



KOSOVO

COMPROMISE 2007

Your daily-updated analyses, charts and solution plug-ins for the Kosovo crisis.

June 23, 2008

Ban Ki Moon fails to reach support for his report at the UNSC

KosovoCompromise Staff

The UN Secretary-General failed to receive support on Friday at the UN Security Council for his report on the transformation of Unmik, as Russia dubbed the move as “illegal” and several UN members criticized the proposal.

The US and EU members of the Security Council supported Ban’s report, which they see as a “green light” for the Eulex mission in Kosovo.

However, Russia opposed it firmly, and so did Serbia’s President Boris Tadic, who also spoke at the session.

“Russia considers illegal the attempts at transforming the mandate of the international presence in without UN Security Council approval or acceptance by Belgrade or the Serb community in Kosovo”, the Russian Foreign Ministry said in a release Saturday.

“Proposals put forth by UN Secretary-General Ban Ki-moon considerably revise the UN Mission in Kosovo mandate. They go beyond the UN secretary-general framework on ensuring the international civilian presence in Kosovo” as defined by the UN SC in 1999.

"Any 'independent' actions would run counter the UN Security Council mentioned resolution and cause damage to the authority of the Security Council and the UN itself," the ministry said.

"We believe that the UN Security Council session only helped work out possible resolutions on the future of the UN Mission in Kosovo. To this end, we call on the UN secretary-general to continue consultations with all sides involved in this process, primarily with Belgrade , as well as members of the Security Council on future parameters of the UN presence in Kosovo," the ministry said.

Russia 's permanent representative at the UN Vitaly Churkin said during the UN SC debate that in the situation in which the Resolution 1244 remains fully valid, UNMIK should continue to exercise its mandate in keeping with that document.

At the session, Serbian President Tadic argued Serbia cannot accept the report and stressed that the Security Council is the only institution that is authorized legitimately to change the composition of the international presence in Kosovo.



KOSOVO

COMPROMISE 2007

Your daily-updated analyses, charts and solution plug-ins for the Kosovo crisis.

“The Republic of Serbia maintains that the direction of action proposed in the report is not conducive to a compromise solution for the future status of its southern province”, Tadic said.

“That is why Serbia cannot accept the report of the secretary-general”, he said.

The Security Council is the only institution with the authority legitimately to change the composition of the international presence in Kosovo, as it is clearly defined under articles 5 and 19 of Resolution 1244, Tadic pointed out.

Tadic noted that Ban's report on UNMIK and the letter he received from him on June 12 refer to a "new reality" in Kosovo following the unilateral declaration of independence and to a so-called "Constitution" passed by the interim parliament of the province.

“That illegal act is aimed at implementing Ahtisaari's proposal which has never been approved by the UN SC and therefore has no legal weight”, Tadic said.

Serbian Minister for Kosovo Slobodan Samardzic said in a reaction to the UN SC session that it demonstrated that there was no decision on a new status of the UN mission in Kosovo and that the report by UN Secretary General Ban Ki-moon remained only a proposal.

“Ban's proposal did not result in any UN SC decision, and can be considered only a proposal”, Samardzic said in a statement presented.

He underlined that the UN SC did not take any valid decision and that the new UN secretary general's special representative Lamberto Zannier cannot therefore act on the basis of Ban's report.

“Zannier must abide by the UN SC Resolution 1244 and act as UNMIK chief, he cannot cooperate with EULEX which has no legal foundation in Kosovo. This means that his statement that he will act in line with Ban's instructions was a wrong move repeating the mistakes made by his predecessors, particularly Joachim Ruecker”, Samardzic said.