



11 May 2009

Dear Ms. Dragutinović,

Reference is made to your letter of 30 April 2009 raising concerns about UNMIK's communication of 6 April 2009 to all CEFTA treaty members and the CEFTA Secretariat on customs stamps used in Kosovo.

In your letter you state that the stamps communicated by UNMIK to CEFTA members are not in conformity with UN Security Council resolution 1244 (1999) and propose to replace these stamps with stamps bearing the text "UNMIK Customs" or "EULEX Customs".

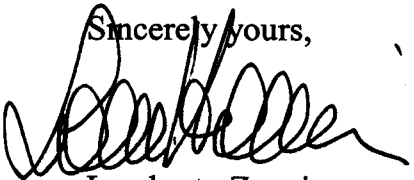
As you are aware, it is in the initial instance for UNMIK to determine which customs stamps used in Kosovo are in compliance with UNSC resolution 1244 (1999), and ultimately for the Security Council to confirm or reverse UNMIK's determination. The decision by UNMIK that the customs stamps as communicated to CEFTA members are in conformity with UNSC resolution 1244 (1999) is based on and takes into account the existence of a separate customs zone for Kosovo, which remains a fact. Moreover, neither the stamps nor the symbols, which have been communicated to CEFTA contain any reference to institutions not recognized by the Republic of Serbia. This should provide adequate reassurance in relation to your assertion that the usage of these stamps may legitimize activities of local authorities that might be seen as not in compliance with UNSC resolution 1244 (1999). On the contrary, this fully reflects UNMIK's status neutral policy as set out in the UN Secretary-General's report of 12 June 2008 to the Security Council.

Finally, it is important to recall that UNMIK has transitioned customs functions in Kosovo to the European Rule of Law Mission in Kosovo, EULEX, operating in Kosovo within the framework of UN SC resolution 1244 (1999), which monitors the use of these stamps.

Ms. Diana Dragutinović  
Minister of Finance  
Belgrade, Republic of Serbia

The CEFTA Treaty is one of the most important international agreements UNMIK has concluded on behalf and for the benefit of Kosovo, and it is in the interest of a proper functioning of the CEFTA mechanism that all participating parties fully implemented existing CEFTA arrangements accordingly. Therefore, I sincerely hope that, in the light of the above considerations, you decide to accept UNMIK's recent communication of the new Kosovo Customs stamps and to implement the CEFTA mechanism in a cooperative manner.

with best regards,

Sincerely yours,  
  
Lamberto Zannier  
Special Representative of the Secretary-General