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**STATEMENT BY MR. ANVAR AZIMOV,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE MEETING OF THE OSCE PERMANENT COUNCIL**

29 July 2010

**Regarding the advisory opinion by the International Court of Justice on
Kosovo's Declaration of Independence**

Mr. Chairperson,

As you know, on 22 July the International Court of Justice delivered an advisory opinion, in response to a request by the United Nations General Assembly, on the conformity with international law of the "Declaration of Independence" adopted by the Assembly of Kosovo on 17 February 2008.

We should like to cool the joyous fervour of the supporters of the so-called "statehood" of Kosovo – there are no grounds for jubilation. In its conclusion the Court by no means approved the territory's breakaway from Serbia – it assessed only the Declaration itself, stating specifically that it had not examined in a broader context the question of the right of the Serbian territory of Kosovo to secede, moreover unilaterally, from the single State.

The Court also refused to consider the argument regarding the validity of "separation for the sake of survival". Incidentally, South Ossetia and Abkhazia, unlike in the dispute over Kosovo, in fact had good reason in 2008 to separate in accordance with this provision of international law – we all remember only too well the treacherous attack by the Georgian military machine on the peaceful city of Tskhinval, which was confirmed in the report by the independent experts headed by Heidi Tagliavini.

It is worth recalling that in February 2008 Belgrade was not bombing anybody, on the contrary it was adhering to an exclusively peaceful and non-confrontational policy on the eve of the decision of the so-called "authorities" in Pristina and their protectors on the proclamation of "independence". Furthermore, the negotiations, dynamically developed within the framework of the "troika" of international mediators on the status of the territory, were in fact violently broken off under the far-fetched pretext that the time-limit had allegedly expired.

It is important to bear in mind that in its conclusions the Court also said nothing about the legal consequences of the Declaration's adoption, in particular with respect to whether

Kosovo may be regarded as a State and whether the recognition of the territory by a number of countries is legitimate. As such, the advisory opinion of the Court in The Hague cannot serve as justification for the establishment of Kosovo's "statehood", and the question of the international status of the territory remains unanswered.

Russia's position of non-recognition of the "independence" of Kosovo remains unchanged. We fully support the endeavours towards a comprehensive political settlement of the Kosovo problem with a view to elaborating a legally correct and just solution. We need to continue the negotiation process among the parties concerned on the basis of the provisions of United Nations Security Council resolution 1244, which, as was stressed by the International Court of Justice itself, remains the universally recognized basis under international law for the further consideration of the status question.

Thank you for your attention.