

**LETTER OF SERBIAN PRIME MINISTER ZORAN DJINDJIC
TO PERMANENT REPRESENTATIVES OF MEMBERS OF THE SECURITY
COUNCIL UNITED NATIONS NEW YORK (FEBRUARY 7, 2003)**

Belgrade, Serbia&Montenegro

February 7, 2003

Your Excellencies:

With genuine concern over the latest developments in Kosovo and Metohia and prompted by a determination to jointly contribute to the permanent stability of the region with full respect of all rights and thorough implementation of the relevant Security Council resolutions and standards, I would like to inform you of the dilemmas and problems the democratic authorities in Belgrade have faced lately.

1) The UNSC Resolution 1244 provides that:

- The international civil and security presence deployed in Kosovo and Metohia shall assume **full authority** in the province until a final solution has been determined,
- The final solution for Kosovo and Metohia shall be based on **substantial autonomy**,
- The **sovereignty of the Federal Republic of Yugoslavia** has been reaffirmed throughout its territory, including Kosovo and Metohia,
- Safe and free return of all refugees and internally displaced persons has been set as a priority, and
- **An agreed number of Yugoslav and Serbian security personnel shall be permitted to return to the province.**

2) However, the course of events on the ground has not been in line with the concept of the United Nations Security Council and has threatened to destabilize Serbia and the Balkans as a whole.

The international military and civilian presence in Kosovo and Metohia (KFOR and UNMIK) has been transferring the authority, which was taken away from the Republic of Serbia and the Federal Republic of Yugoslavia and given ad interim to KFOR and UNMIK under the United Nations Security Resolution 1244, to the local structures. We are concerned that once this process has been completed, Kosovo and Metohia institutions will have the full authority that an independent state has, except for international recognition.

Hence, at that point, autonomy will not be the issue at all. The real issue will be the conditions under which the independence will be granted. If the sovereignty of a country is exercised through its security structures, such as the army and the border control, the situation in Kosovo and Metohia fully denies Yugoslav sovereignty. Kosovo Protection Corps is getting responsibilities that transform it in military authority, police authority is being transferred to the local police, and there is no sign whatsoever that the control of the

state border of Serbia and Montenegro and the neighboring states along the side of Kosovo and Metohia will be returned to Yugoslav institutions.

Thus far, there has been no intention or plan to implement the provisions of the Resolution 1244 on the return of the agreed number of the security personnel of the Federal Republic of Yugoslavia. As a consequence, the return of the displaced Serbs has been infeasible (less than two percent have returned in three and a half years). The Albanians do not want them in their prospective independent state, and the Serbs themselves do not feel safe enough to return to the territory that one day may become an independent Albanian state.

3) This course of events challenges the credibility of both the democratic world and the democratic authorities in Belgrade. If the events on the ground are not in accordance with the key international documents, it will be an additional argument that will boost those who claim that the international community is biased and unprincipled. This will not help the position of those responsible democratic and reformist political forces in Serbia, who have insisted on full compliance with the international obligations and the integration of our country in the international community.

What can we say about the authority of the international community when not a single request in regard to the rights of the Republic of Serbia and the Federal Republic of Yugoslavia has been met: neither autonomy as a final solution, nor return of the displaced Serbs, nor return of an agreed number of police and military personnel, nor affirmation of the sovereignty of the Federal Republic of Yugoslavia.

A legitimate complaint one can hear from our citizens is that the democratic Serbia has been treated exactly the same way in dealing with the Kosovo and Metohia issue as the undemocratic Serbia was.

Furthermore, the silent sliding of Kosovo and Metohia towards independence threatens to destabilize the region as a whole. The situation in Bosnia and Herzegovina and in Macedonia can be seriously jeopardized by this scenario, which seems to be, I regret to note, the only one that has been given a chance.

In light of the aforementioned, it is high time we stopped this dangerous prejudgment of the final solution, returned to the concept of the Resolution 1244.

The first positive step would be to immediately start the talks on how to ensure participation of Serbia and Montenegro in the decision making process in regard to all issues of importance for the future status of Kosovo and Metohia, which are already being decided on as we speak. These issues include, first of all, the security matters (military, police, border control), legal and economic order, relations between the central authorities in Belgrade and the authorities in Pristina, Pristina's attitude towards Serbian community in Kosovo and Metohia, Belgrade's attitude towards Serbian community in Kosovo and Metohia, etc.

It is essential to start talks on setting the date when an agreed number of the security personnel of the mother state can return, as provided by the UNSC Resolution 1244. This will be a gesture of good will that would show the sincerity of the international community to the citizens of Serbia and Montenegro. Furthermore, this act would psychologically encourage the few remaining Serbs in Kosovo and Metohia, and undoubtedly speed the process of return of the internally displaced Serbs.

The existing rights of the Serbs and other non-Albanians, as provided by the Constitutional Framework for Provisional Self-Government, have failed to facilitate the return of the internally displaced and the increased security of the few Serbs who have not fled their homes. Hence, the protection of these rights need to be strengthened and made more effective. I therefore believe that it is necessary that Serbs in Kosovo and Metohia be granted the status of an ethnic community, which would exercise its rights through its self-government that is part of the legal and political order of Kosovo and Metohia, with effective collective – and not only individual – rights. I would like to point out that these solutions have already been implemented in the areas with ethnic problems combined with territorial rights (such as in Bosnia and Herzegovina, Macedonia, South Tyrol, the Oland Islands, etc.). Or more precisely, everywhere but in Kosovo and Metohia.

After all, the Rambouillet Accords also provided for such a solution and the Resolution 1244 explicitly stipulated this concept when it referred to the final solution of Kosovo and Metohia.

I know that these proposals will be met with resistance, as the Albanian side would never agree to them. However, the question is whether we should take into account the will of only one party in solving the difficult issue of Kosovo and Metohia? And what are the consequences this may have for the stability of the region?

I am sure that you will agree that the only sustainable solution would be the one that acknowledges the interests of both parties.

Your Excellencies,

As much as I am concerned with what has been going on in Kosovo and Metohia, I am even more concerned with what is going to happen in the near future. All those who think that this process can be brought to closure without dramatic consequences are wrong. My main interest, as well as the interest of the reformist Government in Belgrade, is to preserve the stability in the region and ensure security for all efficient protection of human and minority rights, in order to be able to deal with numerous economic problems, diminish poverty of our population, and meet the requirements for the integration into Europe as soon as possible. All these ambitious objectives can be annulled if, in seeking a solution to the problem of Kosovo and Metohia, the world does not immediately shift to searching for a sound compromise, the compromise which would also respect the legitimate interests of Serbia and Yugoslavia and the Serbian ethnic community in Kosovo and Metohia.

Given the critical nature of this issue for the Balkans as a whole and the international community, I look forward to your attention and support.

Please, accept, Excellencies, the assurances of my highest consideration.

[Unterschrift]

Zoran Djindjic,
Prime Minister of the Republic of Serbia

[Quelle: <http://www.serbia.sr.gov.yu/news/2003-02/07/327672.html>]

