



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 19 March to 18 September 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 (OSCE) 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 and security developments

3. The past six months have been marked by continued discord between Belgrade and Pristina, in particular on the legitimacy of the newly elected Kosovo Albanian mayors in the four northern Kosovo Serb-majority municipalities. The security situation on the ground continued to deteriorate as a result of provocations and heightened rhetoric by the parties, leading to violent clashes in which members of the Kosovo Force, as well as civilians and journalists, were injured. The following contributed to the tense environment: protests in northern Kosovo; arrests of Kosovo Serbs; the detainment by Serbian authorities of three Kosovo police officers; new deployments of Kosovo police special operations units in northern Kosovo; land expropriations; and multiple security incidents.

4. As a next step in the implementation of the Agreement on the path to normalization between Kosovo and Serbia of 27 February and its Implementation Annex of 18 March, a Joint Monitoring Committee was established on 18 April. The Committee is chaired by the European Union Special Representative for the Belgrade-



Pristina Dialogue and other Western Balkan regional issues and includes the representative of Kosovo in Brussels and the chief negotiator of Serbia. The Committee has not yet met.

5. On 2 May, the High Representative of the European Union for Foreign Affairs and Security Policy facilitated a meeting in Brussels between the Prime Minister of Kosovo, Albin Kurti, and the President of Serbia, Aleksandar Vučić, to clarify implementation the steps of the Agreement. The parties endorsed the Declaration on Missing Persons, recognizing the issue of missing persons “as a humanitarian one”, and noted the “urgent need for additional joint efforts to alleviate the human suffering of the families”.

6. At the 2 May meeting, a draft statute for the Association/Community of Serb-majority Municipalities was presented by the Management Team for the Establishment of the Community of Serbian Municipalities formed in accordance with the 2013 Brussels Agreement. The Management Team consists of representatives of each of the four northern Kosovo municipalities. The High Representative of the European Union subsequently noted the diverging views of the parties on the nature of the Association/Community. Mr. Kurti later stated that the draft presented by the Management Team was “incompatible with Kosovo’s Constitution”. On 3 May, the Minister of Local Government Administration of Kosovo announced that he had dissolved the Management Team. The Spokesperson of the European External Action Service responded that the team must be “in operation” until the statute was “approved”, and that “any decision regarding the Management Team must be approved within the framework of the European Union-facilitated dialogue”.

7. A deadlock developed over the sequencing modalities to implement the Agreement and its Implementation Annex. While Belgrade insisted that concrete steps towards establishing the Association/Community needed to take priority, Pristina maintained that no article of the Agreement could be a precondition for the implementation of other articles and that articles needed to be advanced “independently”. Bilateral meetings held in Brussels on 15 May between the European Union Special Representative and the chief negotiators of Belgrade and Pristina also did not result in an agreement on next steps.

8. On 19 July, the chief negotiators travelled to Brussels for separate bilateral meetings with the European Union Special Representative. The meetings yielded no agreements as to the way forward.

9. On 14 September, the High Representative of the European Union facilitated a high-level meeting in Brussels between Mr. Kurti and Mr. Vučić. The parties did not come to a consensus on the sequencing modalities for the implementation of the Agreement or on the de-escalation of tensions in northern Kosovo. The High Representative of the European Union subsequently noted that the stalemate would affect the parties’ aspirations to move closer to the European Union.

10. Meanwhile, developments in northern Kosovo impacted the dialogue process, beginning with the mayoral elections of 23 April in all four northern municipalities and municipal assembly elections in Leposavić/Leposaviq and Zvečan/Zveçan to replace incumbents who had resigned in November 2022. The elections took place in a peaceful manner but were boycotted by most Kosovo Serbs, for the first time since the 2013 Brussels Agreement. In the lead-up to the elections, the Serbian List reiterated its conditions for participation, namely the establishment of the Association/Community and the withdrawal of Kosovo police special operations units from northern Kosovo. According to the Central Election Commission, 1,567 votes were cast across all four northern municipalities, accounting for 3.47 per cent of the 45,158 registered voters. Movement for Self-Determination (Vetëvendosje) party candidates won mayorships in Leposavić/Leposaviq and North Mitrovica, while the Democratic Party of Kosovo won in the Zvečan/Zveçan and Zubin Potok municipalities.

11. On 24 April, the Spokesperson of the European External Action Service issued a statement, noting that the elections had been held in line with the legal framework of Kosovo but emphasized that the results did not offer a “long-term political solution”. The same position was expressed by the Quint (France, Germany, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America) representatives on 18 May in a joint statement.

12. On 26 May, the Kosovo police escorted the newly elected mayors into the municipal premises of Zvečan/Zveçan, Leposavić/Leposaviq and Zubin Potok, which led to clashes with Kosovo Serb protesters, who called into question the legitimacy of the mayors. Mr. Vučić subsequently ordered the Serbian army to raise its combat readiness to the highest level. On 29 May, outside the Zvečan/Zveçan municipal building, a group of Kosovo Serb demonstrators clashed with Kosovo Force members who had been interposed to separate them from the Kosovo police stationed in front of the building. According to the Secretary General of the North Atlantic Treaty Organization (NATO), 93 Kosovo Force members were injured in attacks in northern Kosovo, some seriously. Approximately 50 protesters also reported injuries, including one gunshot wound. Mr. Vučić repeatedly called for the immediate withdrawal of the mayors from the municipal buildings and the withdrawal of the Kosovo police special operations units, while Mr. Kurti emphasized on 1 June the importance of elected mayors working from designated municipal offices.

13. International actors unanimously condemned the incidents, which resulted in serious injuries to Kosovo Force members as well as to civilians. The Special Representative of the Secretary-General for Kosovo called for “responsible leadership and actions to defuse tensions and move toward sustainable political solutions”. The High Representative of the European Union urged Kosovo authorities and the protesters to “immediately and unconditionally” de-escalate the situation. On 30 May, NATO announced the deployment of an additional 700-member battalion to Kosovo and the placement of a multinational battalion of reserve forces on higher readiness.

14. On 14 June, the High Representative of the European Union responded to a letter of 12 June from Mr. Kurti in which the latter suggested steps on de-escalation in northern Kosovo. The High Representative noted in his letter the expectations of the European Union on the steps required to restore calm. He reiterated the statement of the Council of the European Union of 3 June, in which it called for the withdrawal of Kosovo police special operations units from the vicinity of the municipal buildings, arrangements for newly elected mayors to temporarily work from alternative sites and the announcement of early mayoral elections. He raised the issue of the expectation that Kosovo Serbs would participate in the elections, which was also conveyed to Mr. Vučić. In the letter, the High Representative stressed that “failure to de-escalate [would] result in negative consequences”.

15. The United States called on the Kosovo government to “refrain from unilateral steps” and on 30 May announced a series of measures, including the exclusion of Kosovo from “Defender Europe 23”, the annual United States European Command multinational military exercise with NATO allies and partners.

16. On 28 June, the European Union initiated a range of measures against the Kosovo government noting that its requests for de-escalatory steps went unheeded, while emphasizing that the measures were “temporary and reversible”, and contingent on the decisions and actions of the Kosovo government. The measures include the following: the temporary suspension of the work of the bodies within the Stabilization and Association Agreement between the European Union and Kosovo; the exclusion of Kosovo from high-level meetings except for those focused on addressing the crisis in northern Kosovo within the framework of the European Union-facilitated dialogue; a temporary halt to the programming of funds for Kosovo from the 2024 Instrument for

Pre-Accession Assistance; and no review of proposals within the Framework of Investment in the Western Balkans. Mr. Kurti said that the measures were “unfair”. Meanwhile, Kosovo opposition leaders have increasingly voiced disapproval of Mr. Kurti’s actions.

17. The spring session of the Assembly of Kosovo was characterized by increased political polarization and difficulty constituting a quorum. Kosovo Serb Assembly members have boycotted the Assembly since November 2022. Members of the opposition Democratic League of Kosovo and the Democratic Party of Kosovo began boycotting sessions in July 2023, voicing their disapproval of the Kosovo government’s management of the crisis in northern Kosovo.

18. On 4 July, the European Union announced its intention to also monitor compliance by Serbia with requests for de-escalation and to consider further measures. In August, 10 Chairs of Foreign Affairs Committees and 56 European and United States lawmakers addressed a letter to the High Representative of the European Union, the United States Secretary of State and the Foreign Secretary of the United Kingdom, calling for a tougher approach towards Belgrade and a return to “balance and proportionality in dealing with Kosovo and Serbia”. The Spokesperson of the European External Action Service reiterated the European Union’s neutrality in the dialogue process, stating that member States were consulted on European Union actions and that the European Union was closely coordinating with partners, including the United States.

19. On 29 June, the Kosovo government designated two informal Kosovo Serb groups, Civilna Zastita (Civil Protection) and Brigada Sever (North Brigade) as “terrorist organizations”, stating that they posed a “serious and direct threat to constitutional order and security in Kosovo”. It alleged the involvement of the groups in the attacks against Kosovo police, Kosovo Force members and journalists, among other actions. The decision raised concerns among residents in northern Kosovo, who feared possible arrest for perceived connections to these groups. The United States criticized the Kosovo government for failing to coordinate the decision with international partners and urged the Kosovo government to refrain from unilateral steps. Similarly, the European Union described the designation as a “unilateral step” that was not contributing to de-escalation of the situation in northern Kosovo.

20. Mr. Kurti announced on 2 June in the Assembly of Kosovo the names of Kosovo Serbs, including members of the Serbian List, who allegedly were the organizers of the violent protests in northern Kosovo. The Serbian List denied the claims.

21. Kosovo authorities recruited 74 Kosovo police officers (56 men and 18 women) from non-majority communities (46 Kosovo Serbs; 17 Kosovo Bosniaks; 4 Kosovo Egyptians; 3 Kosovo Turks; 2 Kosovo Roma and 2 Kosovo Ashkalis) to fill vacancies resulting from the November 2022 resignations of Kosovo Serbs. On 24 July, the 74 officers commenced their duties in northern Kosovo. Threats were reportedly made against several of the new Kosovo Serb recruits, with their names and photographs published on social media. Three of those Kosovo Serb police officers resigned on 17 August. The President of Kosovo, Vjosa Osmani, stated that the resignations resulted from “threats and intimidation” by Serbia, adding that Kosovo would continue to ensure inclusivity across all institutions. Since then, a total of 11 newly recruited Kosovo Serb police officers have reportedly resigned. The European Union and other international actors expressed concern over the resignations, emphasizing the need for Kosovo police officers to operate without fear of intimidation and stressing the importance of a diverse and multi-ethnic police force.

22. On 10 July, the Kosovo Deputy Prime Minister and chief negotiator agreed on first steps for de-escalation with Mr. Lajčák in Bratislava, resulting in a reduction of Kosovo police special operations units by 25 per cent in the vicinity of municipal buildings on 13 July. A further 25 per cent reduction was made on 3 August, and the

police officers were redeployed to other locations in the north. The European Union Rule of Law Mission in Kosovo (EULEX) announced that it had agreed with the Kosovo police to conduct biweekly joint security assessments, and with the Kosovo Force “as appropriate”. Mr. Lajčák welcomed the first such assessment on 3 August as “an important step towards full de-escalation of the tensions in the north of Kosovo”. The Kosovo government called for the removal of the measures of the European Union against Kosovo following the reduction of Kosovo police special operations units. The European Union noted that further steps were needed to meet the conditions outlined in its 3 June statement on Kosovo.

23. Following the security incidents in May, regional actors took on a more active role and sought to help break the political impasse. On 6 June, the Chairperson-in-Office of the Organization for Security and Cooperation in Europe, the Minister for Foreign Affairs of North Macedonia, put forward a nine-point plan for de-escalation. The Prime Minister of Albania conveyed to the leaders of France and Germany a draft statute for the Association/Community on 9 June and proposed that the European Union host an international conference on Belgrade-Pristina relations with the participation of both parties.

24. Further diplomatic efforts were centred on the holding of new and inclusive mayoral elections in northern Kosovo. The European Union and the United States noted that the resignation of the mayors would be the most pragmatic step towards the triggering of new elections. The Kosovo government maintained that, instead, a referendum based on a petition should be held in northern Kosovo to recall the incumbent mayors. On 5 September, a working group formed by the Minister of Local Government Administration of Kosovo issued an administrative instruction regulating the procedure for the recall of the mayors. The administrative instruction clarifies the process for registered voters in any municipality to initiate the recall process through a petition, requiring a 20 per cent threshold to trigger a referendum.

25. On 22 August, the municipal authorities of North Mitrovica issued a decision requesting four Serbian-financed institutions to vacate the municipal building located in Bosniak Mahala in North Mitrovica, asserting that the institutions had failed to provide documents to justify the usage of its premises. The municipality extended the deadline for vacating the buildings, pending a report by the municipal inspectorate identifying the circumstances and reasons for the use of the premises, which is due on 23 September. The Spokesperson of the European External Action Service expressed concern about the impact of the decision on the security situation.

26. After a meeting on 7 September in Brussels with Ms. Osmani, the Secretary General of NATO stated that, in line with Pristina’s commitment from 2013, any deployment of the Kosovo Security Forces in northern Kosovo requires the concurrence of the Kosovo Force. NATO would also expect “timely and meaningful consultation on any action of the Kosovo Security Force or Kosovo Police that could impact the security environment”.

III. Northern Kosovo

27. The security situation in northern Kosovo remained fragile during the reporting period. On 10 April, at the Bistrica/Bistricë bridge Kosovo police checkpoint, a Kosovo Serb sustained a gunshot injury by a member of the Kosovo police special operations unit. After initially denying the involvement of its officers, the Kosovo police amended its account of the incident and arrested four Kosovo Albanian police officers. The Special Representative of the Secretary-General for Kosovo condemned the incident and stressed that a thorough investigation was crucial for justice, accountability and the protection of human rights. On 12 April, several hundred

protesters gathered near the bridge checkpoint to demand the withdrawal of Kosovo police special operations units from northern Kosovo.

28. On 10 May, the Kosovo government adopted a decision to expropriate more land in the municipalities of Zubin Potok and Leposavić/Leposaviq for projects of “public interest”. The decision affects 118 parcels and a total of approximately 137 hectares of privately owned land, predominantly by Kosovo Serbs. Following the conduct of public hearings on expropriation in February 2023, rights-holders expressed concern over transparency, property rights and access to remedies and filed complaints before the Basic Court of Mitrovica which remain pending.

29. UNMIK offices co-located within the municipal premises in Zubin Potok, Zvečan/Zveçan and Leposavić/Leposaviq were broken into during the incidents in May. The Special Representative of the Secretary-General for Kosovo conveyed to the Kosovo authorities that the assets and premises of the United Nations are inviolable and requested access to the premises, maintaining that the freedom of movement of United Nations personnel must be safeguarded and guaranteed at all times. UNMIK, with the support of the Kosovo Force and in coordination with the Kosovo police, has since retrieved some of its assets and secured its offices. UNMIK has been unable to resume operations from the premises.

30. On 1 June, approximately 100 individuals gathered in protest south of the Ibar/Ibër River in South Mitrovica under the slogan “March to the North” to express support for Mr. Kurti. On the same day, two Kosovo Albanians bearing Kosovo Liberation Army insignia were attacked in North Mitrovica and sustained minor injuries. On 7 June, two vehicles belonging to Kosovo Albanians were reportedly damaged in Zvečan/Zveçan.

31. On 13 June, Kosovo police apprehended a Kosovo Serb in North Mitrovica who was accused of “orchestrating” the incidents of 29 May. The following day, several hundred residents protested in North Mitrovica, demanding the release of the arrested individual. In the weeks that followed, Kosovo police arrested several Kosovo Serbs in northern Kosovo on allegations of fomenting acts of aggression against the Kosovo Force and journalists. A video displaying the mistreatment and degradation of one of the arrested individuals while in police custody was widely circulated on social media. On 20 June, the Belgrade Liaison Officer visited six Kosovo Serb detainees in Podujevë/Podujevo and Gjilan/Gnjilane municipalities and reported allegations of police mistreatment, including excessive use of force and solitary confinement.

32. In the period from 26 May to 16 June, some 30 allegations of incidents targeting journalists, members of the press and their property were reported throughout northern Kosovo. The European Union, the Kosovo Force and members of the international community decried the violence against journalists. Municipal property and Kosovo police vehicles were attacked on several occasions in Zvečan/ Zveçan, Leposavić/Leposaviq and Zubin Potok in the same period.

33. On 14 June, Kosovo police reported that three Kosovo Albanian police patrol officers had been “kidnapped” by Serbian police, while the Government of Serbia stated that they had been “detained” after crossing the administrative boundary line. Upon review, the Kosovo Force said that the exact location of the officers at the time of arrest remained “unclear” and reminded both sides of their responsibilities to coordinate with the Kosovo Force. On 26 June, the three detained police officers were released by Serbian authorities on remand, with criminal charges pending on “illicitly manufacturing, holding, carrying, and selling arms and explosive materials”.

34. On 23 June, the Kosovo police stated that, during an inspection of a vehicle with Serbian plates in Zvečan/Zveçan, a substantial quantity of weapons and military equipment had been retrieved.

IV. Rule of law and human rights

Rule of law

35. On 23 March, the Kosovo Prosecutorial Council noted in its annual report that, in 2022, the Prosecutor's Office had received 50,998 criminal complaints, with 44,287 (87 per cent) having been acted upon, noting significant progress. However, the report highlighted the slow pace in issuing indictments, including in relation to the confiscation of assets.

36. On 24 March, the Constitutional Court of Kosovo ruled that the Law on the Kosovo Prosecutorial Council, adopted in December 2022, was unconstitutional and rendered it invalid. On 31 July, after undergoing revisions, the Law was submitted for a third time to the Venice Commission for review.

37. On 7 April, the Ombudsperson Institution of Kosovo referred the Law on Salaries in the Public Sector (which entered into force in February 2023) to the Constitutional Court of Kosovo, requesting an assessment following complaints related to the reduction in salaries and the Law's impact on judicial independence.

38. On 2 May, for the first time, the Special Prosecutor's Office of Kosovo submitted an indictment for a war crimes case against a Kosovo Serb that is expected to be tried in absentia.

39. On 21 June, a Kosovo Serb was arrested in Gračanica/Graçanicë municipality for alleged war crimes against the civilian population during the conflict in Kosovo, pending trial. The arrest sparked protests by local Kosovo Serbs, who assembled in front of the police station, calling for his release.

40. Since the resignation of Kosovo Serbs from Kosovo institutions in November 2022, neither the Kosovo Judicial Council nor the Kosovo Prosecutorial Council has decided on the acceptance of the resignations of prosecutors and judges.

41. On 23 March, the Kosovo Judicial Council announced its intention to proceed with disciplinary hearings against several of the Kosovo Serb judges who had resigned. On 28 July, the Council recommended to Ms. Osmani that she dismiss two Kosovo Serb judges for allegedly engaging in political activities during the course of their judicial duties, referring to their participation in protests on 5 November 2022, when the Serbian List announced the resignation of Kosovo Serbs from Kosovo institutions.

42. UNMIK continued to provide document certification services. The Mission processed 1,712 documents: 699 relating to pensions and 1,013 relating to degree diplomas and marriage, birth and death certificates. UNMIK facilitated the issuance of 44 Red Notices and 12 extradition requests from members of the International Criminal Police Organization (INTERPOL) to Kosovo. It also opened 640 new cases based on requests for information. A total of 974 cases related to the territory or habitual residents for Kosovo remain open.

Human rights

43. On 10 July, the Assembly of Kosovo adopted the draft law regulating the application process for the status of conflict-related sexual violence survivors, extending the application deadline to 15 May 2025, with the potential for an additional two-year extension pending a decision by the Kosovo government. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and local civil society advised extending the deadline indefinitely.

44. The Kosovo government commission responsible for the verification and recognition of the status of survivors of conflict-related sexual violence granted

survivor status to 1,581 applicants (1,498 women and 83 men), an increase from 1,450 in March 2023. The commission rejected 295 applications (255 women and 40 men). On 12 and 26 July, the Assembly of Kosovo Committee on Human Rights, Gender Equality, Victims of Sexual Violence During the War, Missing Persons and Petitions held closed sessions to discuss the large number of rejected applicants.

45. On 12 July, the Supreme Court of Kosovo acquitted on appeal the former Serbian List official and former Minister of Local Government Administration, Ivan Todosijević, who had previously been convicted of “inciting hatred”, on the grounds of his denial of the 1999 massacre in the village of Recak/Raçak in a speech in 2019.

46. On 13 July, the Assembly of Kosovo adopted the draft law on the Institute of Crimes Committed During the War in Kosovo. The Kosovo government conducted public consultations on the draft transitional justice strategy between 15 May and 2 June. UNMIK submitted comments on the draft, advocating a victim-centred, human rights-based approach to transitional justice.

47. On 1 August, the Constitutional Court ruled that the United Nations Convention on the Rights of Persons with Disabilities is compatible with the Constitution of Kosovo. The ruling, which could pave the way for the inclusion of international human rights norms on the rights of persons with disabilities within the Kosovo legal framework, was welcomed by my Special Representative. This followed advocacy efforts by disability rights activists in Kosovo, supported by UNMIK. Several other elements of human rights legislation remain pending, including the draft laws on missing persons, freedom of religion, the prevention of and protection from domestic violence, violence against women and gender-based violence and the draft civil code.

48. There are still 1,616 missing persons (262 women and 1,354 men) connected to the 1998–1999 events in Kosovo. While there was no progress in the Working Group on Missing Persons at the level of heads of delegation, the sub-working group on forensic issues and the analysis team held two meetings in March. One joint assessment and one joint inspection were conducted, in April and August respectively. The Kosovo government commissions, through the sub-working group, assessed several sites in Kosovo and marked some of them as mass grave sites, while no assessment was performed in Serbia. On 30 August, the Special Representative of the Secretary-General for Kosovo urged the parties to resolve the fate of missing persons in the spirit of reconciliation, to build trust and respect for human rights and to depoliticize the process.

49. Instances of hate speech along ethnic lines were recorded on social media posts, with some comments that potentially amount to incitement. UNMIK noted incidents of hate speech particularly targeting women in politics, including social media attacks against a member of the Assembly of Kosovo who supported the draft law on reproductive health and medically assisted fertilization. Other posts targeted the lesbian, gay, bisexual, transgender, queer and intersex persons (LGBTQI+) community. On 8 August, homophobic graffiti was found at the University of Pristina.

50. Physical and verbal attacks on journalists continued to raise concerns for freedom of expression and the right to security of the person. The regional non-governmental SafeJournalists Network and the Kosovo Journalists Association recorded more than 40 attacks against members of the press, including those covering developments in northern Kosovo.

51. On 14 June, the Kosovo Business Registration Agency suspended the operating certificate of Klan Kosova, a major media outlet, on the grounds that its business registration location is unconstitutionally referred as being in the Republic of Serbia. On 28 July, the Ministry of Industry, Entrepreneurship and Trade announced that the Commission for the Review of Complaints for Business Registration had rejected

Klan Kosova's complaint against the decision. Klan Kosova submitted an appeal requesting an injunction to the commercial court and accused the Kosovo government of silencing the media. On 2 August, the commercial court ruled to delay the suspension until a final judicial decision was reached. The Special Representative of the Secretary-General for Kosovo urged the Kosovo government to find a pathway to ensure that Klan Kosova could continue to broadcast and to safeguard the diverse Kosovo media landscape.

52. On 8 August, on the same grounds, the Ministry of Industry, Entrepreneurship and Trade revoked the business certificates of an additional 15 economic entities operating in Kosovo. These include Mobile Telephony of Serbia (MTS DOO), which is the main provider of telecommunication, television and Internet services for Kosovo Serbs in northern Kosovo, as well as many in the south of Kosovo. On 30 August, MTS DOO filed an appeal before the Court of Appeals in Pristina against the decision.

53. The large number of suspects in pretrial detention, including some of those recently arrested in northern Kosovo, have raised human rights concerns. Owing to the generally lengthy judicial proceedings in criminal cases in Kosovo, individuals have remained in custody for extended periods, which has resulted in their right to trial being delayed. According to the Ombudsperson Institution of Kosovo, delays in judicial proceedings have been the most frequent subject of complaints received by the Office. Kosovo Serbs and the Government of Serbia have called on the courts to use alternatives to detaining arrested Kosovo Serbs, in accordance with the Criminal Procedural Code of Kosovo.

54. The Kosovo Ombudsperson called on the authorities to implement the right to an effective remedy to victims of violations of the right to trial.

V. Other key developments

55. From March to August, several incidents affected Serbian Orthodox religious sites in non-majority community locations. Examples include incidents of theft from the Serbian Orthodox Church, including from sites that are considered as special protective zones under Kosovo legislation. In addition, unknown persons attempted to burn the entrance door of a Serbian Orthodox church in Prizren. Other cases include the desecration of an improvised Serbian Orthodox Church shrine located in a mixed-community area. The shrine is considered as a symbol of tolerance and the peaceful coexistence of Kosovo Serb and Kosovo Albanian communities in the area. Thefts occurred at several religious sites of various denominations throughout Kosovo in locations where the affected community is in the majority, including Serbian Orthodox churches and mosques and Muslim graveyards.

56. In response to the arrests of Kosovo police officers by Serbian police, on 14 June, the Kosovo government banned all trucks transporting Serbian goods or bearing Serbian licence plates from entering Kosovo. While the ban on trucks with Serbian licence plates was later lifted, the ban against Serbian goods entering Kosovo remained in force, affecting, for example, medical supplies, as stated by the Director of the North Mitrovica Hospital.

57. On 8 April, Kosovo police issued instructions prohibiting all activities in Kosovo by sports entities that are not registered in Kosovo's sports federation.

58. In May, a Kosovo Albanian suspect was arrested in Zvečan/Zveçan, after publishing a video on social media holding a rifle while removing a Serbian flag in Grabovac/Graboc. On 30 May, Kosovo police arrested three men suspected of burning

a Serbian flag in Gračanica/Gračanicë. The flag was replaced the following day by municipal services.

59. The Kosovo government's decision of 28 October 2022 requiring the registration of Serbia-issued vehicle licence plates continued to strain relations with the Kosovo Serb community. From 30 March to 1 April, eight vehicles belonging to Kosovo Serbs were set on fire in northern Kosovo, including seven vehicles that had recently converted to Kosovo-issued vehicle licence plates. On 1 April, a Kosovo Serb was arrested in Zubin Potok on arson-related charges.

60. Municipal property and Kosovo police vehicles were attacked on several occasions in Zvečan/Zveçan, Leposavić/Leposaviq and Zubin Potok in May and June.

61. On 14 June, medical staff of a health centre in Štrpce/Shtërpçë municipality in southern Kosovo reported being harassed by a Kosovo police patrol that stopped and searched a medical emergency vehicle transporting a patient near Vushtrri/Vuçitrn.

62. On 19 April, the European Parliament ratified visa liberalization for Kosovo allowing holders of Kosovo travel documents to travel visa-free to Schengen countries for 90 days, coming into force no later than 1 January 2024. The Committee for Political Affairs and Democracy in the Parliamentary Assembly of the Council of Europe elected Theodora Bakoyannis as rapporteur for the membership of Kosovo on 20 June.

63. On 8 June, the Assembly of Kosovo adopted in its second reading the Law on General Elections. The Law, supported by the Central Election Commission, incorporated the majority of the 23 recommendations of the 2021 European Union Election Observation Mission report.

64. On 13 June, the Prime Minister of Albania cancelled the annual joint meeting of the governments of Albania and Kosovo, scheduled for 14 June, noting that the meeting could not be held "in the circumstances of Kosovo's aggravated relations with the entire Euro-Atlantic community". At the same time, a number of agreements on cultural, economic, educational, judicial and security cooperation between Kosovo and Albania were later signed by the two governments.

VI. Trust-building, partnership and cooperation

65. The Under-Secretary-General for Peace Operations attended the "Trust-building in Kosovo" event organized by UNMIK on 11 May, which marked five years of the Mission's trust-building efforts and convened more than 250 social leaders from all communities, from central and local institutions, civil society, youth, media influencers and international partners. The event served as an opportunity to recognize successful trust-builders and provided space for interaction among members of various Kosovo communities. Proceedings demonstrated the need for continued support and engagement at the grass-roots level to foster social cohesion and build trust among all communities in Kosovo.

66. During the event, the establishment was announced of the Barabar Centre, which will be run in Pristina by non-governmental organizations (NGOs) from North Mitrovica and from Pristina. The Centre, which is supported by UNMIK, will serve as an inter-ethnic hub for trust-building activities and an open space for professional, social and cultural interactions between peer groups from all communities in Kosovo.

67. In cooperation with the Kosovo Judicial Council, UNMIK contributed to improving the archive system of the Kosovo courts by offering technical support and involving 20 legal interns, who archived cases in accordance with the requirements of Kosovo law. An archive facility was also established at the Basic Court of Mitrovica. In addition, in cooperation with the Kosovo Academy of Justice, more than

190 professional legal associates and legal officers were trained in civil law. Separately, the United Nations Development Programme (UNDP) continued to support the Council in the modernization of the archiving system in courts by digitizing approximately 300,000 case files in all seven first instance courts.

68. UNMIK continued to support the Legal Aid Centre of the Kosovo Law Institute, providing free legal aid to 385 vulnerable individuals (152 women and 233 men) on issues related to property rights, pensions, domestic violence and labour.

69. UNMIK supported the training of 12 young lawyers from the Kosovo Serb community in northern Kosovo and sponsored 20 final-year law students across all communities at a legal clinic in mentorship and legal practice skills. Through the collaborative efforts of UNMIK and UNDP, language assistance was provided to the Basic Courts of Pristina and Mitrovica through a team of 14 court translators and interpreters. Results of this effort included the translation of close to 300 court case files and interpretation for more than 200 hearings.

70. UNMIK continued to strengthen civic space, human rights monitoring and reporting and to provide technical support to institutions to align legislation with international human rights norms and standards. UNMIK enrolled more than 40 municipal, ministerial and civil society representatives in the new human rights education for legal professionals platform course on non-discrimination. UNMIK promoted language rights by supporting the learning of both official languages on an online platform which offers free language training in Serbian and Albanian. With UNMIK support, close to 40 human rights civil society organizations published their fourth joint annual report on the human rights situation in Kosovo, which was submitted to the government on 17 May.

71. To mark the seventy-fifth anniversary of the Universal Declaration of Human Rights, UNMIK held two public readings of the Declaration with young people, dedicated a booth at the 2023 UNMIK trust-building event and delivered copies of the Declaration in the official and community languages to 17 municipalities.

72. UNMIK aided local trust-building through community ownership of arts and cultural revitalization processes in North and South Mitrovica through an inter-ethnic art initiative. The Mission continued to support the economic empowerment of youth from Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities in Mitrovica through capacity-building. UNMIK also supported the development of an analysis report by two NGOs based in Pristina and North Mitrovica, focused on institutional responses to security incidents in non-majority communities. In the report, they provided recommendations for informed decision-making, policy development, public accountability, improving institutional trust and strengthening inter-ethnic relations in Kosovo. UNMIK continued to support environmental protection projects, focusing on awareness-raising and strengthening youth environmental activism. UNMIK has supported the construction of an environmentally sustainable shelter for victims of gender-based violence in South Mitrovica.

73. On 27 April, the United Nations Office on Drugs and Crime (UNODC) and OSCE concluded a training course in Pejë/Peć on countering terrorism financing. The International Organization for Migration (IOM) assisted seven returnees from the Syrian Arab Republic and Iraq with start-up grants and scholarships and provided support in transferring competencies from central to local-level authorities to manage reintegration processes.

74. On 26 May, UNDP and UNODC organized a round table with 30 anti-corruption officials and members of civil society from Kosovo and Albania on the role of anti-corruption education in preventing and countering corruption and sharing good practices. UNDP continued to provide drafting support on anti-corruption legislation.

75. On 9 June, UNMIK in partnership with the United Nations Office for Project Services (UNOPS), strengthened the digital forensics capacities of the Kosovo Forensic Agency through the provision of advanced information technology forensic workstations. UNMIK and UNOPS also helped to enhance access to justice for all communities in Štrpce/Shtërpçë through the renovation of a branch court building, inaugurated on 15 June.

76. Multiple municipalities allocated funds to mark International Roma Day on 8 April. Some 100 members of the Roma community from Fushë Kosovë/Kosovo Polje participated in various events under an UNMIK-funded initiative aimed at strengthening the social inclusion and culture of the Roma community in Kosovo.

77. UNMIK, in partnership with IOM, continued its efforts to enhance institutional cooperation and advance the safeguarding of human rights. Emphasis was placed on language rights through support to central authorities such as the Language Commissioner and the Ombudsperson. IOM supported the Kosovo government in developing an online data collection and information platform which could facilitate opportunities to address issues pertaining to the rights of non-majority communities.

78. In March, the government approved its 2030 development strategy and adopted a three-year development plan, aligned with the Sustainable Development Goals, with support from the United Nations Kosovo team.

79. The Kosovo government announced the postponement of the housing and population census from 1 September to 1 November 2023.

VII. Women and peace and security and youth and peace and security

80. On 13 May, with the support of UNMIK, the Council for Inclusive Governance, an international NGO, facilitated a meeting in Prizren on the integration of the women and peace and security agenda into the normalization of relations process. Participating politicians and civil society representatives from Kosovo and Serbia noted the absence of women in the European Union-facilitated dialogue and recommended the systematic incorporation of gender perspectives and the meaningful participation of women in the process.

81. On 30 May, UNMIK and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), hosted the tenth United Nations Global Open Day on Women, Peace and Security in Kosovo, on the economic empowerment of women. The event showcased women-led businesses from different communities in Kosovo.

82. On 4 August, the Basic Court in Ferizaj/Uroševac issued a guilty verdict against two individuals accused of the murder of an 18-year-old woman in 2021. One defendant was sentenced to life imprisonment for murder, and the second was sentenced to 15 years' imprisonment for assisting in the commission of murder. Both defendants were acquitted on rape charges. The verdict was noted by the Kosovo government and the public as an important step in the fight against femicide.

83. The Mission raised awareness of the issue of child marriage, including through screenings of two UNMIK-produced films, "Romni" and "Like a Real Woman", which address the issue of early marriage in the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities.

84. UN-Women and the International Labour Organization (ILO) helped combat sexual harassment in the workplace through training activities involving more than 200 officials, entrepreneurs and journalists.

85. The Agency for Gender Equality within the Prime Minister's Office led the implementation of the Kosovo action plan on Security Council resolution [1325 \(2000\)](#) by promoting access to justice, rehabilitation measures and awareness campaigns for survivors of sexual violence. UN-Women provided technical support for gender mainstreaming in transitional justice processes, focusing on survivors of conflict-related sexual violence.

86. UNMIK and the United Nations Kosovo team continued to advance the youth and peace and security agenda through support to the Kosovo government interministerial working group on the new Kosovo Youth Strategy and the development of the Law on Youth, which included the participation of non-majority youth in the drafting process.

87. In April, the Mission partnered with a local NGO to provide capacity-building training for 50 members of municipal youth councils (56 per cent women) and supported the development of youth action plans in four multi-ethnic municipalities.

88. In April, the regional youth-focused project supported by the United Nations Peacebuilding Fund, implemented by UNDP, the United Nations Populations Fund, inter alia, engaged different youth groups in Kosovo to promote positive messaging in the media and to identify misinformation and disinformation. On 10 May, the project enabled the participation of more than 60 young people with disabilities in sports competitions.

89. From May to June, UNMIK supported the training of 40 youth workers (55 per cent women and 35 per cent from non-majority communities) on countering online hate speech, cyberbullying and discrimination.

90. From 6 to 8 June, UNMIK organized the fifth annual United Nations Youth Assembly in Kosovo, together with United Nations agencies, international organizations, Kosovo institutions and local and regional youth networks. The event brought together more than 220 young leaders from Kosovo and the region (57 per cent women and 33 per cent from non-majority communities) for discussions on youth participation in governance, community work, peacebuilding and international organizations. The United Nations also awarded small grants to six youth-led initiatives. The United Nations Kosovo team ensured the participation of young people with disabilities.

91. UNICEF continued to support the Kosovo Generation Unlimited programme, in partnership with the Ministry of Finance, Labour and Transfers and the Kosovo Corporate Social Responsibility Network, which aims to promote youth employability and empowerment for 10,000 young people over the next two years, targeting non-majority communities.

VIII. Returns, reconciliations, cultural heritage and community relations

92. The Office of the United Nations High Commissioner for Refugees (UNHCR) registered 24 voluntary returns, 8 women and 16 men, from the Kosovo Serb community, who had been displaced within and outside Kosovo. This brings the total number of displaced persons of the non-majority communities who have found durable solutions in Kosovo since 2000 to 29,321, among them 14,392 women and 14,929 men, consisting of 12,762 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, 7,203 women and 8,443 men, within Kosovo, as well as 69,627 persons with displacement-related needs throughout the Western

Balkans, out of approximately 200,000 displaced persons from Kosovo residing in the region, most of them in Serbia.

93. IOM contributed to safe conditions for returns by enabling sustainable livelihoods and durable integration for returnees, including through the construction or reconstruction of 15 houses for 54 returnees (24 women and 30 men): 13 of the families had been displaced in Serbia, 1 in Montenegro and 1 internally.

94. Regional police stations registered 195 migrant arrivals (184 men and 11 women) who were accommodated at the temporary reception centre, which provides protection-sensitive services with the support of IOM. In addition, 77 unregistered migrants and asylum seekers (66 men and 11 women) were identified, primarily from Morocco, the Syrian Arab Republic, Somalia, Algeria and the Occupied Palestinian Territories. A displacement tracking matrix methodology developed by IOM allows the Kosovo government access to comprehensive migration trends. A total of 67 asylum claims submitted to the authorities, 44 from men and 23 from women, in respect of which UNHCR ensured that all asylum seekers received free legal aid, psychosocial support and interpretation services. IOM assisted two migrants to return to their places of origin (Morocco and the Philippines).

95. UNHCR provided legal aid to 49 individuals (24 women and 25 men) of the Kosovo Ashkali, Kosovo Egyptian and Kosovo Roma communities in relation to processing their civil status registration and resolving civil status issues. 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.

96. The Kosovo government allocated 3 million euros to support employment opportunities for businesses, small agriculture producers in rural areas and civil society organizations that contribute to the integration of communities.

97. On 3 July, the Ministry for Communities and Returns of Kosovo announced the preliminary list of beneficiaries for a tender of 2 million euros allocated for non-majority communities. One million euros were allocated to 104 farmers from Kosovo Ashkali, Kosovo Bosniak, Kosovo Egyptian, Kosovo Serb and Kosovo Turkish communities, and 1 million euros were allocated to NGOs.

98. The Office of Community Affairs in the Prime Minister's Office initiated a programme to allocate a total of 500,000 euros in grants to non-majority communities on 31 May. NGOs and some Kosovo media outlets alleged a lack of fairness in the allocation process as only 3 of more than 40 NGOs representing non-majority communities were announced on 11 July as preliminary grant recipients. The Deputy Ombudsperson of Kosovo expressed concern over the allocation of funds and announced that an investigation had been initiated. NGOs representing the Kosovo Serb community urged the government to annul the community funding call.

99. After the independent commission of the government of Kosovo for the verification of degrees issued by the University in North Mitrovica was reconstituted in December 2022, it held 12 meetings and registered 63 diplomas for verification. The verification of diplomas will grant University of North Mitrovica graduates, primarily Kosovo Serbs, equal access to employment in Kosovo institutions.

100. The 2016 ruling of the Constitutional Court of Kosovo on the requirement to register the land of the Serbian Orthodox Visoki Dečani Monastery has not yet been implemented by the Kosovo government, despite repeated calls by members of the diplomatic community, the European Union, OSCE and UNMIK. On 20 May, the Special Representative of the Secretary-General for Kosovo reiterated calls on Kosovo institutions to uphold the rule of law and implement the long-standing decision.

101. 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.

Observations

102. I condemn in the strongest terms the attacks against international presences on the ground, and the use of violence in general. I urge all parties to exercise restraint and refrain from taking unilateral actions that could lead to heightened tensions and further escalation.

103. It is worrying that the parties have not made significant progress on the implementation of the Agreement on the path to normalization between Kosovo and Serbia and that they have yet to reach accord on the sequencing of the provisions of its annex. Lack of progress in the dialogue bears the risk of further tensions and possible escalation on the ground. I call upon the parties to reaffirm their genuine commitment to the European Union-facilitated dialogue and to fully implement all agreements reached thus far.

104. It is essential to find a solution to promptly hold early and inclusive local elections in northern Kosovo, with the participation of Kosovo Serbs, to defuse tensions and move forward.

105. The escalation of tensions and security incidents in May and June have adversely impacted the dialogue process. It is imperative that the actions of political leaders are driven by a commitment to address the concerns of all people of Kosovo. Dialogue remains the only pathway to resolving all open issues.

106. I welcome the Declaration on Missing Persons endorsed by Belgrade and Pristina on 2 May in the European Union-facilitated dialogue and urge the parties to undertake all necessary measures to implement its provisions in good faith. It is crucial that the issue of missing persons is addressed as a matter of priority, in a non-politicized manner, to ease the suffering of the families.

107. I encourage all parties to implement measures that safeguard and promote respect for human rights. Enforcement of the rule of law, including during arrests, charging, detentions and actions related to property rights, should be exercised in strict conformity with the legal framework of Kosovo and international human rights standards.

108. Increased tensions have continued to impact the already fragile trust among communities and between institutions and communities, making renewed trust-building efforts and inter-community engagements a resolute Mission priority.

109. 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.

110. I encourage government institutions, civil society and international organizations to continue to enhance the legal and policy frameworks addressing gender-based violence and to take concrete steps to ensure their effective implementation. I welcome the adoption by the Assembly of Kosovo of the law on the prevention of and protection from domestic violence, violence against women and gender-based violence.

111. I reiterate my call on the Kosovo government to implement the 2016 ruling of the Constitutional Court of Kosovo regarding the property of the Visoki Dečani monastery. This would signal a significant commitment by the Kosovo government to uphold the rule of law and constitutional order and would enhance public trust in its institutions.

112. To achieve viable and sustainable agreements, both sides should maintain an open, transparent and inclusive process encompassing the diverse needs and expectations of all affected stakeholders, including women, youth and civil society actors. I reiterate my call for greater and meaningful participation of women representatives in the European Union-facilitated dialogue.

113. I thank my Special Representative, Caroline Ziadeh, for her leadership of the Mission and all UNMIK staff for their commitment and efforts to build trust and encourage an environment conducive to dialogue. I convey my appreciation for the strong partnership between the Mission and the United Nations Kosovo team and welcome the ongoing close collaboration with the United Nations Development Coordinator in Kosovo. To the long-standing partners of the United Nations in Kosovo, including the Kosovo Force, the European Union and the Organization for Security and Cooperation in Europe, I express my gratitude for the unwavering 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 18 March 2022 to 18 September 2023

Summary

Following the withdrawal of Kosovo Serbs from Kosovo institutions, local by-elections were organized in the four municipalities in the north of Kosovo. Scheduled initially for December 2022 and then postponed to 23 April 2023, the mayoral and municipal by-elections were held in line with the legal framework of Kosovo, and efforts had been made for them to take place in a smooth and orderly manner. The very low turnout (3.47 per cent of voters), owing to the boycott by the Kosovo Serb community, showed that these elections did not offer a long-term political solution for these municipalities. The decision by the government of Kosovo to proceed with the installation of the newly elected mayors in the municipal buildings triggered violent reactions in Zvečan/Zveçan, Zubin Potok and Leposavić/Leposaviq, with civilians, dozens of KFOR troops, law enforcement and media personnel injured during a protest in Zvečan/Zveçan on 29 May. Diplomatic efforts by the European Union and the United States helped to de-escalate the situation. However, tensions remained high, exacerbated by the arrests of several Kosovo Serbs by the Kosovo Police. On 3 June, the European Union called on Kosovo and Serbia to take immediate and unconditional measures to de-escalate the situation in the north of Kosovo.¹ To find a way out of the current crisis, the parties are expected to meet the European Union's requests to de-escalate the situation on the ground, enable new local elections with the unconditional participation of Kosovo Serbs, return to the Belgrade-Pristina Dialogue and implement all agreements.

Initial steps to de-escalate the situation were agreed between the Deputy Prime Minister, Besnik Bislimi, and the European Union Special Representative, Miroslav Lajčák, on 10 July in Bratislava, when the Government of Kosovo committed, *inter alia*, to an immediate reduction by 25 per cent of the Kosovo Police presence in and around municipal buildings in northern Kosovo and to conducting regular joint security assessments with EULEX and KFOR, as appropriate. The first meeting was conducted on 3 August and resulted in the Kosovo Police announcing a further reduction by 25 per cent of its presence in northern Kosovo as of 4 August. Biweekly meetings have continued since, to define principles and measures for these assessments, which necessitate comprehensive information-sharing by the Kosovo Police. Two of the newly elected mayors are working from alternative locations.

During the reporting period, the Mission's Formed Police Unit and Reserve Formed Police Unit continued to cooperate closely with KFOR and Kosovo counterparts. The Mission's Senior Police Advisers monitored the situation in northern Kosovo, maintaining close contact with the Kosovo Police. While the Mission maintained its enhanced presence and visibility in the area, it 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's Case Monitoring Unit continued its monitoring of selected cases and trials, with a specific focus on cases related to developments in northern Kosovo, including the arrests made during and after the violent clashes in late May and early

¹ www.consilium.europa.eu/en/press/press-releases/2023/06/03/statement-by-the-high-representative-on-behalf-of-the-eu-on-kosovo-and-latest-developments/.

June. It also followed up on potentially ethnically motivated incidents affecting the Kosovo Serb community elsewhere in Kosovo. The Mission published its monitoring report, *The Application of Conditional Release in Kosovo* and supported the Kosovo authorities in the development of several strategies, including the strategy on transitional justice. The Mission also organized and facilitated numerous workshops and training activities in cooperation with its local counterparts.

Monitoring

Tensions that had been simmering for months erupted in northern Kosovo, following the local by-elections and the attempt at the end of May by the government of Kosovo to install newly elected Kosovo Albanian mayors in the formerly Serbia-run municipal buildings. The arrest of one of the alleged heads of the Civilna Zaštita (Civil Defence) in mid-June was followed by calls for violence by militant groups; however, on 14 June, a large protest march of approximately 1,500 people requesting the immediate release of the aforementioned individual passed off peacefully. Shortly before the arrest, the Prime Minister of Kosovo, Albin Kurti, published a five-point proposal for de-escalation of the situation, in which he invited the Mission to monitor judicial cases involving Kosovo Serbs from northern Kosovo, while falling short of meeting the requests laid out in the statement of 3 June of the European Union Special Representative on behalf of the European Union. On 14 June, the Kosovo Police alleged that three Kosovo Police officers had been “kidnapped” by the Serbian police near the Rudnica/Jarinjë common crossing point (they were released on 26 June) which further charged an already tense situation. In apparent retaliation, the government of Kosovo listed the Civil Defence and one of its components, the Severna Brigada (Northern Brigade), as terrorist organizations.

The Mission closely monitored criminal cases involving Kosovo Serbs allegedly involved in the above events. Furthermore, the Mission observed that some arrests of Kosovo Serbs took place outside of situations of flagrante delicto, without an investigation having been initiated or the prosecution consulted, in violation of the provisions of the Kosovo Criminal Procedure Code. In July, the Mission observed that the Kosovo Police had filed a criminal report against 22 suspects with the Special Prosecution of Kosovo, which subsequently opened an investigation, fully in line with the Kosovo Criminal Procedure Code. By the end of the reporting period, several individuals continued to be held in detention on remand pending trial, while others were released on bail.

In order to follow up on allegations of police ill-treatment, the Mission monitored the investigations by the Kosovo Police Inspectorate and visited several Kosovo Serb detainees held in Kosovo correctional facilities.

The Mission continued to monitor closely the expropriation procedures of several plots of land by the government of Kosovo in the municipalities of Zubin Potok and Leposavić/Leposaviq in the north of Kosovo. The Mission observed several shortcomings in the application by Kosovo institutions of relevant legislation.

Upon invitation by its Kosovo counterparts, the Mission supported the development of several strategies, including on the recruitment, performance evaluation and disciplinary process for judges and prosecutors and the strategy on anti-corruption.

The Mission recorded a persistent trend of acquittals and/or lenient sentences in high-profile cases (involving prominent public figures and/or former EULEX cases). A recent instance was the cancellation of hearings at very short notice, which had the same disruptive effect on trial procedures as so-called unproductive hearings.

The Mission also closely monitored the first war crimes indictments filed in absentia in Kosovo, to assess the level of compliance by judicial institutions with legal requirements for such cases. As at mid-August, there were four such indictments; no trial had yet started.

In May, the Mission's Correctional Unit published its report, *The Application of Conditional Release in Kosovo*, in which it highlighted the need for Kosovo authorities to ensure proper application of conditional release as an effective tool to prevent reoffending and promote resettlement. Following a request by the Kosovo Judicial Council and, as a follow-up to the publication of the report, the Mission issued a list of recommendations on amending the Regulation for Organisation and Function of the Conditional Release Panel.

The Mission continued to support the further development of a professional senior management team in the Kosovo Correctional Service. However, during the reporting period, the recruitment process for the position of Director General of the Service failed for the fourth time to produce results. Mission experts also assisted the Kosovo Probation Service in drafting the Service's organizational strategy.

Throughout the reporting period, the Mission complemented its regular monitoring efforts with projects and activities targeting specific needs of different counterparts. These included, inter alia:

- A two-day training course for 45 lawyers on issues related to the right to liberty and security and the right to a fair trial, organized by the Mission in cooperation with the Council of Europe Office in Pristina and the Kosovo Bar Association.
- Presentation of the report *Justice in the Eyes of Citizens: Third Report on Monitoring Court Hearings by Citizens*, facilitated by the Mission with its implementing partner, the Kosovo Law Institute. In the report they present key findings from monitoring activities for 600 criminal trials conducted throughout Kosovo in January and February 2023 by 20 lay monitors. As part of the project, the lay monitors were trained by the Institute and EULEX in key concepts of court proceedings and trial monitoring.
- A series of informative sessions with family members of missing persons in five locations throughout Kosovo in cooperation with the NGO Missing Persons Resource Centre.
- A two-day workshop on gender mainstreaming for 50 Kosovo Correctional Service officers.
- Provision of substantial support to the Kosovo Probation Service in designing and implementing a digital campaign to inform the public about the Service's work on alternative measures and sentences aimed at promoting the process of rehabilitation and resocialization of convicted persons.
- Training workshops with Kosovo Police staff on the use of victim-centred interview rooms. The Mission had supported KFOR and OSCE in setting up seven such rooms throughout Kosovo, to provide victims with the needed services in line with the Istanbul Convention.
- A three-day workshop for 25 directors and peer support counsellors within the Kosovo Correctional Service.
- Training sessions for Kosovo Police investigators, victim advocates, forensic doctors, judges and prosecutors on the implementation of the Protocol for the Treatment of Sexual Violence Cases.

- Implementation of a project to promote human rights education in schools, in cooperation with a local NGO. It targeted 527 elementary school students from five municipalities in Kosovo and their civic education teachers.
- Workshops on the prevention of contamination and cross-contamination of biological samples in the workplace. The workshops were designed and conducted in close cooperation with the Institute of Forensic Medicine and targeted 180 Kosovo Police officers and Institute staff members.

Operations

In preparation for potential violent reactions to the implementation of election results in the four municipalities in the north of Kosovo, the Mission adjusted its operational posture, with increased vigilance, information-gathering and reconnaissance patrols, in close cooperation with the Kosovo Police and KFOR.

Anticipating an escalation of violence, the Mission consolidated its crisis operations room. The Mission's Formed Police Unit and Reserve Formed Police Unit continued to patrol throughout northern Kosovo, while the Senior Police Advisers coordinated the crisis response at the Kosovo Police regional operations level. Throughout the reporting period, EULEX stood ready to take on its role as second security responder, as defined in the Kosovo security architecture, according to which the Kosovo Police is the first, EULEX the second and KFOR the third security responder.

In late May, following the clashes between protesters and KFOR in northern Kosovo, the Mission remained on full alert with a slight scaling-back of patrolling by the Formed Police Unit and the Reserve Formed Police Unit, and with a particular focus on monitoring the security situation around municipal buildings, common crossing points, Kosovo Police checkpoints, mixed-community neighbourhoods and cultural heritage sites. The Mission also monitored Kosovo Police actions in northern Kosovo. The Reserve Formed Police Unit patrolled Kosovo Serb settlements south of the Ibar/Ibër River.

In late July, 74 newly trained police officers from non-majority communities (57 male and 17 female), of whom 45 were Kosovo Serbs, started work in the north of Kosovo. EULEX had supported the Kosovo Police recruitment campaign. Immediately following their deployment, social networks, including Telegram, published threatening messages in the Serbian language directed at some of the Kosovo Serb Kosovo Police officers. Kosovo institutions and the international community condemned these threats. As at 25 August, nine of the newly recruited Kosovo Serbs officers had resigned.

The Mission continued to support the Kosovo Police in the field of international police cooperation. This included the facilitation of exchange of information between the Kosovo Police and the National Central Bureaus of INTERPOL under the umbrella of UNMIK, as well as the exchange between the Kosovo Police and the European Union Agency for Law Enforcement Cooperation (Europol) on serious crime investigations through the Mission's Swedish Europol liaison desk. In addition, the Mission continued to facilitate the exchange of information between the Kosovo Police and the Serbian authorities, in accordance with the relevant protocol between the Mission and the Ministry of Interior of Serbia and enhanced its efforts to improve the swiftness and quality of information exchange between the Kosovo Police and the Serbian Ministry of Interior, including in sensitive cases.

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's Forensic Medicine Team supported the Kosovo Institute of Forensic Medicine and the Kosovo Police War Crime Unit in carrying out 12 field operations. Of these, four locations relate to ongoing investigations in the search for several missing persons who remain unaccounted for. In total, five sets of human remains were found in unmarked graves in three different locations, including one set of remains in two different cemeteries in Pristina and three sets of remains found in a field in Mitrovica North municipality. In addition, the Mission's Forensic Medicine Team assisted the Kosovo Police in the search for a potential concealed grave, in connection with the recent disappearance of a person in Vushtrri/Vučitrn municipality. In addition to this support, the Mission continued to assist the Institute of Forensic Medicine in the examination of recently exhumed remains, as well as in the review of the remains stored at the Institute's morgue. Examinations conducted during the reporting period resulted in the collection of 34 samples which were submitted for DNA analysis and the submission of 37 presumed identification requests to the DNA laboratory of the International Commission on Missing Persons. In May, the Institute of Forensic Medicine received the DNA reports for four new identifications, and an additional report was received in August. Lastly, the Mission's forensic experts assisted the Institute of Forensic Medicine in the review and preparation of identified cases for handover to their families. Of the four individuals whose remains were handed over, two had been on the list of missing persons.

Annex II

Specialist Chambers and Specialist Prosecutor's Office

During the reporting period, Dritan Goxhaj was arrested pursuant to a warrant of the Specialist Chambers on 31 July 2023 by the authorities of Albania in Tirana following a request for cooperation and assistance by the Specialist Chambers to the Albanian authorities. The arrest warrant was issued by a Specialist Chambers Judge in relation to offences against the administration of justice involving intimidation and obstructing official persons in performing official duties. Mr. Goxhaj is detained in Albania, pending a decision by the Albanian authorities on his transfer to the Specialist Chambers Detention Facilities in The Hague.

The appointment of the new Specialist Prosecutor, Kimberly West, was announced on 2 June 2023. Ms. West, who succeeds Jack Smith, is expected to assume her duties in September 2023.

The Specialist Chambers reached another milestone in early April 2023, when the opening statements of the Acting Specialist Prosecutor, the Defence Counsel and the Victims' Counsel were delivered from 3 to 5 April in the case of the *Specialist Prosecutor v. Thaçi et al.* The first prosecution witness testified in court on 11 April 2023. Since then, 23 prosecution witnesses have testified in court.

Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi 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.

The second case currently in trial proceedings before the Specialist Chambers is the case of the *Specialist Prosecutor v. Pjetër Shala*. Mr. Shala is charged with arbitrary detention, cruel treatment, torture and murder as war crimes allegedly committed at the Kukës Metal Factory in Albania. The trial proceedings commenced on 21 and 22 February 2023 with the opening statements of the Acting Specialist Prosecutor, the Defence Counsel and the Victims' Counsel. The first prosecution witness testified on 27 March 2023.

The Specialist Prosecutor's Office completed the presentation of evidence and rested its case on 6 July 2023, having called 10 witnesses. The defence case is scheduled to begin on 18 September 2023, pending the outcome of the motion to dismiss certain charges against the accused filed by the defence.

On 10 July 2023, the Constitutional Court Panel was assigned to decide on a referral by Mr. Shala related to alleged violations of his fundamental rights.

The Specialist Prosecutor v. Salih Mustafa is currently before the Court of Appeals Panel following the filing of an appeal on 24 April 2023 by Mr. Mustafa against the judgment of Trial Panel I rendered on 15 December 2022. Trial Panel I found Mr. Mustafa guilty of the war crimes of arbitrary detention, torture and murder and sentenced him to a prison sentence of 26 years. The Trial Panel acquitted Mr. Mustafa of cruel treatment as a war crime.

On 6 April 2023, Trial Panel I issued a reparation order in the same case, ordering Mr. Mustafa to pay 207,000 euros as compensation for the harm inflicted on the victims of the crimes of which he was found guilty. Consideration of the reparation order will depend on the outcome of the final judgment against Mr. Mustafa.

In the six-month period, 1,116 filings and 629 orders and decisions were processed, 372 documents totalling 5,576 pages translated and 4,207 items disclosed between the parties. A total of 76 hearings took place and were streamed on the

Specialist Chambers website in the three official languages of the court – Albanian, Serbian and English. The recordings thereof are available on the Specialist Chambers YouTube channel. In all, 35 witnesses provided their testimonies before the Specialist Chambers during the reporting period.

There are 157 participating victims in three of the four cases before the Specialist Chambers: 8 in the case against Mr. Mustafa, 8 in the case against Mr. Shala and 141 in the case against Mr. *Thaçi et al.* The application process in the *Thaçi et al* case remains open.

During the reporting period, the Specialist Chambers carried out three custodial visits on humanitarian grounds in March, May and September 2023, in accordance with the decisions of the competent Panel. These were one-day visits during which the detainees remained in the custody of the Specialist Chambers.

There are currently 237 persons on the publicly available List of Counsel eligible to practise before the Specialist Chambers. Of these persons, 114 are qualified to represent victims. The defence teams consist of 124 persons, of whom 84 are practising in the *Thaçi et al* case.

On 24 March 2023, the Judges of the Specialist Chambers concluded their eighth plenary at the premises. During the plenary, the Judges, inter alia, adopted an amendment to the Code of Judicial Ethics for Judges appointed to the Roster of International Judges of the Kosovo Specialist Chambers (Code of Judicial Ethics). The amendment aligns the Code of Judicial Ethics with the Specialist Chambers Anti-Harassment Policy, which was adopted in December 2022.

The Specialist Chambers Court Information Network, a forum of civil society organizations from Kosovo and Serbia, visited The Hague from 3 to 6 April 2023 to follow the opening statements in the *Thaçi et al* case and to have a one-day workshop that included meetings with the Specialist Chambers and Specialist Prosecutor's Office Principals.

Training for journalists was provided during the reporting period by the Specialist Chambers. This included two basic training courses conducted by Specialist Chambers spokespersons on 15 and 23 March in Pristina, as well as a two-day training course organized on 2 and 3 May 2023 in The Hague for 20 journalists from Kosovo. The latter was focused on neutral and objective trial reporting and was delivered by two international journalists with extensive experience in reporting on proceedings before the Specialist Chambers, the International Criminal Tribunal for the former Yugoslavia and the International Criminal Court.

In July 2023, a Call for Nomination of Judges to a reserve list for the Specialist Chambers Roster of International Judges was published to ensure the continued efficient operations of the Specialist Chambers. Any appointment to the Roster will be effectuated only where the number of Judges from the Roster appears insufficient. This procedure ensures an immediate replacement of Judges in the eventuality of future resignations, without resorting to a new selection process.

In the week of 17 July 2023, the President and Registrar of the Specialist Chambers had several bilateral meetings with certain States and representatives of the United Nations in New York to provide information about the mandate of the Specialist Chambers, its milestones and the challenges faced by the court.

The Specialist Prosecutor's Office continued to interview witnesses and suspects, review documentary evidence collected in the course of its investigation 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 11 September 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 11 September 2023)

<i>Country</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Austria	–	1	1
Czechia	–	1	1
Hungary	1	–	1
Poland	1	1	2
Republic of Moldova	–	1	1
Romania	–	1	1
Slovenia	–	1	1
Türkiye	1	–	1
Total	3	6	9

Annex IV

Map

