



Security Council

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United Nations Interim Administration Mission in Kosovo

Report of the Secretary-General

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution [1244 \(1999\)](#), by which the Council established the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested the Secretary-General to report at regular intervals on the implementation of its mandate. The report covers the activities of UNMIK, and developments related thereto, from 16 September 2022 to 18 March 2023.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In pursuit of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo, and regional and international actors. The Organization for Security and Cooperation in Europe and the Kosovo Force continue to perform their roles within the framework of resolution [1244 \(1999\)](#). The European Union Rule of Law Mission in Kosovo maintains its presence, in line with the statement by the President of the Security Council of 26 November 2008 ([S/PRST/2008/44](#)) and the report of the Secretary-General of 24 November 2008 ([S/2008/692](#)). The United Nations agencies, funds and programmes work closely with the Mission.

II. Key political developments, including in the European Union-facilitated dialogue

3. During the reporting period, intensified diplomatic efforts led to an accord between Belgrade and Pristina on the “Agreement on the path to normalization between Kosovo and Serbia”, also known as the “European Union proposal”. The Agreement provides a new framework for the European Union-facilitated dialogue, seeking to refocus the normalization of relations and advance towards a comprehensive legally binding agreement.

4. On 28 October, the Kosovo government announced the phased implementation of its decision on licence plates starting 1 November 2022 and until 21 April 2023. The six-month implementation process foresaw the issuance of warnings, followed by fines and the use of so-called “test plates”, and a full ban of unregistered vehicles in Kosovo by 21 April. The main Kosovo Serb party, the Serbian List, warned that the measures were a departure from European Union-facilitated agreements on



freedom of movement, and would be met with fierce response and resistance. Pristina maintained that the licence plate measures were “an expression of the rule of law and the legal order”.

5. The Regional Director of Police in northern Kosovo, Nenad Đurić, was suspended by the acting Head of the Kosovo Police Directorate on 4 November for refusing to enforce the government-mandated licence plate measures. Immediately thereafter, the President of the Serbian List and Minister for Communities and Returns, Goran Rakić, announced the withdrawal of Kosovo Serbs from Kosovo institutions. Approximately 3,500 Kosovo Serbs resigned, including the representatives of the Serbian List in the Assembly of Kosovo, the Kosovo government, and members and staff of municipal institutions, the police and judiciary in northern Kosovo. On 3 March, the Mitrovica Basic Court issued a guilty verdict against Mr. Đurić for failure to accurately report assets, and imposed a four-month suspended sentence, a fine of 1,000 euros and a ban from holding public office for a period of two years.

6. Among other grievances, the Serbian List cited “illegal and violent incursions” of Kosovo police special operations units in northern Kosovo, expropriation of land for the construction of new police bases and “banning the right to vote” in the Serbian elections and referendum held in the first half of 2022. Communicating those same messages to Belgrade, Kosovo Serb representatives conditioned any return to institutions to a reversal of the vehicle registration decisions and, most importantly, the establishment by the Kosovo government of the Association/Community of Serb-majority Municipalities agreed in the framework of the Belgrade-Pristina dialogue in 2013.

7. Following the decision of the Kosovo Serbs in northern Kosovo to withdraw from Kosovo institutions, and in line with the election law, the President of Kosovo, Vjosa Osmani, announced on 14 November early mayoral elections in the four northern Serb-majority municipalities for 18 December. Following the dissolution of municipal assemblies, elections were scheduled for 25 December for the municipal assemblies in Leposavić/Leposaviq and Zvečan/Zveçan. The Serbian List and most other Kosovo Serb political entities declared their boycott of the elections. In North Mitrovica and Zubin Potok, new municipal assembly members, primarily representing Kosovo Albanian parties, were sworn into office on 14 and 27 December, respectively.

8. On 17 November, the 10 Serbian List members of the Assembly of Kosovo (including three women) who had resigned, were replaced by nine next in-line Serbian List candidates (including three women), and one candidate from the Kosovo Serb Civic Initiative for Freedom, Justice and Survival. On 1 December, the Kosovo government announced the appointment of a new Minister for Communities and Return, Nenad Rašić, and a new advisor to the Minister, Rada Trajković, leader of the Kosovo Serb Civic Initiative for Freedom, Justice and Survival. The Serbian Government’s Office for Kosovo and Metohija and the Serbian List stated that the appointments were “unconstitutional” and not representative of the Kosovo Serb community. In January, the Kosovo government also appointed a Kosovo Serb and a Kosovo Montenegrin as the Deputy Ministers for Economy and for Agriculture, Forestry, and Rural Development, respectively. These two posts were previously held by members of the Serbian List before they resigned.

9. To prevent the impending crisis related to the implementation of the licence plate measures and encourage a focus on long-term political solutions, the parties were convened for a high-level meeting in Brussels which did not result in an agreement. At the request of the United States of America, the Kosovo government announced a 48-hour delay in imposing fines. Following additional discussions with

the parties, on 23 November, the High Representative of the European Union announced that Pristina would cease any further actions on the registration of vehicles, while Belgrade would stop issuing new licence plates designating Kosovo localities.

10. On 6 December, matters escalated further when Kosovo special police escorted a delegation of the Central Election Commission to the Municipal Election Commission offices in northern Kosovo to assess conditions to hold elections. Commission staff was evacuated after a device was detonated at the Municipal Election Commission office in Zubin Potok. Following the announcement of the cancellation of visits to other municipalities, the Commission approached the election office in North Mitrovica. Subsequently, gunshots and a blast were heard. In addition, an unexploded hand grenade was found in the Municipal Election Commission offices and was disposed of by the Kosovo Force. On 10 December, a former Kosovo police officer, Dejan Pantić, was arrested in connection to the incident.

11. Following consultations with political parties and amid intense diplomatic interventions by the European Union, Germany and the United States, on 10 December, the President of Kosovo announced the postponement until 23 April 2023 of the municipal assembly elections in Leposavić/Leposaviq and Zvečan/Zveçan and the mayoral elections in the four municipalities.

12. On 11 and 12 January, a senior delegation of the United States, led by the Counsellor of the Department of State, Derek Chollet, visited Pristina and Belgrade in support of discussions on the “European Union proposal”. The United States offered support to the Kosovo government to fulfil its obligation on the implementation of the Association/Community, in line with the constitution of Kosovo. The Embassy of the United States hosted an informal discussion on 31 January with civil society, political officials and international actors to facilitate exchanges on options for a possible Association/Community.

13. On 20 January, the European Union Special Representative for the Belgrade-Pristina dialogue and other Western Balkan regional issues, Miroslav Lajčák, accompanied by the United States Special Envoy for the Western Balkans and Deputy Assistant Secretary of State, Gabriel Escobar, the foreign and security policy advisor of the German Chancellor, Jens Plötner, the diplomatic advisor to the French President, Emmanuel Bonne, and the diplomatic advisor to the Italian Prime Minister, Francesco Maria Talò, visited Pristina and Belgrade to seek the support of the parties for the European Union proposal. During the visit, it was announced that Belgrade had accepted the proposal in principle. Pristina expressed the same on 7 February. On 9 February, a special session of the European Council welcomed the European Union proposal as a “historic chance that should be seized by both parties, including with a view to realizing their European perspective”.

14. On 27 February, following a high-level meeting between Prime Minister Albin Kurti and President Aleksandar Vučić in Brussels, the High Representative of the European Union announced that the parties had concluded discussions on the “European Union proposal”, entitled “Agreement on the path to normalization between Kosovo and Serbia”. He subsequently convened the two leaders in Ohrid, North Macedonia, on 18 March, where he announced that the parties agreed on the “Implementation Annex” of the Agreement which would become an integral part of their respective European Union path.

15. Amid heightened tensions on the ground, progress on other pressing dialogue issues has been limited. The 100-day road map to implement the 2013 and 2015 energy agreements between Belgrade and Pristina elapsed on 2 October without substantive progress (see also [S/2022/739](#), para. 4). An additional 15-day consultation period ensued, and on 18 October, the Serbian energy provider Elektroserver and

Kosovo System, Transmission and Market Operator (KOSTT) concluded pending technical agreements, thereby avoiding revocation of Elektrosever's supply licence, which had been granted by the Energy Regulatory Office of Kosovo. However, the remaining steps included under the road map are yet to be implemented.

III. Other key developments

16. On 26 October, more than six months after the 3 April general elections, the National Assembly of Serbia elected a new government, with Ana Brnabić returning as Prime Minister. The new Serbian government comprises 28 ministers (10 women and 18 men), predominantly from the Serbian Progressive Party and the Socialist Party. Presenting her government's programme to the National Assembly, Prime Minister Brnabić expressed Serbia's commitment to its "European path" and to preserving the country's political stability and economic sustainability.

17. On 27 October, the European Commission announced support, a total of 75 million euros, to Kosovo to help ease the energy crisis, formalized through a financing agreement with the Kosovo government on 24 February 2023. During the winter months, Kosovo authorities also implemented a strategy to support vulnerable households, as well as energy-conscious consumers. The European Union also allocated 165 million euros for Serbia in immediate support to mitigate the increase of energy prices, all part of a package for the region amounting to 500 million euros.

18. On 14 December, the Czech Presidency of the Council of the European Union and representatives of the European Parliament reached an agreement on the draft regulation on visa-free travel "for holders of passports issued by Kosovo." The Committee on Civil Liberties, Justice and Home Affairs of the European Parliament approved the draft on 12 January, which was adopted by the Council on 9 March. The new rules will now require adoption by the European Parliament. The visa-free regime would apply once the European Travel Information and Authorization System becomes operational or from 1 January 2024, whichever comes first.

19. On 15 December, in Prague, Prime Minister of Kosovo, Albin Kurti, submitted the application of Kosovo for membership in the European Union to the Czech Presidency of the Council of the European Union. The submission triggered protestations by Belgrade. The President of Serbia, Aleksandar Vučić, stated that the application "violates article 49 of the Treaty of the European Union". He referred to letters sent by Serbia to European Union member States who have not recognized Kosovo, expressing his expectation that their position of non-recognition would be upheld. The European Parliament welcomed Kosovo's application for European Union membership in its resolution on the annual report related to the implementation of the common foreign and security policy for 2022, adopted on 18 January 2023.

20. On 23 February, the Assembly of Kosovo ratified the three regional mobility agreements reached on 3 November 2022 during the Western Balkans Summit, held within the framework of the Berlin Process.

21. Serbian Orthodox Patriarch Porfirije, enthroned on 14 October at the Serbian Patriarchate of Pejë/Peć, was denied entry to Kosovo by the Kosovo police on 26 December. The previous day, Kosovo authorities had announced that the request for a three-day visit had been accepted on the condition that the Serbian Orthodox Church "condemns, or distances itself, from criminal groups" responsible for the erection of roadblocks in northern Kosovo as a precondition for entry. The Diocese of Raška-Prizren and Kosovo-Metohija protested the decision by the Kosovo government as "discriminatory" and "a threat to the human and religious rights" of the Serb population. The Kosovo authorities later announced that they would allow

the visit of the Patriarch on the occasion of Orthodox Christmas in early January. The visit, however, did not take place.

22. Twelve incidents affected Serbian Orthodox religious sites and cemeteries in non-majority community locations from 16 September to 28 February. The incidents included damage to tombstones at the Serbian Orthodox cemeteries in Klokot/Klllokot and Klinë/Klina municipalities. A wooden memorial cross was reportedly damaged at the cemetery in Rahovec/Orahovac town, and an Albanian flag was placed on the door of a Serbian Orthodox Church in Pristina city centre. Other incidents include thefts from a Serbian Orthodox Church in Gjilan/Gnjilane town and a Serbian Orthodox cemetery in Istog/Istok municipality as well as a disturbance at the Visoki Dečani Monastery. Thefts also occurred at several religious sites of various denominations throughout Kosovo in locations where the affected community is in the majority, including Serbian Orthodox churches, mosques and Muslim graveyards.

23. Several other incidents contributed to heightened tensions among communities during the reporting period. In October, a number of separate incidents related to the theft and burning of Kosovo, Albanian and Serbian flags were reported in various municipalities across Kosovo, including at the local monument dedicated to missing persons in Velika Hoča/Hoçë e Madhe village in Rahovec/Orahovac.

24. Several incidents of verbal and physical abuse by members of the Kosovo Police special operations unit were reported in northern Kosovo, including one 14 November in which the executive director of a non-governmental organization based in North Mitrovica reported having been verbally and physically assaulted near the Jarinje/Jarinjë crossing point. This was denied by the Kosovo police. On 6 November, a Molotov cocktail was thrown at the house of a Kosovo Serb in Kišnica/Kishnicë village, Gračanica/Gračanicë municipality which led to the arrest of two Kosovo Albanian juveniles by Kosovo police. On 17 and 28 November, two incidents were reported in which Kosovo Albanian youth were physically assaulted and subsequently hospitalized, reportedly following their attempts to take photos with Albanian flags in North Mitrovica.

25. On 6 December, a Kosovo Albanian taxi driver was attacked and injured in North Mitrovica. On 6 January, in the village of Gotovuša/Gotovushë, Štrpce/Shtërpçë municipality, two Kosovo Serbs (one 11-year-old boy and one 21-year-old man) were shot by a Kosovo Albanian man, an off-duty member of a Kosovo security institution; the suspect was later arrested by the Kosovo police. On the same day, a group of Kosovo Serb youth were attacked by Kosovo Albanian youth in Klllokot/Klokot municipality, with one person injured. Incidents of sexual violence targeting Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities were registered throughout the reporting period.

IV. Northern Kosovo

26. The withdrawal of Kosovo Serbs from Kosovo institutions has created a security vacuum in northern Kosovo, leaving the Kosovo police to operate with less than 7 per cent of their pre-withdrawal strength in the area. Only essential correctional, fire and rescue staff have remained operational. The Government of Serbia placed all 578 police officers who resigned on its payroll. Some of the Kosovo Serb officers who resigned continued to perform basic functions outside the Kosovo police framework, such as community patrolling. The remaining 43 Kosovo Albanian police officers continued to perform limited duties at the police stations. The Kosovo Force and the European Union Rule of Law Mission in Kosovo (EULEX) enhanced their presence in the north to contribute to a safe and secure environment.

27. Kosovo Serbs expressed concerns about the posture and conduct of Kosovo police in northern Kosovo following multiple reports of intimidation and excessive use of force by special operations units. On 23 November, around 3,000 women demonstrated peacefully in North Mitrovica to voice their discontent with the policies and actions of central Kosovo institutions in northern Kosovo. On 8 December, approximately 200 police officers, mostly Kosovo Albanian, were deployed from other Kosovo Police regional directorates to the ethnically mixed areas in North Mitrovica. Residents gathered in opposition to the police deployment and tensions rose dramatically in urban areas of North Mitrovica. The same day, Kosovo police reported an attack on a patrol vehicle in the village of Srbovac/Sërboç in Zvečan/Zveçan municipality, which resulted in injury to one Kosovo police officer.

28. On 9 December, an Albanian language media crew was reportedly attacked by masked persons in North Mitrovica. On the same day, a Kosovo Serb was arrested at Jarinje/Jarinjë crossing (Gate 1) for allegedly assaulting a police officer during the protests in response to the Kosovo police operation in northern Kosovo in October 2021. He was released from custody on 6 March, pending further review of his case.

29. On 10 December, a former Kosovo Serb police officer was arrested at Gate 1 on charges of “terrorist acts and attacking constitutional order”, linked to the 6 December incidents during the visit of the Central Election Commission to Municipal Election Offices in North Mitrovica.

30. Following the arrest, groups of Kosovo Serbs erected roadblocks in protest in multiple locations, blocking the main roads and access to Jarinje/Jarinë (Gates 1) and Brnjak/Bërnjak (Gate 31), which were subsequently closed by the Kosovo police. In the following days, additional roadblocks were erected in Zvečan/Zveçan, Zubin Potok and Leposavić/Leposaviq municipalities. In total, approximately 14 roadblocks were erected in the four northern municipalities. The protestors conditioned their removal on the release of arrested Kosovo Serbs, the removal of Kosovo police special operations units from northern Kosovo, and the withdrawal of “secret lists for the arrest and shooting of Serbs”.

31. On 11 December, the Kosovo police reported a gunfire exchange with armed individuals near Gazivode Lake in Zubin Potok. In another incident, two Kosovo Serbs were reportedly beaten by members of a Kosovo police special operations unit in Štuocë/Shtuocë in Zubin Potok. On the same day, EULEX stated that a stun grenade had been thrown at its reconnaissance patrol the previous evening near Rudare/Rudar in Zvečan/Zveçan municipality. There were no injuries or material damage.

32. On 18 December, the front windows of four Kosovo Serb-owned shops were broken in Bosniak Mahala in North Mitrovica. The next day, a media crew was attacked while reporting from a roadblock near Čabra/Çaber village in Zubin Potok. On 20 December, two pyrotechnic devices were detonated in North Mitrovica, with no injuries reported. The Kosovo police increased their presence and established a vehicle checkpoint on the Mitrovica-Leposavić/Leposaviq main road on 21 December.

33. On 22 December, approximately 5,000 people, predominantly Kosovo Serbs, gathered from across Kosovo at the roadblock in Rudare/Rudar in Zvečan/Zveçan municipality to protest the recent arrests of Kosovo Serbs and the deployment of Kosovo police to the north.

34. On 24 December, the Kosovo Force reported an incident of indirect gunfire near one of its patrols, and on 25 December detonations near the village of Zubodolina/Zubodolinë in Zubin Potok were also reported. In both incidents, no injuries were reported.

35. On 26 December, another attack on an Albanian language media crew was reported when their vehicle was stoned by masked persons near the roadblock in Zupče/Zupçë village in Zubin Potok.
36. On 26 December, the President of Serbia ordered the Serbia armed forces to be placed at “full combat readiness”, under the command of the Chief of Army Staff. This followed a formal request by Serbia, conveyed to the Kosovo Force on 15 December, for the return of up to 1,000 Serbian security personnel to Kosovo, which Belgrade stated was in accordance with Security Council resolution [1244 \(1999\)](#). The Kosovo Force declined the request, noting that, “KFOR is fully committed to the implementation of our mandate and (...) to working for peace and stability in this area in the interest of all the peoples of Kosovo”. On 6 January, it conveyed its response to the Commission for the Implementation of the Military Technical Agreement of the General Staff of the Serbian Armed Forces.
37. The President of Serbia met with Kosovo Serb representatives in Raška, central Serbia on 28 December and announced that the roadblocks would be dismantled within 48-hours as some of the conditions for their removal had been met. This included the granting of house arrest for a former Kosovo police officer, also called for by the Kosovo Ombudsperson following concerns about his access to legal and medical support, as well as the commitment by the Kosovo Force to not permit any deployment of Kosovo security institutions in northern Kosovo.
38. The Kosovo police opened a call for applications on 4 January encouraging members of non-majority communities to apply to replace the Kosovo Serb police officers who had resigned. A total of 141 applications were received, primarily from Kosovo Serbs living in the south of Kosovo, falling short of the close to 600 applications needed to fill the vacancies.
39. On 23 January, the Kosovo police reported that two Kosovo Serbs failed to stop at the checkpoint near the Bistrica/Bistricë bridge, and that they caused damage to a police vehicle. The Kosovo police opened fire on the moving vehicle, injuring one Kosovo Serb. Also in January, several incidents were reported in the ethnically mixed village of Suvi Do/Suhodoll in the Mitrovica region. These included a physical attack on a Kosovo Serb minor by Kosovo Albanian youth, reports of gunfire from a moving vehicle by both Kosovo Serb and Kosovo Albanian residents, and the stoning of a vehicle with Serbian licence plates. Kosovo police reported shots fired at a police patrol at the Banjska/Bajskë Izvor mountain road in Zvečan/Zvečan municipality on 27 January.
40. On 12 February, two Kosovo Serbs were arrested following an anti-drug operation that led to the discovery and destruction of three drug laboratories in North Mitrovica. During the operation, Kosovo police found approximately 1,200 cannabis plants, as well as equipment for cultivation. On 21 February, the Kosovo police reported the arrest of a Serb driving a vehicle with Serbian licence plates in Joshanica village, Leposavić/Leposaviq municipality, who was transporting over 6,000 rounds of ammunition. On 8 March, two Kosovo Serb youth were reportedly assaulted by members of the Kosovo police special operations unit in Leposavić/Leposaviq municipality. The incident was later reported to the Kosovo police and the Kosovo Ombudsperson. On 9 March, the Kosovo police stated that officers fired at a vehicle that failed to stop at the checkpoint in Banje/Banë village in Zubin Potok municipality, posing a danger to the officers.
41. During the reporting period, Kosovo authorities issued five decisions on expropriation as a matter of special public interest (in addition to the two issued in August 2022), affecting over 120 hectares of mostly private property in Zubin Potok and Leposavić/Leposaviq municipalities. Most of the expropriated parcels are intended for the construction of police stations and border surveillance bases.

Residents filed complaints, claiming that construction on the expropriated property was carried out illegally and without consultation or consent. Local Kosovo Serbs launched peaceful protests on 31 January to prevent construction on recently expropriated cadastral land in Dren and Lešak/Leshak in Leposavić/Leposaviq municipality. Amid growing criticism, including by international actors, that legal procedures had not been followed, Kosovo authorities held public hearings in February on expropriations in the Leposavić/Leposaviq and Zubin Potok municipalities. During the hearings, residents expressed frustration with the lack of transparency about the intended use of the land and lack of due process. Following the hearings, construction work on expropriated land was suspended in Leposavić/Leposaviq municipality, while construction has been completed in Zubin Potok and in areas near Gates 1 and 31.

V. Returns, reconciliations, cultural heritage and community relations

42. The Office of the United Nations High Commissioner for Refugees (UNHCR) registered 112 voluntary returns by members of non-majority communities who had been displaced within and outside Kosovo. The returnees include 49 women and 63 men (60 Kosovo Serbs, 28 Kosovo Roma, 10 Kosovo Ashkali, 8 Kosovo Egyptian, 5 Kosovo Albanian and 1 Kosovo Bosniak). This brings the total number of displaced persons of the non-majority communities, who have found durable solutions in Kosovo since 2000, to 29,297, 14,384 women and 14,913 men (12,738 Kosovo Serbs, 7,770 Kosovo Egyptians and Kosovo Ashkali, 4,077 Kosovo Roma, 1,879 Kosovo Bosniaks, 1,464 Kosovo Gorani, 1,325 Kosovo Albanians, 21 Kosovo Montenegrins, 19 Kosovo Turks and 4 Kosovo Croats). There remain 15,646 displaced persons within Kosovo (8,443 men and 7,203 women), as well as 69,627 persons with displacement-related needs across the Western Balkans, out of the approximately 200,000 displaced persons from Kosovo residing in the region, most of them in Serbia.

43. During the reporting period, 147 people (131 men and 16 women) submitted asylum claims to the authorities. UNHCR ensured that all asylum-seekers received free legal aid, psychosocial support and interpretation services. Separately, UNHCR continued to support members of the Kosovo Ashkali, Kosovo Egyptian and Kosovo Roma communities in obtaining personal documentation and resolving civil status issues to enable their access to public services. Additional support included facilitating access to education, social and legal assistance for returnees and displaced persons, and addressing property and pension rights.

44. The International Organization of Migration (IOM) continued to contribute to safe conditions for returns, including through the re-construction of 16 houses for 77 returnees (36 women and 41 men), of which 10 families are from Serbia, 1 from Montenegro and 5 were internally displaced. IOM also supported projects that helped to improve returnee-host community relations. In December, IOM successfully advocated for the establishment of a central commission to hear appeals from applicants on decisions hampering their safe return to Kosovo, as well as the development of a returnee case management system operationalized in December that allows for more targeted service delivery.

45. IOM continued to support the temporary reception centre in Vranidoll/Vrani Do, which provided protection services to 387 migrants (382 men and 5 women), mostly hailing from Afghanistan, Eritrea, Morocco, Somalia, the Syrian Arab Republic and the Occupied Palestinian Territories. This marks an increase from previous periods owing to standard migration routes being blocked by roadblocks in northern Kosovo.

46. During the reporting period, IOM provided support to help start small businesses, benefiting returned foreign fighters and their family members.

47. On 13 December, the independent commission of the government of Kosovo for the verification of degrees issued by the University in North Mitrovica was reconstituted, having been inactive since December 2021. The verification of diplomas will grant University of North Mitrovica graduates, primarily Kosovo Serbs, equal access to employment in Kosovo institutions.

48. The Office of the Prime Minister introduced a “National Platform for Protection from Discrimination for the Roma, Ashkali and Egyptian Communities”, available online in Serbian, Albanian and Romani languages to report incidents of discrimination. On 30 September, the Office presented to donors the applications received for small grants totalling 1.5 million euro for projects benefiting non-majority communities related to infrastructure, language rights, intercommunity dialogue and investments in small businesses. On 3 February, the Ministry for Communities and Return also launched a call for applications to fund similar projects.

49. During the reporting period, no further contributions were made to the United Nations trust fund in support of the Kosovo Ashkali, Kosovo Egyptian and Kosovo Roma communities affected by lead poisoning in Kosovo.

VI. Rule of law and human rights

50. The withdrawal of Kosovo Serbs from Kosovo institutions resulted in a security and human rights protection gap and hindered access to justice and services in northern Kosovo. All Kosovo Serb judges (25 total, 16 women and 9 men) and court support staff (119), as well as prosecutors (10 total, 7 women and 3 men) and their support staff (22) resigned on 7 November from the Basic Court of Mitrovica, the Appellate Division in North Mitrovica and the Basic Prosecution of Mitrovica. Kosovo Albanian staff continued their work, but severe interruptions impacted offices predominantly staffed by Kosovo Serb judges. As at 15 March, the courts in Zubin Potok and Leposavić/Leposaviq and the Appellate Division in North Mitrovica remained closed. Kosovo Judicial Council and Kosovo Prosecutorial Council decisions on the status of resignations are still pending. The Kosovo Judicial Council has initiated disciplinary proceedings against Kosovo Serb judges who participated in protests in northern Kosovo.

51. The Kosovo government decisions on expropriation of privately-owned and municipal land in northern Kosovo (see also para. 41) have raised concerns regarding due process, respect for property rights, rights to an adequate remedy and general principles of transparency and certainty within the law.

52. On 11 October, the Ministry of Justice announced that fewer than 40 justice officials would be subject to the vetting process, instead of 600 as previously indicated. The decision is in line with the June 2022 recommendations of the European Commission for Democracy through Law (the Venice Commission) calling for legislative changes that would be simpler to implement, including limiting integrity checks to members of the Kosovo Judicial Council and Kosovo Prosecutorial Council, court presidents, and chief prosecutors.

53. In December, the Agency for Prevention of Corruption, with support from the European Union, launched a public information campaign concerning the declaration of assets by officials, prevention of conflict of interest and investigation of whistleblower reports.

54. The Transparency International Corruption Perceptions Index 2022, which was published in January 2023, noted Kosovo's progress with an improved legal framework for political and election campaign finance. However, implementation of such reforms will be key in the coming months. Kosovo has jumped two points (41/100) on the index that measures the perceived level of public sector corruption on a scale of 0 (highly corrupt) to 100 (very clean); it now ranks 84th out of 180 countries and territories listed.

55. In October, the Kosovo government approved amendments to the Criminal Code and Criminal Procedure Code related to rape, sexual assault, and domestic violence offences. The amendments impose mandatory detention at the bail stage for rape and domestic violence offence and restrict offenders from holding public office, among other punitive measures. The amendments were criticised by human rights activists for potential negative implications on the rights of the accused.

56. On 14 October, the Kosovo government submitted the Law on Protection of and Prevention from Domestic Violence, Violence Against Women and Gender-based Violence, which is in line with the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), together with the Law on Amending and Supplementing the Criminal Code, to Parliament for a first hearing. If adopted, the Criminal Code will provide harsher sentences for perpetrators of rape, sexual assault and domestic violence and help deter and prevent such incidents.

57. On 5 December, a Protocol for the Treatment of Sexual Violence Cases was launched by Kosovo authorities to help standardize a comprehensive response to victims of sexual assault and gender-based violence, in accordance with article 25 of the Istanbul Convention. On 8 March 2023, the Assembly of Kosovo approved, in the first reading, the draft law on the prevention of and protection from domestic violence, violence against women, and gender-based violence. The draft law aims to promote gender equality and establish mechanisms to support victims of all forms of violence

58. In February, the Assembly of Kosovo adopted a law establishing the State Bureau for Verification and Confiscation of Unjustified Assets, which applies to assets acquired unjustifiably by official persons, their family members, politically exposed persons and third parties. However, the law was referred to the Constitutional Court at the request of the opposition Democratic Party of Kosovo which argued that it infringed on property rights. The same party referred the law on public officials to the Court, which was adopted by the Assembly in December, arguing that it would undermine the principle of meritocracy, a concern also expressed by the European Union.

59. On 23 November, the Kosovo Judicial Council and the Kosovo Prosecutorial Council denounced as unconstitutional the Kosovo government's decision to reduce salaries of judges and prosecutors. The Councils proceeded to only provide "essential services" calling for the revocation of the decision. By 30 November, over 1,000 hearings were reportedly adjourned in four days, raising concerns about the resulting backlog. The Councils resumed their work on 3 December after an interim order was issued by the Basic Court of Pristina to suspend the decision of the government. The Court of Appeals upheld the order on 26 January.

60. On 14 October, the Court of Appeals confirmed corruption-related indictments against two former ministers, filed by the Special Prosecution office of Kosovo in February and May 2022. An indictment was filed against a former Minister of Infrastructure and senior officials of the Ministry for a financial loss of over 38 million euros in June 2018 related to a highway construction project. The second indictment was filed against a former Minister of European Integration and three other

persons in relation to diversion of public funds totalling almost 150,000 euros, allegedly misused for campaigning in the October 2019 Kosovo parliamentary elections. On 28 February, the Court of Appeals confirmed the October 2022 sentencing by the Basic Court in Pristina of former Minister of Local Government Administration, Ivan Todosijević, to one year of imprisonment on charges of “inciting national, racial, religious or ethnic hatred, discord or intolerance for his denial of the 1999 Reçak/Raçak massacre”.

61. On 19 October, a Kosovo Bosniak former police officer was arrested for alleged war crimes committed in 1998 and 1999 in the village of Gjurakoc/Đurakovac in the municipality of Istog/Istok. On 10 November, a Kosovo Serb former police officer pleaded not guilty to charges of war crimes against residents of Butovc/Butovac village, Pristina municipality, in February 1999. On 2 December, a Kosovo Serb was arrested, accused of war crimes related to the “Dubrava massacre” of May 1999. On 14 December, a Serbian former police officer pleaded not guilty to alleged war crimes in Gurrakoc/Đurakovac village, Istog/Istok municipality in 1998. On 15 December, a Kosovo Serb former member of the Kosovo police was arrested in North Mitrovica, accused of war crimes. On 15 January, on the 24th anniversary of the 1999 massacre in Reçak/Raçak village, the Prime Minister of Kosovo announced that arrest warrants would be issued for 18 Serb individuals suspected of involvement in the incident. On 7 March, a Kosovo Serb police officer was arrested in relation to charges for war crimes committed in March 1999 at the police station in Kamenicë/Kamenica, and alleged participation in the forcible displacement of a resident of Kamenicë/Kamenica and surrounding villages in February and March 1999.

62. On 25 January, the Kosovo government adopted the long-awaited draft Law on Amendment and Supplementation of the Law on Freedom of Religion. The draft legislation recognizes seven religious communities in Kosovo and enables the registration of additional religious entities that meet the legislation’s criteria. The Serbian Orthodox Church Diocese of Raška-Prizren and Kosovo-Metohija expressed concerns regarding the additional powers granted to Kosovo authorities over religious communities, suggesting that they were not in line with the 2014 recommendations of the Venice Commission.

63. The Kosovo government, supported by civil society and international partners, including UNMIK, took important steps towards incorporating the Convention on the Rights of Persons with Disabilities into the Constitution. The draft amendment to the Constitution was approved by the Kosovo government on 15 December and is pending the opinion of the Constitutional Court and subsequent review by the Assembly. Language rights for persons with disabilities were advanced in Gjilan/Gnjilane municipality, where sign language will be provided for hearing impaired persons during official meetings. In addition, in Prizren municipality, Romani was designated as an official language.

64. UNMIK continued to monitor and support a human rights-based approach to transitional justice. In October, the Assembly of Kosovo adopted in its first reading the draft legislation on the Institute for Documentation of Crimes Committed during the War in Kosovo. The institute is slated to be established under the purview of the Office of the Prime Minister, although some civil society actors advocated for its independence from the government.

65. The Kosovo government took steps to finalize a draft transitional justice strategy. The draft strategy prioritizes criminal justice over other important elements of transitional justice and reconciliation. A truth and reconciliation commission, first proposed in 2017, has yet to be established. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence visited Pristina and Belgrade from 22 November to 2 December. During his visit to Kosovo from 28 to

30 November, facilitated by UNMIK, the Special Rapporteur raised concerns about the lack of cooperation between Belgrade and Pristina on transitional justice, and called for the parties to “immediately cease the use of politicized tactics in their transitional justice agendas” and to put the pressing needs of victims, and those of society as whole, at the centre of all legal, policy and technical decisions and actions in this area.

66. There was limited progress in determining the fate of missing persons. There are still 1,621 missing persons (1,358 men and 263 women) connected to the 1998 and 1999 events in Kosovo. While the working group on persons unaccounted for in connection with events in Kosovo, comprising delegations from Belgrade and Pristina, has not met at the level of heads of delegations since May 2021, several meetings of the sub-working group on forensic issues and of the analysis team have taken place. Families of the missing continued to call upon the Kosovo government for a de-politicized approach.

67. The Kosovo government commission responsible for the verification and recognition of the status of survivors of conflict-related sexual violence has received 1,939 applications since its establishment in 2018. As at March 2023, 1,450 applicants (1,380 women and 70 men) have been granted survivor status, an increase from 1,380 in September 2022.

68. On 10 December, on the occasion of Human Rights Day, UNMIK raised awareness on human rights and the Universal Declaration of Human Rights, including through public advocacy events in Pristina also attended by the Special Representative of the Secretary-General for Kosovo.

69. UNMIK continued to support the Legal Aid Centre of the Kosovo Law Institute which provided free legal aid to more than 280 vulnerable individuals (133 women and 147 men) during the reporting period on issues related to property rights, pension rights, labour contracts, and domestic violence

70. During the reporting period, the Association of Journalists of Kosovo reported seven incidents of attacks or intimidation against journalists in northern Kosovo, which were condemned by international actors, including the European Federation of Journalists.

71. UNMIK continued to provide document certification services. The mission processed 4,486 documents related to pensions and civil status. UNMIK facilitated the issuance of 23 Red Notices, 0 Yellow Notices and 13 extradition requests from members of the International Criminal Police Organization (INTERPOL) to Kosovo. It also opened 734 cases for investigation within the INTERPOL database. Considering the number of cases processed and closed, this leaves a total number of 846 open cases related to the territory or people of Kosovo.

VII. Women and peace and security

72. On 22 and 23 October, at the initiative of the President of Kosovo, the Kosovo government convened a high-level forum on women and peace and security in Pristina. The forum brought together over 500 participants from 36 countries, including from the Western Balkans. The United Nations Development Programme (UNDP), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and other international partners supported the event, which discussed challenges posed to the women and peace and security agenda and exchanged experience on best practices and strategies to advance the contribution of women and girls to peace and security processes.

73. UN-Women supported five civil society organizations to build their capacities to engage with international human rights instruments, including the Convention on Elimination of Discrimination against Women and its provisions on the prevention and response to gender-based violence and adequate protection and support to all women.

74. The 16 Days of Activism against Gender-based Violence annual global campaign, from 25 November to 10 December, was inaugurated by the Kosovo government at the public library in Pristina with the participation of the President of Kosovo. The campaign was facilitated by the Ministry of Justice with support from UNMIK, UN-Women and other members of the Security and Gender Group. The Kosovo government, civil society organizations, non-governmental organizations and international organizations organized approximately 120 activities. The campaign was marred by two femicides during the period, including one of a pregnant woman on 30 November reportedly killed by her former partner in Pristina. The killing sparked a public outcry. On 1 December, several hundred people protested against gender-based violence in Pristina, and were joined by the Special Representative of the Secretary-General for Kosovo.

75. On 4 March, with UNMIK support, the international non-governmental organization Council for Inclusive Governance, organized a meeting in Tirana, involving politicians and civil society representatives from Kosovo and Serbia. They discussed the integration of the women and peace and security agenda into the dialogue process and the benefits of regular exchanges on the topic.

76. The Mission continued to raise awareness through strategic communications about child marriage in Kosovo, including screenings of the two UNMIK-produced films, “Romni” and “Like a real woman”, focusing on early marriage in the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities. More than 10 screenings were conducted, involving 290 participants and 18,000 engagements on social media. The awareness campaign led to substantive discussions with men and women from various communities. On 1 December, the Special Representative of the Secretary-General for Kosovo hosted a round table, attended by members of the Kosovo Law Institute and students from the Pristina and North Mitrovica Law Schools, to discuss the rule of law implications of child marriage.

VIII. Trust-building, partnership and cooperation

77. Rising tensions during the reporting period diminished the impact and sustainability of inter-community trust-building efforts, especially in northern Kosovo. Promoting initiatives to build trust and improve dialogue among communities and institutions in Kosovo is critical, as is providing space for direct, meaningful interactions that can tackle misinformation and disinformation and hateful narratives.

78. UNMIK has continued to work with local partners to promote such initiatives. The Mission supported the revitalization of arts and cultural education through a cooperative inter-ethnic initiative between civil society actors in North and South Mitrovica, their joint action on environmental education; and efforts to establish a sustainable gender-based violence shelter in South Mitrovica. UNMIK also continued to support the economic empowerment of youth from Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities in Mitrovica, through the provision of training in journalism and information technology, paid internships, study visits to central and local institutions, civil society and media organizations, and a leadership and advocacy workshop led by prominent members of the Kosovo Roma community.

79. UNMIK supported four capacity-building sessions for municipal non-discrimination officers across Kosovo, focusing on detecting and reporting instances of discrimination at the local level. UNMIK continued to promote language rights by supporting the learning of both official languages on the online platform, “Voc-Up”, with more than 70,000 users. UNMIK also facilitated interactions between the Ombudsperson Institution of Kosovo and the Office of the Language Commissioner to help strengthen inter-institutional cooperation on language rights. UNMIK continued to work with civil society organizations to strengthen civic space, as well as human rights monitoring and reporting.

80. UNMIK is supporting preparations for the establishment of a multi-ethnic non-governmental dialogue centre, symbolically named Barabar, which roughly translates to “equal” in both the Albanian and Serbian languages. Implemented by North Mitrovica and Pristina-based non-governmental organizations, the centre is intended to serve as an accessible space for trust-building activities and facilitate exchanges between members of all communities in Kosovo. The launch of the Barabar Centre will mark the 5th anniversary of the United Nations Kosovo Trust-Building Forum. In preparation for the launch, tentatively planned for May 2023, a series of round tables with civil society and other actors is being held to assess trust-building efforts across sectors and communities.

81. From 17 to 22 January, Kosovo experienced severe flooding which caused displacement, disruption to provision of essential public services and significant damage to infrastructure and livelihoods in 11 municipalities, including the four Kosovo Serb-majority municipalities in northern Kosovo. At least 850 households were affected, and damage estimates amount to at least 27 million euros. Immediate action was taken by central and local first responders. The United Nations Kosovo team in close cooperation with the authorities, launched a \$6.1 million flood response and early recovery plan on 10 February covering all 11 affected municipalities, and funded so far at 16 per cent. UNMIK donated 450 food and hygiene packages in areas affected by unprecedented floods, focusing on the most vulnerable.

82. On 8 November, UNMIK delivered 1,000 Serbian books donated by a Kosovo Albanian school in Ferizaj/Uroševac town to Kosovo Serb schools and libraries in Pristina and Gračanica/Graçanicë municipalities. UNMIK also donated school bags and didactic material to over 500 vulnerable students from across communities in 13 municipalities.

83. In September, UNMIK facilitated a first meeting between the current mayor of Vushtrri/Vučitrn and the priest of the local Serbian Orthodox Church to discuss concerns of Kosovo Serb residents.

84. On 9 December, UNMIK and IOM organized an event at a multi-ethnic primary school in Pejë/Peć municipality, where children are learning each other’s language. From 14 to 16 December, a workshop organized by UNMIK and IOM with the Ombudsperson and the Language Commissioner, resulted in a joint action plan on language rights.

85. In early December, a regional youth-focused project supported by the Peacebuilding Fund, implemented by UNDP, the United Nations Populations Fund and others, supported training for youth from Pristina and Mitrovica, and for teachers from Pristina, on bystander intervention methodologies, and on ways in which hate speech and human rights violations can be addressed.

86. To address the lack of qualified Serbian-speaking legal professionals in the justice system the Mission supported trainings for young lawyers (both women and men) from the Kosovo Serb community in northern Kosovo. In cooperation with professional legal institutions, the Mission sponsored the placement of final year law

students from all communities at a Legal Clinic, thereby allowing them to benefit from mentorship and practical legal skills.

87. UNMIK and UNDP, in cooperation with local non-governmental organizations, continued to support the Basic Court of Pristina in providing translation and interpretation services. Legal officers hired through the project registered 6,500 court case files from all seven Basic Courts for digitalization. UNMIK also continued to support the judicial institutions in northern Kosovo by funding translators and legal officers to reduce case backlog. UNDP provided legal drafting support on key anti-corruption legislation.

88. The Mission continued to support the Kosovo Forensics Agency in upgrading its digital information technology capacity by procuring advanced workstations. The upgrades will facilitate the delivery of services to law enforcement agencies which are compatible with European and international information technology forensics standards to reduce case backlog.

Observations

89. I welcome the Agreement on the path to the normalization of relations between Kosovo and Serbia and its implementation annex, facilitated by the European Union. The new dialogue framework holds potential to advance the process towards achieving long-term solutions. Sustained constructive engagement towards a comprehensive implementation of the Agreement will be indispensable for the building of common ground, preserving stability, and preventing any relapse to tension and conflict. I encourage greater inclusion of women, young people and other civil society actors in processes related to the normalization of relations.

90. Notably, the parties “fully committed to honour all Articles of the Agreement, and implement all their respective obligations expediently and in good faith”. This is all the more critical as developments during the reporting period brought tensions to crisis levels, resulting in the most concerning setback since the start of the dialogue process in 2011. Heightened and inflammatory rhetoric on all sides, the erection of roadblocks, multiple security incidents, and protests in northern Kosovo, have increased the risk of violence. Incidents of an inter-ethnic nature, shootings and injuries, including among civilians and Kosovo police, as well as the apparent targeting of journalists and international security actors, were particularly alarming. All parties should exercise restraint and work to ensure that all disputes are addressed peacefully through dialogue rather than escalation and brinkmanship.

91. Further progress in the Belgrade-Pristina dialogue is critical to create the conditions for the return of Kosovo Serb representatives to Kosovo institutions in northern Kosovo. The inclusiveness of the planned elections for April 2023 in northern Kosovo and their conduct in a safe and secure environment and in accordance with applicable laws and international standards, will be critical to establishing functional municipal institutions which are representative of local communities.

92. I urge the Kosovo authorities to take all required steps and other trust-building measures to alleviate the concerns of affected rights-holders regarding the recent property expropriations. This would help ensure transparency, due process and a rightful balance between full respect for individual property rights and the public interest.

93. In relation to transitional justice initiatives, in addition to criminal justice, the interrelated dimensions of truth-seeking, reparation and guarantees of non-recurrence are equally important tools to address past human rights violations and help trust-building and reconciliation.

94. The continued incidents of gender-based and sexual violence, including femicides, are tragic and appalling. I welcome the adoption by the Assembly of Kosovo, in the first reading, of the draft law, in line with the Istanbul Convention, on the prevention and protection from domestic violence, violence against women and gender-based violence. I also welcome efforts to amend and strengthen the Criminal Code in relation to gender-based crimes. The Kosovo authorities should increase their efforts to ensure the effective protection of and access to justice and support services for survivors of gender-based and domestic violence, including by allocating resources in support of relevant institutions, and initiating programmes aimed at changing behavioural patterns of perpetrators.

95. Supporting the needs of marginalized communities will remain a priority of the United Nations in Kosovo. I reiterate my appeal for voluntary contributions to the United Nations trust fund to enhance support to the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities who remain among the most vulnerable in Kosovo. I also call for voluntary contributions in support of the United Nations inter-agency response to recent floods in Kosovo.

96. I thank UNMIK staff for their commitment and my Special Representative, Caroline Ziadeh, for her leadership and active engagement with local and international partners, particularly during periods of high tension, to encourage de-escalation and calm. I welcome the close cooperation between the Mission and the United Nations Kosovo team led by the United Nations Development Coordinator in Kosovo, Arnhild Spence. To the longstanding partners of the United Nations in Kosovo, including the Kosovo Force, the European Union, the Organization for Security and Cooperation in Europe and other international actors, I express my gratitude for the close collaboration, and for their steadfast commitment to ensuring peace and security and improving the livelihoods of the people of Kosovo.

Annex I

Report of the High Representative of the Union for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo from 16 September 2022 to 15 March 2023

1. Summary

During the reporting period the security situation in northern Kosovo deteriorated; the deterioration started in early November with the mass resignation of nearly all Kosovo Serbs from the police, judiciary and public administration (including elected officials) in the four municipalities north of the Ibar/Ibër River and culminated in a three-week armed stand-off with barricades erected in numerous locations. This was the worst crisis of its kind in Kosovo for over a decade.

The situation prompted European Union Rule of Law Mission in Kosovo to reinforce its regular formed police unit temporarily by deploying a reserve formed police unit and to increase its reconnaissance patrolling in northern Kosovo in coordination with Kosovo counterparts and Kosovo Force. Thus, the Mission markedly enhanced its presence and visibility in northern Kosovo. In the meantime, the Mission continued to perform its other operational tasks, notably in the fields of police cooperation, forensic medicine and support to the Kosovo Specialist Chambers and Specialist Prosecutor's Office.

The Mission continued its monitoring of selected cases and trials, with a specific focus on developments related to inter-community and security incidents throughout Kosovo. The Mission published its third systemic and thematic justice monitoring report, assisted the Kosovo authorities in mid-term strategic development and facilitated several workshops. Following the progressive deterioration in November and December, the Mission increased its monitoring of the security and rule of law situation in all its aspects, with a focus on northern Kosovo.

At the end of December 2022, the Mission's tasks related to Dialogue Support were transferred to the European Union Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues.

2. Monitoring

Several tense exchanges between Belgrade and Pristina over the license plates issue ultimately led to the resignation of the majority of Kosovo Serbs from most Kosovo institutions, including the police, judiciary and public administration, in the four municipalities north of the Ibar/Ibër River in early November 2022. Kosovo Serbs also resigned from the Assembly of Kosovo and the government. During the reporting period, this led to a deterioration in the security situation in northern Kosovo. This culminated in a nearly three-week armed stand-off with barricades being erected in mid-December at the major access roads north of Mitrovica and two of the common crossing points with Serbia being closed down. The Serbian army was placed on high alert along the Administrative Boundary Line until the end of the crisis. This was the worst crisis of its kind in Kosovo for over a decade.

The Mission observed and reported upon developments on the ground and maintained daily contacts with key rule of law institutions in both Pristina and northern Kosovo. The Senior Police Advisors observed and reported upon the evolving situation, remaining in daily contact with the Kosovo police Regional Command North and particularly the acting Kosovo police Regional Commander there, who had taken up duties recently, after the resignation of his Kosovo Serb

predecessor. The Mission monitored the expropriation procedures of several plots of land by the government of Kosovo in Zubin Potok and Leposavić/Leposaviq and the initiation of some preparatory works with a view to assessing compliance with applicable legislation, as well as the respect of the human rights of property owners and local residents.

The Mission closely monitored the handling of individual criminal cases by the authorities from a legal and human rights perspective. The Mission's Case Monitoring Unit continued to follow up on high-profile cases, including those relating to the situation in northern Kosovo. The Case Monitoring Unit also monitored the handling of the resignations of Kosovo Serb police officers, judges and prosecutors in northern Kosovo and the treatment of the persons concerned, e.g. the former Kosovo Serb police officer D.P., arrested for alleged participation in an attack on the Election Municipal Office in Mitrovica North in December. The arrest had already given rise to the erection of barricades and risked triggering an armed escalation.

The Mission's Correctional Unit assisted the Kosovo Correctional Service and the Kosovo Probation Service in the drafting of the Strategic Development Plan 2023–2027 and with several capacity-building measures. After the eruption of the crisis in November, the Correctional Unit closely monitored the situation in the Detention Centre in Mitrovica North. The Correctional Unit's encouragement of the Kosovo Serb personnel there to remain at their posts turned out to be successful. Unlike virtually all other Kosovo Serb personnel in the wider rule of law sector in northern Kosovo, those working in the Kosovo Correctional Service remained at their posts.

In November, the Mission presented its third systemic and thematic justice monitoring report, covering the period from November 2021 to September 2022. The report contains recommendations for the Kosovo authorities on anti-corruption, the prosecution of terrorism cases, crimes against journalists, crimes under international law, gender-based violence and juvenile justice. The report lists some encouraging developments such as an increase of productive hearings in sensitive high-profile cases. However, the high number of retrials and acquittals in such cases remains of concern.

Throughout the reporting period, the Mission complemented its monitoring activities with projects targeting specific needs. For example, the Mission:

- Engaged with judges, prosecutors and Kosovo police officers on the tools available in the Criminal Code and the Law on Extended Powers of Confiscation for seizure and confiscation purposes, on data protection and access to public documents provisions' and on improving transparency in judicial reporting;
- Conducted capacity-building activities for newly appointed police officers on the handling of cases of domestic violence and violence against women, in cooperation with the local non-governmental organization "Women's Rights";
- Continued to monitor and advise the Kosovo Correctional Service senior management and provided suggestions and recommendations to the Strategic Development Plan 2023–2027 of the Kosovo Correctional Service and Kosovo Probation Service and the new "Internal rules on treatment of convicted prisoners";
- Supported the streamlining of procedures in the Kosovo Correctional Service and the Kosovo Probation Service; the Mission has consistently promoted a closer cooperation between these two Services; recent revision of respective legislations is in line with the Mission's recommendations; however, the Mission remains concerned that many key positions within the Kosovo Correctional Service and the Kosovo Probation Service are yet to be filled;

- Conducted several training workshops, including on “Violent extremism and Radicalization”, in all regional probation offices and for correctional officers in the Prizren and Pejë/Peć detention centres, Dubrava Correctional Centre and the High Security Prison near Podujevë/Podujevo; the purpose was to increase the knowledge within the Kosovo Correctional Service and Kosovo Probation Service on indications of radicalisation as well as on methods to counter it;
- Trained Kosovo Correctional Service staff on the implementation of sentence plans and facilitated a training course on “Peer Support for Kosovo Correctional Service” that focused on modalities by which a peer-to-peer support system can reduce possible psychological and physical damage caused by traumatic events – such as threats, violence or self-harm – which might impact Kosovo Correctional Service staff working with prisoners;
- Organized a second Legacy Dialogue, this time focusing on the role of the Mission’s Correctional Unit and its contribution to the Kosovo Correctional Service over the past 14 years; discussions focused on the successful reintegration of prisoners into society and the prevention of recidivism; the event was attended by the Deputy Minister of Justice, directors of the Kosovo Correctional Service and representatives of various local and international stakeholders;
- Shared the report “Female prisoners in the Kosovo Correctional Service: findings and recommendations” with the Service; the report highlights inequalities in sentence planning, open regime for low-risk offenders, private visits from family members, physical conditions of correctional facilities, and the scope of rehabilitation programmes and measures offered, notably the non-existence of specific, tailor-made, gender-specific programmes;
- Designed and implemented a campaign aimed at promoting a call for applications for 50 posts of Cadet Correctional Officers, dedicated to women candidates only (in line with the Kosovo Law on Gender Equality and with the Mission’s pledge to promote gender equality and empower women across Kosovo’s institutions); following the campaign, the number of applicants increased considerably;
- Organized a workshop for 20 new lay monitors who in the coming months are to monitor about 500 criminal court sessions throughout Kosovo;
- Facilitated training sessions on justice and human rights issues for elementary school students from different municipalities and their civic education teachers, together with the local non-governmental organization “Youth Initiative for Human Rights Kosovo”;

In support of the European Union-facilitated Dialogue on normalization of relations between Belgrade and Pristina, the Mission facilitated the ongoing unofficial cooperation between the parties, ensuring the effective and efficient functioning of all six common crossing points and the exchange of information. However, due to the political situation neither party was prepared to restart IBM-related meetings at the operational/technical level. No developments were observed in the technical implementation of the Justice Agreement. Furthermore, the dispute between the parties over license plates negatively affected implementation of the Freedom of Movement Agreement. The Mission’s technical support to the implementation of the EU-facilitated Dialogue continued until the end of December, when the tasks of the Mission’s Dialogue Support Unit were transferred to the European Union Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues. The Mission’s capability in the field of IBM, Justice Integration and Freedom of Movement – being an integral part of the Dialogue Support Unit – was transferred

to European Union Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues.

3. Operations

Given the tense situation, the Mission increased its presence and visibility, assuming an elevated posture on the ground through a significant increase in patrols, including by foot. The Mission temporarily reinforced its formed police unit – consisting of 105 Polish officers – by deploying a small but significant reserve formed police unit composed of 24 Italian and 5 Lithuanian officers. The reserve formed police unit arrived in Kosovo in the first half of November. Reconnaissance patrols focused on the common crossing points at Rudnica/Jarinjë and Bërnjak/Tabalije, the main roads leading there, as well as Kosovo police stations and judicial infrastructure. Foot patrols were carried out in urban areas for reconnaissance purposes, simultaneously enhancing the visibility of the Mission and countering the growing sense of insecurity within the local population. The Mission also intensified its cooperation with relevant Kosovo institutions and international partners, in particular Kosovo police and Kosovo Force – the first and third security responders. It maintained this posture throughout the crisis. Currently, the formed police unit-reserve formed police unit presence in northern Kosovo is slightly reduced, but the capacity is retained to increase the frequency of patrols, should the situation so require.

The Mission continued to support the Kosovo police in international police cooperation. The Mission facilitated the exchange of information between the Serbian Ministry of Internal Affairs and the Kosovo police, in line with the Protocol on Police Cooperation between the Kosovo police and the Serbian Ministry of Internal Affairs. Some progress was noted in this field, but a number of shortcomings remained, such as slow and unclear replies by both parties and poor cooperation in sensitive cases. The Mission also facilitated information exchange between the National Central Bureaus of INTERPOL and the Kosovo police International Law Enforcement Coordination Unit under the umbrella of the United Nations Interim Administration Mission in Kosovo INTERPOL Liaison Office.

The Mission continued to provide logistical and operational support to the Specialist Chambers and Specialist Prosecutor's Office in line with relevant legislation and the Mission's mandate.

The Mission supported the Kosovo Institute of Forensic Medicine and the Kosovo Police War Crime Unit in 17 field operations. These resulted in the recovery of nine sets of human remains. In September, human remains were located and recovered from graves in Lybeniq/Ljubenić (Pejë/Peć), Isniq/Istinić (Deçan/Deçani), Vrapçiq/Vrapčić (Gjilan/Gnjilane) and Zabërxhë/Zabrde (Mitrovica South). Additionally, the Mission's Forensic Medicine Team assisted the Kosovo Police War Crime Unit in the location and recovery of human remains connected to a recent criminal case in the Novo Brdo/Novobërdë municipality. In November, the Mission supported the Institute of Forensic Medicine and the Kosovo Police War Crime Unit in the reconnaissance of a site in the Suharekë/Suva Reka municipality, where human remains had been recovered in June. Remains of one individual were exhumed and samples were sent for DNA analysis. Remains were also recovered from exhumations in Kaçanik/Kaçanik and in Tusus (Prizren). In February, the Mission supported the Institute of Forensic Medicine and the Kosovo Police War Crime Unit in the location and recovery of human remains in Gërmia Park in Pristina. In parallel to field work, the Mission experts continued supporting the Institute of Forensic Medicine in conducting examinations of newly recovered remains as well as in the review process of the remains stored at the IFM morgue. Overall, the Mission assisted the Institute of Forensic Medicine in submitting 32 samples for DNA analysis. In December, the

Institute of Forensic Medicine, with substantial support from the Mission, handed over remains to the families of two victims killed during the conflict, who had been identified through DNA samples. One of the individuals was on the list of missing persons.

On 5 December 2022, the Mission supported the launch of the Kosovo State Protocol for Treatment of Sexual Violence Cases. This Protocol serves to codify and regulate a comprehensive response for the identification, protection and referral of victims of sexual violence through immediate action by the responsible institutions, i.e. the Kosovo police, the Kosovo Institute of Forensic Medicine, the Victims Advocacy Office, prosecution, courts, staff in the healthcare system, Centres for Social Welfare and shelters. The Mission had supported the entire process that led to the drafting and, eventually, the launch of the Protocol. In November 2021, the Mission produced a road map for the government of Kosovo on necessary steps to establish specialised services for victims of these crimes in line with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in particular article 25 thereof. In that road map, the Protocol was envisaged as the first step necessary to align the Kosovo system with the requirements of the Convention.

Annex II

Specialist Chambers and Specialist Prosecutor's Office

The Specialist Chambers reached significant milestones during the reporting period. After the first Specialist Chambers trial judgment issued in May 2022 by Trial Panel II, Trial Panel I rendered its judgment in the case of the *Specialist Prosecutor v. Salih Mustafa* on 16 December 2022. Mr. Mustafa was found guilty of the war crimes of arbitrary detention, torture and murder and sentenced to a prison sentence of 26 years and was acquitted of cruel treatment as a war crime. This is the first war crimes judgment issued by the Specialist Chambers. On 2 February 2023, Specialist Chambers pronounced the first appeals judgment in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*. In addition to these judgments, the cases of *Specialist Prosecutor v. Pjetër Shala* and *Specialist Prosecutor v. Thaçi et al.* were transferred to the trial stage and one Trial Panel commenced trial proceedings.

The evidentiary phase of the proceedings against Mr. Mustafa came to an end on 15 September 2022, exactly one year since the trial commenced with the opening statements by the Specialist Prosecutor's Office on 15 September 2021. The trial proceedings took place over the course of 53 days, during which a total of 29 witnesses were called by the parties, two Specialist Prosecutor's Office witness statements were admitted and a total of 367 exhibits were tendered into evidence.

During the pre-trial and trial proceedings in this case, a total of 708 filings were submitted, of which 241 orders and decisions by the Specialist Chambers President, the Pre-Trial Judge and the Trial Panel, 189 filings by the Specialist Prosecutor's Office, 72 by the Defence, 147 by the Registry and 59 by the Victims' Counsel.

Mr. Mustafa filed his notice of appeal on 3 February 2023, following which the Specialist Chambers President assigned a Court of Appeals Panel to adjudicate the appeal. A pre-appeal hearing was held on 16 February 2023.

Mr. Pjetër Shala is charged with arbitrary detention, cruel treatment, torture and murder as war crimes allegedly committed at the Kukës Metal Factory in Albania. On 15 September 2022, the Pre-Trial Judge notified the Specialist Chambers President that the case would be ready for transmission to trial by 21 September 2022 and the Specialist Chambers President assigned Trial Panel I to the case on that same day. Trial preparation conferences were held from 18 to 20 October 2022 and the trial began on 21 and 22 February 2023 with the opening statements of the Acting Specialist Prosecutor, the Defence Counsel and the Victims' Counsel.

In the case of *Specialist Prosecutor v. Thaçi et al.*, the Pre-Trial Judge notified on 30 November 2022 that the case would be ready for transmission to a Trial Panel on 15 December 2022. The President of the Specialist Chambers assigned Trial Panel II to the case on the same day. Following the transmission of the case, the first trial preparation conference was held the next day, on 16 December 2022. Further conferences were held in preparation of the commencement of the trial on 3 April 2023. The accused in this case are charged with six counts of crimes against humanity – persecution, imprisonment, other inhumane acts, torture, murder and enforced disappearance of persons – and four counts of war crimes – illegal or arbitrary arrest and detention, cruel treatment, torture and murder.

Following the first judgment of the Specialist Chambers in the case of *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj* on 18 May 2022, the case proceeded to the Court of Appeals Panel. Public appeal hearings were held on 1 and 2 December 2022. On 2 February 2023, the Appeals Panel delivered its judgment, wherein it confirmed the convictions of Mr. Gucati and Mr. Haradinaj for intimidation during criminal proceedings, violating the secrecy of proceedings through the unauthorized

revelation of secret information disclosed in official proceedings and the unauthorized revelation of the identities and personal data of protected witnesses. The Appeals Panel further affirmed the conviction of Mr. Gucati and Mr. Haradinaj for obstructing official persons in performing official duties by serious threat.

The Appeals Panel reversed the finding by the Trial Panel related to the count of obstructing official persons in performing official duties by participating in the common action of a group and acquitted Mr. Gucati and Mr. Haradinaj on this count. In view of their findings, the Appeals Panel reduced the sentences of four and a half years imposed by the Trial Panel to four years and three months of imprisonment, with credit for time served. The Appeals Panel affirmed the monetary sentence of a fine of 100 euros each.

In total, nine public hearings took place during the reporting period. Hearings are streamed on the Specialist Chambers website in the three official languages of the court – Albanian, Serbian and English – and recordings thereof are available on the Specialist Chambers YouTube channel. During the reporting period, 965 filings were processed, 470 document translations produced and 49,145 items disclosed between the parties.

The number of participating victims increased during the reporting period. On 19 September 2022, the Pre-Trial Judge issued a third decision in the *Shala* case admitting six new applicants to the proceedings as participating victims. On 15 December 2022, the Pre-Trial Judge issued a fourth decision on participation of victims in the *Thaci et al.* case admitting 21 new applicants to the proceedings as participating victims. On 15 February 2023, Trial Panel II issued a fifth decision admitting an additional 84 applicants in the *Thaci et al.* case followed by their sixth decision on 8 March 2023 admitting three applicants. They will all be included in the existing group of victims and shall be represented by the same Victims' Counsel. There are currently 156 participating victims in three of the four cases before the Specialist Chambers: eight in the case against Mr. Shala, eight in the case against Mr. Mustafa and 140 in the case against Mr. Thaçi et al.

The publicly available List of Counsel contains 234 persons eligible to practice before the Specialist Chambers, 115 of whom are qualified to represent victims.

The Specialist Chambers President visited Kosovo from 20 to 23 September 2022. During her visit she hosted an online outreach event for civil society and media and she met in person with local law students. The European Union President further met with the Kosovo Minister of Justice and various members of the international community, including the Ambassadors to Kosovo of the European Union and Third Contributing States, the Head of the European Union Office in Kosovo and European Union Special Representative and the Head of the European Union Rule of Law Mission in Kosovo.

The Specialist Chambers Court Information Network, a forum of civil society organisations from Kosovo and Serbia, visited The Hague from 17 to 19 October 2022. During their visit, they met with all Specialist Chambers and Specialist Prosecutor's Office Principals. The Network provides valuable feedback, ideas, and recommendations regarding outreach activities of the Court.

On 18 November 2022, Mr. Alex Whiting became the Acting Specialist Prosecutor of the Specialist Prosecutor's Office following the appointment of Mr. Jack Smith appointment as Special Counsel in the United States.

On 24 November 2022, the Specialist Chambers and the Specialist Prosecutor's Office hosted European Union member States and Third Contributing States at the Specialist Chambers premises, during which the Specialist Chambers and Specialist Prosecutor's Office Principals provided updates on the most recent developments.

The European Union member States were welcomed to the Specialist Chambers and Specialist Prosecutor's Office again on 30 January 2023, when the Political and Security Committee of the European Union visited the Court in The Hague and met with the Specialist Chambers President, Specialist Chambers Registrar and the Acting Specialist Prosecutor.

The Specialist Prosecutor's Office has been engaged in intense, high-volume and ongoing pre-trial litigation with the Defence Counsel on a great number of issues, including the regular review of the detention of the accused, as provided for by the legal framework of the Specialist Chambers. To date, the accused have not been granted interim release and they have remained in detention.

The Specialist Prosecutor's Office has also continued to interview witnesses and suspects, review documentary evidence collected in the course of the investigation and prepare it for disclosure and work with relevant authorities to ensure both that documents are cleared for use in court and that witnesses are cleared to testify in court. The Specialist Prosecutor's Office continues to require the engagement and support of the international community, international organizations and individual States in these and all activities.

Annex III

**Composition and strength of the police component of the
United Nations Interim Administration Mission in Kosovo (as at
14 February 2023)**

<i>Country</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Austria	1	–	1
Canada	–	1	1
Finland	–	1	1
Germany	1	1	2
Jordan	–	1	1
Nepal	–	1	1
Slovenia	–	1	1
Total	2	6	8

**Composition and strength of the military liaison component of the
United Nations Interim Administration Mission in Kosovo (as at
15 March 2023)**

<i>Country</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Austria	–	1	1
Czechia	–	2	2
Poland	1	1	2
Republic of Moldova	–	1	1
Romania	–	1	1
Türkiye	1	1	2
Total	2	7	9

Annex IV

Map

