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Developments as regards the future status of Kosovo

Addendum to the report

Committee on Political Affairs and Democracy

Rapporteur: Lord David RUSSELL-JOHNSTON, United Kingdom

1. Formation of a new government within the Provisional Institutions of Self-Government (PISG)

1. Following elections to the Kosovo Assembly, a new coalition government has been formed between the Democratic Party of Kosovo (PDK) and the Democratic League of Kosovo (LDK), with Hashim Thaci (PDK) as prime minister and two Kosovo Serbs serving as ministers.

2. Discussion in the United Nations Security Council

2. Following the presentation of the Troika's report, the status issue has been discussed in the context of the United Nations Security Council (UNSC) on two occasions: on 19 December 2007 and 16 January 2008. The position of the two sides is unchanged, with Kosovo Albanians advocating independence, and Serbia refusing it and calling for a continuation of negotiations.

3. Similarly, the position of veto-wielding states has not changed. The Russian Federation is in favour of a continuation of the negotiations, considers the possibility of the independence of Kosovo as a dangerous precedent, and vows to put its veto against the membership in the United Nations of a unilaterally-declared independent Kosovo. The United States, on the other hand, endorses the view that the potential for finding a negotiated solution is exhausted and that Resolution 1244 provides sufficient legal basis to move forward to a final settlement under the Ahtisaari plan.

4. On 16 January, the UNSC was also briefed by the Special Representative of the Secretary-General in Kosovo (SRSG), Joachim R ucker, on the situation in Kosovo. He focused on the recent elections, standards implementation and security in general.

3. Serbia's reaction to a possible unilateral declaration of independence (UDI)

5. On 26 December 2007, the Serbian National Assembly adopted a resolution on the protection of the sovereignty, territorial integrity and constitutional order of Serbia which, amongst others, asks the government to adopt a concrete and comprehensive plan of measures to react in case of a UDI. As a result, on 14 January 2008 the government adopted an action plan which would become operational in such a scenario, and which describes detailed measures that should be taken by each ministry within their remit. The action plan is secret, but according to the press it does not foresee any role for the armed forces or the police. This is also confirmed by President Tadic's statements at the UNSC, where he has reiterated that Serbia would not resort to violence or war even in the case of a UDI.

6. In Serbia, the first round of the presidential elections will take place on 20 January, followed, if necessary, by a ballot between two candidates on 3 February 2008.



4. The European Union

7. Since taking up the presidency of the Council of the European Union, Slovenia has shown a cautious approach to the status issue: in the opinion of its government, the resolution of the future status of Kosovo, as well as the management of the post-status process – where the EU will need to assume a leading role – should be achieved in a way to strengthen the stability and security of the entire region, without rushing into hurried outcomes. The Slovenian presidency is convinced that further affirmation of the EU perspective for the Western Balkans countries should remain a central item on the agenda.

8. It is still in question whether the EU will manage to speak with one single voice in the case of a UDI: while some member states are prepared to recognise a UDI – including key countries such as the United Kingdom, France, Germany and Italy – a few others continue to express their hesitation at the prospect. The risk that, in the end, the decision on whether to recognise an independent Kosovo might be left individually to EU member states is not to be excluded.

5. Conclusions

9. I regret that further discussions in the UNSC have so far led to no concrete step forward. The situation is at a complete standstill, as regards the position of the parties and developments within the UNSC. Given the opposition of the Russian Federation to the Ahtisaari plan, it seems to me virtually impossible that the UNSC will manage to achieve the unanimity necessary to impose a solution.

10. As recognised by the UN Secretary-General, Ban KiMoon, in his report at the beginning of January this year, “the status quo is not likely to be sustainable”. It is obvious that, in these circumstances, the recourse to a declaration of independence by the Kosovo Assembly becomes an increasingly close and realistic scenario and that it would be supported by a substantial part of the international community, even outside the UN framework. EU politicians often declare that Kosovo is a European issue. This is the time for EU member states to give proof of their political courage and privilege EU unity over national concerns. Unity in the position towards a UDI is crucial for stability in the Western Balkans.

11. This addendum is intended to provide a brief update of the main developments as regards the future status of Kosovo which have taken place since the approval of my report in the Political Affairs Committee. These are: