



Consulat Général de la République du Kosovo à Strasbourg

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NOTE VERBALE

The Consulate General of the Republic of Kosovo in Strasbourg expresses its compliments to the Head of Parliamentary Committee for Foreign Affairs and has the honor to enclose herewith a Non Paper of the Ministry of Foreign Affairs of the Republic of Kosovo.

The Consulate General of the Republic of Kosovo in Strasbourg avails itself of this opportunity to renew to the Head of Parliamentary Committee for Foreign Affairs the assurances of its highest consideration.

M.A

To: **Head of Parliamentary Committee for Foreign Affairs**



NON PAPER

Reaffirming the commitment to the EU facilitated dialogue, regional cooperation and good neighbourly relations, the Ministry of Foreign Affairs of the Republic of Kosovo wishes to inform international community about the latest developments which lead to undertaking concrete measures from the Government of the Republic of Kosovo.

The Ministry of Foreign Affairs of the Republic of Kosovo also expresses its justifiable concern regarding the latest destructive actions by the authorities of the Republic of Serbia and Bosnia and Herzegovina. In this respect, Kosovo's 100% customs tariffs as one of the many options reviewed recently, is a response to Republic of Serbia's and Bosnia and Herzegovina's infraction of CEFTA provisions and especially aggressive campaign and destructive actions of Belgrade which seek to undermine Kosovo's sovereignty.

This response is a combination of political and economic reasons why the concrete measure was taken aimed to address the asymmetry of rights and uncompetitive behavior in trade relations.

We will bring to your attention very briefly only some of the most offensive and recent actions addressed against Kosovo's subjectivity:

- Republic of Serbia's aggression against the Republic of Kosovo internationally, in particular pressure to countries to "revoke recognition of Kosovo" and sabotage to membership to international organizations;
- Arrests, criminal actions, blackmailing, threats towards the Serbian community members of the Kosovo Security Forces and their families;
- Physical attacks to the transport vehicles of the Republic of Kosovo and its citizens, who are using the territory of the state of Serbia as transit to other countries of Europe;
- Brutal violation of the agreement on freedom of movement and agreement on participation to regional organizations and initiatives by denying Kosovo's official representatives (including members of parliament, ministers, and senior representatives of the Kosovo Government) to take part in events organized not only in Serbia;
- Kosovo sports federations and artists were deprived the right to take part in international contests organized in Serbia regardless of invitations and guarantees from Serbian authorities proving in this sense direct involvement of politics in sports and culture damaging this way their prospect to qualify to other contests;
- Government of the Republic of Serbia in the latest International Book Fair in Belgrade published and promoted books that include the war memories of two former generals convicted of war crimes by the ICTY. The Tribunal convicted ex-generals Mr. Nebojša Pavković and Mr. Vladimir Lazarević for atrocities committed by Serb troops in Kosovo during the 1998-99 violence that left over 10,000 people dead and forced nearly 1 million from their homes (UNHCR data). The court said the two officers were involved in a terror campaign against ethnic Albanians in Kosovo

that included murder, rape and forced deportations. Mr. Pavković is serving a 22-year prison term while Mr. Lazarević has returned to Serbia after 14 years in jail following a state reception for him and his immediate involvement in public life;

- Statements glorifying regime of Mr. Slobodan Milošević during the last visit of President of the Republic of Serbia Mr. Aleksandar Vučić to the Republic of Kosovo.

In this regard economic reasons in the times of new regional approach and promotion of equal opportunities for businesses and services are equally important.

- Many goods from Serbia and Bosnia and Herzegovina - especially food and construction materials - are experiencing unfair trade practices which distorts the domestic market;
- Kosovo's products face various non-tariff barriers in Serbia and Bosnia and Herzegovina by not being able to access at markets of these two countries;
- Serbian and Bosnian Herzegovinian authorities don't recognize Kosovo's exporters testing analysis and they also request for the re-evaluation of Kosovo goods. In addition to this, especially Serbian authorities require for the certificate of the origin of goods to be issued by a Serbian authority (they do not recognize the certificate of origin issued by Kosovo authorities);
- Transit issue still remains a very serious barrier for the Kosovo companies while importing from the EU countries and passing through Serbian territory;
- Kosovo companies cannot compete in public bids in Serbia and Bosnia and Herzegovina, whereas there are more than hundred public bids that companies from of these countries have won in Kosovo;
- Kosovo can't develop its transportation industry and loses hundreds of jobs because Kosovo trucks aren't allowed to use Serbia as a transit to the EU market;
- Although it is a reached agreement between two parties in Brussels regarding customs stamps, Serbian authorities still use parallel customs stamps in violation with the rules set forth by CEFTA. These illegal stamps are used with the inscriptions "Carinarnica Priština" that operates within Serbian Customs in Nish. This field, apart from the CEFTA agreement, is also regulated with the Brussels Agreement;
- According to the Brussels Agreements, the parties have agreed that in terms of mutual registration of pharmaceutical products will be issued status-neutral certificates for these products. This agreement would enable companies from both countries to register medicines and medical equipment. Currently, in Kosovo, a large number of pharmaceutical products from Serbia have been registered, whereas in Serbia, Kosovo producers are unable to register their products despite the reached agreement;
- The Integrated Border Management is one of the areas in which Serbia has completely failed to implement the Brussels Agreement and has violated CEFTA agreement. Serbia is obliged to build permanent facilities in the border-crossing points with Kosovo. Consequently, they have not established effective control over

the circulation of good and people. This has encouraged the Serbian smugglers of goods to use other alternative roads;

- Serbia has not yet redistributed sufficient customs staff at border crossing points with Kosovo, by especially hindering Kosovo's export towards Serbia even though it has pledged to do so in Brussels;
- Last but not the least, Kosovo loses 10 million Euros annually due to the non-implementation of the energy agreement, signed in 2013 between representatives of two countries with the facilitation of the EU. The same agreement was subsequently confirmed by both Prime Ministers of Kosovo and Serbia in August 2015, when they had renegotiated and agreed to implement it.

The Ministry of Foreign Affairs highlights its official standing that the Republic of Kosovo entered into dialogue with the neighbouring country - Serbia upon the EU mediation, full support of the USA and other ally and partner countries in good will and full conviction for improving the relations between the two countries and peoples by reaching a Legally Binding Agreement, which should be concluded by mutual recognition between the two countries and full and equal membership of the Republic of Kosovo to the United Nations Organization.

As far as the Republic of Kosovo is concerned, the dialogue of good will and good faith has always been the only way of solving problems, building the trust between the two states and two peoples, promoting long-term peace, strengthening regional stability and enhancing prosperity for all peoples, but it cannot and should not be transformed into a mischievous instrument, destructive mean and manipulating method from the neighbouring country, for damaging and ruining the image of the new state in foreign relations and in parallel threatening the national interests of the state and of the citizens of Kosovo.

The Ministry of Foreign Affairs of the Republic of Kosovo calls upon the international community in order to react immediately and warn the neighbouring country against such behaviours and actions, which are in full contradiction to the expressed commitment for regional cooperation, commitment for integration to the EU and the expressed declarative will for full normalisation of relations between the two countries.

The Ministry of Foreign Affairs of the Republic of Kosovo underlines that the decision against Serbian and Bosnian Herzegovinian products is made in order to protect the interests of all citizens of the Republic of Kosovo and cannot be interpreted as a decision against the interests of the Kosovan Serb community.

Republic of Kosovo remains completely committed to positive developments to which international community has tremendously invested since beginning of 1990s. In this sense, every constructive action from Republic of Serbia and Bosnia and Herzegovina will be immediately appreciated and will be adequately addressed by Kosovo institutions. We have continuously contributed to economic, political and all other aspects of security and stability of this part of the world and will continue to do so in the future as well as a state and as a part of international structures.