back to the Council, and thank them both very much for their briefings. I commend both Governments, and in particular Prime Minister Thaçi and Prime Minister Dačić, for their leadership, which has led to agreement on principles for normalizing relations and has advanced their countries' respective paths towards European integration.

Today I would like to make three points, regarding the opportunities presented by the dialogue process facilitated by the European Union (EU), upcoming elections and progress on issues important to advancing normalization and understanding.

First, the United States congratulates Serbia and Kosovo on the important steps taken towards implementing the 19 April agreement to normalize relations. Our EU partners recognize the significant steps taken by both Governments, and we welcome the European Council decisions on 28 June to open accession negotiations with Serbia and to open negotiations with Kosovo on a stabilization and association agreement. The dialogue has created opportunities to enhance stability in the region for both the security and the economic prosperity of the people of Kosovo and Serbia.

The Prime Ministers and EU High Representative Ashton deserve our strong praise and continued support for their efforts. We commend the Government of Serbia's work towards integrating the police into a unitary framework and chain of command by closing parallel stations in northern Kosovo. Equally important, Kosovo has taken steps to amend its laws so that implementation can move forward.

The fact that both Governments have posted liaison officers in each other's capitals will also help improve relations and further dialogue. We also thank the European Union Rule of Law Mission and NATO for their continuing support in the implementation of the dialogue agreements. As both Foreign Ministers have acknowledged, much remains to be done to fulfil the commitments they have made. We hope to see soon the finalization of agreements on energy and telecommunication, progress in the working groups in Brussels to consolidate legitimate and effective judicial and police structures in the north, and the full implementation of all previous dialogue agreements, including on customs and integrated border management.

Secondly, we look forward to the 3 November municipal elections in Kosovo and appreciate the integral role that the Organization for Security and Cooperation in Europe (OSCE) has been playing to help facilitate what should be free, fair and transparent elections. The United States urges eligible voters throughout Kosovo to exercise their right to participate in the democratic process. We especially urge minority communities, including Kosovo Serbs, to participate and make their voices heard. By voting, they have the opportunity not only to choose their leaders but also to hold them accountable and ensure effective and responsive local governance.

Thirdly, I want to highlight opportunities to overcome the violence of the past and promote reconciliation between communities in Kosovo. The United States welcomes Kosovo's efforts on the protection of religious and cultural heritage, including the establishment of a new multi-ethnic unit within the Kosovo Police to protect sites throughout the country, as agreed in the dialogue. That unit is in the process now of working with the Kosovo Force to assume primary responsibility for the protection of the Pejë/Peć Patriarchate. The United States encourages the Government of Kosovo to continue to work with its international partners, including NATO, the OSCE, the EU and UNESCO, to ensure that the holy sites of all religions are restored and protected.

As noted again in the Secretary-General's report (S/2013/444), missing persons are an important and unresolved issue that demands critical attention from all parties. We reiterate the call on all concerned, particularly the Governments of Kosovo and Serbia, to intensify collaborative efforts to locate missing persons, so that families can finally obtain answers and, hopefully, some personal resolution. Ensuring safe, stable and sustainable conditions for returnees is another critical aspect of moving forward that requires further attention and much work.

Let me conclude by encouraging the Governments to maintain the momentum of the past few months. We want Kosovo and Serbia to succeed and thrive, so it is up to their leaders and the people of Kosovo and Serbia to seize the opportunities created by the dialogue and the European Union negotiations to build the foundations for a secure and prosperous future. We stand ready to assist in any way.

**Mr. Loulichki** (Morocco) (*spoke in French*):  
Let me at the outset thank Mr. Farid Zarif, Special

Representative of the Secretary-General, for his very exhaustive briefing and welcome him here today. We also of course welcome Foreign Minister Ivan Mrkić and Mr. Enver Hoxhaj.

The positive trend in the relationship between the Serbian and Kosovo parties over the past few months has been given significant impetus in the wake of the signing by the two sides in Brussels on 22 May of a new agreement for an implementation plan for the first agreement on principles governing the normalization of relations of 19 April 2013. That latest agreement, in particular, lays out concrete steps and timelines for implementation, including the necessary adjustments to the existing legal frameworks to accommodate the establishment of an association or community of Kosovo Serb municipalities, the integration of the Serbian police and judicial structures, and preparation for local elections.

More encouraging still, the parties have maintained and strengthened their commitments through the holding of high-level and expert-level meetings to consolidate and accelerate implementation of the agreements. In that regard, the parties agreed on 20 June on the composition of the management team representing the four northern Kosovo municipalities, which will draft the statute of the association or community of the Kosovo Serb municipalities and exercise some of its powers on an ad interim basis.

All of the those developments would not have been possible without the firm commitment of both parties and good offices, specifically those of the European Union. In that regard, I would like to commend the commitment of the European Union, specifically that of the High Representative for Foreign Affairs and Security Policy, Ms. Catherine Ashton. We commend her leadership, determination and perseverance to overcome difficulties and work with the parties in negotiations aimed at bringing about specific outcomes. We are optimistic about the positive impacts of her efforts and commitment to assist the populations involved with regard to regional stability and the prospects for integration within the European Union.

Given the dynamism initiated and sustained by the Kosovo and Serbian parties, one could expect some resistance to emerge and stand in the way of the implementation of the 19 April agreement and the subsequent agreements. In that respect, we praise the responsible attitude of the Serbian leaders to plead the case with the leaders in northern Kosovo to implement

the agreements. We are counting on the involvement of local authorities and the United Nations Interim Administration Mission in Kosovo (UNMIK) to promote dialogue and restore confidence.

The momentum towards rapprochement and consolidation gradually taking hold between the two sides has seen a number of initiatives related to protecting religious and cultural heritage. The measures are symbolic but they are fundamental in terms of promoting and building mutual respect between the different components of society. We praise those efforts, particularly those of UNMIK and UNESCO and other partners. We are pleased to note the completion of the recruitment of police officers to protect cultural heritage.

With respect to security issues, the situation continues to be calm overall. However, there are some multi-ethnic areas where tensions persist and incidents affecting minorities have occurred. We call on the parties to work together to continue to control those tensions.

We would particularly like to applaud the cooperation between UNMIK and the international and regional organizations present on the ground in such varied areas as the rule of law, human rights, security and returns. As the Secretary-General says in his report (S/2013/444), cooperation and coordination among the various international presences are key in helping the parties move forward on the implementation of the 19 April agreement.

The historic agreements that the parties were able to reach are a milestone that we hope is irreversible as far as the process of normalization of the relationship is concerned. The European Union, first and foremost, the Organization for Security and Cooperation in Europe, NATO and UNMIK are called upon to continue playing their valuable roles in facilitating the achievement of the goals of peace, stability and reconciliation in that important part of the Balkans. But above all, it is up to the Serbian and Kosovo parties to move forward with the same momentum, sense of responsibility and spirit of compromise that they have shown to date with respect to the full effective implementation of their commitments and the settling of pending issues in order to bring about a political, comprehensive and inclusive solution in accordance with the provisions of resolution 1244 (1999), adopted by consensus by the Security Council.

**Mr. Manzi** (Rwanda): I thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for briefing us on the Secretary-General's quarterly report (S/2013/444) on the United Nations Interim Administration in Kosovo (UNMIK). We also welcome to New York Mr. Ivan Mrkić and Mr. Enver Hoxhaj.

In June, at a debate on the same agenda item (see S/PV.6979), Rwanda welcomed the document signed between the two parties. I wish to acknowledge that it is encouraging to see the progress that Serbia and Kosovo are making. The high degree of commitment, flexibility, vision and creativity demonstrated by all parties, both in Pristina and Belgrade, for the steadfast implementation of the agreement should be commended. There is no doubt that the full implementation of the agreement on the ground is not far from realization.

We commend the positive spirit of both parties and call on them to continue to engage in a substantial discussion on matters of mutual interest, including the transformation of the existing structures in the north and a self-governing region that fits into Kosovo's jurisdiction, based on flexible application of the provisions of the Ahtisaari plan. We call on the international community to provide unconditional support and resources to sustain the positive momentum.

The greatest challenge ahead requiring attention is the scepticism in northern Kosovo. The agreement cannot be successfully implemented without cooperation. Implementation should therefore be carried out with the full participation of Kosovo Serbs, because sustainable reconciliation cannot be achieved in the presence of lingering mistrust. In that regard, the international community should continue to focus on the security situation in the north and prevent further tension, as security is a key factor in lasting peace for all.

Rwanda commends UNMIK's role in the monitoring, mediation and facilitation of activities that have contributed to the political process. The Mission should continue to adapt to the evolving situation in order to provide maximum support to the political process, focusing in particular on issues related to implementation of the agreement, and should play a role in ensuring the coordination of all efforts. Furthermore, UNMIK should actively help to promote reconciliation and trust-building in Kosovo's communities with a view to reaching a negotiated political solution. We therefore

call on the people of Kosovo and other stakeholders to increase their trust-building efforts.

Rwanda commends the progress in Kosovo's institutions that facilitate economic and political stability, strengthen the rule of law and good governance and improve the protection of human rights and socioeconomic conditions. We hope that the prevailing atmosphere will lead to the permanent peace and stability that the people of region deserve.

Rwanda reiterates its support for the regional perspective in resolving differences, and therefore expresses full support for the continued guidance of the European Union in bringing the two parties closer. There is no doubt that the dialogue has marked progress in terms of concluding the agreement. The credibility of the entire dialogue process has been the cornerstone of the achievements we see today.

We believe that it is through dialogue, rather than threats or violence, that mutual issues can be solved. Rwanda urges all to refrain from any action that could undermine the achievements attained so far.

In conclusion, let me thank the European Union for its instrumental role in the negotiations leading to the tangible progress we witness today. I also express my appreciation to UNMIK, the Kosovo Force, the European Union Rule of Law Mission in Kosovo, the Organization for Security and Cooperation in Europe and all partner organizations that, in a difficult context, continue to play a role in establishing security and the rule of law and, above all, in bringing together the different communities in Kosovo and strive to seek a definitive settlement.

**Mr. Liu Jieyi** (China) (*spoke in Chinese*): First, I thank you, Madam President, for the kind words of welcome and assure you of China's close cooperation.

I thank Mr. Zarif, Special Representative of the Secretary-General, for his briefing. I have listened carefully to the statements made by His Excellency Mr. Mrkić, Minister for Foreign Affairs of Serbia, and Mr. Hoxhaj.

China respects the sovereignty and territorial integrity of Serbia and understands its legitimate concerns with regard to the question of Kosovo.

Security Council resolution 1244 (1999) forms the important legal basis for the settlement of the question of Kosovo. China believes that, in accordance with the

purposes and principles of the Charter of the United Nations and under the framework of resolution 1244 (1999) and international law, all parties should seek a mutually acceptable settlement plan through dialogue and negotiation. It remains the best and only option for resolving the Kosovo question.

China appreciates Serbia's active efforts to seek a political settlement of the question of Kosovo. My country welcomes the substantive results achieved in the high-level political dialogue between Belgrade and Pristina. We encourage both parties to continue the process of pragmatic, constructive dialogue aimed at achieving a lasting settlement of the question of Kosovo and maintaining peace and stability in the region of the Balkans and in all of Europe.

At present, the political and security situation in Kosovo is showing a positive trend. However, the situation in northern Kosovo is tense. All parties concerned should effectively protect the legitimate rights and interests of all ethnic communities in Kosovo and actively promote national reconciliation. They should take a cautious approach to resolving differences in the context of the dialogue in order to avoid any action that could complicate or exacerbate the situation.

China commends the work carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) under the leadership of Special Representative of the Secretary-General Zarif and supports the continued efforts of the Mission to implement the Council's mandate.

We hope that UNMIK, the European Union Rule of Law Mission in Kosovo and the Kosovo Force can strengthen coordination and cooperation in order to play a positive role in promoting the settlement of the question of Kosovo.

**Mr. Iliichev** (Russian Federation) (*spoke in Russian*): We welcome the presence of Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, in today's meeting and share the ideas he has expressed. We have carefully listened to Mr. Enver Hoxhaj.

We thank Mr. Zarif for presenting the report of the Secretary-General on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2013/444) and the assessment of the situation in the province.

The stabilization of the situation in Kosovo remains distant. In the context of the implementation of the agreement of 19 April between Serbia and Kosovo, the international community, and especially the United Nations, should not reduce the attention given to the Kosovo settlement process. What is needed is to genuinely leverage the capacities of UNMIK, taking into account that the agreement has not eliminated the province's core problems and that its implementation is limping along due to the failure of one side with regard to its obligations.

A milestone in the implementation of the agreement would be the holding of municipal elections in the province. We welcome the efforts of Belgrade aimed at holding elections. We must ensure the participation of the greatest possible number of voters living outside of Kosovo, including internally displaced persons (IDPs) and refugees.

It is necessary that the electoral process remain status-neutral, even at the technical level. Both UNMIK and the Organization for Security and Cooperation in Europe (OSCE), under resolution 1244 (1999), have the mandate and power to prepare and monitor elections. We note the importance of preventing —including through the OSCE— possible sabotage by the Kosovo Albanian authorities of the registration of Kosovo Serbs.

An analysis of the situation attests to the fact that Kosovo Albanian authorities, with the collusion of the international presences, have essentially paralysed the return to the province of more than 200,000 Serbian refugees and IDPs, the restoration of their property rights and the observance of internationally recognized human rights and fundamental freedoms. Such a distressing situation demands radical improvement.

We are seriously concerned about signals from Pristina with respect to the downsizing in 2014 of the activities of the European Union Rule of Law Mission in Kosovo (EULEX), including of the unit that deals with the investigation of cases identified by Council of Europe Special Rapporteur Dick Marty with respect to the illegal trafficking of human organs in Kosovo. That Mission was deployed with the consent of the Security Council, which authorized UNMIK to give it a number of powers that EULEX cannot unilaterally transfer. Because of the fact that resolution 1244 (1999) remains fully valid, those powers, in international legal terms, remain within the competence of UNMIK and cannot

be transferred to a third party, particularly to a self-proclaimed Pristina structure.

We also would like to remind the Council that it empowered UNMIK to play the most active possible role in assisting in the process of reaching a Kosovo settlement. The Mission must seek to resolve problems in such areas as the rule of law, the protection of the rights of minorities, working out inter-communal dialogues, gender issues and the protection of Orthodox holy sites. To that end, it needs the appropriate human and financial resources. We call upon the leadership of the Mission to focus its efforts on implementing the provisions of its mandate, even despite the impediments that are imposed on it by the Kosovo-Albanian authorities.

We are deeply concerned by the lack of assessment in the Secretary-General's report (S/2013/444) of the agreement reached by Tirana and Pristina in terms of military cooperation, which governs issues concerning the entry, withdrawal and temporary presence of the armed forces of Kosovo and Albania on each other's territories. The document *de facto* provides Albanian armed forces the right, on some allegedly legal basis, to be stationed in the territory of Kosovo, which fundamentally contradicts the provisions of resolution 1244 (1999). Our position is that under the Serb-Kosovo agreements, the security of Serbs in the province is guaranteed by the NATO-led Kosovo Force. Kosovo armed forces or other units of any kind should not be present in northern areas of the province.

We anticipate that the dialogue mediated by the European Union between Belgrade and Pristina at a high political level will contribute to a long-term settlement of the issues of Kosovo. However, the final say in any case remains with the Security Council. Resolution 1244 (1999) remains fully in force and continues to be binding in international legal terms on any Kosovo settlement.

**Mr. Menan** (Togo) (*spoke in French*): At the outset, I would like to thank the Special Representative, Mr. Farid Zarif, for the presentation of the quarterly report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2013/444).

Togo is pleased with the important work that Mr. Zarif is doing together with the entire Mission team to support the Kosovo authorities in the normalization of relations with Serbia and, more generally, to ensure

the safety, stability and development of that country. I would also like to thank the representatives of Serbia and Kosovo for their statements.

On 19 April, Kosovo and Serbia finally reached an agreement to normalize relations, demonstrating that they are perfectly capable of finding peaceful solutions to their disputes. Togo wishes to reiterate its congratulations to both parties for agreeing to make major concessions in order to reach that agreement. Like any agreement, it is not necessarily ideal for all segments of the populations concerned. Nevertheless, it does have the merit of proposing a solution that makes it possible to emerge from the crisis, which we hope will enable the progressive resolution of the existing differences between the two parties so that they can respond to the challenges linked to the development and well-being their populations.

In that regard, Togo welcomes the adoption, on 22 May, of the implementation plan of the agreement of 19 April, which will, *inter alia*, make the necessary adjustments to the existing legal framework so that they can take into account the creation of the association or community of Serbian municipalities in Kosovo, aimed at carrying out the integration of the structures of justice and Serbian police within the new entity and initiating preparations for local elections. We also note the concrete steps taken by each party to make the implementation plan effective.

Moreover, we acknowledge the decision of the Serbian Government to close the justice and police structures still under its authority in northern Kosovo. We also acknowledge the adoption by Kosovo of a law granting amnesty to certain Kosovo Serbs and modifying the budget so as to take into account the financing of the association or community of Serbian municipalities in Kosovo. Likewise, we acknowledge other measures for a smooth implementation of the 19 April agreement, such as the decision of the Kosovo authorities to organize the upcoming local elections on 3 November, particularly in northern Kosovo, after which the association or community will be created; as well as the exchange, on 17 June, between the two parties of liaison officers responsible for facilitating communication and monitoring the implementation of the agreements.

With regard to the situation in northern Kosovo, which has always been a Security Council concern, we note that the report indicates a decline in acts of violence and the overall improvement in security as



political dialogue continues. We also welcome the reports that Serbs in northern Kosovo have finally made it known that they would not object to the implementation of the 19 April agreement, indicating that the parallel institutions of Serbia remain in place until the new elections. We call on both parties to pursue with determination the implementation of the 19 April agreement by adopting concrete measures conducive to a genuine reconciliation between the different communities living in Kosovo.

After the signing of an agreement, the reconciliation work undertaken by Kosovo and Serbia will take time. The reconciliation work will require drawing on memories to research the disappeared and educating the population concerned in order to root out resentment and promote peaceful coexistence. It is therefore crucial that the international community as a whole, especially international organizations in the field, continue supporting the efforts of Serbian and Kosovo authorities so that the momentum of reforms undertaken so far does not falter.

We welcome the efforts still being undertaken by the European Union, UNMIK, the NATO-led Kosovo Force, the European Union Rule of Law Mission in Kosovo and the Organization for Security and Cooperation in Europe, which will play a particularly important role in the preparation of local elections in November, in which the local populations should take part without exclusion.

**Mr. Tatham** (United Kingdom): I would like to thank the Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, for his briefing today. I am also delighted to welcome to the Council His Excellency Mr. Enver Hoxhaj, Foreign Minister of Kosovo, and His Excellency Mr. Ivan Mrkić, Foreign Minister of Serbia.

Kosovo continues to make progress, both internally and on the international stage, and is now recognized by over half of the States Members of the United Nations. The United Kingdom welcomes the European Council's decision of 28 June to open negotiations for a stabilization and association agreement between Kosovo and the European Union. The United Kingdom fully supports the stabilization and association agreement with Kosovo, which is the first milestone on the path to eventual European Union (EU) membership. It also supports the decision to open accession negotiations with Serbia. Those decisions highlight the way in which improved cooperation and progress in the EU-

facilitated dialogue between Belgrade and Pristina create opportunities and help yield progress in the EU accession process.

Negotiations on the stabilization and association agreement mark a new stage in Kosovo's relationship with the European Union, NATO and the United Nations. To that end, we have encouraged those countries that have not yet recognized Kosovo to do so. It is important that the stabilization and association agreement negotiations begin in the autumn and that they be finalized in good time. The United Kingdom hopes that Kosovo will work effectively with the European Commission to ensure that the areas for reform identified in the 2012 feasibility study are addressed. Kosovo must now make even greater strides in improving electoral reform, minority rights and the rule of law.

As we have said before, the normalization of relations between Kosovo and Serbia is integral to both countries' European Union accession paths. The full implementation of the dialogue agreement will be crucial to unlocking progress for both Kosovo and Serbia. Special Representative of the Secretary-General Zarif has set out in detail some of the important steps that have been taken, and I welcome them. Those steps need to be consolidated and built upon, so I encourage continued efforts by both the Serbian and the Kosovo Governments in taking those difficult steps, and urge them to reach early agreements on energy and telecommunication.

Prime Minister Dačić and Prime Minister Thaçi have shown great courage and political leadership thus far. It is vital that the two Governments sustain progress, continue to find compromise and work together to overcome obstacles to implementation. Belgrade must also continue to communicate the benefits of that agreement effectively to the local communities in northern Kosovo, and Pristina must continue to make every effort to encourage the integration of Kosovo Serbs in the north by demonstrating that it supports the rights and cultures of all its minority citizens.

The continued assistance of the European Union Rule of Law Mission in Kosovo (EULEX) and the implementation of dialogue agreements will be indispensable. We support the important role of EULEX, which will help integrate institutions in the north under Kosovo's jurisdiction. To that end, the United Kingdom urges the authorities in Pristina and Belgrade to cooperate fully with EULEX, particularly

by ensuring the freedom of movement for all EULEX personnel in the north.

I welcome Kosovo's commitment to providing free, fair and democratic municipal elections on 3 November. We urge all those who have influence to encourage wide participation in those elections. The Kosovo Government should work constructively with international organizations such as the Organization for Security and Cooperation in Europe, which will play a crucial role in facilitating the elections.

The United Kingdom is also keen to see wider electoral reform in Kosovo before the end of the year. Kosovo-wide elections will be a significant step towards the integration of all minority communities across Kosovo. Another important part of the process is inter-ethnic reconciliation. In that respect, making progress on the issue of missing persons is crucial. The United Kingdom welcomes the formation of a joint Kosovo Government and civil society working group on dealing with the past. We hope UNMIK and other international organizations will continue to contribute to that process.

**Mr. Maes** (Luxembourg) (*spoke in French*): I would like to join others in welcoming His Excellency Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, and His Excellency Mr. Enver Hoxhaj, Minister for Foreign Affairs of Kosovo. I would also like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for presenting the report of the Secretary-General (S/2013/444) on the United Nations Interim Administration Mission in Kosovo (UNMIK).

On 28 June, Serbia and Kosovo took a further step towards European integration with the decision by the Council of the European Union to open accession negotiations with Serbia and to authorize the start of negotiations on the conclusion of a stabilization and association agreement between the European Union and Kosovo. The decision of the Council of the European Union was the culmination of the efforts made by the Serbian and Kosovo Governments since the beginning of the dialogue facilitated by the European Union. The commitment of both Governments to implement the first agreement of principles for the normalization of relations between Belgrade and Pristina, concluded 19 April in Brussels, led to that historic decision.

The exchange of liaison officers, the establishment of integrated border management and the gradual dismantling of parallel structures in northern Kosovo

are just a few examples among many that attest to the progress achieved in the dialogue facilitated by the European Union. I welcome in that context the crucial role that European Union High Representative Catherine Ashton continues to play.

The implementation of the agreement of 19 April should continue to strengthen the standardization process. In that regard, we welcome the fact that, at their meeting in Brussels the day before yesterday, the two Prime Ministers, Mr. Ivica Dačić and Mr. Hashim Thaçi, reiterated their commitment to the success of the municipal elections of 3 November. It is essential that the necessary conditions be in place to ensure a good turnout for the elections, especially by Serbs in northern Kosovo, so that the provisions of the 19 April agreement on the northern municipalities can have their full impact. The Organization for Security and Cooperation in Europe has an important role to play, since, under the agreement, it is responsible for facilitating the elections in the north. For its part, the European Union is considering — with a view to accepting — the invitation by the President of Kosovo to deploy an election observation mission to assess the conduct of the electoral process throughout Kosovo. Moreover, the time remaining until the next session of the dialogue facilitated by the European Union, scheduled for 8 September in Brussels, will be utilized to continue the negotiations on telecommunication and energy in order to reach an agreement on those important issues in a timely manner.

The normalization of relations between Serbia and Kosovo must absolutely be accompanied by further reforms in Kosovo. We welcome, in that respect, the role that the European Union Rule of Law Mission (EULEX) continues to play with regard to the implementation of the normalization agreement between Belgrade and Pristina and in the fight against organized crime and corruption, the prosecution of war crimes and the fight against impunity for the most serious crimes, including those related to allegations of organ trafficking. It goes without saying that it is imperative that the Kosovo authorities continue to work closely with the European Union's Special Representative for Kosovo, Mr. Samuel Žbogar, and EULEX to continue building the rule of law in Kosovo. At the same time, it is clear that full normalization requires the irreversible dismantling of parallel structures throughout Kosovo. The rule of law that we all support must be based on a single administration, and good faith efforts are needed to get there.

The recognition of Kosovo by more than half of the States Members of the United Nations reflects the positive trend in Kosovo since the establishment of UNMIK, in 1999. Now, following the agreement of 19 April and given the normalization process that has been undertaken between Belgrade and Pristina, the time has come to take into account the new realities in the international community's approach to the issue, including within the Security Council. We will probably need to adapt, in the medium term, the international community's presence on the ground in Kosovo, as the European Union and NATO have already done.

As the European perspective for Serbia and Kosovo materializes in the coming years, it is clear that the need for United Nations involvement in Kosovo will decrease. We can only encourage the two countries and their leaders to continue to show the decisiveness necessary to bring about that common European future.

**Mr. Musayev** (Azerbaijan): Let me start by thanking the Special Representative of the Secretary-General, Mr. Farid Zarif, for presenting the report of the Secretary-General (S/2013/444) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We also welcome the participation in today's meeting of the Minister for Foreign Affairs of the Republic of Serbia, Mr. Ivan Mrkić, and thank him and Mr. Enver Hoxhaj for their statements.

Azerbaijan's position with regard to the sovereignty and territorial integrity of the Republic of Serbia and non-recognition of Kosovo's unilateral declaration of independence remains unchanged. Resolution 1244 (1999) continues to be the binding international basis for a comprehensive settlement through a political negotiations process. Azerbaijan takes positive note of the developments that took place during the reporting period following the 19 April agreement on principles governing the normalization of relations. In that connection, we also note the further agreement reached on 22 May on an implementation plan for the 19 April agreement, and the subsequent meetings in Brussels to advance the work of implementation. We commend both sides for their efforts to safeguard their important achievements and encourage them to continue to remain committed to reaching agreement on the contentious issues through mutually acceptable solutions. That is indispensable to greater stability and well-being in the region.

We emphasize the extraordinary importance of UNMIK's presence and activities in Kosovo. It is

noteworthy that the Mission continues to work closely with communities on the ground and to collaborate with all other mandated international presences in order to enhance the political dialogue's prospects for success. UNMIK should maintain and further develop its key role in ensuring the coordination of all international efforts within its status-neutral framework, as envisaged in resolution 1244 (1999).

It is encouraging that the overall security situation in Kosovo remained generally calm during the reporting period, though stability is yet to be achieved and incidents and tensions require serious attention and prompt reaction. The voluntary return of internally displaced persons to Kosovo again showed few signs of improvement during the reporting period. We commend the efforts of the Office of the United Nations High Commissioner for Refugees to monitor the process and implement the necessary policies for facilitating returns. In that regard, the question of security should be given careful consideration.

The support of the international community for both sides remains essential, particularly in terms of building reconciliation and confidence. As the Secretary-General noted in his report, the unresolved legacies of the conflict, including unsolved cases of missing persons and the bringing to account of all those responsible for war crimes and other criminal acts, should remain key priorities.

In conclusion, I would like to commend UNMIK, under the leadership of Special Representative Zarif, for its contribution to consolidating peace and stability in Kosovo and the entire region.

**Mr. Lamek** (France) (*spoke in French*): I would like to thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing, as well as the Minister for Foreign Affairs of Serbia, Mr. Ivan Mrkić, and the Minister for Foreign Affairs of Kosovo, Mr. Enver Hoxhaj, for their statements.

The Security Council is meeting for the second time since the historic agreement of 19 April between Serbia and Kosovo, reached under the auspices of the European Union. The agreement was quickly followed by regular meetings between the authorities of the two countries in order to ensure its implementation. The substantial progress that has been made shows their willingness to move towards normalized relations. We note with satisfaction the measures taken by Kosovo to grant substantial autonomy to the communities in

Kosovo with a Serbian majority; similarly, we welcome the Serbian authorities' closing of a number of police stations in northern Kosovo, thereby putting an end to the existence of independent parallel structures. We call on the parties to maintain their commitment to the Serb community in northern Kosovo in order to enable it to take ownership of the process of normalization. In that regard, the two parties should work together with the Organization for Security and Cooperation in Europe to ensure the success of the municipal elections scheduled for 3 November, by promoting the broadest possible participation of the Serbian community in Kosovo. It is crucial that the elections be transparent. Lastly, we call on the parties to arrive at an agreement in Brussels on 8 September on the issues of energy and telecommunication.

At the end of June, we reached a new milestone in the European rapprochement of these two countries. First, a decision was taken in principle to open EU accession negotiations with Serbia; the first intergovernmental conference will be held by January 2014 to enable Serbia to achieve its European destiny. Secondly, the European Council has approved the opening of negotiations aimed at signing a stabilization and association agreement with Kosovo. That first contractual link between the young State and the European Union ushers in a new phase for the European partners and is a tangible symbol of a European future for Pristina. Such positive developments require that the international community act on them. We therefore call on the United Nations Interim Administration Mission in Kosovo (UNMIK) to adapt its presence to the situation on the ground in Kosovo and in collaboration with the Kosovo authorities. UNMIK continues to carry out important but residual functions. It is also essential that the Kosovo authorities cooperate actively with the Special Representative of the European Union, Mr. Žbogar, and the European Rule of Law Mission (EULEX), which is carrying out crucial work in implementing the agreements arrived at in the dialogue between Belgrade and Pristina. Lastly, all the parties must respect the freedom of movement of the soldiers and personnel deployed within the framework of the Kosovo Force and EULEX.

France remains committed to the realization of a sovereign, peaceful, democratic and multi-ethnic Kosovo, living in peace with its neighbours. We believe that Serbia should become one of the pillars of stability in the Balkans, and today we are again a little closer to those two goals.

**Mr. Masood Khan** (Pakistan): We thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing this morning. We also thank Foreign Ministers Ivan Mrkić and Enver Hoxhaj for their statements.

We admire the courage and foresight of the leaders of Serbia and Kosovo and their commitment to working for peace in the region. The situation is complex, historical legacies are rife with mistrust and suspicion and expectations are mismatched. And yet the two sides choose to opt for dialogue, mediation and the implementation of the agreements they have concluded.

We agree that the problems that have plagued the region will not vanish overnight. That is why we still need diplomacy and continued investment in the efforts aimed at reconciliation. Progress is being made in the follow-up to the normalization agreement and implementation plan. Both sides have voiced complaints today, but they also demonstrate the commitment to forge ahead against difficult odds. There are strong indications that the current process could pave the way for the two countries to live side by side as peaceful neighbours. In that regard, we would especially like to express appreciation for the pivotal mediation role played by the European Union and High Representative Catherine Ashton. The decisions of the European Council in June to open accession negotiations with Serbia and stabilization and association agreement negotiations with Kosovo are welcome developments. Both Pakistan and the United Nations believe the European Union remains an indispensable catalyst for the process of normalizing relations between Serbia and Kosovo.

We see the role of the United Nations as an enabler, facilitator and impartial arbiter. The Kosovo Assembly's ratification of the normalization agreement and approval of the amnesty law will definitely help promote reconciliation. Amendments to the laws on local self-government, the rights of communities and the budget would help the implementation of the Belgrade-Pristina agreements.

In the interest of peace and the progress of future generations, all sides must reciprocate the spirit of accommodation. The Kosovo Serb leadership should participate in the management team to guide the implementation of the 19 April agreement and the creation of the future municipalities. Those efforts should be supplemented by Pristina's outreach and assurances to the local population. It is important that

the local Kosovo Serbs see themselves as stakeholders in the process. Outreach efforts by the leadership of Serbia to northern Kosovo Serbs are important. Leaders on both sides should continue to work together to build support for the implementation of the agreement among their communities and constituencies.

The report of the Secretary-General (S/2013/444) notes that the overall security situation in Kosovo has remained generally calm and that there has been a decline in incidents affecting the minority communities. That is good news and may well be early evidence of a peace dividend for the region. The United Nations Interim Administration Mission in Kosovo, under the leadership of Special Representative Zarif, continues to play a critical role in the stabilization of Kosovo. We particularly appreciate its mediation and facilitation efforts in northern Kosovo.

Recognition of Kosovo as a State is a key question. One hundred United Nations States Members have already done so. Pakistan recognized Kosovo late last year.

The most important step towards normalization and reconciliation will be formal inter-State communication between Serbia and Kosovo. That is a difficult step and we know the sensitivities involved, but it would ensure full rapprochement. We wish Prime Ministers Thaçi and Dačić success in the difficult road ahead. We are confident that their commitment and dedication, and the dedication of the people of the two countries, will ensure sustainable harmony and peace.

**Mr. Sul Kyung-hoon** (Republic of Korea): I thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing. I also welcome Foreign Minister Ivan Mrkić and Foreign Minister Enver Hoxhaj to the Council today.

We are pleased to note that Belgrade and Pristina continue to move forward in their implementation of the historic 19 April agreement on the normalization of their relations. We commend the constructive role and engagement of the European Union, in particular of Ms. Ashton, in the reconciliation process. The initial progress in implementing the agreement will be particularly meaningful as it builds confidence in the process and helps restore mutual trust among the stakeholders.

In that regard, we urge the Governments of both Serbia and Kosovo to use this opportunity to more actively push forward the implementation of the the

agreement. The holding of municipal elections in northern Kosovo will be a crucial benchmark in the implementation process. We encourage Kosovo to step up its efforts for the transparent and smooth holding of the upcoming elections.

In order for the ongoing peace process to be sustainable and irreversible, the root causes of ethnic tensions and divides should be duly addressed. The education of youth on tolerance and mutual coexistence can play a crucial role in enhancing understanding and respect for ethnic diversity. Unless all ethnic groups and minorities are integrated into the peace process, true reconciliation between the two neighbours will remain elusive.

In that context, more vigorous efforts should be made to eliminate the scepticism and resistance of the ethnic Serbs in northern Kosovo. Their grievances and concerns, if not properly addressed, will remain severe impediments to achieving durable peace and reconciliation. We call on both Serbia and Kosovo to continue their utmost efforts so that the minority Serbs in northern Kosovo can recognize the common interest and share the future in the ongoing process of implementation of the 19 April agreement.

Pristina should ensure full safety and security for the ethnic Serb communities. Belgrade's efforts to assuage their fears and concerns will be critical as well.

We believe that there should be more efforts to address the legacies of the conflict, such as cases of missing persons and victims of sexual violence. Those remaining cases could disrupt hard-won progress and sow the seeds for future conflicts if justice is not served. We call on the Governments of both Belgrade and Pristina to redouble their efforts to heal the scars of war and protect human rights in the region.

Finally, we commend Special Representative Zarif and the staff of the United Nations Interim Administration in Kosovo for their dedicated work.

**Ms. Nassau** (Australia): I thank Special Representative Zarif for his presentation and for his continuing efforts in supporting stability, security and human rights in Kosovo. I also welcome Foreign Ministers Mrkić and Hoxhaj and thank them for their remarks.

Australia supports an ongoing transition in Kosovo that provides for longer-term political stability with inclusiveness for all parties and that effectively

integrates Kosovo within the region. The Security Council's role is to support practical progress towards stability and security. That will eventually enable the United Nations Interim Administration in Kosovo to complete its mandate.

We welcome the progress made to date by the parties in fulfilling their obligations under the 19 April first agreement on principles governing the normalization of relations. We also welcome the 28 June decision by the European Union to open accession negotiations with Serbia by January 2014 and to launch negotiations for a stabilization and association agreement with Kosovo.

The priority for both parties now is the implementation of all 15 points of the April agreement, fully and within the agreed timelines. To that end, we welcome the establishment of liaison offices in Belgrade and Pristina on 17 July and the placement of a management team for the implementation of the Brussels agreement in northern Mitrovica. We welcome the Belgrade-Pristina working group's efforts to implement the agreement, particularly their focus on policing and on election preparations.

With regard to the negotiations in the complex areas of telecommunication and energy, we note that progress on practical areas such as these can translate into genuine confidence-building measures with a long lasting impact on security and stability.

A robust framework for guaranteeing human security, the rule of law, human rights and respect for cultural heritage is essential to the long-term prosperity of Kosovo and the welfare of its citizens. The local elections in the northern municipalities on 3 November, facilitated by the the Organization for Security and Cooperation in Europe, will be a critical step towards political inclusion for Serbs residing in northern Kosovo within a sustainable and viable institutional framework. We welcome efforts by the Governments in Belgrade and Pristina to encourage all citizens living in northern Kosovo to take full advantage of that opportunity to build local democratic institutions that have the potential to be credible and legitimate. We note the steps that have been taken to date, including on the difficult issue of amnesty, in facilitating the transition of northern Kosovo's security and political structures into a coherent Kosovo-wide framework.

Australia also continues to encourage the safe and viable return of internally displaced persons. Australia is encouraged by the close cooperation among the

Kosovo police, the European Union Rule of Law Mission in Kosovo and the Kosovo Force (KFOR), particularly in responding to security incidents in ethnically mixed areas in northern Kosovo. Ensuring security will continue to be vital for the success of the elections.

Australia welcomed the visit to Kosovo by United Nations High Commissioner for Human Rights Pillay on 19 and 20 June. Australia is encouraged that she noted continuing positive dialogue between Pristina and Belgrade. We are pleased that High Commissioner Pillay found that a good legal and institutional human rights framework was in place. Important next steps in building community confidence will be addressing the weaknesses of rule-of-law institutions in Kosovo, including ensuring the independence of the judiciary and addressing the lack of execution of judicial decisions.

Sustained efforts to improve inclusive education, and human rights education in particular, will also be vital for Kosovo's future generations. Australia welcome's Kosovo's commitment to protecting religious and cultural sights. In that regard, we note the ongoing transfer of responsibilities for the protection of religious and cultural heritage from KFOR to the newly established Kosovo police unit. It is essential that the work of that new police unit retains the confidence of Serbs throughout Kosovo. Australia condemns acts of vandalism, desecration and theft from all sights of cultural or religious significance. We commend the establishment of a cultural heritage council in Prizren on 2 July and hope that a similar council will soon open in Rahovec/Orahovac.

Australia continues to support ongoing dialogue between Belgrade and Pristina. The sustained engagement of the international community will be crucial to ensuring that agreements are faithfully implemented. We continue to support measures to address the sensitivities of local communities, particularly in northern Kosovo, and stress the importance of encouraging the development of strong institutions to ensure a stable and peaceful Kosovo.

**Mr. Rosenthal** (Guatemala) (*spoke in Spanish*): We thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for presenting the report of the Secretary-General (S/2013/444), which in many respects is hopeful. That should encourage us to exert even greater efforts in Kosovo. We are also grateful

for presentations given by Minister Ivan Mrkić and by Mr. Enver Hoxhaj.

The Security Council will have to follow closely the implementation of the 19 April agreement. This is a critical moment in relations between the parties. The support of the international community and its commitment to Kosovo continue to be essential. We hope that the parties will continue to do everything within their reach to implement the agreement. The Belgrade agreement with the Kosovo Serbs continues to be important in that regard. Likewise, Pristina should complement those efforts and conduct activities to disseminate those agreements and provide assurances to the local population.

We agree with the Secretary-General that, in order to avoid tensions and achieve success, it is important for Kosovo Serbs to see themselves as co-participants in the process. Moreover, it appears to be positive that in the north of Kosovo the frequency of incidents related to the use of explosive devices has decreased significantly. We note that there has also been a decrease in the number incidents affecting minority communities across Kosovo, in comparison with the previous period. We also note that the application of the integrated management agreement on crossing points continues without major problems.

Despite that progress, the report also indicates that there are persistent tensions in northern Mitrovica with regard to the construction of houses for internally displaced persons (IDPs) from Kosovo and Albania. We are concerned that, according to the Office of the United Nations High Commissioner for Refugees (UNHCR), in April and May there were only 36 cases of IDPs returning to Kosovo, in comparison with 159 during the same period in 2012. According to UNHCR, a lack of sufficient funding to assign either housing and/or land continues to be one of the main obstacles to voluntary return.

As we mentioned in the latest debate on this topic (see S/PV.6979), we believe that the United Nations Interim Administration Mission in Kosovo (UNMIK) has a central role to play during this new phase of implementing the 19 April agreement. We welcome the fact that UNMIK is intensifying its efforts and its cooperation with all the relevant parties when it comes to major problems in the field. We support UNMIK's efforts to carry out mediation and facilitation functions in northern Kosovo and to serve as a channel of communication between municipal representatives and

minority communities to ensure the effective provision of public and social services.

There is a broad range of activities in which UNMIK continues to use its capacity and resources to help reduce tensions and incidents. That is why it is important for UNMIK to continue enjoying all the necessary support to strengthen its presence in Kosovo, especially in the north.

Moving on to the work of the European Union Rule of Law Mission in Kosovo (EULEX) special investigative task force on the inhumane treatment of migrants and organ trafficking, we note with interest the information included in the report on EULEX activities annexed to the Secretary-General's report. We follow its progress with attention.

We take very seriously the Secretary-General's comment on the importance of the international community's continued commitment to move towards reconciliation and to help heal wounds created by the conflict. We agree that the tasks of resolving the legacy of the conflict must remain a priority, including pending cases of missing persons and accountability for war crimes and other crimes.

To conclude, we affirm the primacy of resolution 1244 (1999) as a legal framework applicable to Kosovo, as well as the importance of full respect for international law. We thank the Special Representative for his continued efforts to promote reconciliation among Kosovo's communities.

**The President** (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of Argentina.

I thank the Special Representative of the Secretary-General, Mr. Farid Zarif, for presenting the report of the Secretary-General (S/2013/444) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We also welcome the participation of Mr. Ivan Mrkić, Minister for Foreign Affairs of Serbia, and Mr. Enver Hoxhaj.

I wish, first of all, to highlight the fundamental role that the United Nations plays in Kosovo through UNMIK, which is to promote security, stability and respect for human rights and to cooperate with the Kosovo Force and the European Union Rule of Law Mission in Kosovo (EULEX), while maintaining a neutral position vis-à-vis the status of the territory and operating under the auspices of the United Nations.

Argentina voted in favour of resolution 1244 (1999) when it was a member of the Security Council previously. We believe that it continues to be the international legal basis applicable in Kosovo for achieving a comprehensive solution through a cooperative political process and effective negotiations on the basis of good faith. Once again, we are pleased at the signing of the first agreement on principles governing the normalization of relations in the context of the process of the high-level dialogue under the auspices of the European Union. We trust that the agreement will contribute to the stabilization of the situation through compromise, confidence and dialogue. We hope that meetings will continue to be held between the parties in order to make progress in the implementation of the agreement and accelerate the political resolution of pending issues. In that framework, Serbia's efforts towards the normalization of relations deserve our special recognition.

We encourage the parties to continue along the path of progress in accordance with resolution 1244 (1999), and we also encourage them to implement the letter of the agreement by overcoming the wounds of the past in a peaceful manner in a relationship of trust.

While we are encouraged by the fact that the overall security situation in Kosovo was peaceful during the reporting period, we should not fail to note the security situation in northern Mitrovica, which calls for coordinated action so that the problems there can be appropriately resolved in order to prevent future tensions. The important work of UNMIK is particularly prominent when it comes to providing full support to political processes, giving special attention to issues related to the agreement of 19 April. Once again, we encourage the finding of specific practical solutions aimed at preventing tensions and ensuring that UNMIK continues to play its indispensable role in the field to prevent conflicts and conduct mediation and facilitation, as noted by the Secretary-General in his report.

We are very pleased with the progress made in the reconstruction and protection of cultural and

religious heritage, which is one of UNMIK's priorities, aimed at ensuring the continuity of ongoing activities that contribute to genuine reconciliation between communities. Argentina believes that it is extremely important for there to be full respect for the human rights of displaced persons returning to their places of origin, so that they can have access to their substantive rights and not be the subject of discrimination. It is fundamental to continue working on ensuring the return and permanent reintegration of internally displaced persons, particularly by facilitating their access to housing, basic services and jobs, as well as through the issuance of documents on their civil status and the avoidance of incidents heightening insecurity.

UNMIK's technical assistance is of great importance, as is continuing to give priority to efforts aimed at erasing the traces of the legacy of conflict, which include ongoing cases of disappeared persons, as well as efforts to promote and protect all human rights. Impunity must not be allowed to be a response to major violations of human rights. We highlight UNMIK's work in its support of the rule of law, especially cooperation with all interested parties when it comes to the major problems in the field. As appropriately noted by the Secretary-General in his report, it is also key for the international presence in Kosovo to continue strengthening mutual cooperation with a common end of assisting in the establishment of appropriate conditions for the next stages of application of the 19 April agreement.

Finally, we wish to highlight the work done by the Special Representative of the Secretary-General, Mr. Farid Zarif, to promote security, stability and respect for human rights in Kosovo in accordance with resolution 1244 (1999).

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 12.45 p.m.*