



Security Council

Fifty-fifth year

4153rd meeting

Friday, 9 June 2000, 10.30 a.m.

New York

Provisional

<i>President:</i>	Mr. Levitte	(France)
<i>Members:</i>	Argentina	Mr. Listre
	Bangladesh	Mr. Ahmed
	Canada	Mr. Duval
	China	Mr. Shen Guofang
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Kasse
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Holbrooke

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/2000/538)

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The meeting was called to order at 11.10 a.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/2000/538)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Albania, Portugal and Spain, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Nesho (Albania), Mr. Monteiro (Portugal) and Mr. Ory (Spain) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations and in the absence of objection, I shall take it that the Security Council decides to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Bernard Kouchner, Special Representative of the Secretary-General for Kosovo and head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia.

There being no objection, it is so decided.

I welcome Mr. Kouchner and invite him to take a seat at the Council table.

I wish also to welcome to the Chamber for this important meeting a man who is universally respected, Bishop Artemije, President of the Serb National Council. Also present is a delegation of Serbs from Kosovo, headed by Ms. Rada Trajkovic. I received that delegation yesterday in my capacity as President of the Council and I welcome them on behalf of the Council.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2000/538). I am grateful to the Secretary-General for being here with us this morning.

I should like to draw the attention of members of the Council to the following other documents: S/2000/491, 497, 508, 525, 526, 527 and 553, letters variously dated 26 and 30 May and 1, 2 and 8 June 2000 from Yugoslavia; and S/2000/552, letter dated 8 June 2000 from the former Yugoslav Republic of Macedonia.

Members have also received photocopies of a letter dated 7 June 2000 from Yugoslavia, which will be issued as document S/2000/547.

At this meeting the Security Council will hear a briefing by Mr. Bernard Kouchner, Special Representative of the Secretary-General for Kosovo and head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia. I give Mr. Kouchner the floor.

Mr. Kouchner (*spoke in French*): Can a full assessment be made after one year? I think not. At best this can be only an interim report. Has it been one year already? Or has it been merely one year? Is one year too much, or is it not enough? One year ago, the United Nations family was approaching what André Malraux called the complicated Balkans with one very simple idea in mind: peace. Members will recall that at that time, after the bombings by the North Atlantic Treaty Organization (NATO), after 10 years of a policy of segregation and after ethnic cleansing, when the United Nations Interim Administration Mission in Kosovo arrived, there was nothing: Kosovo was a desert. One hundred twenty thousand houses had been destroyed, and I would not even venture to guess exactly how many people had died — certainly thousands, in common graves. The International Criminal Tribunal for the former Yugoslavia has stated that there are more than 550 such graves, of which I remind the Council that we have excavated no more than 150.

We must not allow the truth to be hidden. The international community needs much time, patience

and determination in the face of provocation if it is to hope to be able to bring about the peaceful coexistence in which we continue to believe. Indeed, we believe it in ever more after a year of hard work by the outstanding team I have the honour to lead. We are not in Kosovo for 12 months or 24 months; we are undoubtedly there for a significant number of years.

Quite a bit of progress has been made in the past 12 months, and I should like to summarize it this morning. To be sure, a great deal remains to be done, but we have accomplished something. But we have no illusions: we will need years to build a society based on tolerance and democracy. Neither tolerance nor democracy can be built overnight, especially in that part of Europe, and particularly in Kosovo.

I had anticipated that as we approached 15 June — a date by which some had felt that the Kosovo Force (KFOR) troops and the United Nations Mission would be withdrawing — there would be many incidents, many crimes and many killings. That has in fact happened, and I deplore it. We must do better on the security front.

When we arrived, it was a desert. After many years of a communist society, then a decade of an unequal society and many years of patent administrative and economic negligence, we had to build a government authority from nothing. Our job was a complex one. We had to implement resolution 1244 (1999), which the Council had adopted unanimously. We had to provide an interim administration and establish provisional institutions for democratic and autonomous governance.

There have been four major phases. First, there was the emergency phase during which we had to deal with the refugees. Then came demilitarization, which while imperfect met with some degree of success for the first time in history. Next was the establishment of a political administration. And now comes the fourth phase, the elections, for which we are preparing at present.

In the first phase, 900,000 refugees returned to Kosovo with assistance from the United Nations family and from non-governmental organizations, and with the help of the Office of the United Nations High Commissioner for Refugees (UNHCR). Among other tasks, about which a report will be issued this afternoon, UNHCR had to deal with this surge of refugees. With the help of all the forces on the ground,

and thanks to the donor community, most significantly the European Union, the UNHCR along with others made it possible for the 900,000 refugees to survive the winter.

It was minus 30 degrees in Kosovo in winter and there was no heat or electricity. But there was no major humanitarian crisis in that respect. The winter was survived. We rebuilt an administration involving the local population as soon as we could. This was the choice we shared in and which was supported by all members of the Security Council. This proved possible, thanks to resolution 1244 (1999), through the establishment of a joint interim administrative structure. We began reconstruction and established a macroeconomic structure which never existed before: a central fiscal authority, a banking system and a payments authority. In the second phase we demilitarized the Kosovo Liberation Army. As always, there was a lot of criticism. When one does anything, there is criticism. In Kosovo there are no illegal uniforms or weapons. I am not so naive as to say that there are no weapons in Kosovo or the Balkans. Certainly not. I do not say that. However, that was true long before the United Nations intervention. Lastly, we have successfully begun civil registration for forthcoming elections in October.

I would not like to create the impression that we are boasting of our successes and that this is a triumph for the United Nations. However, before moving on to the negative aspects of the situation, I would like to mention the personal, physical and psychological involvement of all the volunteers and United Nations personnel working in Kosovo. They work in an environment that is not very attractive or welcoming and where, because of personnel shortages, which I stressed yesterday to the Friends of the Secretary-General, we have often had to work twice as hard as normal because we lack half the specialized personnel we need. Once again, distinguished representatives, I would urge you all to make efforts to ensure that we can get more of the personnel we need.

There are many negative aspects in this matter and there still are the many challenges relating to the departure of the Serbs, the Roma, the non-Albanian population, and particularly the precariousness of the security situation for the non-Albanian population. There are still too many murders, even if one considers the great progress made in the area of security made over the last year. We have reduced the crime rate by a

factor of ten, but there is still too much murder, violence and arson, and too many exactions, particularly against the Kosovar Serbs. There are also shortcomings in the judicial system. But we are going to overcome them by importing international judges who we need.

Lastly, one crucial point I wish to stress is the uncertainty about the interim status of Kosovo. The ambiguities in resolution 1244 (1999) must be dealt with. I recall with great interest and feeling the discussion with Members here in the Security Council during my last stay in New York, at the Council's invitation. We clarified future plans and during the election campaign I think we will be able to provide explanations that everyone awaits as to what is meant in resolution 1244 (1999) by the words "substantial autonomy".

Regarding administration, it should be recalled that the United Nations Interim Administration Mission in Kosovo (UNMIK) established administration over all five regions in Kosovo and 29 of the 30 municipalities. We issue birth, marriage and death certificates. We issue building licenses and small-business permits. We carry out vehicle registration, 25,000 to date, starting from scratch and from the fact that vehicle registration had been abandoned. However, it must also be recalled that there was no personal identification for the people in Kosovo. We must not forget this, because when things are going a little better, people tend to forget the past. We must not forget what brought us here to Kosovo. Not only have we been issuing license plates and drivers' licenses, there are also now three insurance companies working. This had not happened for years in Kosovo.

Health systems have been re-established. Between 80 per cent and 95 per cent of the five regional hospitals, 29 clinics and 300 dispensaries are operating. Three-quarters of these medical buildings were damaged. Reforms were introduced, such as limited financial input to the hospitals. However, I know that access by minority communities is not sufficiently guaranteed in the hospitals and because of that we have established structures for the minority communities. We have tried to help in the rural areas by opening small clinics. A judicial framework is being developed within private medicine to open private clinics.

A total of 500,000 students are also attending school. This has not happened in 10 years. In Kosovo the children are seen leaving for school in the morning with their schoolbags. It is a joy, whether they are Serb, Albanian, Bosnian or Turk. Ten years ago no children went to school because they had to hide. About 470 schools out of 1,000 have been rehabilitated. Colleges and universities are also operating. There are textbooks in Albanian, Serbian, Bosnian and Turkish that are freely distributed.

Even if it is not working perfectly, the post office is working at the international level. We have UNMIK stamps, a mobile telephone company covers most of the area and progress is being made with regard to permanent lines.

We, or rather I should say you, the Member States, employ 70,000 personnel who are paid a small salary using a central data base that has been set up. In the past they were offered only minimal compensation. A joint interim administrative system marks the first step towards a more direct system of administration. We have 20 administrative departments, each run by two leaders: one international and one Kosovar, including the minorities. There is mixed participation at all levels, both local and UNMIK. We are also providing training for a more effective civil sector.

We have a joint interim administrative council and a provisional national council. The three parties at Rambouillet and Kosovo, the Kosovar Albanians and the Kosovar Serbs are represented in the joint interim administrative council. All the main political parties, civil society, all religions and minorities are represented in the Kosovo transitional council. Administrative departments are administered by members of the majority and minority populations. The Kosovar Serbs have agreed to head the agriculture department and the employment department.

Speaking of law and law and order, the judiciary is still very weak. Local judges still show little ability to be impartial, or at least they are not impartial enough. The direct threats against them and their poor salaries do not improve matters. That is why we have called for international judges and prosecutors, of which we currently have five. I hope we will eventually have 15. I would like to thank the countries that have made those international judges available to us. We need them, but we also need funds for necessary equipment and to provide judicial and penal services.

Security is our major problem. The police mission given to the United Nations Interim Administration Mission in Kosovo (UNMIK) is without precedent. The responsibility of the police is not only to preserve order; it is also to establish local police forces at the same time. Thanks to the Organization for Security and Cooperation in Europe (OSCE) there is a police academy, which is exemplary both in the way it works and in its output. The international police are not quite up to the authorized number. The Mission needs more well-trained international policemen, as well as international experts trained in forensic medicine, investigation procedures and evidence collection.

Fifty-eight police stations have been set up around Kosovo. I hope that the local police service — the Kosovo Police Service — will have trained 4,000 local recruits by early 2001. The police academy is a multi-ethnic institution. I am very sorry that there are not yet enough Serbs in it, but there are quite a few. I trust the number of Serbian volunteers will increase. I have noted complaints from our Serbian friends, and I think that recruitment should be looked at more closely.

KFOR and the police are working together satisfactorily, particularly in Mitrovica. As I said, crime has dropped spectacularly. But there is still too much of it, particularly in the area of inter-ethnic violence. It is estimated — and these numbers can be found in the report of the Secretary-General — that two thirds of the serious crime can be attributed to inter-ethnic incidents or to inter-ethnic hatred, as are 80 per cent of the cases of arson.

For the time being, the situation in Mitrovica is calm. This is due to the establishment of a Confidence Area there and to the employment offers that have been made by both sides, as well as to the deployment of a new administrator. The situation on the Serbian border, in the Presevo region, has also been stabilized, thanks — and I would like to highlight this to the Council — to the active involvement of Kosovo Albanian leaders.

Our basic objective is still the protection of the non-Albanian population, particularly with regard to the return of refugees. We must therefore step up our efforts against organized crime and systematic violence against minorities, as well as ethnically inspired murders. A campaign of tolerance using posters, television and radio will be launched in a few weeks.

I know it must be promised here that additional steps will be taken to protect minority communities, and I will do my utmost to ensure that they are taken. I, you, we will need 200 to 300 special anti-terrorist forces to protect Serb enclaves. We will have to increase the number of Kosovar policemen, to perhaps 4,000 in 2001. We must improve police academy recruitment of minorities. I must also commit myself to having at least one international judge and one international prosecutor in each of the five district courts throughout Kosovo.

As we stated in 1999, we will need the expulsion law to be applied, particularly in troubled areas. I am happy to say that, following certain commitments we made with our Serb friends, this morning Kosovo Albanian leaders issued very strong statements against violence, specifically against ethnic violence. Allow me to mention a few sentences of what was written by Mr. Ibrahim Rugova, Mr. Rexhep Qosja and Mr. Hashim Thaci. What they said today was simply inconceivable three or four months ago. I know they are only words, but that is how peace begins. One needs to talk about peace before peace takes hold. It is indeed the case that there must first be a psychological step before there can be a political one. If one does not even talk, there is no hope of peace. So I am glad that the political leaders of Kosovo made this statement.

On the return of Serbs and refugees in general, there are two aspects to the situation. Albanian refugees and those seeking asylum, who were taken in primarily by European countries, are returning in large numbers. I cannot reject them, nor do I have the intention of doing so. The countries that so generously opened their doors should be able to offer return to those they hosted. There is no international law that prevents them from doing so. But I must stress that it is going to be a heavy burden. If the 180,000 or so Albanians who took refuge in European countries and the Serbs return — and I want Serbs to return — it will mean 20 per cent of the Kosovo population returning together. I hope it will not be too bad and that the difficulties involved will be dealt with plainly. But it will certainly be a very difficult situation in a country where 50 per cent of the people are unemployed. I would ask that this be taken not of. Perhaps at some point one may have to ask — and right now I do not wish for this — for a moratorium so that all the refugees do not return at once. They must return in a humane, coordinated and orderly way. And, of course,

they must have all the necessary services they will need. I hope there will not be increased inter-ethnic tension at the time of their return.

Then there is the question of the return of Serbs. Not only are we in favour of their return, but, together with Bishop Artemije, Commander Ortuño of KFOR, Mr. Dennis McNamara of the Office of the United Nations High Commissioner for Refugees (UNHCR) and various members of the OSCE, we have established a joint committee on return. All the plans must go through that committee, and not only for bureaucratic reasons, for I must confess that bureaucracy is not my forte. But if all the plans are legitimate, then the matter has to be regarded calmly so that we can ensure a safe return for the Serbs. I am quite proud to say that the first families have already returned. Forty families will be back home either later this week or next week into regions where, along with our KFOR friends, we have provided minimum security conditions. But we have to build; we must provide work; we must ensure a proper environment. We will provide these things. Our idea is that the return of the Serbs should, by and large, begin before vacations start in July.

I would like to say just a few more words about security for minorities. Once again, the situation has improved, but not enough. We are making special efforts to ensure security in enclaves. We proposed arrangements so that farmers could work in their fields. We proposed foot patrols, and we carry out frequent vehicle checks. We search dwellings for weapons. Curfews have been declared in sensitive areas such as Mitrovica, Bicina and other places. UNMIK police have established small police posts in Serb enclaves in Gračanica, Obilić, Orahovac and other enclaves.

KFOR provides around-the-clock protection to churches. Unfortunately, some churches remain the targets of bombings. I know that over 50 of these religious establishments and churches have been destroyed. I would recall — not as a tit-for-tat, but things should always be placed in context — that 100 mosques were destroyed. We get no pleasure out of the destruction of either. Naturally, we are trying to improve the situation.

We are building roads with a British project, since we want to improve traffic and to guarantee freedom of movement for the Serbs. We have worked in joint projects to repair several roads in Zubin Potok,

Zvečan and elsewhere. We provide bus service and protection. New bus lines have been established to transport Serbs within Kosovo and to and from Serbia. Another and safer means of transport that we assist with is trains. There are 12 train stations operational now.

We provide safe transport to those from minority groups and communities working in our administrative structures. We guarantee their safe movement with particular attention because, of course, we want nothing bad to happen to them.

Telephone lines have been restored.

Once again, I hope that the return of Serbs will be carried out successfully and that 50 families will soon be back home.

The co-existence programme that I proposed to minority groups on the Security Council's behalf has allowed the establishment of local community offices in all administrations. We have already opened 13 local community offices out of the 20 envisaged. There are Serb personnel at all of these offices.

I mentioned that access to health care, which was inadequate to communities, has now been improved by the creation of structures, which I hope will prove temporary, at the very heart of communities. How could we do otherwise? Medical and surgical care had to be guaranteed.

We have also worked on schools within the communities. Serb schools and a bussing service have been established throughout Kosovo.

Micro-enterprises have been proposed for the communities. Projects will be developed in Mitrovica, Kosovo Polje, Dobročin and Gračanica. For example, there will be projects to rehabilitate windmills and to assist small businesses, such as dairy and agricultural enterprises. One industrial project at Leposavić is closely tied to the dairy business.

We guarantee the free distribution of independent Serb newspapers to the communities. Internet centres have been created. Of course, everything I have said about minorities, which happen to be the focus of our attention, applies equally to the majority. Clearly, when I refer to the distribution of newspapers, we must welcome the free enterprise associated with the publication of Albanian newspapers throughout Kosovo. There are six or seven daily newspapers. The

press is flourishing. Naturally, it gets some help from businesses dealing with United Nations or other agencies. We should also praise the efficacy of the television channel we set up, which broadcasts in Albanian and minority languages alike.

We have also rebuilt housing. 20,000 units for all communities are scheduled for this year. The Department of Agriculture, which, as I mentioned, is headed by the Serb community, provides food not only within Kosovo, but perhaps for export as well. Some 10,000 families are targeted within the country. The World Bank has a rural revival project, funded by 10 per cent of all the resources it distributes, to include agronomists and other workers.

I am sorry to have gone on at such length, but I did want to tell the Council about everything we have done in the past year.

Let me talk now about contacts with the authorities of the Federal Republic of Yugoslavia. As I said at my last briefing, we have regular contacts, several times a week, with the Belgrade representatives. I meet in particular with Ambassador Vukicevic. We are willing to broaden these contacts with specialists who cooperate with authorities of the Federal Republic of Yugoslavia in many spheres. We have exchanged letters, most recently on 30 May, with authorities of the Federal Republic of Yugoslavia with a view to establishing a joint consultative committee to address practical issues of mutual interest, such as postal services and telecommunications, pensions, social security, health care, property titles, circulation, employment of Serbs and so on.

We have lost some time. It will be recalled that there was a Belgrade proposal for a draft agreement on a joint coordinating committee, but it went far beyond the initial agreement that I had been discussing with Ambassador Vukicevic. The agreement would involve specialists from New York and would reopen for discussion all aspects of Security Council resolution 1244 (1999). Of course, there was no question of accepting it. Since the United Nations rejected it, we resumed our exchange of letters so as to create a genuine joint consultative committee.

With respect to the co-existence programme, I have talked a good deal about the Serbs. I have been happy to offer them a number of measures to improve their daily lives, but there are other communities as well. There must be an impact on the economic

development of each of these communities and a co-existence programme involving them too.

I welcome the visit two days ago by all the representatives of the Interim Administrative Council — Mr. Rugova, Mr. Qosja and Mr. Thaci — to the Roma community. They proposed not only the establishment of a programme to resettle the Roma, but that an economic development programme be accepted by all. I must repeat that this would have been simply inconceivable only a few months ago. I hope that the inter-ethnic problems, which are currently at a peak because of extremist attacks from both sides, will soon be nothing more than a bad memory.

I would not wish to end without referring to the issue of missing persons and detainees. As everyone knows, this is a constant concern. The Kosovo community will never reconcile with its past until the matter of missing persons and detainees is addressed and settled one way or another. Otherwise, that society cannot achieve reconciliation or, if it can, years and years will be required.

On 6 June, the International Committee of the Red Cross (ICRC) issued a list of 3,300 persons of all communities who went missing from January to 15 May 1998. The Albanian associations and the Council for the Defense of Human Rights and Freedoms number those missing at over 9,000, so there is a large discrepancy between these figures. When I say 9,000 missing, that figure includes Serbs and Albanians. There are 950 Kosovo Albanians still detained in Serbia, according to the ICRC and the Office of the United Nations High Commissioner for Refugees.

At Niš, there was a case involving accused from the town of Djakovica. I recall with deep emotion that the Security Council mission was present in Djakovica as the case was about to open. I am ashamed to say that the judgement came down to a terrible concept that I thought had disappeared — that of collective guilt, which I find intolerable. Sixteen centuries of prison sentences were handed down. People were being detained in the street at that time. I have suggested from the start that we ask the Secretary-General to support me on this matter, and I have sent him a letter to that effect, so that all the people detained in Serbia, those arrested in and moved from Kosovo, could be sent to us and justice could be done on their behalf properly, in Kosovo. All of the detainees will be

brought to trial. I trust that pressure will be brought to bear on the Belgrade authorities.

An investigation must be carried out into the missing persons, whether Albanian, Serb, Roma or other. We have set up a committee to identify the victims. It has been a terrible experience to see it at work. It was concerned with the remains of missing persons. It had to reopen graves. According to the International Tribunal, there are 559 mass graves, and 150 have been opened. We are in the process of opening 400. Until this pain has been dealt with and the wounds healed over, until the Albanian families know whether those who disappeared are alive or dead, whether they have lost brothers, cousins, sisters, fathers, it will not be possible to create conditions for greater tolerance.

On 6 March last, when I spoke to the Council, I referred to the appointment of a special envoy for missing persons, and I believe — the Secretary-General has assured me — that someone will be taking up this post soon.

Lastly, let me speak about elections. Elections are the great promise this year. Registration has moved along well. There were no electoral rolls. Municipal elections, which were agreed to at our last meeting, will be held in October. We have not actually set the specific day. We will decide once registration is completed.

The total number of people registered had risen to over 454,852 on 3 June. That is not too bad. Registration is set to be closed on 15 July and I hope that we will have good conditions, including for the appeals and those 10 per cent — in reality, they have been reduced to 2 per cent — that have to be reviewed because their papers are not in order. We must convince the Kosovo Serbs and those Serb refugees in Serbia to get involved and to register. It is in their interests to register and to be represented in all the democratic organs in Kosovo. It is in the interests of the Serbs and the other minorities to work together with the international authorities.

So far, we have received negative responses from Belgrade and Mr. Milosevic's regime, and we regret that. The municipal elections will be held this year, whatever response we get. These will be the first democratic elections ever organized in Kosovo. Of course, establishing free and objective media has helped us move ahead. Last week, we closed one of the

newspapers because it had published what we described as a *fatwa*, condemning and naming one individual who was working with the United Nations Interim Administration Mission in Kosovo, who has recently been accused of crimes. The publication gave the individual's name — Petar Topoljski — and what his movements were. He was kidnapped and assassinated.

This is the climate in Kosovo. I condemn it and, of course, the Council condemns it, too. We will not tolerate it. We have tried to help in the establishment of a free press. The human rights organizations have protested this. I say absolutely — I am intransigent on this — that we want a free press, but that we do not want a press that condemns individuals to death. We will not tolerate it, or allow such death sentences to be issued in what is supposed to be a free media.

On reconstruction, I do not want to drown the Council in details. But, as I have said, 20,000 housing units are scheduled to be built this year. Some 17,000 have already been reconstructed, and 25,000 have been rehabilitated.

The macroeconomic system is in place. Investment — insufficient though it is — has been arriving. We have established a central fiscal authority and have a consolidated budget now. Of course, by the beginning of September, it will be insufficient. I hope that the European Union will once again be generous so that we can make it to the end of the year. We have established a payment and banking system. Twelve banks will be working by the end of the year. Some 70 per cent of the old private enterprises have started functioning again, producing 40 per cent more than they were producing five years ago. The first commercial bank was opened in January. Five others are working, and 16 commercial bank branches will be working throughout the region. We are doing this, but it is difficult.

The property situation is very difficult, despite the example of the Sarr cement works. There is State property, public property and cooperative property. Under resolution 1244 (1999), the property situation is not clear.

On taxes, we hope that the customs duty system will improve and that international salaries will be reflected in the internal revenue system.

Lastly, I welcome cooperation between the United Nations, KFOR and UNMIK. I have inflicted this account on the Council. I am sorry that I had to do so, but I felt that it was necessary, because, in a way, this is an anniversary. Sometimes we light a candle for a first birthday, but I am not sure that we can do that today, because so much remains to be done. In Kosovo, I think that life is getting back to normal, even though there is no full security yet. We will do our utmost to provide security.

If the first free elections are held in October, then I think that we will have moved beyond one essential milestone. As for the future of Kosovo, I know no more than the members of the Council, except that it will be settled within the context of resolution 1244 (1999). In that regard, in the election campaign, I am proposing a pact with the Kosovars in relation to the protection of minorities and the status of substantial autonomy. We have to renew some ambiguities, not about the future of Kosovo — that is not my job — but the about present. We must stop Kosovo from being so isolated and inward-looking. It has to be able to look outwards. We have to do away with violence and inter-ethnic hatred. Here, I would like to underline the importance of the Stability Pact. I believe that the European Union is now offering a more political dimension.

That is it. I would have liked to wish a happy birthday to you all and to all the communities in Kosovo. But a few days ago, they tried to assassinate the future of Kosovo when a four-year-old child was killed in Cernica. What was that little Serb boy guilty of? He represented a future generation of Serbs capable of living in harmony with the new generation in Kosova today. Thinking of that small boy who was killed, I think, too, of all the victims — the thousands of victims of the past 10 years. There is no justification for what has happened to them. There is no excuse. But now it is up to us — it is up to the Council — we must all remember why we are in Kosovo. We can be optimistic. In a difficult town called Orahovac the local Serb community was courageous enough to issue a communiqué regretting past crimes and deploring crimes committed by the Serb community against the Albanian community. There was a response from the Albanian community there, recognizing the Kosovars as full members of the Serbian community.

There are, therefore, no grounds for despair. In Kosovo today, more than before, one must cling to the optimism that prevails in international organizations.

Each and every one must shoulder his or her own responsibilities so that everybody knows what morals and ideals they defend. I maintain that UNMIK and KFOR defend peace and democracy — and all the minorities. Soon we will have justice and peace for all the children of Kosovo.

The President (*spoke in French*): I warmly thank Dr. Bernard Kouchner for his comprehensive briefing, which was delivered with the talent, brilliance and lofty insight with which we are all familiar.

In my capacity as President of the Council, let me say that yesterday I received a delegation of Serbs from Kosovo, headed by Madame Rada Trajkovic, and I am to report to you on that meeting. Madame Trajkovic and her delegation shared with me the difficulties that Serbs in Kosovo were encountering. She described acts of violence that the community had experienced in the course of recent months. In the view of the delegation, those acts had been systematic in nature. The decision taken by some Serbs in Kosovo to participate in the joint administration structures had entailed personal risks to them. They needed to be protected in order to participate in meetings. The courageous decision that they had taken was fraught with considerable sacrifices.

According to the delegation, those sacrifices had not been rewarded by improvement in the fate of the Serb community. Because of that situation, the Serbs who had participated in joint administration structures found themselves in a sensitive situation vis-à-vis their own communities. Their participation in the joint administration structures had become difficult to justify.

The delegation wished the international community to indicate clearly that it would no longer tolerate such acts of violence and that the perpetrators of such acts should be brought to justice. According to the delegation, specific measures were necessary. Specific requests were put forward at yesterday's meeting. Additional forces should be deployed to ensure the security of Serb enclaves. The Serb community should be able to have its own information media. The border with Albania should be better controlled. And, finally, the voter registration should be carried out on a stricter basis.

I did respond to Madame Trajkovic's delegation that these points would be brought before the Security Council members. I have just done so, and I now call

upon the Permanent Representative of the United States.

Mr. Holbrooke (United States of America): I want to begin by expressing my high admiration for Bernard Kouchner and for the extraordinary service he has performed in Kosovo for the United Nations and for the world over the last year. I hope you manage to stay forever, Bernard, because nobody could do better than you. But I know you do not intend to stay forever, and I think that it is essential that you give us as much time as you can, as much time as your personal circumstances permit and that you see us through this extraordinarily important election. You have the full support of the United States. Again, I commend the Secretary-General for his extremely wise decision in giving this assignment to Dr. Kouchner.

I had prepared a long speech, but I am not going to give it for two reasons. First of all, there are 12 speakers after me. Secondly, I would only repeat what you have just heard. I agree with everything that Dr. Kouchner has said, and we support everything he is trying to do. I do, however, have a very serious problem with the presence in this room today only of one side to the party. I must say that it is simply a terrible mistake to leave the impression that we are only on one side. I do not dispute the fact that Serbs have been extremely badly treated and have been driven out of the area. Repeatedly, my Government has condemned these actions. NATO troops are taking great risks with their own lives to protect Serbs in such areas as Mitrovica and elsewhere — and they will continue to do so. But this is a one-sided approach to the problem.

Four thousand Albanians, as Bernard Kouchner mentioned, are missing, either dead or detained. This is a constant provocation, and the Serb authorities in Belgrade have simply failed to address it. If any impression is left in this room today that this Chamber accepts only one version of an issue on which every single detail is disputed, we will undermine Dr. Kouchner's mission. I do not believe that this is the way to approach our responsibility on the first anniversary of this historic resolution. Since the Albanians were invited but were unable to attend — and will attend in the future — I would ask you, Mr. President, to make clear to the world today that they will get equal treatment when they come and that the presence in this room of only one of the two main ethnic groups does not in any way, shape or form

presage a change in policy or an acceptance of statements that are highly contentious.

I have also met with the Serb delegation today, as I have on all of my trips to Kosovo, going back over more than two years. That is an appropriate thing for all of us to do. But I stress again that we do not wish to leave a false impression. Only one of the two major parties to the process is here in this room, and I feel that this was unfortunate; it is nobody's fault; it just happened. I want the world to understand this point, so that no one misunderstands who is and who is not in this room. On every other point, I am in 100 per cent agreement with my friend, Bernard Kouchner, and with what he is trying to do. I believe that the elections are historically important, and I am delighted to say, Mr. Secretary-General, that since we last met on this subject the United States Congress has unblocked the funds for Kosovo. Incidentally, last night the Senate unblocked the funds on East Timor, as well as Sierra Leone. Thus, we are making substantial progress. There are still blocks in the House of Representatives, and the Congo is still blocked for reasons we have discussed. This means that a very substantial amount of funds is now flowing from the United States to the Department of Peacekeeping Operations (DPKO) across the board. I will submit to you, Mr. Secretary-General and President Levitte, exact figures later in the day for you to distribute to the Security Council.

Again, *cher Bernard*, welcome back to New York. Go back to Kosovo with our best wishes for your continued success.

The President (*spoke in French*): I would like to make it clear, in fact, that due to circumstances above and beyond the will of the Council, have not permitted it to welcome all of the communities. I understand that it is the intention of our Special Representative to allow all of the communities, if they so wish, to be present at the time of our next meeting in this Chamber.

Mr. Eldon (United Kingdom): I'd like to thank the Secretary-General for his report and for his presence here and once again Mr. Kouchner for his full, comprehensive and exhaustive briefing today.

One year on, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the international security force (KFOR) have a substantial record of achievement, which is all too easily obscured by individual events. Mr. Kouchner and his staff

deserve the thanks of the Council for their efforts and for the progress they have made in extraordinarily demanding conditions since last June. It would be wrong to minimize the present difficulties in Kosovo or the future challenges. But it would be even more wrong to forget how bad the inheritance was, a province most of whose population had been expelled or displaced by its own Government, the effects of a decade of apartheid and 18 months of accelerating repression and immense physical and social destruction. As Mr. Kouchner has said, UNMIK has laid the foundation for a new society in Kosovo. The international community needs to sustain its help, in particular in justice, law and order.

The United Kingdom is actively engaged in this endeavour. We have just doubled our contribution to the United Nations international police. Fifty-six Ministry of Defense police officers arrived in Kosovo this week. We are working with UNMIK to establish a criminal intelligence unit. Today, UNMIK officials are in London interviewing United Kingdom candidates to serve as international prosecutors. We hope this will meet at least some of the need for international legal personnel that Mr. Kouchner has identified. We are also making our best effort to respond promptly to UNMIK's demands for staffing and other resources. We encourage — and indeed it is vitally important — that other Member States should do the same. We welcome action taken by the United Nations to decentralize and accelerate recruitment. The right procedures, which cut through red tape and which safeguard transparency and accountability, are essential if we are to respond to UNMIK's needs fully and quickly.

In his report, the Secretary-General has recorded the progress being made in developing institutions in Kosovo. We commend UNMIK for this work. The Joint Interim Administrative Structure has made some important progress. In particular, we welcome the establishment of some 20 joint departments and some recent statements from the IAC, the Interim Administrative Council, which demonstrate significant inter-ethnic cooperation. We believe that the best way for the Kosovo Serbs, Roma and other communities to promote their legitimate stake in Kosovo's future is to play a full part in these joint institutions, in the municipal elections this autumn and in UNMIK's further work.

We regret the decision by the Serb National Council to suspend its participation in the Joint Administration. We understand and share the security concerns of the Kosovo Serb community, and I too saw the delegation yesterday and was impressed by the points they made. But we strongly believe that the best way forward is for the Serb community to continue their cooperation with UNMIK, KFOR and with the other communities in Kosovo. The United Kingdom is contributing special assistance to improve life for Serbs in Kosovo, in particular through helping to fund an independent radio station for that community. Mr. President, I hope this will go some way towards providing the information capacity for which the Serb delegation asked you this morning.

We support UNMIK and the Organization for Security and Cooperation in Europe (OSCE) in their efforts to organize free and fair elections this autumn. We call on all residents of Kosovo to register and vote in order to guarantee Kosovo's multi-ethnic future. We regret that Belgrade is, so far, preventing registration by Kosovo Serbs now in Serbia. That is not in the Serbs' own interest. We call on the authorities in Belgrade in the strongest terms to immediately reverse this policy, to allow registration in Serbia and to encourage Kosovo Serbs to exercise their democratic rights.

We support strongly Mr. Kouchner's intention, as he told us in March, to develop provisional institutions to provide for the substantial autonomy and self-government for Kosovo foreseen in Security Council resolution 1244 (1999). This process, which will follow naturally from the local elections later this year, should help take forward democratization, promote moderation and marginalize extremism.

I want to close by referring to extremism and violence. Both are the strongest single threat to our efforts in Kosovo. Whether inspired locally or manipulated from outside the province, extremism and violence represent a menace which we must all confront. We welcome the statements issued by Mr. Rugova and Mr. Thaci today calling for all violence to cease. I cannot underline too strongly the necessity for violence to cease. This point was made forcefully in Kosovo by the recent Security Council mission to the territory, and it bears repeating. The people of Kosovo, particularly the majority Albanian community, must realize that the support of the international community is bound to be adversely affected if violence and

intimidation are not curbed. That, Mr. President, is the key message I would like to leave with you and them today.

Mr. Shen (China) (*spoke in Chinese*): First of all, I would like to thank the President for arranging today's public meeting to consider the question of Kosovo, of the Federal Republic of Yugoslavia. I would also like to thank the Secretary-General for his report and I would like to thank Mr. Kouchner, the Special Representative of the Secretary-General, for his detailed briefing. Mr. Kouchner, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the international security force (KFOR) have done a great amount of work under very difficult circumstances. We would like to commend them for their efforts. The Chinese delegation supports their efforts towards the comprehensive implementation of resolution 1244 (1999).

A year ago, on 10 June, NATO stopped its bombing against the Federal Republic of Yugoslavia. The Security Council adopted resolution 1244 (1999) here which authorized the dispatching of a civilian and military presence to Kosovo. The Chinese abstained on that resolution. The events of the past year have proved that the reservations and worries of the Chinese delegation were not unfounded.

The situation of Kosovo is critical today. Kosovo Serbs have suspended their participation in the Joint Interim Administrative Structure in a gesture of protest. During the one year anniversary today, we are not in a mood to celebrate. We are of the view that it is a time for in-depth reflection. The Security Council has the political responsibility and moral obligation to face this reality and it should seriously seek solutions to the serious problems faced by Kosovo. Otherwise, the credibility of the United Nations will continue to be impaired.

Firstly, the international presence in Kosovo must fully respect the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. UNMIK must respect the laws of the Federal Republic of Yugoslavia. It should seek the cooperation and participation of the Federal Republic of Yugoslavia. Resolution 1244 (1999) has clear provisions with regard to the status of Kosovo, and among the members of the Security Council, no country recognizes or supports the independence of Kosovo. Therefore, the work of UNMIK, the general direction of UNMIK, is very

clear. However, what worries us is that this commitment still remains an oral commitment; it has not been implemented in our actual work. At present, some of the administrative measures adopted in Kosovo have impaired the sovereignty of the Federal Republic of Yugoslavia, and this has created a false impression that Kosovo is moving toward independence. I would like to emphasize here that any attempt to lead Kosovo to independence is dangerous and illegal. It would deprive the Balkan region of permanent peace. The ultimate victims would be the peoples of the countries of the Balkan region. UNMIK cannot afford to make the slightest mistake on this very important policy issue.

Secondly, we are very concerned with the security of the Serbs and other minorities in Kosovo. Yesterday a delegation of Kosovar Serbs gave us a briefing that left us in a state of shock, despair and disappointment. Three days ago, on 6 June, there was another hand-grenade explosion in a supermarket in Gračanica. We understand that UNMIK and KFOR have made tremendous efforts. However, despite the efforts by KFOR, with its 10,000 well-equipped soldiers, and those of UNMIK, with its thousands of soldiers, incidents of persecution attacks against Serbs have continued to take place. Do we not think that this fact deserves our in-depth reflection? This is something that the Security Council cannot and should not shy away from.

We firmly oppose any form of "ethnic cleansing". The flagrant violations of basic human rights in Kosovo, no matter where they take place or which ethnic group is targeted, cannot be accepted by the international community. All human rights violations are crimes, and these crimes, be they major or minor, cannot be tolerated. In the same vein, it is irresponsible to use past events as excuses to explain away today's critical situation.

We are concerned as to how KFOR and UNMIK are going to turn the situation around. What also causes us particular concern is the fact that a large number of non-Kosovar Albanians have entered Kosovo, which will change its demographic composition. Since ancient times, people of different ethnic groups have coexisted in Kosovo, and its multinational character must be respected. Kosovo should be a place where people of different nationalities can coexist peacefully. This should also be UNMIK's goal.

We find regrettable the uncontrolled entry of large numbers of people into Kosovo. Furthermore, many Serbs have been prohibited from returning to their homeland. We hope that this situation can be redressed.

Finally, I should like to point out that we have always advocated equality, unity, harmonious coexistence and common development for the people of countries with a multinational character. We are against any prejudice and oppression based on race. We are opposed also to any effort to create ethnic division or sabotage national unity.

The Kosovo problem can be resolved only within the framework of the Federal Republic of Yugoslavia, through substantial autonomy and a good ethnic policy that guarantees the rights and interests of all ethnic groups.

Achieving autonomy should be done by way of negotiations and solutions acceptable to both sides. Only in this way will it be possible to restore national harmony, which the Balkan region once enjoyed, and enable it to achieve genuine and lasting peace and prosperity.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are grateful to the Secretary-General for his report, and we would like to thank Mr. Kouchner for the briefing he gave us.

On 10 June, one year will have elapsed since the adoption of resolution 1244 (1999). That decision by the Security Council, prepared with the very active participation of Russia, allowed an end to the aggression against Yugoslavia and brought the process of the settlement of the Kosovo situation back to the United Nations.

The Security Council offered a specific way to deal with the crisis on the basis of the fundamental principles of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia while ensuring the legitimate interests of all of the ethnic groups constituting the population of this region.

If we assess what has been accomplished in the year that has passed since the adoption of resolution 1244 (1999), we can say that the authorities of the Federal Republic of Yugoslavia have implemented the demands made by the Security Council with respect to halting acts of violence in the region and fully withdrawing the Yugoslav army and police from that

region. A security zone has been established along the administrative border between Kosovo and the rest of Serbia, and the Yugoslav army, together with the Kosovo Force (KFOR), is ensuring that there is no resumption of military activity along that border.

As for other participants in the settlement process to which the Security Council gave specific responsibilities, the situation is bad. This relates to the clear trend to separate Kosovo from the Federal Republic of Yugoslavia, which is fraught with very dangerous possibility of destabilizing the entire Balkan region. Unfortunately, some actions by the leadership of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR provoke and encourage this dangerous trend. This relates primarily to the absence of the necessary cooperation of all sides with Belgrade and even the Security Council.

The demilitarization of the Kosovo Liberation Army (KLA) has been very unsatisfactory, as in the case of the demilitarization of other armed Kosovar Albanian groups. No one can explain to us why the Kosovo Protection Corps is referred to as "troops" in the Albanian language. That is its name. Why does this Corps have what is basically a military structure, which, in a way, is simply a reflection of the old KLA structure? Why do the weapons of this purely civilian Corps include firearms, and why does the leadership of the Corps itself determine who will be given these weapons?

Basically, what has happened, we believe, is the legalization of some of the units of the former Kosovo Liberation Army. The leadership of UNMIK and KFOR say that when they take people into the Corps they recruit them very, very carefully, and that criminals cannot join the Corps. But I would draw attention to the fact that one of the first persons to join the Corps was Daut Haradinaj. Unofficially, we would like to distribute here a copy of his curriculum vitae. We understand that it was prepared by KFOR. It states that this former fighter from the KLA is someone who can kill a person to whom he takes a dislike, and that he is known as an organizer of armed provocation and murder.

We believe that UNMIK and KFOR should immediately draw up a list of all persons who are admitted to join the Corps. Otherwise, if these kinds of people are in charge of the Corps, it will not be possible to curb attempts by the former KLA to

establish virtual control throughout the region under cover of the supposedly civilian Corps.

So far, UNMIK and KFOR have shown a degree of patience with such attempts, even though, again, very disturbing information is available to the United Nations presence in Kosovo. It is simply unacceptable that attacks should continue against KFOR personnel, including the Russian contingent. Such attacks are being carried out, *inter alia*, by present and former members of the Kosovo Protection Corps. We know that the leadership has responded firmly to such provocations, but we expect the sternest possible measures to be taken to curb the extremists and force them to respect the status of the international presence, pursuant to resolution 1244 (1999).

Just in the past few days, the Russian KFOR contingent camp near Malishevo has been the target of nine night-time attacks; it has been fired on by weapons including machine guns and anti-tank weapons. In that light, how can we talk about the demilitarization of the KLA? How can we talk about success in disarming it?

It has been said that former KLA fighters, including those who have joined the Kosovo Protection Corps, are able to take action thanks to a very well-organized system by which they are provided with information; they are able to coordinate their terrorist actions extremely well. Moreover, it is well known that, with increasing frequency, KFOR has been finding illegal stores of weapons and ammunition in Kosovo. Some of those stores are of very recent date.

We are particularly disturbed about the situation in the Presevo valley, where there is ceaseless provocation aimed at causing the tension to spill over into southern Serbia, which would trigger another conflict. KFOR regularly sees activity by Albanian fighters in the security zone, and in the area of Dobrosin there have been a great number of shootings, mine explosions and movements of armed groups. We believe that KFOR should take strong measures to ensure law and order along the administrative border and strengthen its control over actions by illegal units in the territory of Kosovo.

Unfortunately, Kosovo Albanian extremist elements feel that they enjoy impunity in Kosovo. They have also begun receiving support from international terrorism. This poses a challenge to the security of many countries, directly including two participants in

the process of seeking a settlement in Kosovo. We heard today about how they are still trying to drive Serbs, Roma and other minorities out of Kosovo; those minorities continue to be attacked and they continue to be victims of violence and terrorism. They do not enjoy freedom of movement in the area.

Since the Security Council mission's visit to Kosovo, there has been an upsurge in anti-Serb terrorism, which seems to be a planned campaign of provocation. The Serbian population has protested at killings of Serbs, including children, in just the last few days. The delegation of Kosovo Serbs in the Chamber today has said explicitly that the situation of Serbs in the area has become intolerable. We note statements by the Kosovar Albanian leader and the appeal to end the violence. But words must be followed by deeds. It is time to realize that one injustice cannot be remedied with another injustice.

KFOR and UNMIK have a clear mandate from the Security Council, which gives them the power to effect radical improvements in the situation. That must take place. Russia is part of KFOR and part of the United Nations Mission; we are willing to join our partners in working in that direction.

I note that the statement adopted at the 24 May meeting of the NATO-Russia Permanent Joint Council stressed the determination and resolve of Russia and of NATO to cooperate closely with a view to the full implementation of resolution 1244 (1999), and that neither Russia nor NATO would tolerate any provocation or other attempts to undermine the peace process in Kosovo.

It has been impossible to implement the provisions of resolution 1244 (1999) regarding the return to the region of the 300,000 non-Albanians who fled to other parts of Yugoslavia and to neighbouring countries to escape the arbitrary violence. Again, there is no respect for the principle of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. Many facts indicate that this principle is being violated; everyone knows of these violations, and we have spoken of them often in the Security Council.

Disturbing new facts include UNMIK's plan to bring about a full privatization of State property belonging to the Federal Republic of Yugoslavia, as indicated in the recent "white book". On this there was absolutely no consultation with the Belgrade authorities. We have already warned that unilateral

experiments with property could have highly explosive consequences. The Security Council's decision on the return to Kosovo of the agreed contingent of Serb and Yugoslav troops and police has not been implemented, which makes it more difficult to implement the provision of resolution 1244 (1999) on the establishment of proper control over Kosovo units in the border areas of Albania, Macedonia, the Federal Republic of Yugoslavia and Kosovo.

Resolution 1244 clearly states that during the transitional period UNMIK must implement administrative management of the region in such a manner as to ensure that all the inhabitants enjoy substantial autonomy in making up their part of the Federal Republic of Yugoslavia. This is impossible unless there is real interaction with the Yugoslav authorities. Such interaction must occur on all issues relating to implementation of the resolution. There are delays in implementing provisions of that resolution that relate to beginning a political process for determining the future status of Kosovo. This process is not possible unless there are talks involving the Federal Republic of Yugoslavia. However, so far we only hear about the idea of some kind of contract between the United Nations Mission and the population of Kosovo. We believe that any kind of contract like that, without the involvement of Belgrade, would be a violation of resolution 1244 (1999) and would not have legal credibility.

We would not like to think that the acquiescence of UNMIK with respect to the status of Kosovo would mean the desire to protract this transitional period and prejudge the future of the region. That is in fact what could happen if the parameters of the future status of Kosovo are not determined before the municipal elections. There has been no decision on the participation of Serbs in the elections and on the absence of basic conditions for ensuring safe return. The results of the elections cannot be considered legitimate without the participation of the Serbs and the other minorities.

The UNMIK leadership has personal responsibility for election preparations, which should not legalize the involvement of political extremists and isolationists in Kosovo who are hatching plans to declare ethnically clean independence. We are convinced that attempts to isolate them from Belgrade are extremely dangerous to the future of Kosovo, Yugoslavia and the entire Balkan area.

Unfortunately, the Security Council, because of the positions of individual members, today has once again not been able to hear the representative of the Federal Republic of Yugoslavia at a meeting devoted to his country. We noted the short discussion held in this Chamber about who should participate in Council meetings devoted to the question of Kosovo. We believe that in any case participants must include official representatives of the Federal Republic of Yugoslavia.

We are hearing more talk lately about the missing or the detainees and that these are Kosovar Albanians. It is said that without clarification of what happened to them, there can be no return of Serbs to Kosovo.

This problem is indeed a very painful and difficult one and the matter must be resolved. First of all, however, we should not forget that hundreds of Serbs are also missing in Kosovo and that their fate must also be investigated. Secondly, we must recall that Belgrade has not refused to cooperate on the problem of the missing and the detainees. This problem was dealt with by the representative of the International Red Cross and the special rapporteur of the United Nations Commission on Human Rights, Mr. Jiri Dienstbier, on their trip to the Federal Republic of Yugoslavia. They had access to whomever they wished to meet, and they discussed with representatives of the Federal Republic of Yugoslavia about continuing contacts. We think it is necessary to support the work which is already being done by the International Committee of the Red Cross and Mr. Dienstbier, and the leadership of UNMIK itself could more actively establish contacts with Belgrade on this matter.

Against this backdrop, to us the idea of establishing yet another post of special representative on missing persons looks a little artificial and could only lead to politicization of this purely humanitarian issue. We are already well familiar with attempts to politicize humanitarian aspects of the crisis in Kosovo. I was thinking particularly about attempts such as those being made through the International Tribunal for the Former Yugoslavia. Let me just cite one example. In the last few days there has been a lot of discussion about the Amnesty International report citing facts of violation by NATO of norms of international humanitarian law during the bombing of Yugoslavia. Similar assessments were issued earlier by Human Rights Watch.

We would recall that article 57 of the first Additional Protocol to the Geneva Conventions emphasizes the need, in planning and implementing military actions, to refrain from any attacks that might be expected to cause collateral loss of life among the civilian population or the wounding of civilians, or that might by chance damage civilian infrastructure and facilities.

Article 52 of the same Protocol establishes that in the event of any doubt as to whether this facility that is normally used for civilian purposes might be used for military purposes, it is necessary to assume that the facilities are civilian ones. It is perfectly obvious that those provisions were flagrantly and grossly violated during the bombing of the Belgrade television centre, the bridges and the train on the bridge in Gordelitse, the bombing of buses, refugee columns, convoys and many other facilities. These facts are very well known.

However, the Prosecutor for the International Criminal Tribunal, Ms. Del Ponte, at the Security Council briefing on 2 June, said that she was not going to continue investigating NATO activities in Yugoslavia because she did not see the actions as violations of international humanitarian law. But we have a question regarding that. Does the Prosecutor for the Tribunal know about the norms of international humanitarian law in this connection? What about her willingness to apply these norms in practice?

In conclusion, all these problems we have been talking about are interrelated and unless they are resolved as a whole, it will be difficult to expect any change in the current extremely disturbing situation. Unless they are quickly resolved, UNMIK and KFOR — which have of course done some work to normalize the situation in Kosovo — will not be implementing the tasks assigned to them by the Security Council. We know the very difficult circumstances in which the personnel of the international presence in Kosovo must function. We are sincerely interested in providing them with every possible kind of help and support. But this can be done only if the leadership of the United Nations Mission in Kosovo and KFOR indeed ensure that all their actions are geared towards full and comprehensive implementation of resolution 1244 (1999). Russia will continue to make a constructive contribution to finding a political settlement in Kosovo against this background: full and total implementation of the resolution.

There is no real alternative to increasing these efforts in the international community, for we would not be providing peace, stability and prosperity in the Balkans in the interests of all peoples who live there.

Mr. Listre (Argentina) (*spoke in Spanish*): We would like first of all to express our gratitude for the report given to us by Mr. Bernard Kouchner and to say that we highly value his presence at this meeting.

A year ago the Security Council adopted resolution 1244 (1999), which marked the end of a humanitarian tragedy whose main victims were thousands of innocent civilians — fundamentally Albanian Kosovars — who were subjected to a brutal process of ethnic cleansing and whose fundamental human rights were subjected to systematic and persistent violations over at least a decade. With that resolution one of the most difficult undertakings ever faced by the Organization also began, one which may continue to be one of the most difficult efforts made by the United Nations for many years to come. Of course, anniversaries are an opportunity to draw up balance sheets. Although Mr. Kouchner may not wish to do that today, it may be possible to do so provisionally: a balance sheet of goals achieved and goals still pending.

Our main concerns a year ago centred on the return of refugees and displaced persons, on preparations for the approaching winter, on the demilitarization of the Kosovo Liberation Army (KLA) and on the building of a multi-ethnic Kosovo. As the Secretary-General indicated, in the first months of the deployment of the United Nations Interim Administration Mission in Kosovo (UNMIK) over 700,000 refugees returned to their homes, and the beginning of the rebuilding of housing, schools, hospitals and public buildings got underway, as did the restoration of basic services. We were able to confirm that through the Security Council mission, in which I had the privilege to participate. Winter arrived, but the feared humanitarian tragedy did not take place. The Kosovo Liberation Army was formally demilitarized, and with that began the long and thorny process of transforming its members into useful members of society.

We never believed that this would be an easy process. The objective of achieving a multi-ethnic Kosovo, on the other hand, is a pending task. Everyday reality shows that society in Kosovo does not live in an integrated way and that for now there is only a

precarious existence that is obtained, or perhaps imposed, by the presence of UNMIK and the Kosovo Force (KFOR).

When Argentina voted in favour of resolution 1244 (1999) a year ago, it did not thereby endorse revenge, hatred, intolerance and crimes of all sorts. It did not give its consent for the Kosovo Albanians to attack the Kosovo Serbs or other minorities. Nor did it give its consent to a mono-ethnic Kosovo or to the campaigns against the Kosovo Serbs. This is why we firmly urge the leaders and the population of Kosovo to put an end to these senseless acts and to begin to work hard towards building a society in which all can live in safety and security and within a state of law.

The international community can provide human and financial resources. It can provide international judges and prosecutors. It can contribute police officers. It can help to rebuild institutions. But it cannot assume a sincere commitment to live in peace and harmony on the part of the people of Kosovo.

In this context of violence, which we regret, we cannot fail to condemn all the acts that are being committed against the members of UNMIK and KFOR.

We believe that October's municipal elections, despite the difficulties they present, are an excellent opportunity for everyone in Kosovo — the population and political leaders — to understand that the future of Kosovo is a shared endeavour for which everyone is responsible, not only UNMIK and KFOR. We hope that all the communities will register on the electoral lists and that the political parties will include in their platforms strategies and commitments to combat violence.

We believe that the municipality is the basis of democracy. This is why we agree with the Secretary-General, who in his report indicates that the strengthening of municipalities is an essential element for the establishment of an autonomous Government in Kosovo. In this context, we view with interest the proposal made by the Secretary-General in his report regarding agreement on a social contract that would include all the principles of Rambouillet and the provisions of resolution 1244 (1999), ensure the protection of all those residing in Kosovo, as well as displaced persons, and that would also offer confidence in the future. We have no doubt that such a process would be complex and take a number of years to realize.

As we have indicated on other occasions, clarification of the question of missing persons and the situation of those detained in prisons in Serbia are issues vital to beginning a process of reconciliation. In this respect, we continue to believe that it is necessary to appoint a United Nations special envoy.

Lastly, I would like to express my Government's appreciation to UNMIK and KFOR. In particular, we wish to express my country's support for the work being accomplished in Kosovo by the Special Representative of the Secretary-General, Mr. Bernard Kouchner.

Mr. Hasmy (Malaysia): My delegation expresses its appreciation to you, Mr. President, for convening this Council meeting, which affords us another timely opportunity to review the situation in Kosovo as well as the important work being carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) in the implementation of resolution 1244 (1999).

This meeting is indeed significant as UNMIK enters its second year of operation. The presence in the Council today of Mr. Bernard Kouchner, Special Representative of the Secretary-General and head of UNMIK, is therefore most appropriate. We welcome him back to the Council and would like once again to reaffirm our full support for his leadership of UNMIK, as well as for his tireless efforts in the implementation of resolution 1244 (1999) on the ground. We are grateful for his frank, forthright and passionate briefing, which we have listened to most attentively.

We are also grateful to the Secretary-General for his detailed, comprehensive and extremely useful report on the United Nations Interim Administration Mission in Kosovo.

My delegation associates itself fully with the remarks made by Ambassador Holbrooke on the need for the Council not to convey the impression that, at its meeting today, it is one-sided. I trust, Mr. President, that you will correct this misimpression.

After 12 months, UNMIK, in close cooperation with the Kosovo Force (KFOR) and with the support of the international community, has made great progress in dealing with the disastrous consequences of the recent violence and repression in Kosovo. There has clearly been a steady and progressive implementation of resolution 1244 (1999) and UNMIK continues to be

on the right track in the process of building stability, peace, democracy and prosperity in Kosovo. My delegation strongly supports this process, under the stewardship of the Special Representative of the Secretary-General and under the overall supervision of this Council.

The four pillars of UNMIK have registered significant progress in a number of important areas, ranging from the provision of immediate humanitarian assistance in the aftermath of the conflict to the rebuilding and consolidation of sectoral facilities, such as health, education, transport and other social services, as well as from the establishment of the provisional institutions for democratic and autonomous self-governance to the initial stage of the longer-term development and reconstruction of Kosovo.

As the Secretary-General himself states in his report, "Kosovo today is definitely a better place than the international community found it 12 short months ago" (*S/2000/538*, para. 3). Significantly, during that short period of time, the strenuous efforts of UNMIK to engage the local population in the establishment of substantial autonomy and self-government in Kosovo have produced tangible results. The central and municipal provisional administrative structures have been established and further consolidated.

Notwithstanding some shortcomings, which are due in large part to the complexity of the current situation on the ground, the establishment of important administrative structures, such as the Kosovo Transitional Council, the Interim Administrative Council and 20 departments under the Joint Interim Administrative Structure, as well as the Kosovo Police Service, represent real and important achievements of UNMIK in this regard. We have already emphasized the importance of the participation of representatives of all Kosovo communities in these consultative and administrative mechanisms.

My delegation notes that the civil registration process and the preparation for the upcoming municipal elections are already under way. We strongly urge the Serb community to participate in the registration process and call upon the authorities of the Federal Republic of Yugoslavia to fully cooperate with UNMIK on the registration of Kosovars internally displaced in Serbia. We look forward to the successful conduct of the municipal elections, which will lay a viable foundation for the future of Kosovo. Such a

future must necessarily take into account many important, complex and sensitive factors, including the pertinent issue of the aspirations of the majority Albanian community in Kosovo, as recognized in the Rambouillet accords, as well as the legitimate rights of the other ethnic minorities.

Despite those achievements, there are still areas where greater efforts are required before peace and stability in Kosovo can be further consolidated. The continued fragile security situation in Kosovo remains a major challenge to UNMIK and KFOR, as well as to the international community. The upsurge in acts of violence over the past week is a matter of deep concern to the international community. Appropriate measures are therefore necessary to address effectively problems relating to inter-ethnic tensions and violence and to promote co-existence and tolerance in Kosovo. We note that UNMIK, in close cooperation with KFOR, has undertaken decisive measures to contain such inter-ethnic violence. However, success will depend in large measure on the availability of resources, particularly relating to police personnel.

It is imperative that all Kosovo leaders and ordinary people, regardless of their ethnic background, constructively play their part in the fight against extremism and promote tolerance and co-existence. In this regard, we welcome the statements that have been made by Mr. Ibrahim Rugova and Mr. Hashim Thaci, which clearly demonstrate their continued commitment to peace and stability in Kosovo. Given the background of violence and mass expulsion that their people have been subjected to, their courageous statements are particularly commendable.

The resolution of inter-community tensions is, to a large extent, linked to the issue of missing persons and the continued detention of Kosovars in jails in the Federal Republic of Yugoslavia. This issue, which has also been highlighted by Mr. Kouchner, must be addressed on an urgent basis.

We welcome the establishment of the Victim Recovery and Identification Commission and ongoing support for the crucial work being carried out by the International Criminal Tribunal for the Former Yugoslavia to deal with the issue of missing persons. At the same time, we have expressed our strong support for the appointment of a special envoy for missing persons, detainees and prisoners to look into this matter. We look forward to the early appointment

of the envoy. We believe that tangible progress on this matter will have a significant impact on the efforts to forge inter-communal harmony and peaceful co-existence among the several ethnic groups in Kosovo. While all parties must cooperate in resolving this issue, the Federal Republic of Yugoslavia authorities have a particular responsibility, given the fact that over 1,000 Kosovar Albanians are known to be in Serbian jails, not to mention the many thousands unaccounted for. The issue of detainees and missing persons must not be exploited for political reasons.

Peace in Kosovo should be viewed as a long-term process, and not as a quick-exit strategy, by the international community. This is because of the great complexity of the problems, which will take many years to resolve. While many achievements have been made in such a short period of time, which we welcome, we are fully cognizant of the remaining challenges that have to be faced to make such progress irreversible. Hence, the importance of sustained international support and investment, both political and material, which are imperative to the success of the international role in Kosovo.

Mr. Ahmed (Bangladesh): Let me first of all extend our heartiest welcome and warmest greetings to Mr. Bernard Kouchner. It is good to see him with us again.

Let me also begin by conveying the deep regret of Ambassador Anwarul Karim Chowdhury, who headed the Security Council mission to Kosovo last April, for his inability to be present here today, as he is away from New York. He was looking forward to meeting Mr. Kouchner personally. Since he is unable to do so, Ambassador Chowdhury has asked that I convey through you, Mr. President, his thanks and appreciation to Mr. Kouchner for all the support that he so wholeheartedly extended to the Security Council mission during its visit to Kosovo. The compactness of the programme, coupled with the richness of inputs, yielded very good results in terms of the objectives of the Council mission. This was reflected in the report of the Council mission, which was presented upon its return from Kosovo. The report also contained a number of concrete measures in terms of the implementation of resolution 1244 (1999).

We are all aware how complex the situation in Kosovo is. We know about the determination and promptness with which the United Nations Interim

Administration in Kosovo (UNMIK) acted when the occasion demanded. We commend UNMIK, under the leadership of Mr. Kouchner, for carrying out its formidable job admirably. We are aware of the constraint of resources at his disposal vis-à-vis the challenges that he has been facing.

We are concerned that UNMIK has not yet been able to have filled its desired staffing requirements for civil administration and civilian police, as requested by the Secretary-General. All of us agree that the security situation needs further improvement, but this cannot take place unless the machinery has been put in place in its approved strength. A number of other important issues, such as the return of refugees and internally displaced persons, also hinge to a large extent on the feeling of a secure environment for all.

An issue of great concern for us is that of missing persons and detainees. We have seen the agony and torment of the families of these people. Day after day, they wait in great anxiety and tension for information on the fate of their near and dear ones. The continuing tension breeds mistrust. The security situation in Kosovo cannot be expected to improve unless decisive and definite steps are urgently taken to address this problem. My delegation has strongly supported the appointment of a special envoy for mission persons and detainees. We believe that the magnitude and importance of the problem merit this appointment. We do not believe that the appointment of a special envoy would politicize a humanitarian issue. Rather, it would be a major step towards the settlement of a long-standing issue for which no effective measures or remedy have yet been found.

For normalcy to return to Kosovo, there should be a significant boost in economic activity. Although the pace is gradually picking up, it is still insufficient to create opportunities for enough jobs for people to pursue with confidence. Spurring the economy is not only necessary for reconstruction and development for a war-torn community; it is also needed to give people hope for looking to the future rather than indulging in past misery and springing into desperate action and undertaking adventures.

In its interaction with the ethnic communities, the recent Council mission to Kosovo could sense a desire on the part of the people to live in peace together. The decision of the Serb National Council to work with UNMIK and KFOR was a welcome development. Our

attention has been drawn to the recent letter of Bishop Artemije to the President of Security Council and his insistence on a better security situation in Kosovo. We hope that the international community will redouble its efforts in ensuring the protection of everyone in Kosovo.

In closing, we would like to record our high appreciation for the valuable work of Mr. Bernard Kouchner and his team in Kosovo, and for the teamwork and collaboration of the international civil and security presences in Kosovo. Bringing back peace in a region which has long been troubled, and where the memory of the violent past is still vivid, is a task of immense complexity. But the notable progress already achieved shows that it is not impossible. We all need to extend our strong support to the process of reconstruction and reconciliation already under way in Kosovo.

Mr. Ben Mustapha (Tunisia) (*spoke in French*): I should like to congratulate you, Mr. President, for having convened this meeting to examine the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK). I also wish to thank Mr. Bernard Kouchner, the Special Representative of the Secretary-General, for his presence here among us and for the enlightening and useful statement that he has just made.

During his most recent visit here in March, Mr. Kouchner focused his comments on strategic objectives. He raised the question of time constraints and the relevant elements to the success of the peace process. Three months later, following a Security Council mission to Kosovo at Mr. Kouchner's invitation, we are in a position to evaluate the progress made in different political, institutional, economic and social fields, without losing sight of the fragility of the situation, which requires the sustained efforts and action of the international community.

The report of the Secretary-General covering the past 12 months is enlightening in this respect. The progress in the political sphere, especially through the creation of a pluralist political landscape, Serb participation in the Kosovo Transitional Council and the creation of a Joint Interim Administrative Structure, are all important achievements. The demilitarization of the KLA and respect by the Yugoslav authorities for their commitments under the Military Technical Agreement, all deserve mention as

evidence of the will to achieve the normalization of life in Kosovo.

We can also cite as positive achievements of this mission the progress made in the establishment of the judicial system and the rule of law, as well as the success of humanitarian activities and the return of refugees. Furthermore, encouraging signs in the economic situation give us hope that we will see a lasting improvement in social conditions.

Municipal elections will be decisive in the process of political transition. The transparency of the electoral process is a determining factor for the entire operation. This process offers the parties an opportunity to adhere to the principle of multi-ethnic and peaceful coexistence, which remains the foundation of stability in the region. The growing participation of all the components of society in the administration of the province is an indispensable factor for long-term stability.

All of these positive elements, however, must not conceal the sad reality of the daily lives of the citizens of Kosovo. The fragility of the security situation, as well as the cycle of violence, intimidation and threat which seem to have taken hold of the province, can undermine all efforts that are being made to restore social peace. We deplore the rise of tension in this region, and we support the efforts of UNMIK and the Kosovo Force to restore peace to Kosovo.

With a view to the full achievement of the objectives of the international community, the United Nations Mission in Kosovo should have at its disposal the appropriate financial and human resources.

Furthermore, the question of the detainees and missing persons remains central to a return to normal life in Kosovo. Memories of displaced persons and prisoners are persistent. Their families will not agree to forgive or forget unless this question is resolved. In this respect, we have already expressed our support for the appointment of a special envoy of the Secretary-General who would be in charge of this complex matter.

I want to insist on the need to promote a culture of peace, tolerance and multi-ethnic coexistence as the foundation for any lasting solution, not only for Kosovo but for the entire Balkans region.

In conclusion, I wish to pay tribute to the United Nations Mission in Kosovo and to the dedication of its

personnel, as well as all those working on the ground, mentioning in particular the positive role of the parties that have chosen to cooperate with the Mission. I cannot fail to extend my Government's encouragement to Mr. Kouchner in the important task that he is undertaking in such a serious and self-sacrificing way.

Mr. van Walsum (Netherlands): My delegation, too, would like to thank the Secretary-General for his quarterly report, and Mr. Kouchner for his inspired briefing.

Most speakers have already pointed out that it will be one year ago tomorrow that this Council adopted resolution 1244 (1999). Two days later, on 12 June 1999, the first Kosovo Force (KFOR) units entered Kosovo. We are all aware of what the Secretary-General's report terms, in paragraph 3, "the persistence of a number of serious concerns". But my delegation takes the view that much has been achieved in one year.

After 10 years of repression, injustice and destruction, brought about by the Belgrade regime, Kosovo has now gained a new perspective. It is a multi-ethnic society under construction. The majority of refugees — hundreds of thousands of Kosovar Albanians who had to flee in the face of President Milosevic's terror — have returned. The rule of law is being restored. Schools have been reconstructed and reopened; the economy is being revitalized; preparations for municipal elections are well under way. With all the critical notes we have to make about the situation in Kosovo, we should not lose sight of those achievements. My delegation pays tribute to KFOR, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the leadership of Mr. Kouchner. Without their determination and perseverance, these achievements would not have been realized.

We heard Mr. Kouchner say that, at best, his briefing could be regarded as a progress report. He pointed out that it would take years and years to build real democracy, and that it cannot be denied that there continue to be negative aspects in the current situation.

But my delegation resolutely disassociates itself from those who focus so much on these negative aspects that they endlessly speak of the Belgrade authorities but cannot bring themselves to offer even the slightest hint of praise and encouragement to the courageous Kosovo Serbs who are trying to break out

of the vicious circle of ethnic hatred and wish to contribute to making today's Kosovo work. My delegation has said this before. These Kosovo Serbs show both moral and political vision and deserve our undivided support.

But, if I may follow the Russian delegation's example and make one observation on the Belgrade authorities myself, I would like to question the accuracy of Ambassador Lavrov's assertion that the Federal Republic of Yugoslavia has not refused to cooperate in the matter of detained and missing persons. Belgrade simply has failed to respond and has not done anything for more than a year. As a matter of fact, the detainees do not require any cooperation; they simply need to be released or tried in a court of law.

Having said this, let me stress that my delegation is concerned about certain developments in Kosovo. I am, of course, referring to the recent upsurge of what the report calls localized violence, mainly perpetrated against Kosovo Serbs. Our concerns are heightened by the fact that this violence appears to be orchestrated. The Netherlands condemns all violence and supports the efforts of the UNMIK, KFOR and the United Nations International Police to put an end to it. We equally condemn all violence against KFOR and UNMIK personnel, as well as the increased number of incidents where non-governmental organizations in Kosovo have become victims of robberies.

The Secretary-General's report rightly highlights the courageous decision of the Serb National Council (SNC) of Gracanica to join the Joint Interim Administrative Structure (JIAS). This decision was taken a few months ago, and the Serb representation was limited to observers. In the meantime, much to our regret, the decision has been reversed. Although this was prompted by security concerns, which, of course, must be addressed, the Netherlands calls upon the Serb National Council of Gracanica to reconsider its recent reversal and to return to the Joint Interim Administrative Structure — this time as a participant rather than as an observer. Here, as in the question of registration and participation in the election process, we are convinced that the interests of the Serbs are best served by their active participation in the interim structures. It would seem to us that the international community could encourage the renewed Serb participation in interim structures by fostering Serb refugee return, by improving living conditions in enclaves inhabited by moderate Serbs and by including

explicit guarantees to the rights of Serbs and other minorities in interim regulations for local self-government.

The Netherlands welcomes the decision of the Special Representative of the Secretary-General to temporarily close down the Albanian newspaper, *Dita*, for incitement to hatred and violence. We commend the Special Representative of the Secretary-General for his firm action in this matter.

The Netherlands is not in favour of revision of resolution 1244 (1999) or a formal extension of the mandate of KFOR. In the view of the Netherlands, full implementation of resolution 1244 (1999) should be continued, guided by the principles of a multi-ethnic society and respect for the human rights of all ethnic groups. At present, the international community should focus on reconstruction, successful municipal elections and implementation of the framework of local administration. The question of the final status of Kosovo should be discussed at a later stage.

Finally, the Netherlands would welcome the appointment of a special envoy for missing persons, detainees and prisoners. I would appreciate learning when this appointment may be expected. In any event, the Netherlands would welcome it if the special envoy could cooperate closely with the International Committee of the Red Cross (ICRC) and devote his or her attention to missing persons and prisoners from all sections of the population.

Ms. Durrant (Jamaica): Let me from the outset express the appreciation of the Jamaican delegation to the Secretary-General for his report contained in document S/2000/538, and to the Special Representative, Mr. Bernard Kouchner, for his comprehensive review of the United Nations Interim Administration Mission in Kosovo (UNMIK) over the past year.

Mr. Kouchner's review has emphasized the magnitude of the unique undertaking entrusted by the international community to UNMIK and to the Mission's critical role in promoting peace, reconciliation and stability, in creating viable and democratic structures and establishing a framework for sustainable development in Kosovo. My delegation wishes to pay tribute to Mr. Kouchner, to the men and women of UNMIK and of the intergovernmental and non-governmental organizations in Kosovo for the commitment and dedication they have brought to their

difficult and complex task of implementing resolution 1244 (1999).

There is no doubt that there has been tremendous progress over the past year as UNMIK moved from the emergency phase of its operations to rehabilitation and reconstruction and to bringing normalcy to the lives of the people of the Kosovo. We have witnessed the large number of refugee returns, the development of Joint Administrative Structures, the efforts to give the local community greater responsibility in the administration of Kosovo and the revitalization of the economy.

As the report points out, however, understanding and tolerance in Kosovo remain scarce, and reconciliation is far from reality. We, therefore, support the view expressed in the report that leaders and ordinary people alike must make a personal and concerted effort to bring violence, intimidation and harassment to an end.

The observations in the Secretary-General's report are particularly pertinent. I wish to highlight some issues of particular concern to my delegation. First of all, it is disturbing to note from paragraph 133 of the report that not only has the security situation deteriorated over the past few weeks but also that the upsurge of vicious attacks on Kosovo Serbs in several areas appears to be part of an orchestrated campaign. This has resulted in the suspension of the Serb National Council (SNC) in the Joint Interim Administrative Structure. We would encourage them to resume their participation in the Interim Administrative Council (IAC). The condemnation of violence by the Albanian community and the general apology issued in April by the Serb community of Orahovac are positive developments, on which both communities could build.

Secondly, the steps taken by UNMIK to entrench the rule of law in Kosovo must be emphasized. While the security situation remains fragile, there has been a dramatic reduction in crime. The need for an effective judicial and penal management system is being addressed. We support the appointment of international judges and prosecutors to instil public confidence in the judicial system, but, in the long run, this has to be based on a well-trained professional cadre of local officials.

Thirdly, tackling the issue of missing persons is one of the most fundamental factors in the reconciliation process and for the creation of stability. As the Secretary-General's report indicates, this is an

issue that cuts across all ethnic groups and must be addressed urgently and comprehensively. We therefore support the timely appointment of a special envoy for missing persons and detainees.

The civil and voter registration activities are of importance in light of the upcoming municipal elections. We believe it necessary to create the conditions for the participation of all groups in order to encourage a sense of ownership and participation in the democratic process.

The report indicates that human rights violations continue. These include, specifically, violence against women and trafficking. We call on UNMIK and their partners to address this issue urgently.

While the overall economic picture in Kosovo has improved, economic recovery as a means of providing confidence and reconciliation among the people of Kosovo is another major challenge. Attracting broad-based donor support and investment is necessary to decrease the high level of unemployment. As one who participated in the Security Council mission at the end of April, we wish to thank Mr. Kouchner and the staff of UNMIK for all that they did to make our visit a success. We were provided with an opportunity not only to meet with officials of the four pillars of UNMIK but also to engage with representatives of all ethnic communities, to listen to their concerns and to obtain a better understanding of the expectations for the future of the people of Kosovo. We know that this has contributed to a better understanding within the Security Council of the work of UNMIK. We therefore wish to agree with Mr. Kouchner, as he stated in the report:

“Democracy in Kosovo must begin to take root, but given Kosovo’s troubled history, institutionalizing the sharing of administrative and political responsibility between the ethnic communities concerned will not be quick or easy.” (S/2000/538, para. 132)

We have noted his call for the development of a contract with the people of Kosovo and look forward to learning more about this in future briefings.

In conclusion, we wish again to pay tribute to the men and women of UNMIK and KFOR and the other organizations in Kosovo and express our support for their activities.

Mr. Yel’chenko (Ukraine): I would like to warmly welcome Mr. Kouchner and thank him for his very informative briefing.

Almost a year has passed since the Security Council adopted resolution 1244 (1999), whereby it decided to set up the international civil and security presences in Kosovo for an initial period of 12 months with the view to bringing peace and stability, democracy and prosperity to the province, as well as to the whole region. Although that resolution did not bring about a final solution to the Kosovo problem, it laid down the framework for the transition process of finding that solution by launching a unique peace operation that is unprecedented in the history of the United Nations.

Over the past period, the United Nations Interim Administrative Mission in Kosovo (UNMIK) and the international security force (KFOR) have done a lot in pursuit of their mandates. As outlined in paragraph 3 of the Secretary-General’s report (S/2000/538), “Kosovo today is definitely a better place than the international community found it 12 short months ago”. As a member of the recent Security Council mission to Kosovo, I had ample opportunity to witness the significant progress achieved by KFOR and UNMIK in bringing normalcy to life in the province. Therefore, as we have stated on previous occasions, the courage and dedication of UNMIK and KFOR personnel, as well as their efforts, should be fully appreciated.

At the same time, while recognizing the undeniable progress achieved by UNMIK and KFOR in tackling the challenges of Kosovo, we should also openly admit a number of setbacks in efforts to avoid the most gloomy scenarios for the future of the province and the entire Balkans and to ensure the full implementation of resolution 1244 (1999). Bearing this in mind, I think that we should not engage in another exchange of political declarations, interpreting in various ways the state of affairs in Kosovo, which, I must admit, continues to be of great concern to my country too.

To be able to provide clear guidelines for UNMIK, to define a mid- and a long-term strategy for it, I believe, we need to focus on concrete steps to contribute to the real improvement of the situation on the ground, which is to be considered in a time perspective. To address this issue it is essential to answer some crucial questions. Specifically: Are we

satisfied with the results of the one-year presence of UNMIK and KFOR in Kosovo? What can be done in the immediate future to improve the situation? And what is the ultimate goal in the implementation of resolution 1244 (1999)?

In our view, the current situation in Kosovo should be looked at, first and foremost, from the standpoint of accomplishing the main responsibilities of the international security and civil presences, that is, to promote the atmosphere of safety and security, to create a climate of law and order, to enable all refugees and internally displaced persons to return freely to their homes and to protect their individual rights.

In this regard, we feel that the considerable progress made in establishing joint interim administration structures, in providing humanitarian assistance, promoting the sectoral economic development and democratization and in undertaking preparations for civil registration and municipal elections seems to be much less impressive when seen against the current precarious security situation in the province.

The prevailing atmosphere of ethnically related violence and the crime rate, daily intimidations, assaults and threats against non-Albanians, especially Kosovo Serbs, jeopardize all efforts of the international community, be it participation of minority communities in municipal structures, be it their participation in the civil registration and municipal election process, be it the establishment of the judicial system and the rule of law. Undoubtedly, proper security of national minorities and effective protection of their basic human rights are the prerequisites for further progress in the long-term process of settling the Kosovo problem.

In this context, we were deeply alarmed by the recent upsurge of violence against Kosovo Serbs over the past month. The most worrisome is the assessment by the Secretary-General, in paragraph 21 of his report (S/2000/538), that these attacks “appear to be orchestrated and have had an unsettling effect on Kosovo Serbs’ confidence”. The vivid proof of this assessment is the decision by the Serb National Council of Gračanica to absent themselves from meetings of the Interim Administrative Council (IAC) and the Kosovo Transitional Council (KTC) for one week, as well as to send a delegation to the United Nations Security Council to seek additional appropriate guarantees to ensure security and human rights of

Kosovo Serbs. We believe that the Council should heed and react adequately to this desperate call on the part of the most cooperative representatives of the Kosovo Serbs.

In this regard, welcoming all the security measures undertaken so far by KFOR and the UNMIK police with the purpose to enhance the long-term security of minority communities, we call upon them to make full use of their broad mandates to stop the current wave of ongoing terror against national minorities. A strategy of stabilization similar to that utilized in Mitrovica, such as the creation of a “confidence area”, should be implemented everywhere throughout the province, especially in the small areas of Serb enclaves. It is necessary to prevent the feasible perspective of an ethnical division of the province along the Ibar River. In this respect, we also strongly believe that KFOR and UNMIK activities should be carried out absolutely impartially. At the same time, ensuring safety and security of the international civilian and military personnel should remain a priority for the KFOR and UNMIK leadership, as well as for the population of Kosovo.

In this context, we also assess positively the recent measures by Mr. Kouchner to stop the media’s practice of publicly identifying and charging Serb residents as war criminals, as well as the recent regulation on appointment and removal of international judges and persecutors throughout the entire province.

Mindful of the urgent need to enhance the security situation in the province, my Government intends to send to Kosovo its 115-strong specialized police unit next month. I would also like to confirm the preparation for deployment in July of the joint Polish-Ukrainian peacekeeping battalion earmarked for the KFOR operation.

In implementing resolution 1244 (1999), we also deem it crucial to ensure the safe return to Kosovo of the over 200,000 non-Albanians who currently remain in Serbia, Montenegro and in neighbouring countries. We hope that the recently established Joint Committee on Returns will play a constructive role in this matter. It is also self-evident that abstention from participation of Kosovo Serbs in the civil registration and municipal elections might raise a lot of unnecessary questions about their results and challenge the political credibility of the United Nations.

Now, Mr. President, allow me again to touch upon another key issue of the Kosovo problem relating to the mid- and long-term strategy of UNMIK and KFOR; that is, a clear definition of substantial autonomy and meaningful self-administration of Kosovo in terms of resolution 1244 (1999). By the way, this issue was raised several times before by Mr. Kouchner himself.

In our view, as long as the Security Council shies away from settling this core issue or dampens it in its fine rhetoric, there will always be a threat that the efforts of UNMIK and KFOR will be counterproductive. If we do not address this issue directly, we will be keeping UNMIK and KFOR in the dark, turning them into some kind of fire brigade fighting a forest fire during a drought. Furthermore, we will be creating groundless illusions, both among the local population of Kosovo and the Federal Republic of Yugoslavia authorities. Do we need this ambiguity?

As far as my country is concerned, our only understanding of the relevant provisions of resolution 1244 (1999) and its annexes is that the people of Kosovo can enjoy a substantial autonomy within the Federal Republic of Yugoslavia, whose sovereignty and territorial integrity should be fully respected. We believe that all further actions by UNMIK and KFOR should be undertaken in full conformity with these principles and be assessed from the common positions of the Security Council members.

In this respect, we would prefer the issue of substantial autonomy for Kosovo to be addressed and decided sooner or later in the framework of the Council, which should never play the role of an involved observer. It is the Security Council that shoulders the primary responsibility for the future of Kosovo.

One more aspect of resolution 1244 (1999) which is awaiting fulfilment is the promotion of a political process designed to determine Kosovo's future status. However unrealistic this idea might seem today, we cannot avoid the prospect of an agreement being reached on Kosovo's final status between the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanians through direct or proximity talks under international auspices.

In our view, it is the only foreseeable way to settle the issue in a civilized manner. Other scenarios might undermine the fragile atmosphere of peace in the

whole region, as well as the role of the Security Council itself.

Finally, we have to admit that over the past year the presence of UNMIK and KFOR in Kosovo has remained critical and should be continued. While recognizing that there is no need today to adopt a new resolution on Kosovo, we emphasize the importance of implementing resolution 1244 (1999) in full, having agreed on certain aspects, at the conceptual and practical levels, of the United Nations strategies in Kosovo.

In conclusion, I wish every success to Mr. Kouchner and his able team and to UNMIK and KFOR personnel in carrying out their extremely difficult tasks in pursuit of our common responsibility to establish a lasting multi-ethnic peace, stability and civic order in Kosovo.

Mr. Duval (Canada) (*spoke in French*): We would like at the outset to thank you, Sir, for having organized this public meeting of the Council in a spirit of transparency. We would like also to thank the Special Representative of the Secretary-General for his progress report and to welcome the presence of the Secretary-General himself at this important meeting. We also commend their determination to implement resolution 1244 (1999).

One year ago, the Security Council adopted resolution 1244 (1999), which establishes the framework within which the international community has committed itself to work to restore lasting peace in Kosovo. Resolution 1244 (1999) remains the basis of our work in Kosovo, and we reaffirm our strong commitment to its implementation in full.

During the first phase of the mission, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) made important progress in restoring normal living conditions in Kosovo. Their staff is working in difficult conditions, often risking their lives, as Ambassador Lavrov recalled this morning. We commend them and express our gratitude to them for their efforts and their commitment and assure them of our support.

Regarding this support, we welcome the decision taken by the Secretariat to authorize UNMIK to recruit directly the civilian experts that it needs, and we are pleased to have already received a descriptive list of the posts and the jobs to be done. For 10 months now

we have been calling for the rapid deployment of civilian personnel, but we have been frustrated by some administrative problems between the Secretariat in New York and UNMIK in Pristina. We believe this decision is a wise one, and we have no doubt that it will allow for a more effective and quicker recruitment process.

As we noted in April during our visit to Kosovo with the Security Council mission, Mr. Kouchner deserves our respect and admiration for the way in which he is shouldering the very heavy responsibilities of his mandate. In particular we wish to encourage him in his tireless efforts to maintain a relationship of confidence and cooperation with all of the ethnic minorities in Kosovo. This work seems to us absolutely essential.

(spoke in English)

Despite these efforts, we all recognize that the conditions have not yet been fully established for all members of the Kosovar community to enjoy a safe and peaceful life. In particular, we strongly condemn the recent surge in acts of violence perpetrated against Serbs in the run-up to the anniversary of resolution 1244 (1999).

KFOR has redirected its forces to concentrate on potential hot spots. Visible proactive efforts by UNMIK and KFOR must continue in order to combat the culture of revenge, to protect all inhabitants of Kosovo and to bring the guilty parties to justice. The Mission needs the full support of the Council and of the international community to progressively and firmly stabilize the situation and improve human security in Kosovo.

Within the community, our leaders must take responsibility for promoting tolerance and respect. UNMIK should adopt a very robust approach towards those who do not.

UNMIK must also focus on hindrances to reconciliation, including the crucial issue of missing persons and detainees. This issue requires increased attention and political will, including support for war crimes investigations and consideration for the nomination of a special envoy for detainees and missing persons.

We were pleased to hear Ambassador Lavrov speak of the importance of international humanitarian

law. We agree on the importance of respecting the Geneva Convention in all situations of armed conflict.

On another note, the recent despicable murder of UNMIK's Petar Topoljski reminds us of the need strictly to regulate media operations. Freedom of the press is an important principle, but it should not extend so far as to protect irresponsible journalism, which puts people at serious risk from vigilante violence.

We are pleased that UNMIK is now working to ensure that the media refrain from publishing details to incite hatred and tolerance for violence. We encourage a close watch upon media operations in the run-up to elections in order to maintain civil law and order and to protect human rights.

Media freedom goes hand in hand with professionalism and responsibility. We hope the Serb National Council will return to participate in Kosovo's premier administrative and consultative councils. We share important common goals with the Serb community, and we must find the means to work together.

In this connection, we warmly welcome the presence of the representative here today and urge the Serbian community to participate in the civil legislative process.

Kosovo must have a place for people of all ethnicities. The principles underlying Kosovo's future need to include full respect for the rights of Serbs and other national communities as well as a system to ensure the implementation of these rights. It will be important to preserve and promote the cultural, linguistic and religious identity of Kosovo's communities. Those who have left the community, be it out of concern for their physical or their economic security, must be given the opportunity and encouragement to return in a safe, orderly and sustainable fashion.

All communities must be fairly represented at all levels of public administration. Now that preparations for the municipal elections are well under way, we encourage UNMIK to think about the second phase of its mandate, the development of a provisional self-governing institution. These we will need to establish a stable, prosperous Kosovo which respects the principles of democracy, human rights and the rule of law.

In conclusion, we reiterate that the Federal Republic of Yugoslavia will need to play a part in reaching an eventual settlement.

Belgrade has an important role to play, for instance in ensuring that the internally displaced persons who are resident in Serbia can register to vote. However, the extent of cooperation from the current regime, particularly recent statements from Government officials demanding an end to UNMIK's presence, shows its disturbing lack of goodwill. A future democratic Government in Belgrade will need to reach out to moderate Kosovars in an effort to find a means to live together again. Until then, Belgrade's refusal to cooperate in good faith remains a major impediment to the full implementation of resolution 1244 (1999).

Mr. Andjaba (Namibia): Allow me, Mr. President, to congratulate you and your delegation on having organized this public meeting on Kosovo. We are grateful to the Secretary-General for his comprehensive report. I would like to express my delegation's appreciation to the Special Representative of the Secretary-General, Mr. Bernard Kouchner, for his briefing. His illustrious leadership has our support, and he can count on our country to support him in his mission until the completion of his task.

We note with appreciation that the United Nations Interim Administration Mission in Kosovo (UNMIK) has begun to consolidate the central administration and municipal administrations throughout the province, with the renewed political life reflecting the diversity of the people of Kosovo. My delegation notes also the progress achieved in the establishment of 20 departments of the Joint Interim Administrative Structure (JIAS) and other municipal bodies. However, we want to underscore the limited participation of minority communities in the political enterprise. We also concur with the Special Representative and with the report of the Secretary-General that increasing intimidation and unmitigated acts of violence by the Albanian majority aimed at driving the minority communities out of Kosovo are totally unacceptable. The perpetrators of such acts of violence and intimidation must be brought to justice. For that, the Kosovo Force (KFOR) and UNMIK need unequivocal support from the international community.

All Kosovars should be given the opportunity to participate in social, economic and political activities

free from intimidation. In that connection, we urge Serbs and other minorities to participate in the forthcoming municipal elections, and we also call upon the authorities in Belgrade to give their support to the elections in Kosovo.

The return of refugees and internally displaced persons to their homes with dignity, along with the issues of detainees and missing persons, are of paramount importance to my delegation.

We are aware that the situation in Kosovo is very complex and that miracles are rare in the real world; therefore UNMIK cannot be expected to produce them, if at all, beyond its capacity to act in the province. Therefore, we acknowledge the multi-pronged approach of UNMIK and KFOR, not only in bringing administrative stability to Kosovo but also in creating an enabling environment to promote peaceful coexistence, tolerance and economic development, which by its nature depends on long-term planning. It is in that regard that the complete and comprehensive implementation of resolution 1244 (1999) is vitally essential.

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

A year ago, in this Chamber, the Security Council adopted resolution 1244 (1999). At the time, Kosovo was devastated. But hundreds of thousands of refugees and displaced persons finally had hope of returning to their homes. Their houses had been destroyed; poorly maintained infrastructure that had years before been abandoned by the central authorities was unusable. But above all, the hatred fed by recent atrocities was looking to return. It was that territory, that society, both marked by violence and destruction, that a year ago the United Nations was charged with the difficult task of administering. We must bear that starting situation in mind in order to appreciate how much the Special Representative of the Secretary-General, Mr. Kouchner, has done since then. Today, refugees and displaced persons have in large part returned. Life has resumed. But we must never forget that the simplest things of everyday life are all victories by UNMIK over the past.

Problems, of course, remain. Earlier in this meeting I spoke of the difficulties reported by the delegation of Kosovo Serbs with which I met yesterday. The violence that in recent days has targeted

that community, including its children as Mr. Kouchner reminds us, is totally unacceptable. Kosovar leaders must shoulder their responsibilities and do everything in their power to ensure that such acts do not recur. I welcome statements to that effect made today by Mr. Rugova and by Mr. Thaci. Violence and terror must not be allowed to prevail; we must refuse to give free rein to extremists whose goals are opposed to those of the Security Council.

Thanks to the tireless efforts of Mr. Kouchner and his entire team, joint administrative structures have been set up. Thanks to his efforts, Serb leaders agreed to participate as observers in meetings of the Interim Administrative Council and of the Kosovo Transitional Council. The policy was beginning to yield results. On 10 May the Kosovo Transitional Council adopted a political statement on tolerance; in the light of past hatred, this was of great importance. Everything should be done to resume that dialogue. To that end, we support the efforts of UNMIK and KFOR to improve the safety and security of all communities, and we hope that cooperation among all Kosovars and the international organizations will resume very soon.

Efforts must continue in order to guarantee the effective protection of minorities. Concrete solutions are needed to give members of minorities access to public services and medical care; to enable them to develop economic activities at the local level; to enable them to receive the professional training they need to participate in Kosovo's economy and in its society. Mr. Kouchner and his teams have already done a great deal, including on the "agenda for coexistence". For this too he deserves our gratitude and our full support.

After a year of existence, UNMIK should not be judged solely on the acts of violence that continue to be committed against minorities. Reconciliation is not something that can be agreed. Several years will still be needed for peaceful coexistence among the communities of Kosovo to be conceivable.

Lasting reconciliation also means that question of prisoners and missing persons receive an appropriate response. Like several other speakers, we approve the idea of nominating a special envoy for this matter. Coordination with the International Committee of the Red Cross will be necessary, and it goes without saying that the mandate of this special envoy should cover missing persons and detainees from all communities.

UNMIK's job is to create the material, administrative and political conditions so that this future coexistence might be possible. In this area too, much has been done by the Mission under Mr. Kouchner's direction, as well as by KFOR, in which the Eurocorps — an important new element — today forms the core of the staff and provides the military command.

Previous speakers have for the most part stressed all of UNMIK's accomplishments in one year. I would simply stress the fact that all of these jobs that have been completed by the Mission and the Special Representative, despite difficulties, have established a lasting basis for the future of Kosovo. Basic services — water, electricity and heat — have been restored. Houses have been rebuilt. Former Kosovo Liberation Army combatants have been demobilized and reintegrated into a civil structure. The various segments of Kosovo society have been involved in the joint administrative structures. Nevertheless, there is still work to be done. It could not be otherwise after only a year of existence.

First, regarding the question of local elections, it is essential that we be very precise and careful in preparations and the conditions for holding the elections. It is also essential to encourage the participation of the Serb Kosovars. By preventing the Serbs of Kosovo from participating in the registration process and therefore in the elections, Mr. Milosevic is preventing them from using the opportunity to take charge of their future in Kosovo, and he is thus proving that he is not the defender of their interests.

For the establishment of a real state of law we need to put in place all the necessary elements, such as the police force, judges and prisons, in order to combat the culture of impunity.

Finally, discussions should take place within the appropriate framework and at the most appropriate time on the contents of autonomy, a point which has been made by several speakers today.

This first anniversary of the adoption of resolution 1244 (1999) is an important date. However, we should not forget that the job entrusted to UNMIK requires time, financial means and staffing resources. This Council meeting will make States here aware of the importance of giving UNMIK the means that it still requires. I associate myself with what our colleague Mr. Duval has said regarding the recruitment plan, that

important progress has been made here. Our meeting will also make it possible for us to reiterate our full support to Mr. Kouchner and to all the Mission staff on the ground in achieving their difficult task.

I now resume my function as President of the Council. I call on the Special Representative of the Secretary-General to answer questions that have been raised.

Mr. Kouchner (*spoke in French*): I will not be able to answer all the very relevant and important questions due to the hour, but I do intend to come back again with more progress accomplished and with even greater determination to fight against what all members have referred to: violence and impunity, and for the protection of minorities. Thank you for everything that has been said concerning the UNMIK teams and the teams of all those other groups involved in this task, which at one time was considered impossible and which some critics now seem to believe is possible.

We do in fact make progress. We have made progress from an economic standpoint. We have made a lot of progress from a political standpoint. However, there has not been enough progress made from a human standpoint. The change in human behaviour is not exactly, directly or 100 per cent due the Special Representative or even the Security Council or the whole United Nations. We really must emphasize the importance of time and persistence. Do not abandon us on the grounds that after all, there has not been a major crisis. It is because there has not been a major crisis that it is essential to continue to support us.

One final word on what Richard Holbrooke said. If the representatives of the Serb National Council of Kosovo are there, it is not because we are partial. It is because they present and continue to present claims that are legitimate. I am pleased that they participated in this meeting and I appeal to them to continue to work with us, as have all of you. Their presence here, and that of Monsignor Artemije in particular, is for me very clear and decisive evidence of their will to continue to participate in the shared endeavour. If they were not to participate in it, they would certainly be on the side of those who do not want peace any longer, who constantly try to undermine the task undertaken by the international community in Kosovo. I do not believe a word of that.

That is why I thank you for having welcomed them. If you agree and if circumstances permit, I would

propose, to show a positive and optimistic side of our Mission in Kosovo, that we come with all the representatives of the interim administrative council, of the interim structure in the near future.

On behalf of those working in your name, I would venture to say happy anniversary, but let there not be too many of them.

The President (*spoke in French*): I thank the Special Representative of the Secretary-General for his statement. I also thank all of those who have been with us to the very end of this long meeting, which by its duration and the quality of all the statements made, has emphasized the attention with which our Council is, day after day and month after month, following the difficult yet impressive progress accomplished on the way to reconciliation and reconstruction in Kosovo.

On all our behalf, I wish to express our gratitude to the Special Representative and through him to all the teams surrounding him in the field.

There are no other speakers on my list. We have thus concluded this stage of consideration of the item on the agenda. The Council will remain seized of the matter.

The meeting rose at 2.10 p.m.