

## E. Briefing by Mr. Carl Bildt, Special Envoy of the Secretary-General for the Balkans

### Initial proceedings

#### Deliberations of 28 February and 23 June 2000 (4105th and 4164th meetings)

At its 4105th meeting, on 28 February 2000, the Security Council included in its agenda, without objection, the item entitled “Briefing by Mr. Carl Bildt, Special Envoy of the Secretary-General for the Balkans”. The Council was briefed by the Special Envoy on the situation in the Balkans. All members of the Council made statements.<sup>334</sup>

In his briefing, the Special Envoy focused on the Balkan region as a whole, noting that his task was to assess what could be done to prevent new conflicts from occurring and to pave the way for self-sustaining stability in the region as a whole. In his assessment, the underlying issue in the region was the conflict between forces that favoured or accepted integration within and between societies and the forces who favoured disintegration — often in the name of extreme nationalism. Referring to the situation in Kosovo, the Special Envoy held that the lack of a proper peace agreement was not only making it difficult to resolve the situation there, but also to move towards stability for the region as a whole. The Special Envoy suggested four starting points for a search for a settlement, including the solid support of the Council; active participation of the States of the region; a true deal that would meet the minimum demands of everyone, but the maximum demands of no one; and an agreement set within the context of a wider arrangement for the region as a whole, and preferably for the region within the wider European context. However, the Special Envoy cautioned that efforts for finding peace were handicapped by the fact that neither was it possible to make peace without including the regime in Belgrade, nor could the international community deal with personalities who were indicted by the International Tribunal for the Former Yugoslavia. Turning to the situation between Serbia and Montenegro, he warned that those two republics of the Federal Republic of

Yugoslavia were on a slow but steady collision course, lauded the leadership of Montenegro for reacting in a measured way to provocations and indicated that the efforts to help Montenegro in that situation should be accelerated.<sup>335</sup>

Most members of the Council concurred with the statement made by the Special Envoy with regard to his emphasis on the need for a comprehensive and regional approach to the resolution of conflicts in the Balkans, while adding different factors necessary for a solution to his assessment. Speakers mentioned security, the return of refugees, reconciliation and reconstruction as priority areas in the search for peace. The representative of France held that democratic reform was a key element in the stabilization process.<sup>336</sup> The representative of China held that high priority should be given to realizing self-governance and self-reliance in the countries of the region by gradually reducing their dependency on external assistance.<sup>337</sup> The representative of Namibia held that a series of regional security conferences should be instituted and that the Stability Pact for South-Eastern Europe should be reviewed and adjusted to include the Federal Republic of Yugoslavia.<sup>338</sup>

Several speakers supported the assessment of the Special Envoy with regard to the regime in Belgrade.<sup>339</sup> On the other hand, the representative of the Russian Federation disagreed with the Special Envoy’s reference to the Belgrade regime as an obstacle to the development of the entire region, warning of the politicization of the activities of the International Tribunal for the Former Yugoslavia and holding that there should be more engagement with the authorities of the Federal Republic of Yugoslavia.<sup>340</sup>

<sup>335</sup> S/PV.4105, pp. 2-5.

<sup>336</sup> *Ibid.*, p. 6.

<sup>337</sup> S/PV.4105 (Resumption 1), p. 2.

<sup>338</sup> *Ibid.*, p. 4.

<sup>339</sup> *Ibid.*, p. 2 (Canada); p. 3 (United Kingdom); p. 5 (Netherlands); and pp. 6-7 (United States).

<sup>340</sup> S/PV.4105, pp. 8-9; and S/PV.4105 (Resumption 1), p. 10.

<sup>334</sup> The representatives of Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia were invited to participate in the meeting but did not make statements. The Secretary-General also attended the meeting, but did not make a statement.

The representative of Ukraine noted the absence of an established dialogue between the Special Envoy of the Secretary-General for the Balkans and the Security Council. Being aware that the broad mandate of the Special Envoy, entrusted to him by the Secretary-General, allowed him to address some issues that fell outside the focus of the Council, the representative nevertheless held that the efforts of the Special Envoy were a valuable contribution to the common cause of establishing sustainable peace and stability in the Balkans. He expressed his belief that those common efforts could be much more effective if the two-way communication between the Council and the Special Envoy were established on a permanent basis.<sup>341</sup>

At its 4164th meeting,<sup>342</sup> on 23 June 2000, the President (France) informed the Council that he had received several requests to participate in the meeting variously on the basis of rule 37, rule 39 and without reference to either rule 37 or rule 39 of the provisional rules of procedure of the Council. Following a debate on these procedural issues, the Council voted on the requests for participation and, while accepting all other requests, rejected the request by Mr. Jovanović, which made no reference to either rule 37 or 39, by 7 votes to 4, with 4 abstentions.<sup>343</sup>

Before the vote on the request by Mr. Jovanović, statements were made by the representatives of Ukraine and the United States. After the vote, statements were made by the representatives of Argentina, China, France and the Russian Federation. The representative of the United States held that Mr. Jovanović represented a Government whose senior leadership had been indicted for war crimes and other violations of international humanitarian law by a Tribunal established by the Council itself. In his opinion, allowing any representative of that leadership to participate in a meeting of the Council would undermine the International Tribunal for the Former Yugoslavia.<sup>344</sup> The representative of Ukraine stated that the Federal Republic of Yugoslavia was a participant in the peace process in the Balkans, a signatory to the Dayton Peace Agreement, a host country of the international presence in Kosovo and a

party to the settlement of the Prevlaka dispute. He believed that this provided sufficient grounds to allow the country to participate in the discussion of the Council on the situation in the Balkans, and recalled Article 32 of the Charter, under which any party to a dispute under consideration had to be invited to participate in the discussion on the dispute.<sup>345</sup>

The representative of the Russian Federation regretted the policy of certain countries to exclude the Federal Republic of Yugoslavia from the settlement process for the Balkans. Recalling Articles 31 and 32 of the Charter, he noted that the interests of the Federal Republic of Yugoslavia were directly affected by the item under discussion and held that a discussion of the Balkan problem without the Federal Republic of Yugoslavia was “nonsense”.<sup>346</sup>

After the procedural voting, the Council heard a briefing by the Special Envoy of the Secretary-General for the Balkans. Statements were then made by most members of the Council,<sup>347</sup> by the representatives of Albania, Austria,<sup>348</sup> Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Iraq, Japan, Norway, Pakistan, Portugal (on behalf of the European Union<sup>349</sup>), Slovenia and the former Yugoslav Republic of Macedonia,<sup>350</sup> as well as by the Secretary-General of the Council of the European Union.

In his briefing, the Special Envoy held that stability in the region was hardly achievable in the long run, if there was not a stable structure for the region as a whole and a firm place for the region in the wider process of European integration. He expressed the belief that the most pressing issue in the region was the question of the future of the Federal Republic of Yugoslavia, whose current structure he deemed unsustainable, both with a view to the constitutional crisis between the Republic of Montenegro and the federal authorities in Belgrade, as well as with a view to the unresolved issue of the future status of Kosovo.

<sup>345</sup> *Ibid.*, p. 4.

<sup>346</sup> *Ibid.*, p. 5.

<sup>347</sup> The representatives of Mali and the Russian Federation did not make statements following the briefing.

<sup>348</sup> In the capacity of Chairman-in-Office of OSCE.

<sup>349</sup> Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

<sup>350</sup> The representatives of Greece, Romania and Turkey were invited to participate but did not make statements.

<sup>341</sup> S/PV.4105, pp. 7-8.

<sup>342</sup> For more information on the discussion at this meeting, see chap. XI, part VIII, sect. B, with regard to Article 50 of the Charter.

<sup>343</sup> For details, see chap. III, part I, case 7.

<sup>344</sup> S/PV.4164, pp. 3-4.

On the latter, he opined that he could not see any circumstances under which a peace agreement would not have to include a clear constitutional separation between Kosovo and the Republic of Serbia, while recognizing that most leaders in the region saw the continued territorial integrity of the Federal Republic of Yugoslavia as important. In conclusion, he expressed the hope that all of the mentioned issues would in the future come together in a comprehensive regional settlement of the outstanding political issues and expressed his belief that the forces of disintegration in the region would finally be overcome only on the day when the full conditions existed for the region to be subject to the forces of integration in Europe as a whole.<sup>351</sup>

The Secretary-General of the Council of the European Union, recalling the commitment of the European Union to the region, affirmed that the European Union would further pursue its policy of bringing the countries of the region closer to the European Union.<sup>352</sup>

Most speakers commented on the situations in Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo and the former Yugoslav Republic of Macedonia. Several speakers condemned the recent violence against non-Albanians in Kosovo.<sup>353</sup> Several speakers called for democratization in Serbia.<sup>354</sup>

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<sup>351</sup> S/PV.4164, pp. 6-9.

<sup>352</sup> *Ibid.*, p. 13.

<sup>353</sup> *Ibid.*, pp. 9-10 (Portugal on behalf of the European Union); pp. 13-16 (United States); pp. 21-22 (Ukraine); pp. 22-23 (Argentina); p. 27 (Norway); pp. 27-28 (Japan); and S/PV.4164 (Resumption 1), pp. 2-4 (Bulgaria).

<sup>354</sup> S/PV.4164, pp. 9-10 (Portugal on behalf of the European Union); pp. 13-16 (United States); pp. 18-19 (Malaysia); p. 20 (Canada); p. 27 (Norway); pp. 27-28 (Japan); and S/PV.4164 (Resumption 1), pp. 2-4 (Bulgaria); pp. 11-12 (Albania); pp. 12-14 (Bosnia and Herzegovina); and pp. 15-16 (Croatia).

Commenting on the situation in Kosovo, the representative of China, supported by the representative of Iraq, condemned the use of force by NATO in 1999, as well as the bombing of civilian facilities and a foreign diplomatic establishment and held that ethnic conflicts were domestic concerns, while the wilful interference of foreign forces was an external factor that had exacerbated the conflict. He emphasized that the United Nations should not encourage and support any activity of changing a Government of a country through foreign interference and that the Kosovo problem could only be resolved within the framework of the Federal Republic of Yugoslavia.<sup>355</sup> The representatives of Ukraine and Belarus also supported the notion that the territorial integrity of the Federal Republic of Yugoslavia must be preserved.<sup>356</sup>

The representative of Ukraine reiterated his regret over the lack of an established dialogue between the Special Envoy and the Security Council and held that a written report on the activities of the Special Envoy was indispensable.<sup>357</sup>

The representative of Slovenia saw the tensions between the Republics of Serbia and Montenegro as a type of dispute the continuation of which was likely to endanger the maintenance of international peace and security and held that its prevention deserved the closer attention of the Security Council.<sup>358</sup>

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<sup>355</sup> S/PV.4164, pp. 16-17 (China); S/PV.4164 (Resumption 1), pp. 14-15 (Iraq).

<sup>356</sup> S/PV.4164, pp. 21-22 (Ukraine); S/PV.4164 (Resumption 1), pp. 9-10 (Belarus).

<sup>357</sup> S/PV.4164, p. 22.

<sup>358</sup> S/PV.4164 (Resumption 1), pp. 4-6.