



## NEWSLETTER

*November 2004*

### Permanent Mission of Romania to UNOG

#### Romanian positions on issues under debate in the UN Security Council

- 15.11.2004 **Public Meeting of the UNSC on Timor Leste**
- 19.11.2004 **Public meeting of the UNSC on the situation in Somalia, held in Nairobi**
- 19.11.2004 **Public meeting of the UNSC on Sudan**
- 23.11.2004 **UNSC Open Briefing, on ICTY and ICTR**
- 29.11.2004 **Public meeting of the UNSC the Report of the Secretary- General**

On **15 November 2004**, Ambassador Mihnea MOTOC, Permanent Representative of Romania to the UN, in a statement made in a **Public Meeting of the Security Council on Timor Leste**, joined other members of the Council in welcoming the latest report of the Secretary General on UNMISSET, and thanking Special Representative Sukehiro Hasegawa for his briefing. He congratulated the authorities of Timor Leste for the steady progress towards developing the country into a stable and democratic nation, and encouraged them to continue their stabilization and institution-building efforts. He also expressed Romania's satisfaction with the continued strengthening of relations between Timor – Leste and Indonesia.

Romania appreciates the remarkable role played by UNMISSET in supporting the capacity building efforts of Timor Leste. Romania also welcomes the sustained support received from bilateral and multilateral partners, which complements the current efforts of UNMISSET. It is in this context that the call appears for UNMISSET to focus increasingly on preparing its exit strategy in order to ensure greater ownership by the Timorese, and a smooth transition from peace-building operation to institution building and sustainable development assistance by the UN system and other bilateral and multilateral partners. Of particular importance is the issue of fighting impunity. Accordingly, Romania encourages the Secretary General to further explore adequate ways for bringing to justice the perpetrators of serious crimes committed in 1999.

On **19 November 2004**, during the **public meeting of the UNSC on the situation in Somalia, held in Nairobi**, the Permanent Representative of Romania joined other delegations in expressing appreciation for the participation in this extraordinary meeting of the Security Council of the President of the Transitional Federal Government of Somalia, of distinguished representatives of IGAD member states Kenya, Djibouti and Ethiopia, and for the presence of the representatives of African Union.

Romania congratulates the Somali National Reconciliation Conference for the

adoption of the Somalia Transitional Federal Charter and the establishment of the Transitional Parliament, for the election of the Speaker of Parliament and of the President of the Transitional Federal Government, as well as for the appointment of the Prime Minister. Tribute must go for these remarkable advances to IGAD member states, in particular to the Government of Kenya, as well as to other countries and organizations, mainly the European Union, the African Union, the League of Arab States, the United Nations Political Office. Romania encourages them to continue their efforts in this regard. At the present crucial juncture, Somalia needs more than ever our solidarity and dedication.

Undoubtedly, the way leading to peace in Somalia after long years of severe conflict is not going to be easy. However, progress achieved so far gives reason for hope. Today could be the dawning of a new era for peace in Somalia. It is important to sustain momentum, and to encourage all Somali parties to assume their primary responsibilities in that regard.

Romania welcomes and supports the decision taken by the Peace and Security Council of the African Union, at its eighteen meeting, to accelerate preparations for the deployment of an African Union Military Observer Mission in Somalia, following the request formulated by the president of the Transitional Federal Government.

Romania calls on the African Union, in cooperation with the Somalis and in close coordination with IGAD and the UN, to explore the most appropriate configuration and mandate of the future mission in Somalia, in order to allow for the smooth progression of DDR and other activities aimed at consolidating the security climate throughout the country. The ultimate aim of the mission would be to assist confidence building, foster national dialogue and peaceful resolution of whatever disputes might emerge during the disarmament process.

Romania joins also in the appeal to the donor community to provide to the newly established Somali institutions the financial and material support to ensure their functioning inside Somalia, to assist in the efforts for reconciliation, reconstruction, and DDR. We commend the timely mobilization of the donor community in that regard, particularly the convening of the donors meeting in Stockholm, on 29 October 2004.

In supporting the efforts to rebuild the country, the international community needs to be guided by the very expectations and needs of the Somali themselves. Somalis themselves have therefore to reach consensus among them on setting up their priorities and requirements for assistance, through the expeditious formulation of a program of action, with concrete measures and deadlines covering the transitional process.

National consensus has to be accompanied by consensus at regional level. In this regard, we encourage the establishment of a framework for periodic consultations among members of IGAD, other states of the region and relevant regional and international partners, as a viable opportunity to enrich the regional vision on stabilization and reconstruction of Somalia. National and regional consensus would then generate better clarity on the prospects for increased international support and would facilitate future discussions between the new Government and the United Nations aimed at exploring ways for an expanded peace-building role and presence for the United Nations in Somalia.

**On 19 November 2004, during the public meeting of the UNSC on Sudan,** Ambassador Mihnea MOTOC said that Romania voted in favour of Resolution 1574, just adopted by unanimity at this extraordinary Council meeting in Nairobi.

The document is in agreement with the Council constantly held policies and views on the question of Sudan, and with its previous pronouncements 1556 and 1564, both co-sponsored by Romania. It is proceeding from a balanced approach, and delivers a convincing message.

Most importantly, Resolution 1574 reflects adequately the very aim of UNSC members presence in the capital of the great country of Kenya, namely to encourage all parties concerned to conclude expeditiously the Comprehensive Peace Agreement coming out of the Naivasha talks, and to promptly proceed to its implementation.

The Members of the UNSC witnessed the signature of a Memorandum of Understanding binding the GoS and SPLM to work together in that direction. This agreement is brought in the resolution, with the MoU being attached to the Council's text, and endorsed the determination that the six Protocols already agreed upon by the parties form the core of the upcoming CPA.

Romania had played her part in this collective effort. Romania has longstanding ties with Sudan and its people, and therefore a special stake in securing the bright future they rightfully deserve. Foreign Minister Mircea Geoana paid a momentous visit to Sudan on July 31 this year, when Romania was holding the Presidency of the Security Council.

Romania commends the vision and determination of the U.S. Presidency of the Security Council, which brought us here in Nairobi to shoulder the conclusion of the Naivasha talks as a key to overall peace in a unitary Sudan.

First, Romania looks forward to the positive repercussions that the prospect of imminent conclusion of the CPA can be expected to project with regard to progress on Darfur. Already the final stages of talks on the CPA should bring about closer interaction with the Abuja process. Romania expressed its concern with the latest worrying developments in Darfur. The kind of human suffering that is going on there should not be allowed in the international context of the 21<sup>st</sup> century.

Second, securing an agreement as a result of the Naivasha process will generate a much-needed positive momentum for peace in a region torn by several conflicts, many, if not all, of which are interconnected. The conclusion of the CPA will also bring about a powerful message that a new, enhanced matrix of cooperation in conflict-resolution between the World Organization, regionally-owned peace-making and peacekeeping, and supportive action by regional organizations from other continents, works well for Africa, too, providing added value to the provisions of the UN Charter's Chapter VIII. Romania is very keen in taking stock of such positive practices, as the reform track on which the United Nations has embarked includes a reflection on how to better use the potential of regional organizations within global efforts to safeguard peace and security.

Third, with the CPA in place, a UN peace operation could promptly step in to assist in its implementation. I take the opportunity to commend the valuable work already undertaken in that regard by the DPKO. Romania supports the concept they have

produced and will continue to look in the best ways to tailor it to the challenges of the moment.

Fourth, securing the CPA and redressing the situation in the Darfur region is also key to an assistance package that has been pledged by bilateral and multilateral donors, and features as such in Resolution 1574. It welcomes in particular the readiness of the Norwegian Government to organize an international donors conference for Sudan, upon conclusion of the peace agreement.

The UNSC went at great length in taking a series of rather unprecedented steps to foster a solution to the protracted North-South conflict in Sudan. The parties remain now to address major challenges lying ahead. The road is not going to be easy, but there is now a Map to it, and they are not alone. I also trust we will not be disappointed in our expectations.

During the **UNSC Open Briefing, on ICTY and ICTR, held 23 November 2004**, Ambassador Mihnea Motoc thanked the presidents of ICTY and ICTR, judge Meron and judge Møse, and Prosecutors Carla del Ponte and Hassan Bubaccar Jallow for their highly informative presentations and congratulated them for the very thorough written reports submitted on issues of continuous interest to the Security Council.

Romania looks forward to the day when all Western Balkan countries concerned would have cleared off remaining issues related to their cooperation with the Hague-based jurisdiction. They need to be able not only to shut the door on past wounds, but also to take full advantage of existing prospects for their participation into European and Euro-Atlantic integrative endeavor. As a country of the wider region, Romania will do its utmost to bring these prospects closer in reach.

The re-election of 12 out of the 14 judges serving on the ICTY, positive as it may be, shall not by itself solve all problems related to the implementation of the Completion Strategy. There are several other factors coming into play here – the full cooperation by all relevant countries, strict observance of the seniority criterion and the transfer of cases involving medium and low-level accused to national jurisdictions, ensuring the financial resources needed etc.

Cooperation, especially in the form of arresting and handing over the principal fugitives, facilitating access to evidence and granting immunity waivers to enable witnesses to provide statements or testify before the Tribunal, is by far the most important element in this equation. Romania strongly encourages all States that still need to meet their obligations thereto to do their utmost in this regard. Nonetheless, a survey of reasons behind insufficient or unsatisfactory cooperation by certain States would reveal a number of factors affecting their capacity of so doing that should also be taken into account.

Romania noted the creation of the judicial proceedings, 5 years after the end of the conflict in Kosovo, in what appears to constitute the first case brought against alleged perpetrators from that province. Yet, it appears from the report submitted by ICTY that none of the three individuals involved in that case are of decision-making level. It may be useful to get an indication from ICTY on the main intended lines of approach in that area.

Romania welcomes a gradually increased role of the European Union in Kosovo, starting with the setting up of an economic development strategy for Kosovo, and ensuring that there is a regional perspective for its economic development, as called for by the Secretary-General.

At the same time, Romania firmly believes that a European and Euro-Atlantic outreach to Serbia and Montenegro would be relevant for its further democratic development and would facilitate the status discussions.

Romania also congratulates the people in Kosovo and the Provisional Institutions for the professional, correct and calm manner in which elections were held. At the same time, it regrets the very low turnout of Kosovo Serb voters. Yet another opportunity for engaging in a meaningful social and political dialogue on problems regarding Kosovo's future has thus been wasted. Nevertheless, the problems remain, and the future Government has a tremendous challenge ahead, that is to ensure that freedoms and rights and security are the same for all inhabitants of Kosovo, as well as for those willing to return.

Romania takes note of the very uneven progress in implementing standards. The implementation of the eight standards so that it helps overcome the consequences of the March violence, reach out to minorities and encourage dialogue at all levels remains key for initiating discussions on Kosovo's status. The new government – which needs to be stable and politically committed - will have to devote its undivided attention to achieve tangible progress on all standards during the course of next year.

Romania wholeheartedly supports a comprehensive and integrated strategy to take us further toward a stable, multiethnic and prosperous society in Kosovo, in line with Security Council Resolution 1244. The strategy, to be completed in its concept and implemented by the Special Representative, should bring together all the energy and support from the international community. It highly appreciates in this context the recommendations included in the report of Ambassador Kai Eide, which charted the main lines of such a comprehensive and integrated strategy.

Romania will continue to stimulate the integration of efforts in various regional and sub-regional formats, notably in the South Eastern European Cooperation Process, an inclusive and regionally owned framework, which Romania currently chairs. Recent developments in the region indicate the need to accelerate and deepen consultations at regional level, in order to identify *formulae* that reflect the security concerns in South Eastern Europe.

Recently, the Romanian MFA organized in Bucharest a debate on the Kosovo situation, in cooperation with Project on Ethnic Relations. The debate was attended by the main actors from Pristina and Belgrade and provided a good framework for a direct contact between them. It is worth mentioning that on this occasion, Belgrade indicated its willingness to start the dialogue with Pristina "anytime, anywhere, on any issue". At the same time, Romania pursued consultations with the Foreign Ministers in the region in the framework of the SEECP. Since this kind of reflection at regional level proved to be very helpful as far as the interaction between the main actors is concerned, there is need to continue such exercises.

Furthermore, Romania supports the current efforts of the Special Representative to develop, through dialogue with all parties concerned, comprehensive recommendations on the reform of local government and de-centralization, as well as

on transferring further competencies to the Provisional Institutions and increasing their accountability and responsibility. These are essential issues for Kosovo. The Special Representative is right to make them top priorities for UNMIK and the Provisional Institutions.

Available on the internet at: <http://missions.itu.int/~romania>

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