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Address before the United Nations Security Council

by H.E. Mr. Vuk Jeremić
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New York, 26 November 2008

Mr. President,
Special Representative Zannier,
Excellencies,
Ladies and Gentlemen,

I am glad to be taking part in one of those occasions in which the errors of the past, carried out in the name of bare political expediency, can begin to be set aright through a series of acts characterized by strategic foresight, vision, and prudence.

We have the chance to engage in a common effort to attenuate the effects of a serious challenge to the foundations of the international system that took place on February 17th, 2008. On that day, the ethnic Albanian authorities of Serbia's southern province of Kosovo and Metohija unilaterally declared independence from a member State of the United Nations—in direct violation of its democratic Constitution, and against the will of the Security Council.

Mr. President,

In all the sessions of the Security Council devoted to our southern province, Serbia has insisted upon the full respect of the binding obligations of the United Nations Charter, as well as this Council's Resolution 1244 (1999), which guarantees the sovereignty and territorial integrity of my country.

I make no apology for this. I celebrate the fact that Serbia is unwavering in its determination to peacefully defend its principled position on Kosovo—using all political, diplomatic, and legal means at our disposal. We will continue doing so in the future.

I would like to take this opportunity to thank all the member States of the United Nations that support Serbia's position on Kosovo's UDI—the first among these valiant equals being the Russian Federation. Our nations stand together, dedicated to safeguarding the principles set forth in the UN Charter.

Mr. President,



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Serbia's insistence on resolving Kosovo's future status in accordance with international law has not only been invoked for reasons of vital national interest and constitutional necessity; nor merely out of genuine care for regional peace and stability. We have also done so out of fundamental concern for the dangerous consequences the Kosovo precedent could bring to the survival of the United Nations system as we know it.

We hold that the argument that Kosovo is *sui generis*—in other words, a unique case—is untenable. The *sui generis* contention comes down to saying that Kosovo should be treated as an exception to international law—that Kosovo should stand beyond the rules that govern the behavior of the international community.

The Republic of Serbia strongly rejects this claim, believing that no one should permit himself the right to proclaim such exceptions, especially in defiance of the Security Council.

Serbia's position has remained consistent: the only way to avoid challenging the territorial integrity of *any* UN member State is for the world community to work constructively together to solve this issue through international institutions of indisputable and universal legitimacy.

On October 8th, the General Assembly of the United Nations supported Serbia's position by an overwhelming majority. It approved a resolution to refer the question of status to the International Court of Justice.

Thanks to this support, an issue of such fundamental importance and complexity—passionately involving all at once identity, boundaries, communal rights, opposing historical narratives—has been steered clear of resorting to the force of arms for the first time in the history of our region.

Mr. President,

Relegating this to the judicial arena was a re-affirmation by the world community of Serbia's strategic choice to respond to UDI peacefully, and with maximal restraint.

It is the first in a series of steps designed to create an environment in which lasting stability can be secured, law strengthened, and sovereign equality reinforced.

The second involves restoring legitimacy to international action in our southern province.

On June 12th, the Secretary General issued a report in which he informed the Security Council of his intention to begin reconfiguring the international civilian presence in Kosovo. This was done without the approval of the Republic of Serbia—the host country of the United Nations Mission in Kosovo. And it was done without the endorsement of the Security Council—the only institution endowed with the power to



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legitimate changes in the composition of the international presence in Kosovo, as paragraphs 5 and 19 of resolution 1244 (1999) make abundantly clear.

Ignoring the will of Serbia—and infringing on the statutory prerogatives of the Security Council—set the stage for a crisis of legitimacy.

Just as with UDI, the Republic of Serbia responded in a non-confrontational manner. On July 25th, we addressed the Council to repeat our position that it is of “crucial importance for reconfiguration to proceed with the full engagement of Serbia. It must be completed with our acceptance, and supported by the Security Council. Such is the only way,” we concluded, “to deliver legitimacy and ensure the sustainability of our work.”

Mr. President,

The point was clear: the voice of Serbia must be respected.

On that basis, an understanding with the Secretary General was reached in which a dialogue between Serbia and the United Nations would intensify on six topics of mutual concern—namely police, judiciary, customs, transportation and infrastructure, administrative boundaries, and Serbian patrimony.

After months of difficult negotiations, I am pleased to say that an agreement has been reached. Its provisions are detailed in the report we have before us. This dialogue will continue. I assure you that Serbia will remain constructive in the ongoing dialogue with the United Nations, while holding to its principled position on Kosovo, rooted in our country’s Constitution and resolution 1244.

Our present achievement is greatly significant: it creates the conditions to protect the well-being of Serbs and other gravely endangered communities in Kosovo. And it cements the fact that the Republic of Serbia remains indispensable to the self-governance of our southern province.

Mr. President,

Serbia’s longstanding position of support for the deepening of the European Union’s engagement in any part of Serbia, including Kosovo, has never been at issue.

The European Union can and should help to build the much needed institutional and societal fabric of our southern province. This has been impossible until now because of the way reconfiguration began.

What has always been a crucial condition for our acceptance of reconfiguration is a clear and binding commitment by the European Union—confirmed in the Security



KOSOVO

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Council—to be fully status neutral, and completely anchor its presence in Kosovo under the authority of the United Nations, in conformity with resolution 1244 (1999).

I am pleased that these reasonable conditions have been met. The explicit language of the report confirms the status neutrality of EULEX's engagement, which is a guarantee that no part of its mandate can be devoted to the implementation of the Ahtisaari Plan for Kosovo's independence—rejected by the Republic of Serbia, and “never endorsed by the Security Council,” in the words of the report that is before us today.

The Republic of Serbia therefore welcomes the Secretary General's report.

Mr. President,

I must confess my disappointment at the position that the authorities in Pristina have taken on the Secretary General's report.

What is of great significance, however, is that the implementation of the six points—as well as the deployment of EULEX that, to quote the report, “will fully respect resolution 1244 and operate under the overall authority and within the status-neutral framework of the United Nations”—shall nonetheless be put into operation. And that it shall be done in consultation with relevant stakeholders, such as the Republic of Serbia.

I call on the authorities in Pristina neither to obstruct the will of the international community, nor to oppose the binding resolve of the Security Council.

Mr. President,

I take the opportunity to draw the Council's attention to the difficult environment in which the most endangered community in Europe continues to live. For many Serbs in Kosovo, their fate continues to depend on how they feel they can survive despite the enormous hostility of their immediate surroundings.

The representative of the Kosovo Albanians is present today in his personal capacity. In his previous remarks to this Council, a claim has been made that Kosovo is an idyllic, multi-ethnic place where democratic perfection is just around the corner.

I therefore invite the Council to consider the following:

What of the abominable act of cultural cleansing that is the paving over of the ruins of the recently destroyed Serbian church in the center of Djakovica—thus compounding physical destruction with the attempt to erase every trace of its very existence?



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What of the defiance of the municipal authorities in Decane to restore the cadastral record of land belonging to the monastery of Visoki Decane, a UNESCO World Heritage Site that has been placed on its List of World Heritage in Danger— notwithstanding two Executive Decisions by the SRSG ordering them to do so?

What of the return of illegally-seized private property? More than 30,000 such cases are outstanding. Those affected—Kosovo Serbs overwhelmingly—barely manage in make-shift dwellings or IDP camps, while Kosovo Albanians continue to live in their homes and make use of their agricultural fields—without fear of prosecution.

What of the fact that only one hundred and seven Kosovo Serb IDPs—according to the UN’s numbers—have returned to their homes in the first nine months of this year?

What of the break-in of the Kosovo Trust Agency compound by officials of the parallel institution known as the Privatisation Agency of Kosovo, done in the presence of local police?

What of the seizure of massive quantities of medicine and medical equipment destined for North Kosovo or the enclaves?

What of the most recent stoning of Serbs in Kosovska Mitrovica, and the use of automatic weapons by ethnic Albanians against unarmed Serbian civilians and international police?

And, finally, what of the repeated assaults on international civilian officials in Kosovo?

These and many other similar questions are disturbing indeed. As member States of the United Nations, I believe it is our solemn duty to seek the answers to them.

Mr. President,

In conclusion, I say that the rapid realization of full membership in the European Union will continue to be the central strategic priority of the Republic of Serbia. This should also remain the priority of all other UN member States in the Western Balkans. For the caravan of history that began its journey with the Treaty of Rome will not stop. We must make sure that no one is left behind, as it goes by.

We have been very clear as to who we are and what we wanted. Serbia continues to believe in a shared destiny of all European nations. And we remain dedicated to embrace Robert Schuman’s dream of an “organized and living Europe indispensable to the maintenance of peaceful relations amongst states.”

These stand at the foundation of our democracy, our efforts at reconciliation, and our beliefs in what we can accomplish together. They remind us of the importance of cooperation, compromise and consensus-building, while prompting us to remain true



KOSOVO

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to the moral compass the values themselves provide to all who have the prescience to see beyond the first obstacle on the way.

Mr. President,

Serbia—whole Serbia, including Kosovo—*will* become a member of the European Union in the next few years.

We will join the European Union with our heads held high, with our territorial integrity intact, and with our sovereignty preserved.

Mr. President,

Like most other nations, mine has traveled through periods of tragedy, and periods of glory. Sometimes it is tragedy that produces the opportunity to achieve new heights. But these are not reached by simply inventing new history. That is why Serbia will never, ever accept the independence of Kosovo. New heights are achieved by honoring all that constitute one's national identity, not denying it. New heights are achieved by nurturing heritage, not suffocating it. Achieving new heights is about a nation being proud of its past, while reaching beyond its present.

“The arc of the moral universe is long; but it bends towards justice,” Martin Luther King, Jr., once said, adding: “it comes to all in the end.”

So it has always been, so it is, and so it will be. And so will be Kosovo. Part of Serbia forever.

Thank you, Mr. President, for having given me the opportunity to address the Security Council at a time of great consequence for us all.