



# Security Council

Sixty-eighth year

**7064**<sup>th</sup> meeting

Tuesday, 19 November 2013, 3 p.m.

New York

*Provisional*

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*President:* Mr. Liu Jieyi . . . . . (China)

*Members:*

Argentina . . . . .	Mr. Oyarzábal
Australia . . . . .	Mr. Bliss
Azerbaijan . . . . .	Mr. Mehdiyev
France . . . . .	Mr. Lamék
Guatemala . . . . .	Mr. Rosenthal
Luxembourg . . . . .	Ms. Lucas
Morocco . . . . .	Mr. Laassel
Pakistan . . . . .	Mr. Masood Khan
Republic of Korea . . . . .	Mr. Oh Joon
Russian Federation . . . . .	Mr. Churkin
Rwanda . . . . .	Mr. Gasana
Togo . . . . .	Mr. M'Beou
United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Tatham
United States of America . . . . .	Mrs. DiCarlo

## 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/2013/631)

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*The meeting was called to order at 3.05 p.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/2013/631)**

**The President** (*spoke in Chinese*): 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. Ivica Dačić, Prime Minister of the Republic of Serbia, and I request the Protocol Officer to escort him to his seat at the Council table.

*Mr. Ivica Dačić, Prime Minister of the Republic of Serbia, was escorted to his seat at the Council table.*

**The President** (*spoke in Chinese*): 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.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Hashim Thaçi 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/2013/631, 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:** Since my last briefing to the Council in August (see S/PV.7026), the implementation of the 19 April first agreement on principles governing the normalization of relations between Pristina and Belgrade has passed an important milestone. It has entered a critical and broadly more challenging phase. The milestone was reached through the extensive preparations and successful conduct of Kosovo-wide municipal elections on 3 November.

Despite the brief window opened for the preparation of these elections, a significant number of Kosovo municipalities recorded substantially higher turnout than was the case in the most recent local elections, held in 2009. For example, turnout in the Serb majority municipalities south of the Ibar River was far higher than during previous local elections over the past decade. In municipalities north of the river, turnout was comparatively lower, yet significant, despite a frequently contentious atmosphere and numerous practical challenges.

On election day, serious problems occurred in northern Mitrovica, which unfortunately drew the greatest part of attention from the international media. Towards the end of the day, masked persons forced their way into three major polling centres and managed to destroy or otherwise contaminate many boxes of cast ballots. Instances of voter intimidation and the stoning of some vehicles belonging to the European Union Rule of Law Mission in Kosovo (EULEX) and the Organization for Security and Cooperation in Europe was also witnessed. These reprehensible criminal acts were universally condemned by local and international actors. A full investigation into the break-ins was launched by the Kosovo Police, with the support of EULEX.

On 6 November, a principal-level meeting of the political dialogue was held in Brussels by European Union (EU) High Representative Catherine Ashton in order to jointly assess the situation. Taking into account the irreparably damaged integrity of the voting materials in northern Mitrovica, a repeat vote at the three affected polling centres was subsequently ordered by the Central Election Commission. Thanks to extensive additional security measures, the re-vote at all three centres was successfully organized two days ago. The re-vote proceeded peacefully, without significant incidents or problems.

Where required, the second round of the elections of mayors will take place on 1 December. Due to some procedural irregularities, the Electoral Complaints and Appeals Panel has recommended to the Central Electoral Commission a re-vote for two polling centres in Zvečan municipality in northern Kosovo.

I have commended both parties to the Brussels negotiations, as well as participating political entities and the public at large, for their conduct during a largely peaceful electoral process, which produced

unprecedented turnout in many areas. I take this opportunity to commend the very close mutual coordination carried out among the international presences during the elections, and to express special gratitude for the efforts undertaken by the Organization for Security and Cooperation in Europe to ensure timely registration and voting procedures in the northern municipalities and to facilitate the voting outside Kosovo.

The perpetrators of the crimes committed in northern Mitrovica on election day need to be brought to account. Equally, it is important to observe that these deplorable incidents were isolated ones, and did not reflect the positive conduct of the elections overall. The results of the 3 November vote clearly demonstrated the growing maturity of Kosovo's polity, as well as a strong public desire and motivation for participation in the democratic process.

The United Nations Interim Administration Mission in Kosovo (UNMIK) is continuing to focus its greatest efforts and resources in support of the EU-led political process and towards the fulfillment of its mandate. In particular, the mission is making this support available to the newly elected municipal authorities, especially in the North, where significant tensions still persist and where the high demands and expectations of the population will accordingly be directed to newly elected municipal presidents and councils.

The formation of the future association/community of Serb-majority municipalities, a key component of the 19 April agreement, will require major efforts during the forthcoming period, demanding the close attention not only of the parties, but of the international community as well. UNMIK intends to play its role as part of a carefully coordinated collective effort, drawing on the comparative advantages and resources of all those who are ready to contribute.

The municipal elections were an indispensable step forward towards securing fully legitimate and fully empowered representation of the local communities in Kosovo, both in the North and the South. At the same time, no one involved can afford to close their eyes to the deep uncertainties that persist among significant parts of the population. Enthusiasm over the considerable success achieved through these local elections must be tempered. This success marked an essential but still preliminary step in translating progress at the high political level into local confidence and ownership on

the ground. Achieving this latter result will necessarily be a gradual process. To succeed, it will demand the continuous effort and attention of all those in a position to assist.

Influential actors on every side should pursue a more sustained engagement with the local stakeholders in northern Kosovo. Effective partnerships and cooperation with newly elected municipal leaders, along with the provision of appropriate resources and support, will be some of the critical elements; improving the extent and quality of communication and dialogue at local levels throughout Kosovo will be another, and one which we believe demands closer attention. UNMIK has committed its own resources to supporting such comprehensive dialogue, including through a range of local initiatives. We hope that this same commitment will run across the board of all stakeholders; the process demands combined and mutually reinforcing effort.

The aspirations of the people to fuller association with the institutions of Europe continue to be a crucial factor underpinning the current process of normalization agreed between the leaders of Pristina and Belgrade. At the top level, the European Union is poised in one month's time to take important decisions regarding the further integration of States of the Western Balkans. In late October, talks commenced on a Stabilization and Association Agreement between the European Union and Kosovo, which, when completed, will mark the first contractual relationship established between these two parties. Serbia is expecting detailed consideration of its accession negotiating framework at the forthcoming European Council meeting scheduled for December. We welcome these developments as they are fundamental to the further consolidation of peace and security in the region.

These steps are much more than formalities. Both Pristina and Belgrade have committed themselves to the institutional steps required for a closer future association with the European institutions. The myriad reforms demanded for closer association must be carried out alongside the dialogue process and in harmony with the provisions specified in that process. In Kosovo, this means, among other things, significant reforms of public practices, not just in the crucial area of the rule of law, but across the full range of Kosovo's public services and institutions.

The members of the Council continue to play a key role in supporting the long-term prospects of

the process under way in Kosovo. This encompasses not simply the provision of resources adequate to safeguarding the progress achieved, but also continued political engagement with the parties to ensure that their commitments hold fast through future challenges and occasional setbacks.

Besides the difficult and often complex issues involved in the direct implementation of the 19 April agreement, attention must be focused on pressing economic issues, as well as some fundamental humanitarian issues. Recently, it has proved significant that Kosovo Albanian and Kosovo Serb family associations of missing persons — those who have suffered so deeply — have been able to lead the way in working together to pursue progress. It is incumbent upon political leaders in Pristina and Belgrade to engage one another in the same spirit, as well for international partners to ensure the adequate resources and other support needed for the parties to persevere along the path they have so wisely chosen.

The period ahead will be essential in consolidating the positive outcomes of the Kosovo elections and the important progress achieved in the Belgrade-Pristina dialogue. Sustained engagement by the two parties will also be important in securing the advancement towards European integration, the normalization of relations and inter-community reconciliation and lasting stability in Kosovo.

I wish to express my deep appreciation to the members of the Council for their continuing engagement with the parties in that regard, despite the number of other pressing matters that demand their attention. Such engagement is indispensable to keep the process moving forward. For our part, UNMIK continues its close engagement to the same ends, both at political and ground levels. The Council's continuing support for the work of UNMIK is deeply appreciated.

**The President** (*spoke in Chinese*): I thank Mr. Zarif for his briefing.

I now give the floor to the Prime Minister of the Republic of Serbia.

**Mr. Dačić** (Serbia) (*spoke in Serbian; English text provided by the delegation*): Allow me once again to thank the members of the Security Council for the attention they accord to the question of Kosovo and Metohija, as well as for the understanding they show by convening regular meetings under resolution 1244

(1999) to discuss this matter every three months. Such meetings continue to be necessary in spite the fact that more than 10 years have elapsed since the first meeting.

I would also like to thank Mr. Farid Zarif, Special Representative of the Secretary-General, who continues to work with dedication to address questions upon which normal life in the province depend, notwithstanding the calls from Pristina to end the Mission.

Significant political breakthroughs were made last year. The first agreement on principles governing the normalization of relations was reached — but it does not mean much unless it is followed up with consistent implementation of what has been agreed. As acknowledged by many international officials and stated in the report of the Secretary-General (S/2013/631), the Republic of Serbia has demonstrated a high level of flexibility in the dialogue and invested significant efforts, in the belief that the negotiating process may lead to a long-term and generally acceptable solution.

The Brussels agreement is the result of the political dialogue; it determined the framework for local elections and provided for the establishment of the community of Serb-majority municipalities in Kosovo and Metohija. Under the agreement, the community will have competencies in the areas of economic development, education, health and urban and rural planning. The community will have an assembly, president and executive organ. In addition, the community has had certain security guarantees and guarantees in the field of the judiciary confirmed, such as the appointment of a regional commander for northern Kosovo and Metohija from the ranks of Kosovo and Metohija Serbs and the establishment of a chamber of the Court of Appeals in Pristina, to be comprised of Kosovo and Metohija Serb majority judges, with jurisdiction in all municipalities with a Serb majority.

Guided by the desire to make their everyday lives easier, the Government of the Republic of Serbia has called on Serbs from Kosovo and Metohija to delegate, at the local elections, their representatives to the community of Serbian municipalities, who would be their legitimate representative in talks with Belgrade and Pristina. We consider that this is the only way to a lasting and sustainable solution, and that the legalization of the status of the Kosovo and Metohija Serbs before the international community strengthens their position.

Whereas Serbia invested maximum efforts to encourage the Kosovo and Metohija Serbs to participate

in the elections in great numbers, the Provisional Institutions in Pristina did not bother to create an appropriate climate, and often not even the basic conditions, to bring that about. It is therefore possible to say that the community of Serbian municipalities will be formed not thanks, among other things, to the efforts of the Provisional Institutions in Pristina but in spite of them.

Although we arrived at precise agreements in Brussels on all the details of the pre-election process, we found ourselves before the voting in a situation of having to go to European Union (EU) headquarters anew in order to establish once again the list of conditions — already established long before — because Pristina did not fulfil almost any of the conditions in the intervening period. It did not prepare status-neutral election materials, no member of the Central Election Commission from the ranks of the Serbian community was elected in time and the majority of displaced persons were effectively made unable to vote. Besides, no legal framework was set up to facilitate the establishment of the community of Serbian municipalities. But, 6,000 Albanians who had never lived in northern Kosovska Mitrovica were entered in its voters list, while a significant number of Serbs who lived in the northern part of the town were entered into the voters list of the southern part, with the intent to influence elections results.

In addition, the candidates of the Serbian minority were intimidated, in more ways than one. The mayoral candidate for northern Mitrovica was physically attacked, and four candidates from the Serbian list were accused of war crimes. Assurances that secret indictments against Serbs for alleged war crimes did not exist were invalidated by the accusations made on Kosovo television that four Serbs from the Civic Initiative Srpska were under suspicion of having committed war crimes. It is indicative that none of them had been suspected before they became candidates for local elections in Kosovo and Metohija.

The suspicion of a problematic war past, however, was no obstacle for Albanian candidates. Thus, we have found ourselves in a situation where elections in two constituencies will most probably have to be repeated, as the candidates who won in the first round have been indicted of war crimes in the meantime. The group of 15 indicted by the EU Rule of Law Mission (EULEX) also includes a number of other high-level representatives of

the Provisional Institutions in Pristina, including their representative in Tirana.

In such an atmosphere it was not easy to canvass, let alone vote in the elections. Nevertheless, the Government of the Republic of Serbia is very satisfied with the fact that more than 45,000 people turned out to vote in the Serbian municipalities. Although our highest-ranking officials were often banned from travelling to Kosovo and Metohija, we did manage to motivate Serbs to go out to vote. Just today, we received the news that Mr. Aleksandar Vulin, a minister without portfolio of the Government of Serbia, was again banned from going to Kosovo and Metohija. At the same time, the highest State representatives of other countries, such as Albania and Turkey, were able to travel there and participate in campaigns for local elections.

I would like to take this opportunity to call on Pristina and international actors to ensure conditions for the holding of the second round of local elections in municipalities with Serb majorities, in order to avoid a repetition of the gross violations of the elections procedure that we witnessed on 3 November, when necessary security measures were not taken to ensure the free expression of the will of the citizens. We condemn once again the violence responsible for the repetition of the first round of the elections in Kosovska Mitrovica. I underscore the resolve of Belgrade to help, as much as it can within its powers, to bring the perpetrators to justice. I am pleased with the success of the repeated first round of the elections in northern Kosovska Mitrovica, which was completed without incident, even though it is not clear why the Organization for Security and Cooperation in Europe requested the counting of the votes to take place outside Kosovska Mitrovica, in a locality in which Albanians live, as no reasons existed for that.

It is very important for the Republic of Serbia that agreements on the implementation of the Brussels agreement take place in accordance with the will and intentions of the negotiators who initialled the agreement, so that the position of the Serbs in Kosovo and Metohija is defined and presented in clear terms.

The agreements were not easy to arrive at for our delegation, but we were determined from the very beginning to fulfil what we put our signature to. We therefore weighed each and every detail and assessed its applicability carefully before we signed on the dotted line. That is why we succeeded in fulfilling our

commitments, as stated in the report. I believe that this statement would differ considerably from those I have made previously in this Chamber if the other side had also approached the implementation of the agreements with equal seriousness, because at least some of the problems would have been overcome. The climate before the local elections would also have improved, and the encouragement to minority communities to take part in the elections would have been much stronger.

However, Priština has not yet taken the necessary steps in key areas, including the adoption of laws in accordance with the agreements reached by the two sides in Brussels, in particular the laws on amnesty, the local Kosovo budget and local self-government, the fulfilment of its obligations with regard to integrated boundary management, the establishment of a new network of judiciary organs, and the appointment of members of the Regional Command Team North in northern Kosovo and Metohija.

In the draft law amending the Law on Local Self-Government, which was supposed to incorporate the community of Serb-majority municipalities into the legal framework of the provisional institutions of self-government, the community of Serb-majority municipalities is mentioned only in supplemental paragraph 4 of article 32, which provides for the abolition of the community by a two-thirds decision of its members. The draft law makes no other reference to the community, despite the provisions of the Brussels agreements. We therefore conclude that Priština is interested only in regulating the procedure for abolishing the community of Serb majority municipalities.

The report also states that the Law on Amnesty has been adopted. Yet, in assessing the constitutionality of that law, the Constitutional Court of Kosovo found some of its articles to be unconstitutional. Acts that have not been incorporated into the Law on Amnesty include those for which the judiciary organs of the provisional institutions of self-government may prosecute persons of Serbian nationality in Kosovo and Metohija. Some international judges of the Constitutional Court of Kosovo, in particular Robert Carolan of the United States and Almiro Rodrigues of Portugal, rendered dissenting opinions in which, contrary to the Court's decision, they argued that amnesty for such acts does not contravene the Constitution.

Priština has not fulfilled its obligation to establish a new functional network of courts in the territory

of Kosovo and Metohija. Under the agreements that have been reached, the courts in northern Kosovo and Metohija that functioned within the judiciary system of the Republic of Serbia ceased to try cases in anticipation of the establishment of new courts that would take over and continue to process those cases. The buildings that will house the new courts and prosecutor's offices have not yet been designated, and neither the number of employees to work in the individual institutions nor the concrete conditions they will have to fulfil has been established. Besides, Priština does not agree with the establishment of a basic court but only of a court of appeals, which is totally unacceptable to our side.

Likewise, the Deputy Regional Commander of the Kosovo police for the north was appointed, without the agreement of our side, from among members of the Albanian community south of the Ibar River, namely, from the municipality of Vučitrn, contrary to the agreement on ethnic representation within the regional command of the Kosovo police.

Once again, I have focused on problems that were discussed at the last meeting, as they concern questions of vital importance for the Serbian community in Kosovo and Metohija. They concern its legal status, its financing, and the physical, legal and economic security of all those who belong to it. I consider it my duty to warn of the lack of good will that exists on the Priština side.

The community of Serbian municipalities is necessary as a mechanism for the protection of minority interests in Kosovo and Metohija because of the experiences those municipalities have had, even after the arrival of international forces. Since 10 June 1999, when the international civil and military presences in Kosovo and Metohija were established, over 7,000 physical attacks have been registered, while three-fourths of the localities in which Serbs lived before the war have been ethnically cleansed.

In the Third Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, mentioned in paragraph 39 of the report, concern is expressed over the increase in the number of security incidents directed against non-Albanian communities during the past several years. Approximately 2,000 such attacks were registered in the period between January and October 2012 alone, 70 per cent of which were directed against the Serbian community.

The Government of the Republic of Serbia has also condemned in the strongest terms the attacks on the international forces in Kosovo and Metohija. Allow me to express on this occasion our profound regret at the death of Audrius Šenavičius, a Lithuanian member of EULEX. Belgrade is ready to participate in the investigation of that case. I would also like to express the hope that there will be no more victims in Kosovo and Metohija.

This is the first time that the institutions of Serbia, including its Government, its church and the vast majority of the political parties represented in its Parliament, have joined forces in calling on Serbs in Kosovo and Metohija to come out and vote. However, this is not the first time that they voted. In the 2001 elections, their coalition, Return, received almost 90,000 votes.

It cannot be said that Serbs did not try to participate in organizing their life in the province or that they did not attempt to protect their interests by creating fertile conditions for the progress of society as a whole. They did not boycott the sessions of the local Parliament, although they had to travel to them in armoured vehicles of the Kosovo Force (KFOR). They acquiesced to that solution in the hope that it would be temporary and that, in the end, it would lead to further solutions and make life more normal.

Regrettably, there were no such results. The desired changes failed to materialize. Over time, even the name of their coalition and their main objective began to sound bitterly ironic. Coalition Return could do nothing to achieve the return of displaced Serbs, because, instead of the assistance promised, it was met with outright obstruction from Priština and a lack of interest on the part of the representatives of the international community.

According to data from the United Nations High Commissioner for Refugees (UNHCR), in the almost 15 years since June 1999, out of the 230,000 people who left their homes in Kosovo and Metohija, 18,000 have returned. In our assessment, no more than 4,000 of these are sustainable returnees. Only between 1 to 2 per cent of the internally displaced persons (IDPs) has managed to stay for good. Of particular concern is the drastic decrease in the number of returnees registered in 2013 compared to the two previous years. According to the UNHCR data, 122 displaced persons returned to Kosovo and Metohija by the middle of August, whereas

442 returnees were registered in 2012. Meanwhile, in the latest privatization round in September, the Kosovo Privatization Agency, about whose unlawful operations we have already warned — just as we warned of the destructive effects of the sale of companies in Serbian localities — put up for sale the Silovo refrigerator complex, in which the collection centre for IDPs from the Kosovo Morava river basin is situated.

The IDPs did try to effect legal regulation of at least some of the issues. Slightly more than 30 per cent of the displaced households sued to protest the usurpation of their property, but as many as 70 per cent of those claims remained unanswered by the provisional institutions in Priština. I would also like to draw attention to the large number of decisions by the Kosovo courts throwing out Serbian and non-Albanian claims for destroyed property against UNMIK, KFOR and the provisional institutions, with the boilerplate explanation that there is no legal responsibility. Moreover, plaintiffs who lose their cases are asked to pay high legal fees, even though they are IDPs and the request runs counter to the so-called Pinheiro Principles on the rights of displaced persons.

All of this indicates that the rule of law has not yet been established in Kosovo and Metohija and that human rights are not properly protected, especially the rights of minorities. The case of Fatmir Limaj, former Minister for Transport and Telecommunications in the Government of Kosovo, and his co-defendants, indicted for the killing, torture and threats to the health of Serbian and Albanian civilians and prisoners of war in the Kosovo Liberation Army (KLA) base in the village of Klecka is a textbook example of the weakness of the Kosovo and Metohija judiciary and the influence of the politically powerful, most of them recruited from the ranks of the erstwhile KLA, on the political, legal and social system in Kosovo and Metohija as a whole, including the international judiciary component. All developments in connection with the Klecka case, beginning with the disallowing of the testimony of key witness owing to the change in the Kosovo criminal law and the acquittal, all over again, of Limaj and his associates, mentioned in the report, cast a long shadow of doubt over the functioning, independence and impartiality of the judiciary system in Kosovo and Metohija. Serbia is disappointed with the decision, but it hopes that the EULEX prosecutor will appeal it.

We once again call attention to the importance of a full and efficient investigation of the allegations of

trafficking in human organs, contained in the report of Mr. Dick Marty. To that end, Serbia is ready to continue to cooperate with the EULEX investigation team and hopes that the investigation will yield results soon.

Regarding our activities, the report fails to mention the readiness of the institutions of the Republic of Serbia to cooperate with UNMIK with regard to documents on unpaid pensions to persons from Kosovo and Metohija. The activities of UNMIK are mentioned in paragraph 26, but no reference is made of the request on the part of the Office for Kosovo and Metohija to UNMIK, on two occasions, to provide data that would make it possible for the Office to implement the decision of the European Court for Human Rights in Strasbourg under which the Republic of Serbia is required to take measures to regulate those pensions.

The Republic of Serbia is strongly committed to pursuing active and constructive negotiations with Pristina at all levels, as well as to implementing the agreements reached so far. We expect that Pristina will make additional efforts to ensure that mutually acceptable solutions can be reached and agreements implemented. It is particularly important that Pristina refrains from unilateral moves in the forthcoming period that could threaten the future of the dialogue and destabilize the security situation in the province.

What we all want, once the community of Serb-majority municipalities is established, is to set out together along the road to building a society that will head towards the future while addressing, not forgetting, the problems of the past. If I may, I would like to cite a definition of reconciliation that I came across while reading about transitional justice, according to which reconciliation implies a society that has rediscovered the capacity to manage conflicts in a non-violent way; a society that can live with a multitude of opinions, races, cultures and religions and that sees in them the basis for its identity; a society whose structures create the conditions for development that includes rather than excludes individuals and that is based on ethics accepted by all. The Government of the Republic of Serbia is doing its utmost to build such a society, and we would be very happy to see the same efforts made in Pristina, too. We have made difficult decisions this year, and the stable support we enjoy among our voters is indicative of the support of the majority of our citizens for our policy.

I would like to reiterate once again that the dialogue in Brussels is status-neutral, and that the desire to

normalize relations between Belgrade and Pristina does not mean that our position has changed regarding non-acceptance of Kosovo's unilateral declaration of independence.

We expect that all the issues I have mentioned will be the subject of the resumed dialogue in Brussels on 5 December. We have achieved very important results in strengthening peace and stability in the region and in addressing many problems in the relations between Belgrade and Pristina. The Republic of Serbia continues to be committed to continuing the Brussels process in the best interests of all, in good faith and with a good will.

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

**Mr. Thaçi** (*spoke in Albanian; English interpretation provided by the delegation*): It is a special pleasure for me to address the Council at this final meeting on Kosovo for the year, and to discuss the progress made in Kosovo during the past three months, particularly the holding of the first local elections in the entire territory of the Republic of Kosovo and the process of European Union (EU) integration, as well as the most recent results in the dialogue on the normalization of relations between Kosovo and Serbia.

I would first like to express my sincere gratitude to Secretary-General Ban Ki-moon for his continuing support of peace and progress in Kosovo and the region.

Before sharing my views on those developments, I would like to point out, as we approach the end of the year, that 2013 has been a historic year for the region, largely for two major reasons. First, on 1 July, the European Union accepted Croatia as its twenty-eighth member State, making it a model and an inspiration for the other Western Balkan countries pursuing EU integration. The second was the first inter-State agreement reached on the normalization of relations between Kosovo and Serbia, facilitated by EU High Representative Baroness Ashton. The historic agreement between Kosovo and Serbia, reached in the early part of the year, is firm evidence of the transformative power that the European Union holds for countries that wish to join it. The EU remains the only alternative and the only hope for the people of our part of Europe.

In that European spirit, on 3 November, following laws enacted by the Assembly of Kosovo, the Republic of Kosovo for the first time organized local elections for mayors and municipal assemblies throughout its

territory, which served as an inspiration to all the communities of Kosovo. With a high turnout that exceeded 50 per cent of those with the right to vote in 38 municipalities of the country, this democratic process expressing the will of the people was carried out freely and peacefully, enabling citizens throughout Kosovo to choose legitimate municipal leaders, including in four municipalities in northern Kosovo — Leposaviq, Zveçan, Zubin Potok and northern Mitrovica — for the first time since the war of 1999. I would like to take this opportunity to thank the Central Election Commission and the Organization for Security and Cooperation in Europe for their technical facilitation of the elections in the North, along with the EU Election Observation Mission, which was strongly committed to monitoring and observing the process.

The Government of the Republic of Kosovo has been committed to fair and free democratic elections, as well as to encouraging broad participation by all its citizens in the 3 November elections, which were highly praised by international observers and undoubtedly constitute an important moment for Kosovo's maturing statehood, for the internal institutional consolidation of the political and constitutional system, and for meeting all the requirements resulting from the Ahtisaari Comprehensive Proposal for the Kosovo Status Settlement package. It has closed the door on all possible scenarios for partitioning Kosovo's territory or federalizing it on ethnic grounds.

For that reason, the elections were a victory for the adherents of every political party and institution in the Republic of Kosovo. We have shown in the best possible way that Kosovo is a democratic country and that we can hold an election process in the spirit of a superior political culture. I am confident that its success will be repeated on 1 December in the 24 municipalities that will hold runoffs in mayoral elections.

In most of Kosovo, election day passed peacefully and calmly. Only at three polling stations in northern Mitrovica were there isolated incidents involving Serb extremist groups. They were orchestrated and organized attacks on the fundamental right of citizens. The obstruction, intimidation, blackmail and violence shown towards the people at those polling stations by certain groups in northern Kosovo was contrary to society's democratic principles, hinders the process of building an inclusive and tolerant State and affects Kosovo's path to European integration. However, the fact that the people came out to vote was the best

response to the boycott, and it failed. The decision of the Central Election Commission, as an independent body, to repeat only the elections in northern Mitrovica on 17 November was welcomed and accepted by all the political stakeholders. The repeat vote was held this past Sunday, 17 November, and the entire process occurred without problems.

The importance of the elections of 3 November was that they served as a direct test as well as a result of the direct inter-State dialogue between Kosovo and Serbia, and also to legitimize our joint efforts to build an inclusive society based on the European Charter of Local Self-Government, in which municipalities function as the legitimate units of basic local Government. My Government is convinced that this turning point will speed up the improvement in inter-ethnic relations in Kosovo and accelerate Kosovo's progress on the road to European integration.

The 3 November elections and acceptance of their legitimate results are also a prerequisite for establishing the community of Serb-majority Kosovo municipalities, based on the 19 April Brussels agreement. However, the community, which will be established in accordance with the laws of Kosovo and will be similar to the model of the existing association of Kosovo municipalities, will have no executive or legislative functions. That means that it cannot serve as a substitute for municipal assemblies, and thus that municipal responsibilities cannot be transferred to it. No one can replace or relativize the direct power of the free vote of the citizens of Kosovo.

I would like to also inform the Security Council of our progress regarding the European Union. On 16 October, we received a progress report from the European Commission for Kosovo affirming the progress of our European agenda and the challenges on the road ahead. The progress report is positive and objective and praises Kosovo's relations with its neighbours as an achievement exemplary of peace, stability and the European perspective of Kosovo and the region in general. We have taken into consideration all of the recommendations emanating from the progress report, with the highest level of State and institutional seriousness and responsibility, and are seriously engaged in working to meet these criteria.

In the context of the dialogue on visa liberalization, Kosovo has changed and has adopted important legislation, including on asylum and the financing

of political parties and against trafficking in human beings, as noted in the report. The report also specifies the criteria for economic progress that Kosovo must meet, confirming that Kosovo is moving towards establishing a functioning market economy.

I am therefore proud that all of these positive developments identified in the EU progress report are the results of the hard work of the institutions of Kosovo in pursuing an ambitious agenda. In this regard, the Republic of Kosovo achieved a historic milestone during the reporting period. Following the EU decision to start negotiations for the signing of a Stabilization and Association Agreement on 28 October, that decision was materialized with the onset of the first round of negotiations between the EU and Kosovo.

The start of negotiations between Kosovo and the European Commission on the Stabilization and Association Agreement opens a new chapter for Kosovo and the EU. It is a process of modernization for the country and society. The Agreement is the foundation of our relations with the EU and the first formal step towards EU membership; it is the only way to achieve EU membership. Only prospective accession candidates may conclude such an agreement with the EU. The launch of negotiations on the Stabilization and Association Agreement has placed Kosovo in the formal and official process of EU membership.

The institutions of the Republic of Kosovo are committed to successfully concluding the negotiations before next spring, with the aim of opening the way to Kosovo's EU accession process. The European agenda is a priority of the Republic of Kosovo that unites all political parties, communities and civil society, and reflects the desire and will of all of the citizens of Kosovo.

The Structured Dialogue on the Rule of Law between Kosovo and the EU has also continued to function, representing a long-term commitment between the EU and Kosovo to strengthening the rule of law. The dialogue between Brussels and Pristina focuses on the judiciary and the fight against organized crime and corruption.

During the reporting period, the Republic of Kosovo was recognized by four additional States Members of the United Nations — El Salvador, Grenada, Libya and Thailand — increasing the number of international recognitions to 104, representing more than half of the States Members of the United Nations. I take this

opportunity to once again thank those countries for their decisions to formally recognize Kosovo. This ongoing process has proven to be based on Kosovo's consistent, positive achievements, especially this year. We expect the number to grow further with countries from all continents of the world. Therefore, in this Chamber, where I have always had the satisfaction of representing a just cause, I invite other countries to recognize the Republic of Kosovo.

The most recent recognitions demonstrate that this process has a global reach and further consolidates the international position of the Republic of Kosovo as a geopolitical and legal reality. Our interactions have advanced at the multilateral level, through which we aim to build bridges and make our contribution to building peace and security through foreign policy. The Republic of Kosovo has also strengthened its position in international indices.

For the reporting period, I draw the Council's attention to the fact that the World Bank, in its credible *Doing Business 2014* report, ranks Kosovo 86 out of 189 countries in ease of doing business and positively praises the dynamic changes and concessions that have been made in the business environment of Kosovo. Over the past two years, Kosovo has improved its ranking by 40 places overall. For the first time since it was included in the *Doing Business* report, Kosovo has been named one of the top five or 10 countries in the world with respect to reform, making the most progress on three or more indicators measured by the *Doing Business* report.

On 2 September, the Constitutional Court of the Republic of Kosovo concluded that the procedure for the adoption of the Law on Ratification of the First International Agreement on Principles Governing the Normalization of Relations between the Republic of Kosovo and the Republic of Serbia and the implementation plan for the agreement are in accordance with the Constitution of the Republic of Kosovo.

On 3 September, the Court also decided that the procedure followed for the adoption of the Law on Amnesty was in accordance with the Constitution of the Republic of Kosovo. The Constitutional Court also declared inadmissible the motion of a group of deputies on amendments to the Law on the Budget of the Republic of Kosovo, which provides a fund for the North. Therefore, that Law is considered complete.

The decisions of the Constitutional Court of Kosovo show that democracy is functioning and

further strengthen the political cohesion of Kosovo in agreements reached with Serbia, thereby demonstrating the deep commitment of Kosovo society to moving forward on the path towards the full normalization of relations between the two States.

I am also pleased to report that the Kosovo police has assumed the responsibility from the Kosovo Force (KFOR) for the protection of Serb religious and historical sites. To date, only the Dečani Monastery remains under the protection of KFOR. The protection of the Pejë/Peć Patriarchate was transferred from KFOR to the Kosovo police at the end of August of this year. The formation of the seven-member Commission for the Council of Heritage Protection in Prizren, as required by the law for the protection of the historical centre of Prizren, was completed on 24 September.

Kosovo's legal framework continues to guarantee minority representation in all areas of Kosovo society. Kosovo supports the rights of persons belonging to minorities and protects their vital interests and cultural rights, including those of the Serbian Orthodox Church, thereby becoming a model for other countries of the region. In this spirit, the promotion of inter-religious dialogue and coexistence has become a long-term priority. One of the largest international conferences of its kind, with the participation of representatives of various communities — Islamic, Serbian Orthodox, Catholic, Protestant, Evangelical and Jewish — was organized on 17 September in the city of Pejë/Peć. Such events will follow in the future.

Following the adoption of the law on public broadcasting, a Serbian television channel was licensed, becoming the second channel of the State public broadcaster Radio Television of Kosovo (RTK). RTK2 began broadcasting in June and became fully operational in August. As an important medium for the Serb community in Kosovo, it has been welcomed by the whole of Kosovo society. Now every family has access to this medium, and as such it has become an important source of information and promotes the interests of the Serb community.

It is worth noting that the security situation has been and remains calm in most parts of the territory of the Republic of Kosovo. However, on 19 September, a member of the European Union Rule of Law Mission (EULEX) was killed in northern Kosovo. Lithuanian officer Audrius Šenavičius was shot with a firearm in a European Mission car in which six members of the

Mission were traveling to the border crossing between Kosovo and Serbia in Jarinje. This murder of the customs officer from Lithuania was the most serious attack since the inception of the Mission and came at a time when the EU is strongly committed to normalizing the situation between Kosovo and Serbia, especially in the North, where Serbia still has extensive structures. Violence against EULEX troops violates law and order throughout the territory of Kosovo. The murder of a EULEX member is a direct attack against the European Union.

We do not want to prejudge the outcome of the investigation, but the motives for the murder of the Lithuanian customs officer may be related to the normalization of relations between the Republic of Kosovo and Serbia and the efforts of extremist groups in the North to prevent that process. The Government of Kosovo has made it clear that the killing of a member of EULEX was an attack on the values of the State of Kosovo. The Government, in cooperation with EULEX, KFOR and other international partners, is dedicated to continuing to perform its constitutional and legal obligations to strengthen the rule of law in Kosovo, especially in the northern part of the country.

The implementation of the agreements reached in the framework of the dialogue with Serbia in Brussels, with the help of the European Union, has led to positive developments, but serious delays have also arisen in the implementation dynamics. It is worth mentioning that our efforts as two sovereign and neighbouring countries during the reporting period have given rise to the conclusion of a number of new agreements, such as the agreement on telecommunications and energy. After many efforts, as a result of the agreement on telecommunications, Kosovo will finally achieve one of the important attributes that has been missing from its statehood. Kosovo will have its own telephone code, to be issued by the International Telecommunication Union. Ultimately, that means establishing legality and regulation. In practice, it means that other operators from Serbia should stop unauthorized operations and service delivery, which have caused great cost to the Kosovo budget.

Besides the telecommunications agreement, we have also reached another very important energy agreement. The agreement on electricity ultimately ends Serbia's illegal interference in Kosovo's electricity system.

Success has been achieved in the consolidation of the customs system with respect to the collection of taxes in the north at two border crossings between Kosovo and Serbia. Kosovo customs will start the collection of taxes beginning from 14 December. The income from those taxes will be assigned to the fund for the development of the northern municipalities on the basis of the legal framework of Kosovo customs.

We remain committed to continuing the dialogue with Serbia in 2014 and to opening talks on new issues that are important to good-neighbourly relations and the quality of life of our citizens.

Finally, I want to reiterate that all United Nations institutions have played a crucial role and have been involved in State-building in Kosovo, namely, in the process of the declaration of independence under the Ahtisaari plan as a result of United Nations negotiations, and the confirmation of its independence by the International Court of Justice in July 2010.

The Republic of Kosovo is grateful for that colossal contribution, it being one of the greatest success stories in the history of the United Nations. However, I will reiterate our position that it is time for the Council to take into account the transformation of the United Nations Interim Administration Mission in Kosovo into a United Nations political office that would coordinate all United Nations agencies, funds and programmes, while supporting Kosovo's path towards United Nations membership and the effective fulfilment of its obligations under international conventions.

I would also like to inform members of the Security Council that we have already begun the process of transforming the EULEX mission, which will be done in full coordination with EU member States and the laws of Kosovo. Kosovo will always be an independent country on the European continent with a clear perspective for the integration of the Euro-Atlantic family.

Kosovo has already taken the place that it deserves among the free nations of the world and has become a European State that contributes in a dignified way to peace and stability in the region and beyond.

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

**Ms. Lucas** (Luxembourg) (*spoke in French*): I would like to welcome to the Council His Excellency Mr. Ivica Dačić, Prime Minister of Serbia, and His Excellency Mr. Hashim Thaçi, Prime Minister of

Kosovo. I would also like to welcome Mr. Farid Zarif, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), and to thank him for his briefing.

The municipal elections of 3 November were the first to be held throughout the territory of Kosovo under Kosovo law. The first round of the elections took place calmly in most of the municipalities and participation was generally satisfactory. The elections in the northern municipalities were a key element of the first agreement on principles governing the normalization of relations between Belgrade and Pristina, concluded in Brussels on 19 April 2013. A new and important stage in implementing the agreement is therefore under way.

I pay tribute to the Serbian and Kosovo Governments, which have honoured their commitments and encouraged citizens to take part in the elections. I also convey our gratitude to the Organization for Security and Cooperation in Europe, which has an important role in facilitating the elections in the four northern municipalities, and to the European Union, which deployed election observers to Kosovo.

Luxembourg, however, is forced to condemn the violent incidents that occurred in a number of polling stations in northern Mitrovica. Such an attempt to deny voters their right to express themselves in democratic elections is unacceptable. We welcome the strengthened presence provided by the Kosovo police, the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force during the second ballot, which took place without incidents the day before yesterday in northern Mitrovica. We hope that the second round, to take place on 1 December, in the relevant municipalities will enable the election to be concluded in the calm that befits a democracy.

The EU-facilitated dialogue between Pristina and Belgrade continues to produce tangible results. In that context, we commend the crucial role that the High Representative for Foreign Affairs and Security Policy, Ms. Catherine Ashton, continues to play. On 8 September in Brussels, an important agreement on energy and telecommunications was reached. We encourage the two Prime Ministers and their teams to step up their efforts in order to complete in the coming weeks the implementation of the 19 April agreement in the areas of customs, the police and the judiciary, in particular, by regulating the modalities

for the transfer of Serbian police officers and Serbian judiciary to Kosovo's institutional structures. The full implementation of the 19 April agreement will contribute to continuing negotiations on the conclusion of the stabilization and association agreement between the European Union and Kosovo, the second round of which is scheduled for 27 November, and to the opening of accession negotiations with Serbia, whose first intergovernmental conference must take place by January 2014.

The normalization of relations between Serbia and Kosovo must go hand in hand with the firm pursuit of reforms to guarantee the rule of law in Kosovo. The Kosovo authorities must continue to work closely with the European Union's Special Representative for Kosovo, Mr. Samuel Žbogar, and EULEX. The EULEX mission continues to play a vital role in achieving normalization between Belgrade and Pristina, combating organized crime and corruption, the prosecution of perpetrators of war crimes and the fight against impunity for the most serious crimes.

In that regard, Luxembourg condemns in the strongest terms the attack of 19 September on a EULEX convoy, which took the life of a customs officer of the mission. We offer our condolences to the European Union, the Lithuanian authorities and the family of the deceased. The perpetrators of that attack must be brought to justice. Threatening the security of EULEX personnel, who work daily for the benefit of Kosovo citizens and for their protection, cannot go unpunished.

Luxembourg welcomes the positive developments in Kosovo since the adoption of resolution 1244 (1999) and the establishment of the United Nations Interim Administration Mission in Kosovo. More than half the States members of the United Nations have recognized Kosovo's independence. Implementation of the 19 April agreement will normalize the relations between Belgrade and Pristina. The time has come for the international community to take into account their new realities in its approach, including that of the Security Council, and to adapt, in the middle term, the presence of the international community on the ground. As the European view of Serbia and Kosovo develops, the United Nations presence will become less of a factor.

Serbia and Kosovo know that they can count on the consistent support of Luxembourg on the path towards a shared European future.

**Mr. Lamek** (France) (*spoke in French*): At the outset, I thank Mr. Farid Zarif, Special Representative of the Secretary-General, for his briefing and Mr. Ivica Dačić, Prime Minister of Serbia, and Mr. Hashim Thaçi, Prime Minister of Kosovo, for their statements.

The Security Council is meeting for the third time since the historic agreement of 19 April between Serbia and Kosovo, concluded under the auspices of the European Union. The hopes that arose in the spring as a result of this historic compromise have been fulfilled by subsequent developments. Indeed, the momentum created in April was followed by regular meetings between the authorities of Serbia and Kosovo, while the foundations laid by the implementation plan of 22 May allowed for substantial progress to be made in the relations between the two countries.

We also welcome the agreement reached between the parties on 8 September in Brussels on issues of energy and telecommunications. Furthermore, the dismantling of Serb parallel structures in northern Kosovo continues. Finally, we note with satisfaction that laws ratifying the agreement of 19 April were adopted in early September by the Parliament of Kosovo following a review by the Constitutional Court. All of this, we believe, reflects the commitment of the parties to respecting and quickly implementing the pledges they gave in the spring.

Over the past few weeks, municipal elections were also organized and held throughout Kosovo, with the essential help of the Organization for Security and Cooperation in Europe (OSCE). We commend the parties for their work with local communities throughout the countryside with a view to ensuring high participation rates. The first round of municipal elections, held on 3 November, took place in generally satisfactory conditions, thereby strengthening the implementation of the 19 April agreement. In southern Kosovo, the overall participation rate of the Serbian population was even higher than that observed in 2009. All of this is proof of the beginnings of the Serbian community's ownership of institutions in Pristina.

Despite the incidents that occurred during the first round of elections, which were very localized, the elections in and of themselves constitute undeniable democratic progress. The smooth holding of the repeat vote, held on 17 November in the three polling stations in north Mitrovica, seems to further suggest that the lessons of the incidents of 3 November were quickly

learned. The second round of elections will be held on 1 December, and France calls on the Kosovo and Serbian Governments, as well as all communities in Kosovo, to demonstrate the same maturity and the same courage during this second phase of the elections. Finally, like the Secretary-General, we encourage them to continue their education and reconciliation efforts in the post-election period.

In his report (S/2013/631), the Secretary-General re-examines the incident that took the life of an officer of the European Union Rule of Law Mission in Kosovo (EULEX) on 19 September. Like all parties, we regret the death of a European officer, who fell in service to the rule of law. We commend both parties for their assistance to the criminal investigation opened by EULEX to bring the perpetrators of that murder to justice. The attack shocked us all, and as noted by the Secretary-General, stands in contrast to the security situation in Kosovo, which otherwise remains calm. We wish to acknowledge once again the work of the EULEX mission, which, alongside the Kosovo police and the Kosovo Force, plays a key role with the OSCE in ensuring the smooth holding of the elections.

The decision to open European Union accession negotiations with Serbia on the one hand, and to authorize the European Commission to negotiate a Stabilization and Association Agreement with Kosovo, on the other, was made after both countries made significant progress in normalizing their relations. That standard was set by the European Union as a common criterion for their respective European rapprochement processes. We must therefore ensure that both parties remain constructively engaged in the long term in improving their relations. With respect to Serbia, that will involve the effective opening of accession negotiations, which the Commission now recommends. It also involves ongoing discussions aimed at concluding a Stabilization and Association Agreement with Kosovo.

Beyond the normalization of their relations, we encourage Belgrade and Pristina to continue to pursue their internal reforms, particularly in terms of the rule of law and the protection of minorities. That is the only way to enable Kosovo and Serbia to together turn over a new leaf in their history and resolutely turn towards regional peace and cooperation.

The international community must take note of these positive developments. In this respect, we invite the United Nations Interim Administration Mission in Kosovo to adapt its presence to the situation on the

ground, in agreement with the Kosovo authorities and according to their actual needs.

**Mr. Masood Khan** (Pakistan): We thank Special Representative of the Secretary-General Farid Zarif for his briefing. We also thank Prime Minister Ivica Dačić of Serbia and Prime Minister Hashim Thaçi of Kosovo for their statements. We commend their determined efforts to move the two sides closer to a negotiated solution and achieve sustainable peace in the region.

The violence during the local elections in northern Kosovo held on 3 November was worrisome. We welcome the decision of the Government of Kosovo to annul its results. While the re-run on 17 November was not marked by violence, low voter turnout was cause for concern. We call on those who boycotted the elections to join the political process. Participating in the elections would have been a better way for them to secure their rights.

Despite challenges, the two sides have maintained the political momentum and made tangible progress towards the implementation of the framework agreement of 19 April and the implementation plan of 22 May. The continued engagement of the two Prime Ministers, who met four times during the current reporting period, played a key role in facilitating the process. The two sides have reached agreements on telecommunications and energy. They have also agreed on handling long-term cooperation in the energy sector at a later stage.

We note that progress has been made in other key areas, including the police and the judiciary, as agreed in the framework agreement. It is expected that two further draft laws foreseen in the agreement — a law on local self-government and a law on the rights of communities — which are under consideration in the Assembly of Kosovo, will be enacted before the end of the year.

The report of the Secretary-General (S/2013/631) notes that the overall security situation in Kosovo remained generally calm, with occasional incidents reported in ethnically mixed areas. That is encouraging. The number of reported incidents against minority communities has declined. To us, all sides seem to be demonstrating an increased commitment to preventing tensions in order to enable the high-level dialogue and implementation process to move forward.

Those are all encouraging signs that prove that, when the leadership is determined, they can overcome even serious obstacles. As the two Prime Ministers

indicated in their detailed statements today, there are many problems that need to be resolved. What is most important is that they continue to build and sustain mutual trust so that their engagement does not falter.

We acknowledge the vital role of High Representative Catherine Ashton and the European Union in this process. Both remain indispensable to the dialogue. The United Nations Interim Administration Mission in Kosovo, under the leadership of Special Representative Farid Zarif, continues to play a critical role in the stabilization of Kosovo.

Finally, I would like to wish both Prime Ministers success on the difficult road ahead. They have broken fresh diplomatic ground. They must take it to its logical conclusion. We are confident that, with commitment and dedication, conditions of peace, stability and prosperity will be created in Kosovo in the near future.

**Mr. Churkin** (Russian Federation) (*spoke in Russian*): We welcome the participation in today's meeting of the Serbian Prime Minister, Mr. Ivica Dačić. We share his views.

We listened closely to Mr. Thaçi. He was obviously lacking certain elements of self-criticism.

We are grateful to Mr. Zarif for presenting the Secretary-General's report (S/2013/631) and briefing us on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK).

Russia supports the efforts of Belgrade to reach a settlement to the Kosovo problem through dialogue, and we note with understanding the compromise decisions that were acceptable to the Serbian sides. In particular, we hope that the emerging community of Serb municipalities in Kosovo would be granted genuine executive authority for the effective protection of the interests of citizens residing in their territory.

We believe that resolution 1244 (1999) remains fully in effect and is still the universally binding, international legal basis for a settlement of the Kosovo issue. The international community, above all the United Nations, must stay focused on the situation in the province. UNMIK plays a key role among all elements of the international presence, particularly in northern Kosovo, where tensions persist. The Security Council has authorized UNMIK to tackle its mandated tasks, notwithstanding any obstacles in its path. To do so, the Mission requires appropriate personnel and financial resources.

One very important stage in the implementation of the arrangements agreed between Belgrade and Pristina on 19 April was the holding of municipal elections in the province. The conduct of the electoral process was far from smooth, however. Cases of violence and voter intimidation during the elections of 3 November have once again highlighted the fragility and volatility of the situation. We condemn those acts.

We are also concerned about the killing of a customs officer of the European Union Rule of Law Mission in Kosovo (EULEX). We call on all of those responsible for law and order in the province to carry out a thorough investigation of the crime and its underlying causes. The perpetrators must be brought to justice.

The plight of the Serb minority in Kosovo remains disturbing. There has been no progress in efforts to return refugees or internally displaced persons (IDPs). People are afraid to go to Kosovo because of ethnically motivated threats of violence and the absence of security guarantees from local authorities. Moreover, an analysis of the situation shows that the Kosovo Albanian authorities have, with the acquiescence of the international presence, effectively paralysed the return to the province of more than 200,000 Serbian refugees and IDPs, denying their property rights and violating internationally recognized fundamental human rights. We are convinced that there can be no national reconciliation in the province until those people return to their homes.

In the annex to the report of the Secretary-General, EULEX addresses the difficult situation involving organized crime in Kosovo. However, once again it avoids virtually any mention of progress in the investigation of allegations of illegal organ harvesting, identified by Council of Europe Special Rapporteur Dick Marty. In too few words, the report testifies to the absence of any progress in that important high-profile case. A full investigation is required and the perpetrators, regardless of their identity, must be brought to justice.

In that light, it is strange to hear calls from Pristina for the drawdown of EULEX, particularly the office responsible for the aforementioned investigation. We recall that EULEX was deployed with the consent of the Security Council. With that approval, it received several mandates from UNMIK that the European Union Mission was unable to cope with unilaterally. As resolution 1244 (1999) remains fully in effect, those

powers are assigned to UNMIK under international law and cannot be transferred to a third party, particularly not to Pristina's institutions.

We are troubled by reports of Al-Qaida affiliated groups operating in the province. We believe that both UNMIK and EULEX should be addressing that problem.

**Mr. Bliss** (Australia): I would like to join others in thanking Mr. Farid Zarif, Special Representative of the Secretary-General, for presenting his quarterly briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK). Australia acknowledges UNMIK's continuing efforts, together with the European Union Rule of Law Mission in Kosovo (EULEX), the Kosovo Force and the Organization for Security and Cooperation in Europe (OSCE), to promote security, stability and respect for human rights in Kosovo.

We extend a warm welcome to Mr. Ivica Dačić, Prime Minister of Serbia, and to Mr. Hashim Thaçi, Prime Minister of Kosovo, and thank them for their statements today.

Australia welcomes the concrete progress made towards the implementation of the 19 April agreement on normalizing relations between Serbia and Kosovo. The progress made in key areas, such as the establishment of the regional police command in northern Kosovo, are good first steps. That progress is due, in no small part, to the leadership of both Prime Ministers. We commend them for their determination to overcome the many political, security and administrative challenges to the implementation of the agreement. We would also like to acknowledge the central role of the European Union, and High Representative Catherine Ashton in particular, in facilitating dialogue between Belgrade and Pristina.

The key political development in recent months has been, of course, the holding of municipal elections. Australia welcomes the holding of the elections, which are evidence of the commitment of the Kosovar authorities to the realization of a democratic and multi-ethnic Kosovo. We also acknowledge the positive role played by the Serbian leadership in support of participation in the elections, and by the OSCE in facilitating logistical and procedural arrangements in challenging circumstances.

Australia condemns the attacks on three polling centres in northern Mitrovica and other disruptive

actions during the first round of the elections held on 3 November. We welcome the commitment of Serbian and Kosovar authorities to ensuring that those who have triggered the violence are prosecuted. Despite the intimidation of voters in northern Kosovo, we are encouraged by the turnout across the country, including by Serbian Kosovars, especially south of the Ibar River, in the first round.

Despite the temporary setback witnessed in northern Mitrovica on 3 November, we are very encouraged by reports of the smooth and peaceful conduct of the repeated elections there on 17 November. We hope that the success of those rerun elections will contribute towards permanent peace and stability in Kosovo, for all of its citizens.

This year's municipal elections are critical to ensuring the legitimacy of Kosovo's local governing institutions, particularly in the North, thereby providing a basis for further implementation of the 19 April agreement. It is now imperative that no effort be spared to ensure the broad participation of Kosovars of all ethnic backgrounds in the second round of the elections, scheduled for 1 December, where such elections are taking place.

Despite generally positive developments during the reporting period, there have been some incidents of serious concern. Australia unreservedly condemns the attack perpetrated against two EULEX vehicles in the vicinity of Zvečan municipality in northern Kosovo on 19 September. We were saddened by the death of a Lithuanian member of EULEX in the attack and welcome the efforts made by all parties to bring the perpetrators to justice.

The good progress achieved over the reporting period has allowed Serbia and Kosovo to advance on their respective paths towards European integration. Serbia will soon commence accession negotiations with the European Union (EU), and in October Kosovo commenced negotiations on a Stabilization and Association Agreement. We commend both Prime Ministers for their continued active engagement in the EU-brokered dialogue to help achieve a peaceful and prosperous future for their countries.

**Mrs. DiCarlo** (United States of America): I thank the Special Representative of the Secretary-General, Mr. Zarif, for his briefing. We also welcome Prime Minister Thaçi and Prime Minister Dačić back to the Council, and thank them for their statements. I

commend the Prime Ministers for their dedication to the dialogue process and their resolve to address, quickly and constructively, matters of contention as they arise. Their leadership has shown the inherent value of direct communication as a way to reduce tensions and increase cooperation among States.

Let me extend the deepest condolences of the United States to the European Union Rule of Law Mission in Kosovo (EULEX) and the family of the customs officer who was killed in northern Kosovo on 19 September. EULEX plays an invaluable role in Kosovo, and the officer paid the ultimate price for the prospect of peace.

I would like today to address the recent elections, the continuing implementation of the agreement on normalization of relations, and progress made on European Union (EU) integration.

First, the United States congratulates Kosovo, the Organization for Security and Cooperation in Europe and all of the individuals and organizations that contributed to the success of the 3 November municipal elections, and applauds Kosovo and Serbia for their efforts to encourage voter participation. The elections were orderly, transparent and credible in most areas, and an important step in facilitating the participation of all communities in Kosovo's political and administrative infrastructure. We are heartened to see that voters felt free to report sporadic irregularities to Kosovo's authorities, reflecting both their respect for Kosovo's institutions and a genuine commitment to the democratic process.

All people in Kosovo should be able to exercise their right to vote for their representatives without fear and intimidation. We therefore condemn the incidents of violence at several polling stations in northern Kosovo. We must not let the actions of a few dampen the progress Kosovo has made on the path to democracy. In that light, we were encouraged by the turnout in orderly voting in northern Mitrovica on 17 November. Those elections have demonstrated that Kosovo is capable of conducting future elections that are consistent with international standards and its European aspirations. We now look forward to the peaceful conduct of the run-off polls on 1 December.

Secondly, the United States supports the normalization of relations between Kosovo and Serbia, which is crucial for stability and reconciliation in the region. We are pleased by the progress that both countries have made in the EU-facilitated dialogue.

The municipal elections in Kosovo are just one albeit highly vital element of the 19 April agreement. We look to the Governments of Kosovo and Serbia to move forward with the full implementation of all aspects of the agreement and all previous agreements, including on integrated border management.

We commend both Governments for concluding additional agreements in recent weeks, particularly with regard to telecommunications and energy. The Prime Ministers and EU High Representative Ashton deserve our praise and continued support for their efforts. We also thank EULEX and NATO for their support in implementing the dialogue agreements.

Finally, the United States views the elections and the progress of the dialogue as positive steps on Kosovo's and Serbia's respective paths towards EU membership. We strongly support Serbia's commitment to joining the European Union and, with the full implementation of the 19 April agreement, look forward to the European Council's vote on starting accession talks with Serbia.

We also welcome the 28 October start of negotiations between the European Union and Kosovo on a Stabilization and Association Agreement. That milestone demonstrates the progress that Kosovo has made both on internal reforms and towards normalization of relations with Serbia. So does Kosovo's growing number of recognitions, which now represent a majority of States Members of the United Nations.

The United States stands ready to support Kosovo's efforts to implement the reforms necessary to achieve its Euro-Atlantic integration goals, including strengthening the rule of law and the fight against crime and corruption, the protection of minority rights and the development of a strong market-based economy.

**Mr. Laassel** (Morocco) (*spoke in French*): At the outset, I would like to thank Mr. Farid Zarif, Special Representative of the Secretary-General for Kosovo, for presenting the report of the Secretary-General (S/2013/631) on the United Nations Interim Administration Mission in Kosovo (UNMIK) and on recent developments in Kosovo during the period from 16 July to 15 October. I would like to thank Mr. Ivica Dačić, Prime Minister of Serbia, and Mr. Hashim Thaçi for their clarifications.

We welcome the commitment of UNMIK to promoting constructive dialogue between the parties concerned in close cooperation with regional and international stakeholders, highlighting in particular

the positive role of Organization for Security and Cooperation in Europe, the Kosovo Force (KFOR) and the European Union Rule of Law Mission (EULEX). At the political level, we also take note of the high-level meetings held during the reporting period between the Serbian Prime Minister and Mr. Hashim Thaçi in Brussels under the auspices of the European Union as part of the implementation of the first agreement on principles governing the normalization of relations reached between Belgrade and Pristina on 19 April.

In that regard, we welcome the important role played by the High Representative of the European Union, Baroness Catherine Ashton, and her unswerving efforts to resolve all stalemates between Kosovo and Serb officials. The aforementioned meetings and the technical discussions in working groups have been very useful in overcoming the inflexibility of the parties in a number of areas, particularly in terms of preparing the Kosovo municipal elections on 3 November and the rapprochement of views with respect to telecommunications, energy, security and justice issues.

That having been said, the 19 April agreement on the normalization of relations between Belgrade and Pristina continues to encounter difficulties due, *inter alia*, to the failure to adopt laws for its implementation and to the scepticism of certain political factions, which has led to political tensions in northern Kosovo, above all with respect to the elections, leading even to campaigns against voter participation in the municipal elections. The dissolution of the administrations of four municipalities in northern Kosovo and fears of socioeconomic repercussions have also exacerbated tensions.

The efforts of UNMIK in a number of areas — in particular in promoting a convergence of views, assisting the parties in making positions more flexible, facilitating the circulation of INTERPOL Red Notices, fostering regular communication between Kosovo, INTERPOL and its member States, certifying documents, as well as its efforts to uncover the fate of missing persons — should be encouraged and appreciated. We also welcome the efforts of the Office of the United Nations High Commissioner for Refugees, which has repatriated 313 people between January and September 2013 and between July and September registered 90 persons from minority communities brought to be repatriated in Kosovo.

The International Migration Organization plays an important role that is worth highlighting, in particular in terms of assistance given to host communities, returnees and members of the minority communities in Kosovo with assistance from the European Union stabilization programme. Those collective efforts have helped to keep the security situation generally calm, giving rise to the high-level dialogue. They have contributed to the reduction in the number of incidents in the period concerned.

Nevertheless, the grave incident of 19 September that cost the life of a EULEX customs officer interrupted the period of calm and plunged the region into a climate of political uncertainty, raising fears that could have repercussions on socioeconomic life. We condemn that loss of human life. That reversal calls for additional efforts to establish a lasting climate of trust to resolve all pending issues.

The protection of cultural heritage and religious shrines is a shared responsibility. Moreover, the holding of interreligious dialogue through a conference attended by representatives from the Islamic, Serbian Orthodox, Catholic, Evangelical, Protestant and Jewish faiths can help to calm tensions and establish tolerance with a view to definitively turning the page on a tumultuous period in order to start a new period based on tolerance and dialogue.

Finally, we welcome the commitment and efforts of UNMIK and KFOR, which continue to play an extremely important role alongside the parties with a view to making progress on issues where there are divisions and to move them towards a political solution that should be comprehensive and inclusive, in accordance with the provisions of resolution 1244 (1999).

**Mr. M'Beou** (Togo) (*spoke in French*): I would like thank Mr. Farid Zarif for his presentation of the quarterly report of the Secretary-General (S/2013/631) on the United Nations Interim Administration Mission in Kosovo (UNMIK). I also welcome the presence of the Prime Ministers of Serbia and Kosovo at today's meeting and congratulate them on their statements.

I will limit my statement to a few comments on the progress of the process of normalizing relations between Kosovo and Serbia, in the light of the historic agreement they signed on 19 April and in view of the security situation in Kosovo.

Despite repeated obstacles resulting notably from differences in occasional interpretation that might have impeded the process of normalization, Kosovo and Serbia continue tirelessly with their efforts to implement the aforementioned agreement. Togo welcomes the major role that the European Union (EU) continues to play in helping the parties overcome their difficulties. High-level meetings between Serbian and Kosovo authorities, organized under EU sponsorship, and the ongoing meetings of bilateral technical working groups have indisputably facilitated significant progress in implementation of the agreement.

My country notes with satisfaction that the dynamic of dialogue made it possible in November to hold municipal elections for the first time in Kosovo. Indeed, by committing to lifting the obstacles of a procedural or political nature, grappling with logistical problems that marked the organization of the election, and agreeing, *inter alia*, to the participation of displaced persons and the representation of Kosovo Serbs in the Central Election Commission, the parties opened the way to a transparent and credible election. Their robust involvement aimed at ensuring significant participation in the elections on the part of Kosovo Serbs and ensuring that the elections were held successfully reflects their strong commitment to work definitively towards normalizing relations between Kosovo and Serbia.

Ultimately, the elections were held, on the whole in a satisfactory manner and with significant participation by Serbs living in the municipalities of the south, which my country commends. However, we condemn the attempt by some Serbian nationalists opposed to the normalization of relations between Serbia and Kosovo to compromise the elections through acts of violence and threats. My country believes that this protest approach is counterproductive. It is in the interests of all Serbs of northern Kosovo to take control of the destiny of their communities by getting involved in the implementation and operation of the association of Serbian municipalities, which, in accordance with the 19 April agreement, are provided with a certain degree of autonomy, including in the areas of economic development, health and education.

As noted in the report under review, the implementation of the 19 April agreement is ongoing in many other areas. On the positive side, important arrangements were arrived at by the parties on 8 September on the issues of telecommunication and

energy. Similarly, we welcome the efforts undertaken by the Serbs to transfer the parallel structures in northern Kosovo to Kosovo authorities, including the police and judiciary.

It would appear that those developments were made possible thanks to the leadership, political courage and commitment of the leaders of Serbia and Kosovo to gradually settle the disputes between the two parties in the interests of their people. Togo would like to applaud their efforts with a view to reaching that goal. The difficult compromises they had to reach should be able to open the way to European integration for Serbia and Kosovo. We urge them to pursue the dialogue on the outstanding issues in the same spirit, so as to ensure the full implementation of the 19 April agreement.

Stability and security continue to prevail in Kosovo overall. However, as mentioned earlier, political tension and acts of violence continue in the north and are the work of a part of the population that refuses to join in the process of normalizing relations between Kosovo and Serbia. We condemn the assassination in that context of a customs officer who was part of the European Union Rule of Law Mission in Kosovo (EULEX) on 19 September. No effort should be spared in bringing the perpetrators of that crime to justice. We are concerned about such incidents, which are related to the uncontrolled use of firearms and explosives and which target both civilians and Kosovo and international security personnel. The use of violence and intimidation to try to impose political views is unacceptable. We urge Kosovo's senior officials, in particular those in charge of the police, to continue their efforts to investigate each incident and bring the perpetrators to justice.

I would like to conclude by reiterating my congratulations to the European Union, especially its High Representative, for its pivotal role in bringing about significant progress in the implementation of the 19 April agreement, including the holding of the recent municipal elections.

We would also like to thank UNMIK, the Kosovo Force, EULEX, the Organization for Security and Cooperation in Europe and all partner organizations that support the authorities of Kosovo and Serbia in normalizing their relations.

**Mr. Tatham** (United Kingdom): I thank the Secretary-General's Special Representative for Kosovo, Mr. Farid Zarif, for his briefing today. I am delighted to

also welcome to the Council His Excellency Mr. Hashim Thaçi, Prime Minister of Kosovo, and His Excellency Mr. Ivica Dačić, Prime Minister of the Republic of Serbia.

The United Kingdom joins others in welcoming the largely successful local elections held in Kosovo on 3 November and the efforts of both Serbia and Kosovo to encourage a large turn out. I also commend the contribution of international organizations, including the Organization for Security and Cooperation in Europe (OSCE), the European Union Rule of Law Mission in Kosovo (EULEX), the Kosovo Force (KFOR) and the European Union Election Observation Mission.

The United Kingdom condemns the violent actions of a minority of extremists on 3 November, including the storming of three polling stations in northern Mitrovica. We call on the relevant authorities to ensure the perpetrators are swiftly brought to justice.

It was important that all constituencies in Kosovo were able to participate in the elections. We welcome the commitment shown by Prime Ministers Thaçi and Dačić to the municipal elections, particularly in their prompt meeting after 3 November to discuss next steps for the electoral process. That underlines the value of the dialogue they have established as a means of carefully managing potentially sensitive situations.

We welcome the peaceful conduct of the rerun polling in northern Mitrovica on 17 November. Cooperation between the OSCE, the Kosovo police, EULEX and KFOR was exemplary. Those timely reruns prove that political will and coordination can translate into a broadly secure and successful outcome. Ahead of the parliamentary elections next year, Pristina should implement a wider reform of its electoral process.

The United Kingdom is encouraged by the renewed momentum in the European Union-facilitated Kosovo-Serbia dialogue, including the progress made on energy and telecommunication. We look forward to seeing both parties continue to implement the relevant agreements faithfully and to resolve any outstanding issues expeditiously. We welcome the commitment to that dialogue shown by the Governments of Kosovo and Serbia and agree with the Secretary-General that both Belgrade and Pristina are displaying vision and perseverance through their commitment to dialogue.

The normalization of relations between Kosovo and Serbia is integral to both countries' European

Union accession paths. Both parties must continue to implement fully the dialogue agreement in order to unlock progress. Kosovo and Serbia must also continue to communicate the benefits of the agreement and work together to improve the integration of Kosovo Serbs in the north. The continued assistance of EULEX in the implementation of the dialogue agreements will be indispensable.

Let me take this opportunity to condemn wholeheartedly the attack on EULEX on 19 September and pay tribute to Audrius Šėnavičius, EULEX's first fatality by hostile action, and to call for the perpetrators of that attack to be brought to justice.

We fully and wholeheartedly support the important work of EULEX in Kosovo, including the integration of institutions in the north under Kosovo's jurisdiction. We welcome the renewed engagement by both Belgrade and Pristina in the dialogue and we look forward to further tangible results.

The United Kingdom welcomed the launch of negotiations on 28 October for a stabilization and association agreement between Kosovo and the European Union, the first milestone on the path to eventual European Union membership. That step marks a new phase in Kosovo's relationship with the European Union, NATO and the United Nations. Kosovo is now recognized by over half of the United Nations States Members. We encourage those countries that have not yet recognized Kosovo to do so.

Finally, I would like to comment on the welcome way in which the climate of discussion in the last few debates on the United Nations Interim Administration Mission in Kosovo in the Council has become markedly more positive, as most Council members have been able to come together around welcoming progress in the dialogue between Belgrade and Pristina and welcoming also the increased cooperation and stability that has resulted. Today's meeting so far has sustained that trend. Against that backdrop, we wonder whether the Council should be considering reducing the frequency with which it meets to discuss this matter.

**Mr. Oh Joon** (Republic of Korea): I thank Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, for his briefing. I would also like to welcome Prime Minister Ivica Dačić and Prime Minister Hashim Thaçi at this Council meeting. Today I wish to make three points on the situation in Kosovo.

First, the Republic of Korea welcomes the substantial progress achieved in the implementation of the historic 19 April agreement between Belgrade and Pristina. Thanks to the excellent political leadership of Prime Minister Dačić and Prime Minister Thaçi, numerous challenges have been overcome and progress has been sustained in many important areas, including law enforcement, telecommunication and energy. The active engagement of the European Union, in particular, of High Representative Catherine Ashton, was also instrumental in those achievements. In that light, we call on Belgrade and Pristina to continue building on those hard-earned achievements and to scale up ongoing efforts towards the normalization of their relations.

Secondly, we are pleased to note that the 3 November municipal elections in Kosovo and the rerun election in northern Kosovo were carried out in a largely successful manner. Both Belgrade and Pristina, with the support of the international community, particularly of the Organization for Security and Cooperation in Europe, devoted every effort to ensuring the success of the elections. We believe the latest elections demonstrate positive prospects for the future consolidation of peace and stability in Kosovo as well as the region. Against that backdrop, however, the need to rerun the elections in northern Kosovo highlights the difficult challenges facing both Belgrade and Pristina. That reminds us that the grievances and concerns of the Serb minority in northern Kosovo remain an impediment to achieving durable peace and genuine reconciliation. Moving forward, it will be vital for Kosovo and Belgrade to engage in post-election efforts to win the hearts and minds of ethnic Serbs. As such, we call on both sides to work closely together to find practical ways to address both their economic and political concerns and to enhance their integration into Kosovo society.

Finally, we are concerned about incidents of violence such as that which caused the tragic death of the European Union Rule of Law Mission (EULEX) customs officer, as well as about the violence that affected the elections in northern Kosovo on 3 November. Such violence, which served no one's interest, only damaged the fledgling peace and security on the ground. We urge all the parties concerned to work closely together to hold the perpetrators accountable and to prevent any recurrence of violence. Once again, we commend all the staff of the United Nations Interim Administration Mission in Kosovo, EULEX and other international partners for their tireless efforts and sacrifices towards the continued peace and stability of Kosovo.

**Mr. Gasana** (Rwanda): I would like to thank Mr. Farid Zarif for his comprehensive briefing. Rwanda commends the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) in the implementation of its mandate under the leadership of Mr. Zarif. I appreciate the statement made by Mr. Dačić, Prime Minister of Serbia, and Mr. Thaçi, Prime Minister of Kosovo. I welcome them both to New York.

On the political arena, we are pleased to hear that, as reported in our last briefing (see S/PV.7026), Serbia and Kosovo have continued to work together in the implementation of the first agreement on principles governing the normalization of relations, on 19 April 2013. Rwanda welcomes the successful elections conducted in Kosovo between 3 and 17 November. While we condemn the violence and interruptions at three polling stations in northern Kosovo caused by some groups, we commend the role played by the parties for the successful completion of those historic elections. It is very important for all parties to continue to work together towards the resolution of outstanding issues, especially the establishment of administration and security institutions.

On the security situation, while we note that it has remained generally calm, we are very concerned about incidents reported in ethnically mixed areas. We strongly condemn the attack on the European Union Rule of Law Mission in Kosovo (EULEX) convoy on route to gate 1 in northern Kosovo on 19 September, which resulted in the death of a EULEX officer. We extend our condolences to EULEX and Lithuania, as well as to the family of the deceased. But we believe that it is a good sign that Belgrade and Pristina, northern Kosovo Serb leaders as well as international actors have condemned those attacks. All parties concerned must work together to bring the perpetrators to justice.

On the rule of law, we welcome the positive steps undertaken by the Assembly of Kosovo, especially the adoption of several laws aimed at improving rule-of-law standards. We also commend the continued implementation of the protocol on integrated border/boundary management between Serbia and Kosovo, signed on 19 March.

As the report (S/2013/631) of the Secretary-General makes clear, much more effort is still needed on the issue of finding missing persons and on the performance of the Kosovo judiciary. We commend the continued

support of UNMIK and the European Union Rule of Law Mission in Kosovo in that regard.

On human rights, it is clear that Kosovo is making tremendous efforts aimed at promoting the rights of minorities. We welcome the adoption of the comprehensive policy documents related to the promotion of the rights of minorities, as well as the recommendations to increase the allocation of funds from the central budget for that purpose.

The finalization of the action plan on the implementation of resolution 1325 (2000) and the inclusion on the Kosovo legislative agenda of the new draft law on gender equality are also commendable steps. While urging Kosovo to translate all those efforts into tangible actions, we commend UNMIK, UNESCO and the European Union for their invariable support in that regard.

Before I conclude, allow me to emphasize that coexistence and tolerance among all communities in Kosovo is very crucial for a brighter future and reconciliation in the region. I commend UNMIK for its continued facilitation of activities by UNESCO in Kosovo with regard to cultural and religious heritage. We also urge local authorities to refrain from obstructing the implementation of decisions taken in that regard.

Finally, it is very important for the authorities in Kosovo to redouble their efforts in creating a conducive atmosphere for the safe return of refugees to their homes. We believe that that could bolster the number of refugees willing to return to their homes, which is inevitable for ensuring sustainable peace.

**Mr. Rosenthal** (Guatemala) (*spoke in Spanish*): We would like to thank Special Representative of the Secretary-General Farid Zarif for presenting the report (S/2013/631). We are also grateful for the presentations by Prime Minister Dačić and Prime Minister Hashim Thaçi.

A notable aspect of the report is the progress made in implementing the first agreement of principles governing the normalization of relations between Serbia and Kosovo, signed on 19 April. The recent elections are key to beginning to implement the agreement. We regret the incidents of violence that occurred in northern Kosovo during the municipal elections on 3 November, which posed the risk of compromising the agreement reached between the parties. Nevertheless, we note that the elections that were cancelled and rerun on

17 November took place without major difficulties. We should now focus on the post-election period, during which the representatives who were elected will have to continue to work together to implement the agreements between Belgrade and Pristina. This is a critical moment in the relations between Serbia and Kosovo, and the Security Council should carefully follow their evolution. The international community's support and its commitment to Kosovo also continue to be essential.

As we mentioned in our previous discussion of this topic (see S/PV.7026), we believe that the United Nations Interim Administration Mission in Kosovo (UNMIK) has a central role to play in this new stage of the implementation of the 19 April agreement. We welcome the fact that UNMIK is intensifying its efforts and cooperation with all the parties concerned regarding the main problems on the ground. We support UNMIK's mediation and facilitation efforts in northern Kosovo. We also support efforts made for UNMIK to serve as a communications medium between municipal representatives and minority communities in order to guarantee the effective provision of public and social services.

In short, UNMIK continues to use its capacity and resources in a wide range of activities to help reduce tensions and the number of incidents. Therefore, it is important that UNMIK continue to enjoy all the necessary support to strengthen its presence in Kosovo, especially in the north.

Turning to the topic of security, we see that, on the one hand, the overall situation remained calm during the reporting period; on the other hand, tensions continued in the northern Kosovo. Like others before us, we condemn the death of a European Union Rule of Law Mission (EULEX) customs officer on 19 September. We hope that everything will be done to prevent such incidents from recurring. We trust that the event will be investigated in order to find the perpetrators and bring them to justice.

With regard to the Special Investigative Task Force in charge of looking into allegations of the inhumane treatment of immigrants and trafficking in human organs, we note with interest the information set out in the EULEX report (S/2013/631, annex I). We will follow with interest the progress on that matter.

Finally, we reaffirm the primacy of resolution 1244 (1999) as the applicable legal framework in Kosovo, as well as the importance of full respect for international

law. We thank the Special Representative for his sustained efforts to promote reconciliation among Kosovo's communities.

**Mr. Oyarzábal** (Argentina) (*spoke in Spanish*): I would like to thank Special Representative of the Secretary-General Farid Zarif for his presentation of the report (S/2013/631) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We also welcome the participation of Serbian Prime Minister Ivica Dačić and Mr. Hashim Thaçi.

First of all, Argentina would like to highlight the vital role played by the United Nations in Kosovo through UNMIK by promoting security, stability and respect for human rights. We also welcome its cooperation with the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force (KFOR), while maintaining a status-neutral position under the auspices of the United Nations. Argentina voted in favour of resolution 1244 (1999) — at a time when it was also a Security Council member — and believes that it continues to serve as the international legal basis applicable in Kosovo in the quest to find an overall solution through a political process and negotiations.

The importance of UNMIK on the ground is clearly evident in the successes recorded during the Kosovo municipal elections. We would like to express our concern with regard to the incidents of violence and intimidation that prevented the free exercise of democratic rights in northern Kosovo during the 3 November elections. The role of the Mission was key in that regard. Thanks to the efforts of the parties, we can today welcome the fact that the process culminated as expected in the completion of the electoral process on 17 November, during which the rest of the voters were able to exercise their rights. We can only agree with the Secretary-General in acknowledging the efforts made by the parties in order to conclude the process. We highlight the constructive spirit that prevailed to help resolve matters related to the elections, especially agreements that helped to facilitate the elections in the north, including voting by displaced persons.

The Republic of Serbia in particular demonstrated its firm commitment to the success of the process under the April agreement and the dialogue facilitated by the European Union. The Serbian political leadership responded with political vision and perseverance to the many challenges that arose by taking steps to make the participation of all groups possible.

As indicated by the Secretary-General in his report, commendable progress was recorded in the transition of local State structures, especially with regard to encouraging the population in the north to take part in the elections by building trust, answering their questions and addressing their concerns.

Commitment is key with regard to the first agreement on the principles governing the normalization of relations is evident, so as to stabilize the situation through compromise, trust and dialogue. We hope that meetings will continue to be held between the parties to move forward with the implementation of the agreement and speed up the search for a political solution to pending matters. We encourage the parties to continue along that path to progress, in keeping with resolution 1244 (1999). We also encourage them to respect the letter of the agreement while also healing the wounds of the past, peaceably and in good faith.

Although we are encouraged by the fact that the overall security situation in Kosovo remained calm during the period under review, we should not stop paying attention to the security situation in northern Mitrovica. That situation requires coordinated action in order to resolve the problems in good faith so as to avoid future tensions.

We condemn the tragic death of a EULEX officer in September. We join others in calling on all the parties to closely cooperate with the investigation to identify those responsible and bring them to justice, as well as to do everything possible to prevent such incidents in the future.

It is also important to reiterate that UNMIK's work continues to be essential in providing maximum support for the political processes while paying special attention issues relating to the implementation of the 19 April agreement.

With regard to the protection of cultural and religious heritage, we are greatly encouraged by the progress made in the area of reconstruction, which is an UNMIK priority. We hope that the activities under way will continue so as to contribute to reconciliation among communities. We also hope for the greatest success in the restoration process to carried out by UNESCO in the next three years in coordination with the Mission and with financing from the European Union.

Argentina believes that it is extremely important to achieve full respect for the human rights of internally displaced persons, who should be able to return to

their places of origin and have access to substantive rights without being subject to discrimination. It is fundamental to continue working to ensure the return and definitive reintegration of internally displaced persons, in particular by facilitating their access to housing, basic services and employment, expediting the issuance of documentation relating to their civil status, and preventing any security incidents. The technical assistance provided by UNMIK is crucial in that regard.

It is also important to continue to accord priority to efforts to resolve the legacy of the conflict, including pending cases involving disappeared persons, as well as to promote and protect all human rights. In that regard, we are encouraged by the fact that UNMIK continues to support efforts to determine the fate of the disappeared. Of course, we also take note of the joint press conference, held in Pristina and Belgrade, with the participation of Kosovo Albanians and Kosovo Serb representatives of the association of families of disappeared and abducted persons. We join the call for a redoubling of efforts and cooperation in order to prevent having impunity be the response to serious violations of human rights.

We highlight UNMIK's work and its activities to support the rule of law, especially in collaboration with all the relevant interested parties, with regard to the major problems on the ground. As rightly pointed out by the Secretary-General in his report, it is also key that the international presences in Kosovo continue to strengthen mutual cooperation with the common aim of helping to establish appropriate conditions for the next stages of the implementation of the 19 April agreement.

We conclude by highlighting the work done by the Special Representative to promote security, stability and respect for human rights in Kosovo in accordance with resolution 1244 (1999).

**Mr. Mehdiyev** (Azerbaijan): I thank the Special Representative of the Secretary-General Farid Zarif for his briefing.

We welcome the participation in today's meeting of the Prime Minister of Serbia, His Excellency Mr. Ivica Dačić, and thank him and Mr. Thaçi for their statements.

I would like to reaffirm the position of Azerbaijan, which is based on respect for the sovereignty and territorial integrity of the Republic of Serbia and non-recognition of Kosovo's unilateral declaration of independence.

Resolution 1244 (1999) remains the binding international legal framework for a comprehensive settlement through a political process and negotiations. Once again, we want to underline the important role of the United Nations Interim Administration Mission in Kosovo (UNMIK). It is noteworthy that the Mission continues to work closely with the communities on the ground and to collaborate with all other mandated international presences to enhance the prospect of success in the political dialogue. UNMIK should maintain and further develop its key role in ensuring the coordination of all international efforts on the status-neutral framework as envisaged in resolution 1244 (1999).

Azerbaijan welcomes the commitment of the parties to the European Union-facilitated dialogue and the progress achieved so far in the implementation of the agreement on principles governing the normalization of relations of 19 April and the subsequent implementation plan of 22 May. We take positive note of the fact that the sides met on a regular basis during the reporting period and commend both Belgrade and Pristina for their efforts towards consolidating their important achievements. Recent agreements in the fields of telecommunications and energy, as well as the police and the judiciary, can be seen as a good starting point that can be replicated for securing agreements in other relevant areas.

We take note of the efforts towards the seamless conduct of the Kosovo municipal elections. We encourage the sides to continue to remain committed to reaching an agreement on the contentious issues through mutually acceptable solutions. That is indispensable to greater stability and well-being in the region.

Except for sporadic violence in northern Kosovo, it is a positive sign that the overall security situation in Kosovo remained generally calm during the reporting period. However, it is clear that much work is yet anticipated for the maintenance of permanent stability. The unresolved legacies of the conflict should remain among key priorities so as to ensure that all those responsible for war crimes and other criminal acts are brought to justice. More efforts are also needed to resolve the fate of persons who are still missing as a result of the conflict.

The voluntary return of internally displaced persons to Kosovo, although not significant, nonetheless improved during the reporting period. In that connection, we commend the efforts of the Office

of the United Nations High Commissioner for Refugees, the International Organization for Migration and UNMIK in monitoring the process and implementing the necessary policies towards the facilitation of returns. The question of security should be of high priority, among others.

We also commend the efforts of UNMIK and contributions by other international partners to facilitate UNESCO's activities in Kosovo for the purposes of the restoration of the culture and religious heritage.

In conclusion, I would like to commend UNMIK, under the leadership of Special Representative Zarif, for its sustained efforts towards the maintenance of peace and stability in Kosovo and overcoming multiple challenges to make that objective possible.

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

I wish to thank Special Representative of the Secretary-General Zarif for his briefing. I also welcome His Excellency Prime Minister Dačić of Serbia to this meeting, as well as his statement. I also listened carefully to the statement by Mr. Thaçi.

China respects the sovereignty and territorial integrity of Serbia and understands the legitimate concerns of that country on the question of Kosovo. Resolution 1244 (1999) provides the essential legal basis for finding a solution to the question of Kosovo. China believes that the best approach in that connection is to find a mutually acceptable settlement through dialogue and negotiations on the basis of the purposes and principles of the Charter of the United Nations and within the framework of the relevant Council resolutions. China commends Serbia for its efforts in finding a political solution to the question of Kosovo and welcomes the pragmatic and constructive dialogue

that is being actively pursued by both Belgrade and Pristina. We also welcome the agreements that both parties included recently on telecommunication and energy.

China has taken note of the fact that the overall security situation in Kosovo remains calm, thanks to the efforts of the parties concerned. In the wake of the violence during the elections in northern Kosovo on 3 November, Prime Minister Thaçi and others concerned appealed to the electorate in northern Kosovo to put aside past grievances and participate in the elections in a responsible manner. China commends Prime Minister Thaçi for his efforts and is happy to see that the relevant elections were rerun on 17 November. We encourage both parties to continue the process of dialogue, effectively implement the agreements that have been signed and work in a way so as to maintain peace and stability in the Balkans and Europe at large.

China commends the efforts carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) under the leadership of Special Representative Zarif, and supports UNMIK's efforts to continue to discharge the Council's mandate. We hope that the international presences, including UNMIK, the European Union Rule of Law Mission in Kosovo and the Kosovo Force, will strengthen their coordination and work in synergy so as to play a positive and constructive role in facilitating a solution to the question of Kosovo.

I now resume my functions as President of the Council.

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

*The meeting rose at 5.20 p.m.*