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## Security Council

Sixty-third year

**5917**<sup>th</sup> meeting

Friday, 20 June 2008, 10:00 a.m.

New York

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[...]

### *Report of the United Nations Interim Administration in Kosovo (UNMIK)*

**Mr. Ambassador Ricardo Alberto Arias**

Permanent Representative of Panama to the United Nations

**Mr. Arias** (Panama) (*spoke in Spanish*): First of all, I would like to thank the Secretary-General for his presence in this Chamber and recognize the importance of the report that he has just presented to us (S/2008/354). We would also like to welcome the President of Serbia, Mr. Boris Tadić, and the President of Kosovo, Mr. Fatmir Sejdiu, and to thank them for their respective statements.

Before getting into the subject at hand today, related to the future of Kosovo, I would like to highlight two subjects that are particularly important to Panama. I would like to say first that Panama would have preferred that the differences between Serbia and Kosovo had been addressed in a different way.

However, Panama recognizes that it is the responsibility and the capability of the Secretary-General to implement the mandates given to him by the Security Council and, accordingly, to adjust those mandates as the circumstances on the ground continue to change. Secondly, we would emphasize the preponderant role to be played by regional organizations in the resolution of issues being dealt with by this Council.

Referring now to the substance of this issue, we cannot deny that the reality on the ground in Kosovo today is very different from the reality that existed when the Security

Council approved resolution 1244 (1999) without an end date. Not only have we now witnessed Kosovo's declaration of independence and its subsequent recognition by a significant number of countries, including some members of this Council, but also, less than a week ago, with the support of the broad majority of the Kosovars, a constitution came into force which bestowed the State powers upon Kosovo and which, in addition, invites the European Union to assume a supervisory role in the establishment of the rule of law in the country.

Moreover, the European Union, as the major regional organization with respect to this issue, has played an important role in Kosovo since resolution 1244 (1999) came into force and has acted in accordance with the operative part of that document. Moreover, and due to the changing situation on the ground, the European Union has made public its intention to play a greater role in Kosovo and to progressively assume, through the European Union Rule of Law Mission in Kosovo (EULEX Kosovo), part of the mandate that the United Nations Interim Administration Mission in Kosovo (UNMIK) has seen fit to give to it. Furthermore, the role of NATO as a guarantor of the security of Kosovo and trainer of the multi-ethnic Kosovo security force is also to be borne in mind here.

In these circumstances, we support the proposals of the Secretary-General to adapt the UNMIK format to the current reality as well as the intention of the European Union to assume, as has been deemed appropriate by the Secretary-General, part of the responsibilities of the United Nations in Kosovo. This approach is particularly appropriate and necessary in light of the inability of the Council to reach agreement on this matter and given the openended nature of resolution 1244 (1999). If we do not take this step and deal with the reality of this proposal, we would be ignoring our primary mandate to ensure international peace and security. Instead, we would be prioritizing political questions of a national character.

Finally, we would like to make it clear that all executive action, be it on the part of UNMIK, EULEX or the Kosovar authorities, must guarantee the security of the whole Kosovo community, including minority communities.