



Address Before the Committee of Ministers of the Council of Europe

by H.E. Mr. Vuk Jeremić

Minister of Foreign Affairs of the Republic of Serbia,
Strasbourg, 20 February 2008

Mr. Chairman,
Mr. Secretary General,
Excellencies,
Ladies and Gentlemen,
Dear Friends,

The last time I had the honor of addressing this body of the oldest pan-European institution was on the occasion of the transfer of my six-month chairmanship to my friend and colleague, the Foreign Minister of the Slovak Republic, Mr. Jan Kubiš.

And I must confess that I have always appreciated how the Committee of Ministers has responded to my words, and to those of my fellow countrymen—with understanding and solidarity. “Gently to hear, kindly to judge”, as Shakespeare has written.

But the world has changed since that day in November when I last spoke before you.

Excellencies,

The world has changed because of the unilateral, illegal and illegitimate declaration of independence by the Provisional Institutions of Self-Government of our southern province of Kosovo and Metohija from the Republic of Serbia.

Kosovo is not a territory like any other. For the Serbian people, it stands at the crucible of our identity; it is the essential link between our proud national past and our proud European future; it is what ties the living tradition of Serbia to itself today.

The world has indeed changed. And it has not changed for the better. On the contrary. As a result of this hostile act by the authorities in Pristina, the international system has become more unstable, more insecure, and more acrimonious. Because of this flagrant violation of the fundamental norms of international conduct, a grave mockery has been made of the universal

principles enshrined in the United Nations Charter and enriched, in the European space, by the Statute of the Council of Europe and the Helsinki Final Act.

Excellencies,

The core principle of legitimate conduct in the global arena, around which revolve all others, is the sovereign equality of states. Adherence to, and promotion of, this *first* principle of the international system, is the highest duty—the binding obligation—of all responsible states, as is the respect for the territorial integrity of established countries, and the inviolability of internationally recognized borders. No caveats. No exceptions. No special cases.

Together, these principles form an integral part of the innate operating logic of the international system. They constitute the bedrock of global governance. And they form the basis of the preservation of the legitimacy of international law, of international peace and of international security.

Through their actions, the Kosovo Albanians have triggered a revival of the debate about the legitimacy of internationally recognized borders throughout our region and beyond. And they have rejected the principles of European concord—such as compromise, concession, and consensus-building.

Excellencies,

The rejection by the authorities in Pristina of that which binds us together has established a truly dangerous precedent that fundamentally undermines the statecraft of generations of men and women.

This precedent has at least five components. First, it legitimizes the doctrine of imposing solutions to ethnic conflicts. Second, it legitimizes the act of unilateral secession by a provincial or local entity. Third, it transforms the right to self-determination into a right to independence. Fourth, it legitimizes the forced partition of internationally-recognized, sovereign states. And fifth, it violates the commitment to the peaceful, mutually-acceptable resolution of disputes in Europe.

Imposing this unilateral outcome is an historic injustice, for no democracy has ever before been punished in such a brazen way. It has also, in effect, resurrected the disgraceful Cold War doctrine of limited sovereignty. And it has restored the Machiavellian worldview to prominence in which might triumphs over right.

And in such a world, there is no room for genuine diplomacy. No room for justice. And no room for visionary statesmanship.

Ask yourselves an honest question: are the Kosovo Albanians the only ethnic or religious minority with a grievance against the majority? Surely not. And by legitimizing the secessionist aspirations of the authorities in Pristina, you have supplied separatists the world over with a play book on how to achieve their aspirations: First, through violence, followed by threats and intimidation. Then, finally, the appearance of good-faith negotiations that from the onset everyone knew led to nowhere but to UDI.

Excellencies,

In recent days, we have reminded the Security Council of the language of Resolution 1244 that explicitly places a Chapter VII obligation—a binding obligation—on all member-states to respect the sovereignty and territorial integrity of the Republic of Serbia, including Kosovo, consistent with the first principle of the United Nations Charter: the sovereign equality of states. That is why we have demanded of the Security Council, the body charged with the primary responsibility to maintain international peace and security, and to continue respecting the sovereignty and territorial integrity of our country.

Furthermore, we have called upon the Secretary-General of the United Nations to instruct his Special Representative to our southern province to make swift and full use of his reserved powers, as enumerated in the Constitutional Framework for Provisional Self-Government in Kosovo, by proclaiming this illegitimate declaration of independence null and void, as have done already our Government and our National Assembly. SRSG Ruecker must also be instructed to dissolve the Kosovo Assembly on the grounds that declaring independence is not in conformity with Resolution 1244.

We have also called on KFOR to remain status-neutral. Only by continuing to abide by the legal framework of its operation, namely paragraph 9 of Resolution 1244, can KFOR retain its capacity to prevent a repeat of the ethnic cleansing against the Serbian population, and the cultural cleansing against our nation's holy sites, that took place in the latter half of 1999 and during the carefully orchestrated pogrom of March 2004.

Moreover, we have welcomed, as a matter of principle, any demonstration of the European Union's deepening commitment to the Western Balkans. And for that reason, we welcome the EU's desire to increase its presence in our southern province. But it is the position of the Republic of Serbia that such a mission must seek a mandate from the Security Council, as a plain reading of paragraphs 5 and 19 of Resolution 1244 makes clear. Only such a mandate can bestow an EU mission with the international legitimacy so crucial to the fulfillment of its tasks—one of which is, ironically, the establishment of the rule of law.

Lastly, we have called on the Permanent Council of the OSCE to preserve the legitimacy of its role in maintaining security in the European space, by condemning the unilateral declaration of independence by the Kosovo Albanians, and by making sure that Kosovo is not granted a seat at the OSCE table.

Excellencies,

I believe it is appropriate for me to express, on behalf of my country, my simple message to the Committee of Ministers. While the Council of Europe has not been a participant in the process to determine the future status of Serbia's southern province, the important, status-neutral work of this solid pillar of European multilateralism must continue.

Thanks in no small part to the leadership of Secretary-General Terry Davis, the Council of Europe has greatly contributed to the promotion of its values in our southern province. As a

member-state of this organization, the Republic of Serbia continues to subscribe to the view that the Council's values must be fully implemented throughout our territory.

At the same time, the Republic of Serbia stresses that any consideration of an application by the authorities in Pristina, or a proposal by a third party, for membership of our southern province to the Council of Europe, would call into question this organization's principled position not to involve itself in the process of determining Kosovo's future status. And it would damage the work of the Council of Europe in Kosovo and throughout the rest of Serbia done so far.

Additionally, it would make the Council of Europe complicit in Pristina's flagrant violation of international law, and call into serious question its adherence to its own values—values that have been the visionary source of so much achievement over the course of its fifty-nine years of existence.

Excellencies,

On September 21st 2007, Secretary-General Davis took part in a flag-raising ceremony. For the first time, on European Flag Day, the deep blue flag of Europe stood alongside the Serbian tricolor. This image will stick in my mind as a symbol of Serbia and Europe in dynamic motion—moving together from what has been, to what is now, to what we hope it will be.

But a European future cannot be built on a foundation of aggressive intentions, illegal declarations, and unilateral actions—but rather through concession, compromise, and consensus-building.

I appeal to all the countries here present, and to the citizens of our southern province of Kosovo, to understand the spirit in which I make these remarks. We cannot afford any more missed opportunities to build trust, to seek agreements, to consolidate values, and to arrive at solutions that benefits us all.

Even in this late hour, therefore, we are compelled in equal measure to hope and to demand that a negotiated, compromise solution to Kosovo's future status be found.

That a way be found to address the legitimate right to broad self-governance of the Kosovo Albanians, while preserving a Serbia that is whole and free, that is fully integrated into Europe, and that is actively engaged with the world.

Such is the basic tenet of our national interest. And we will pursue it for as long as Serbia itself remains.

Kosovo shall remain a part of Serbia forever.

Thank you for your attention.