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**STATEMENT BY AMBASSADOR MIROSLAVA BEHAM,
PERMANENT REPRESENTATIVE OF THE REPUBLIC OF SERBIA,
AT THE 688th MEETING OF THE OSCE PERMANENT COUNCIL**

15 November 2007

**In response to the report by Mr. Joachim Rucker, Special Representative
of the Secretary-General of the United Nations and Head of the
United Nations Interim Administration Mission in Kosovo**

Mr. Chairman,

On behalf of the delegation of the Republic of Serbia, I am most pleased to extend a warm welcome at this meeting of the Permanent Council to Mr. Joachim Rucker, Special Representative of the Secretary-General of the United Nations and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK). We thank Mr. Rucker for his report, of which we have taken note with great interest.

Mr. Chairman,

In view of the fact that the status process for Kosovo is at an important stage, we think it essential at this point to draw up a kind of balance sheet of the situation in which we find ourselves in order to form a picture that may possibly differ from existing or widespread views. It is only in this way that we can seek, without preconceptions and through joint efforts, workable and lasting solutions. In this connection, allow me to outline only three of many problem areas.

1. When in the summer of 1999 the international community established its presence in Kosovo, it found a war-ravaged province. The international community was faced with the difficult task, under the aegis of the United Nations, of completely demilitarizing the province, assuring the safe return of refugees and displaced persons, ensuring public safety and order, deterring the resumption of hostilities, ensuring the building of civil democratic political structures, and protecting and promoting human rights — in a word, creating conditions for a peaceful and normal life for *all* the inhabitants of Kosovo. All these tasks are set out, in precisely this wording, in United Nations Security Council resolution 1244, which provides the basis for the mandate of the international presence. In addition, resolution 1244 affirms the commitment of all United Nations member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia — today Serbia — within the terms of the Helsinki Final Act and, beyond that, underscores in several places that the interim administration's task is to make possible *substantial autonomy and genuine self-governance for Kosovo* within the Federal Republic of Yugoslavia, today Serbia.

It was definitely *not* the task of the international presence to set up a State within a State or to sever all of Kosovo's ties with Belgrade. Since no later than the fall of Milosevic and the advent of a democratic government in Serbia, the international presence in Kosovo, primarily UNMIK, should have worked together with Belgrade regarding many issues, for example with respect to the privatization of State and public property, which was carried out in a manner that completely ignored Belgrade and is still being carried out in that way today.

In other areas as well, the tasks set for the international presence have not been fulfilled. Although a safe return was made possible immediately after the end of the war for all Kosovo-Albanian refugees and displaced persons, today hundreds of thousands of non-Albanian internally displaced persons, refugees and displaced persons are waiting in vain to be able to resume their life in their homes.

In these circumstances, and others that we have not mentioned, it is difficult to persuade Serbs and other non-Albanians of the impartiality and benevolence of the international presence. But let me emphasize: The situation I have just described is not irreversible.

2. Had the international presence in Kosovo worked together with the democratic institutions in Belgrade, it would have also been able to send clear signals and perform the function of a role model. It would, in this way, have built bridges and demonstrated to the people in Kosovo how confidence building works and how persons should deal with and communicate with one another in a democratic manner. However, instead of acting as a model in this and other ways, the international presence in fact deepened the trenches and in so doing failed to discharge its mission of peace. This is one of the reasons why the positions of Serbs and Albanians are today as far apart as they are — which does not mean, however, that this state of affairs is irreversible.

3. There is a phenomenon in international politics of making things out to be better than they really are — for whatever reason. In professional circles the term “Okay-reporting” has been coined for this phenomenon with particular reference to Kosovo. “Okay-reporting” means that the international presence in Kosovo creates the illusion through its reports that apart from a few minor flaws everything is more or less in order. In sharp contrast, however, to this kind of reporting are the findings contained in expert studies, for example in the analysis that was carried out in January of this year for a government body by the Berlin Institute for European Policy and that was classified as confidential, but which in the meantime is no longer so confidential, having been posted by someone on the Internet.

Thanks to this circumstance, one can read in this study, among other things, that huge weapons stockpiles continue to exist in Kosovo, that informal structures and organized crime pose a great threat to security, that there is a real system of lawlessness and impunity and that there is an international appeasement policy that is having fatal consequences because, among other things, it is undermining the credibility of the international community and is discouraging the forces genuinely in favour of reform. This study is not the only one to arrive at these or similar conclusions — and none of them are Serbian analyses. But let me state at this point that the conditions I have just described are not irreversible. Still, great and joint efforts will be required to rectify them.

Mr. Chairman,

In conclusion, permit me to make just two points against this background: (1) Under current circumstances, it is more than difficult to convince Serbs and other non-Albanians of the need to participate in political life in Kosovo. The loss of confidence or the lack of trust in the existing institutions and structures is too far-reaching for this. (2) Under current circumstances, everything possible should be done to move forward decisively the democratization and pacification of Kosovo and to pursue a democratic solution to the status question. Finding a democratic solution means finding a solution that is acceptable to all. And that means that the international presence in Kosovo under the auspices of the United Nations must annul and condemn any unilateral action as a violation of international law, including resolution 1244, the Charter of the United Nations and the Helsinki Final Act.

If this does not happen, then we shall be faced with a situation that will represent a unique precedent in the history of the United Nations with unpredictable consequences — and that will indeed be irreversible.

We wish Mr. Rücker every success in tackling the tasks that await him.

Thank you, Mr. Chairman.