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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 March to 15 September 2022.

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 continues its presence in Kosovo, 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 heightened rhetoric between Belgrade and Pristina, and the escalation of tensions on the ground, had an impact on the progress in the normalization of relations during the reporting period. Discord between the parties centred around the in-Kosovo voting during the Serbian elections, freedom of movement issues, and the implementation of earlier agreements on energy issues and the Association/Community of Serb-majority Municipalities. Continued support from European Union officials and other international stakeholders helped to de-escalate tensions and maintain engagement in the European Union-facilitated dialogue.

4. Belgrade and Pristina made advancements on some outstanding issues in the European Union-facilitated dialogue. On 21 June, the parties adopted an implementation road map on the 2013 and 2015 energy agreements. The road map specifies steps, with associated timelines, to be taken by each side, within a 100-day period. It envisages the integration of the four northern Kosovo Serb-majority municipalities into the Kosovo energy system. Belgrade and Pristina agreed that, as a



first step, the Energy Regulatory Office of Kosovo would issue a supply licence to Elektrosever, a subsidiary of the Serbian national energy company. Technical agreements would then be signed between Elektrosever and the Kosovo Transmission System and Market Operator (KOSTT) and the Kosovo Electricity Distribution Services (KEDS). Under the technical agreements, Elektrosever would provide distribution services in the four northern Kosovo Serb-majority municipalities, while KOSTT and KEDS would be granted access to the transmission and distribution infrastructure in northern Kosovo.

5. The initial momentum in implementing the energy road map has since stalled. The Energy Regulatory Office of Kosovo granted a supply licence to Elektrosever on 24 June. However, the implementation of subsequent steps, including concluding the technical agreements, remains outstanding.

6. The progress on implementing the road map was also affected by emerging tensions related to other issues, including the Kosovo government decisions of 29 June on the “reciprocal” issuance of temporary entry-exit declarations to holders of Serbian identity documents, and the mandatory replacement of Serbia-issued vehicle licence plates which designated Kosovo localities with Kosovo-issued plates between 1 August and 30 September 2022. According to the Ministry of Internal Affairs of Kosovo, vehicles not registered in the Kosovo system by the deadline would be considered illegal and not allowed to circulate within Kosovo.

7. Kosovo Serb representatives in northern Kosovo and Belgrade decried the decisions as unilateral actions running counter to the European Union-facilitated agreements. On 31 July, on the eve of the implementation of the decisions, air raid sirens were activated in the northern municipalities, and roadblocks were erected on the routes crossing the administrative boundary line at Jarinje/Jarinjë (Gate 1) and Brnjak/Bërnjak (Gate 31). Kosovo police subsequently closed the crossing points. Kosovo police reported several shots fired at its units and an explosion, with no injuries sustained. The police also reported several incidents of protesters mistreating and injuring Kosovo Albanian residents, as well as damaging their vehicles. In a worrying development, a significant number of well-armed individuals were observed among the Kosovo Serb protesters. Rumours and misinformation further escalated rhetoric and public anxiety. The Special Representative of the Secretary-General for Kosovo, Caroline Ziadeh, appealed for calm, for the restoration of freedom of movement and engagement in good faith within the European Union-facilitated dialogue. The Kosovo Force issued similar calls and expressed its readiness to intervene to ensure a safe and secure environment. The Kosovo Force Commander met with Kosovo Serb representatives and maintained continuous contact with officials in Belgrade and Pristina.

8. Pristina accused Belgrade of being responsible for the roadblocks and for mobilizing protests in the north. Kosovo Serb leaders warned the government in Pristina that, should it not rescind its decision, Kosovo Serbs would unilaterally establish the Association/Community of Serb-majority Municipalities.

9. Following diplomatic engagement by international actors in the evening of 31 July, Pristina agreed to postpone the implementation of its measures until 1 September, and the protesters subsequently removed the roadblocks (on 27 August, the parties agreed to an entry/exit mechanism, as described in paragraph 29). However, sporadic security incidents continued to occur. On 6 August, shots were fired towards a Kosovo police patrol boat at the Gazivode reservoir in Zubin Potok municipality, with no injuries reported. The Kosovo police, the Kosovo Force and the European Union Rule of Law Mission in Kosovo increased their presence and patrols in the north, including along the roads leading to Gates 1 and 31. Inflammatory graffiti in some locations in northern Kosovo added to public anxiety.

10. On 18 August, the High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, Josep Borrell, hosted the President of Serbia, Aleksandar Vučić, and the Prime Minister of Kosovo, Albin Kurti, in Brussels. While no specific agreement on freedom of movement emerged, they committed to regular meetings and discussed elements related to the normalization of relations.

11. On 3 April, Serbian presidential, parliamentary and partial municipal elections were conducted. In-Kosovo voting arrangements once again caused controversy and tensions. Consistent with its position on the Serbian constitutional referendum of 16 January 2022, Pristina objected to having voting take place in Kosovo without a direct official request from the Government of Serbia. Pristina's proposal that voting be conducted by mail or on the premises of the Belgrade liaison office there was deemed unacceptable by Belgrade. Despite efforts by the Quint (France, Germany, Italy, the United Kingdom of Great Britain and Northern Ireland, and the United States of America) and the European Union to allow the vote on the basis of past practice, whereby OSCE collected ballots, no agreement ensued. In response, the Serbian List organized peaceful protests in Gračanica/Gračanicë and North Mitrovica on 25 March. On election day, the Government of Serbia facilitated transportation for eligible voters from Kosovo to polling stations in central Serbia, without major incident. Of the more than 93,000 eligible voters from Kosovo, upward of 19,500 cast their vote in the Serbian elections.

12. The incumbent, Mr. Vučić, secured his second term as President by winning 58 per cent of the vote. The ruling coalition, led by his Serbian Progressive Party, won approximately 43 per cent of the vote, while the main opposition bloc, the United for the Victory of Serbia coalition, won 13.5 per cent, closely followed by the coalition partner of the Serbian Progressive Party, the Socialist Party of Serbia.

13. As part of its renewed efforts to join international organizations, on 12 May, Kosovo submitted a membership application to the Council of Europe, which was met with protestations from Belgrade. The next day, Mr. Vučić convened a meeting of the National Security Council of Serbia, in which he warned of "severe consequences". Following the meeting, the Minister for Foreign Affairs of Serbia, Nikola Selaković, stated that, in response to the application of Kosovo, he had submitted "de-recognition" notes from four unnamed countries to Mr. Vučić. The Kosovo government has also expressed its intention to apply for European Union membership by the end of the year, and to apply to join the North Atlantic Treaty Organization Partnership for Peace Programme.

14. The leaders of Albania, North Macedonia and Serbia met in the framework of the Open Balkan initiative in Ohrid, North Macedonia, on 7 and 8 June, and in Belgrade on 1 September. The Prime Minister of Montenegro, Dritan Abazović, and the Chair of the Council of Ministers of Bosnia and Herzegovina, Zoran Tegeltija, participated as observers. The leaders signed agreements on cooperation in education, culture, tourism, energy and food security, among other areas. The Kosovo government maintained its long-standing objections to the initiative which, in its view, would undermine the objectives and values of European integration through the Berlin process, in particular the establishment of the common regional market. The Chancellor of Germany, Olaf Scholz, echoed support for the Berlin process during his visit to Kosovo on 10 June. He pledged his country's commitment to revitalizing the Berlin process with a view to promoting European integration through the free movement of persons, goods, services and capital in the region, along the lines of the common regional market initiative for the Western Balkans.

15. On 20 June, the Government of Albania and the Kosovo government held their eighth joint session in Pristina and signed multiple cooperation agreements, including

on freedom of movement, security and diversification of the energy supply, railway connectivity, tourism and agriculture.

16. On 23 and 24 June, the European Council convened in Brussels under the French Presidency of the Council of the European Union. The European Council reaffirmed the need for tangible progress in the Belgrade-Pristina dialogue. The absence of any reference in the conclusions to visa liberalization for Kosovo was met with renewed frustration in Pristina. The Assembly of Kosovo adopted a resolution on 3 August in which it called upon the European Union to grant visa liberalization to Kosovo.

17. Kosovo institutions adopted several important reforms related to elections and political parties. On 1 July, the Assembly of Kosovo established an ad hoc committee on electoral reform. The committee will seek to address the outstanding recommendations of the European Union Election Observation Missions to strengthen transparency, accountability and the political participation of women. In August, the Assembly passed the draft law on the financing of political entities and ratified the financial framework partnership agreement under the European Commission Instrument for Pre-accession Assistance III. The agreement provides close to 64 million euros annually from 2021 to 2027 in support of the rule of law and economic, governance and energy reforms.

18. On 14 June, the Assembly of Kosovo adopted, in the first reading, government-proposed amendments to the law on the minimum wage. In the preceding days, members of the Kosovo Liberation Army War Veterans Organization protested outside the Assembly to demand, without success, their inclusion in the legislation as beneficiaries. In addition, in late August, the Federation of Independent Trade Unions of Kosovo announced a general strike of public institution employees, demanding pay increases pending the adoption of the law on salaries in the public sector.

19. On 21 July, the Assembly of Kosovo adopted the law on the Kosovo population and housing census. The date for the census has yet to be announced, with the previous one having taken place in 2011. The United Nations Population Fund is providing technical assistance to the Kosovo Agency of Statistics in preparation for the census.

20. In the period from 16 March to 31 August, there were nine notable incidents affecting Serbian Orthodox religious sites and cemeteries in non-majority community locations. Examples include an incident of grievous theft at a Serbian Orthodox church in the village of Zhivinjan/Živinjanë, Prizren municipality. In the town of Prizren, perpetrators damaged the gate and door of a Serbian Orthodox church. In a graffiti incident, the letter “Z” was sprayed on a Serbian Orthodox church in the town of Shtime/Štimlje, and a Serbian flag was removed from an Orthodox church and later burned in the town of Viti/Vitina.

21. Several tombstones were damaged at the Serbian Orthodox cemetery in Pejë/Peć. On two occasions, wooden memorial crosses were reportedly damaged at the cemetery in the town of Rahovec/Orahovac. 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, mosques and Muslim graveyards.

22. Several other high-profile incidents caused tensions among communities during the reporting period. On 29 June, a male citizen of Serbia was arrested in Gazimestan for inciting hatred during the Saint Vitus Day celebrations. On 6 September, the Basic Court in Pristina sentenced him to eight months in prison. In the village of Hoçë e Madhe/Velika Hoča, in the municipality of Rahovec/Orahovac, burglaries of Kosovo Serb-owned shops were reported in June and August. In August, offensive graffiti was sprayed on and in front of a Kosovo Serb-owned house in the village of Donja

Brnjica/Bërnice e Poshtme in Pristina municipality. In September, two Kosovo Serbs, a father and son, were stabbed in the village of Babin Most/Babimoc, Obiliq/Obilić municipality. Kosovo police subsequently arrested two Kosovo Albanian suspects in relation to the attack. Incidents of sexual violence targeting Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities are also of particular concern. In June, there were reports of a series of bomb threats at schools administered by the Government of Serbia and at the airport in Pristina, which the Kosovo police confirmed as false.

23. On 6 August, the Kosovo police detained a journalist from the Russian Federation at the administrative boundary line in northern Kosovo who reportedly sought to visit Serbian Orthodox Church sites in Kosovo. She was released after several hours. The Ministry of Internal Affairs of Kosovo declared her “persona non grata” on the grounds of engaging in “espionage”, banning her from visiting Kosovo for five years. The Embassy of the Russian Federation in Belgrade denounced the detention and ban as a “provocation” and “disregard for basic democratic principles, including freedom of movement”.

24. On 21 July, the Parliament of Albania adopted a resolution on “unfounded claims about illegal trafficking of human organs in Kosovo and Albania” in reference to alleged crimes committed by the Kosovo Liberation Army during the Kosovo conflict. The resolution referred to the perceived lack of evidence produced by the investigations and indictments by the Specialist Prosecutor’s Office to support the claims. In it, the Parliament of Albania called upon the Parliamentary Assembly of the Council of Europe to produce a report leading to a review of its resolution [1782 \(2011\)](#), which served as the basis for the investigations.

III. Normalization of relations between Belgrade and Pristina

25. During the reporting period, the European Union-facilitated Belgrade-Pristina working group tasked with identifying a permanent solution to the issue of vehicle licence plates held two meetings in Brussels, on 6 and 21 April, without agreement.

26. On 4 May, the European Union Special Representative for the Belgrade-Pristina dialogue and other Western Balkan regional issues, Miroslav Lajčák, met with Mr. Kurti and Mr. Vučić in Berlin at the invitation of the Government of Germany. Mr. Vučić and Mr. Kurti also had separate bilateral meetings with Mr. Scholz, who stressed the importance of progress in the dialogue for lasting peace and stability and the integration of both sides into the European Union.

27. Subsequently, Mr. Lajčák met separately with the chief negotiators of both sides in Brussels on 13 May. The discussions failed to break the impasse on the vehicle licence plates, but some progress was announced on other issues, such as energy (on 21 June, the parties adopted an implementation road map on the 2013 and 2015 energy agreements, as described in paragraph 4).

28. Mr. Lajčák visited Pristina and Belgrade from 27 June to 2 July and again from 24 to 26 August. He was joined on the latter visit by the United States Special Envoy for the Western Balkans and Deputy Assistant Secretary of State, Gabriel Escobar. According to Mr. Lajčák, the discussions focused on the implementation of the “energy road map”, missing persons, regional cooperation, a possible high-level meeting between Belgrade and Pristina, and resolving the issues related to the freedom of movement.

29. On 27 August, Mr. Borrell announced that Belgrade had agreed to abolish “entry/exit” documents for holders of Kosovo identification documents and that Pristina would not introduce entry/exit documents for holders of Serbian identification documents, and that discussions on vehicle licence plates would

continue. In a further effort to move the dialogue forward, the foreign and security policy advisers of the President of France, Emmanuel Macron, and Mr. Scholz, together with Mr. Lajčák, visited Pristina and Belgrade on 9 September and met with Mr. Kurti and Mr. Vučić.

IV. Northern Kosovo

30. The situation in northern Kosovo was marked by tensions and security incidents. On 22 March, Kosovo Serb representatives, including members of the Kosovo police and the judiciary from northern Kosovo, participated in a meeting convened by Mr. Vučić in Belgrade in response to the objection by Pristina to holding the vote for the Serbian elections of 3 April in Kosovo. The Kosovo Judicial Council subsequently suspended the President of the Basic Court of Mitrovica for having participated in the meeting. In protest, Serbian List representatives, Kosovo Serb judges and some municipal staff stopped reporting to work, only resuming their duties after the suspension of the President of the Basic Court ended on 10 May.

31. In April, several consecutive attacks against Kosovo police were reported in the municipalities of Zubin Potok and Leposavić/Leposaviq, resulting in damage to police vehicles but no casualties. International actors, including the Special Representative of the Secretary-General, condemned the attacks.

32. On 23 June, days after the announcement of the implementation road map on energy, an explosive device damaged a high voltage cable and company vehicles at the facility of Serbian electricity distribution company Elektrodistribucija Srbije in North Mitrovica.

33. On 24 August, on the eve of the joint visit by Mr. Lajčák and Mr. Escobar to northern Kosovo, the municipal assemblies and mayors of the four northern Kosovo Serb-majority municipalities held a joint session in Zvečan/Zveçan. They adopted a declaration protesting “unilateral” measures by Pristina. In it, they announced the possible withdrawal of Kosovo Serb representatives from all Kosovo institutions, including the police and judiciary, in the absence of an acceptable solution on the freedom of movement. They also demanded the establishment of the Association/Community of Serb-majority Municipalities. During their meeting later that day with the Special Representative, the Kosovo Serb representatives also stressed the perceived lack of engagement by Pristina with the Kosovo Serb community in the north. The Special Representative encouraged the resolution of the issues through dialogue and the prevention of any escalatory actions.

34. The Kosovo police increased its presence in the four northern Kosovo Serb-majority municipalities by opening new field police stations and deploying Kosovo Albanian officers from other parts of Kosovo. Police operations were reportedly often conducted without the involvement of Kosovo police officers from the local police stations, creating friction both between the Kosovo police headquarters in Pristina and local police command and with the local population. This could potentially have a negative impact on police integration in northern Kosovo.

35. On 17 July, the Kosovo police reported that a truck driver who was transporting smuggled beverages crashed into police vehicles while attempting to evade arrest in Leposavić/Leposaviq municipality. Police used firearms and claimed that five officers were injured and two police vehicles were damaged. The family of the arrested truck driver alleged that the police had exercised excessive force and inflicted bodily harm on him.

36. Access by local residents to certain public services was reportedly affected after Kosovo police closed some roads by excavating ditches. The affected roads had been

providing access to unofficial crossings at the administrative boundary line in the municipalities of Leposavić/Leposaviq and Zubin Potok. Subsequently, Kosovo police have allowed passage to individuals from a pre-approved list, and parts of the excavated roads have been repaired to allow for limited vehicle traffic.

37. On 9 June, the Kosovo police Department of Serious Crimes issued summons for the President of the Serbian List and Minister for Communities and Returns of Kosovo, Goran Rakić, along with the Vice-President of the party and a party member of the Assembly of Kosovo. They were reportedly among 72 Kosovo Serbs who were accused of “breaching the constitutional order of Kosovo” in connection with the protests in northern Kosovo in September and October 2021. This was in response to the decisions made by Pristina on vehicle license plates and to a Kosovo police anti-smuggling operation. The Serbian List stated that any arrest mentioned in that list would be met with protests and “civil disobedience”.

38. On 5 September, the Prime Minister-designate of Serbia, Ana Brnabić, visited northern Kosovo, where she met with Kosovo Serb representatives. She visited the North Mitrovica multimedia centre and religious sites of the Serbian Orthodox Church, conveying her country’s commitment to peace and stability and continued support for the Kosovo Serb community. Mr. Kurti stated that he hoped that the visits of officials from Serbia to Kosovo would contribute to freedom of movement in general.

V. Returns, reconciliations, cultural heritage and community relations

39. The Office of the United Nations High Commissioner for Refugees (UNHCR) registered 120 voluntary returns by members of non-majority communities who had been displaced within and outside Kosovo. The returnee numbers include 65 women and 55 men (102 Kosovo Serbs, 9 Kosovo Egyptians, 6 Kosovo Ashkali, 2 Kosovo Roma and 1 Kosovo Albanian). This brings the total number of displaced persons of the non-majority communities who have found durable solutions in Kosovo since 2000 to 29,185, including 14,335 women and 14,850 men (12,678 Kosovo Serbs, 7,752 Kosovo Ashkali and Kosovo Egyptians, 4,049 Kosovo Roma, 1,878 Kosovo Bosniaks, 1,464 Kosovo Gorani, 1,320 Kosovo Albanians, 21 Kosovo Montenegrins, 19 Kosovo Turks and 4 Kosovo Croats). There remain 15,683 displaced persons within Kosovo (7,220 women and 8,463 men) and 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.

40. During the reporting period, 328 people (304 men and 24 women) submitted asylum claims to the authorities. UNHCR ensured that all asylum-seekers received free legal aid, psychosocial support and interpretation services. UNHCR continued to support 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.

41. On 29 March, UNHCR, UNMIK and the Ministry for Communities and Return of Kosovo organized a series of round tables in Pejë/Peć, Gjilan/Gnjilane, and Lipjan/Lipljan to improve coordination among local stakeholders on issues related to displaced persons and the return process, as well as challenges facing non-majority communities. Round-table participants raised concerns that the de-prioritization and insufficient funding of the municipal offices for communities and return were allegedly preventing the needs of non-majority communities from being properly addressed.

42. On 12 April, UNMIK, together with the United Nations Development Coordinator and the United Nations Children’s Fund (UNICEF), sponsored a meeting organized by Multi-ethnic Culture of Kosovo, a Kosovo Roma non-governmental organization (NGO), which discussed a draft strategy for advancing the rights of the Kosovo Roma and Kosovo Ashkali communities for the period 2022–2026 and its action plan for the period 2022 to 2024. The Kosovo government approved the strategy and action plan on 22 July.

43. As part of Kosovo institutions’ efforts to promote outreach initiatives to non-majority communities, the Office of the Prime Minister organized a conference on multi-ethnic employment in Kosovo institutions. It has invited all municipalities to apply for funding for small-scale infrastructure projects and has allocated funds to support the training and employment of Kosovo non-majority communities.

44. 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.

45. From 5 to 9 July, Europa Nostra, an NGO committed to the preservation of cultural and natural heritage in Europe, visited Kosovo, accompanied by representatives of the European Investment Bank. During the visit, the Kosovo government requested that Europa Nostra apologize for the perceived reputational damage caused by the inclusion of the Visoki Dečani monastery on its list of the seven most endangered heritage sites in Europe. Europa Nostra justified the listing, highlighting, among other areas, “complex security challenges”. On 20 May, the Quint reiterated its call for the Kosovo government to implement without further delay the 2016 ruling of the Constitutional Court of Kosovo regarding the registration of land of the Visoki Dečani monastery. The Quint, together with the European Union and other heads of diplomatic missions, subsequently paid a joint visit to the monastery on 24 May.

46. The Special Representative visited Dečan/Dečane on 21 July, meeting with the leaders of the municipality and the Visoki Dečani monastery. She discussed intercommunal confidence-building initiatives and the preservation of the monastery’s cultural heritage, expressing the continued of UNMIK for intercommunal dialogue and trust-building.

47. On 3 June, the Serbian Orthodox Church Diocese of Raška-Prizren and Kosovo-Metohija suspended contact with the Kosovo authorities over perceived violations of basic religious freedoms and rights. The suspension came after the Kosovo police denied access to a Serbian Orthodox priest and pilgrims wishing to hold a service at the unfinished Church of Christ the Saviour in Pristina, which has been the subject of a property dispute between the University of Pristina and the Serbian Orthodox Church. The Kosovo police, citing non-compliance with official procedures, also rejected a request for Serbian Orthodox pilgrims to visit a local monastery on 11 June in Mushutishtë/Mušutište, Suharekë/Suva Reka municipality.

VI. Rule of law and human rights

48. During the reporting period, the European Commission for Democracy through Law, also called the Venice Commission, released several opinions related to Kosovo draft legislation, including an opinion on the revised draft amendments to the law on the Kosovo Prosecutorial Council, noting that its new composition was in line with international standards. The revised amendments ensure, among other things, that prosecutors would constitute a majority vis-à-vis the other members of the Council who are to be elected by the Assembly of Kosovo and the Ombudsperson Institution of

Kosovo, thus reducing the risk of the Council's politicization. The Assembly approved the draft amendments in June. The same month, the Venice Commission issued opinions on the draft law on the State Bureau for Verification and Confiscation of Unjustified Assets, expressing concerns about potential negative implications of some of its provisions on human rights, including with regard to data protection. The aim of the draft law is to introduce a new legal instrument for "civil confiscation" of unjustified assets. On 14 July, the Assembly adopted the draft law in principle, but further amendments are being considered. The Venice Commission also commented on the concept paper for the vetting of judges and prosecutors, together with the associated draft amendments to the Constitution. The Commission recommended focusing on, among other areas, legislative changes which would be simpler to implement and on limiting those who are subject to integrity checks to the members of the Kosovo Judicial Council and Kosovo Prosecutorial Council, court presidents and chief prosecutors.

49. On 14 July, the Assembly of Kosovo adopted the draft laws on the Criminal Procedure Code and on the declaration of the origin and control of wealth and gifts. The criminal procedure code calls for the suspension of officials facing corruption charges, trials in absentia for all crimes and stricter rules for remanding criminal cases to retrial, as well as amended sequestration and confiscation procedures. The Assembly also adopted the draft laws on the execution of criminal sanctions, on the Kosovo Correctional Service and on the Kosovo Probation Service, aimed at improving the exercise of rights by inmates and detainees and the conditions of service for staff.

50. The newly established Commercial Court began its operations on 1 August. The approximately 9,000 to 10,000 pending cases have been transferred from the Basic Court of Pristina and the Court of Appeals to the jurisdiction of the Commercial Court. The Kosovo Judicial Council initiated the recruitment of 10 judges to the Court, including 2 from the Kosovo Serb community.

51. Several reports on the rule of law have recently been issued by civil society actors. On 16 March, FOL Movement, a Kosovo NGO, released a report on the performance of the justice system in the fight against corruption in 2021, identifying serious delays in the adjudication of relevant cases throughout that year. The Balkan Investigative Reporting Network and Internews Kosova also issued a report raising concerns about the poor quality of corruption-related judgments and indictments and slow progress in high-profile corruption cases. In July, the Kosovo Law Institute, also an NGO, presented its 2021 report on corruption cases in Kosovo noting a low number of convictions, a lack of effective confiscation of illegally acquired assets and a reluctance on the part of the courts to impose accessory punishments in addition to prison sentences, such as prohibitions on exercising public functions and compensation for damages. Similar trends have been observed in 2022 related to high-profile corruption and organized crime cases, including delays and postponements in criminal proceedings and trials.

52. On 29 March, the Special Prosecution Office of Kosovo announced the filing of an indictment against a Kosovo Albanian male with Serbian citizenship. He has been in pretrial detention in Kosovo since March 2021 and is accused of war crimes against the civilian population in relation to the "Izbica Massacre" of 28 March 1999, in the village of Izbicë/Izbica, Skenderaj/Srbica municipality.

53. On 29 July, the first hearing in the retrial of Serbian List official and former Minister of Local Government Administration, Ivan Todosijević, was held at the Basic Court of Pristina. Mr. Todosijević was sentenced in December 2019 to two years in prison for "inciting national, racial, religious or ethnic hatred, discord or intolerance" on the grounds of his alleged denial of the 1999 massacre in the village of Recak/Račak.

54. According to Humanitarian Law Centre Kosovo, during the first half of 2022, Kosovo courts held proceedings in 14 cases of war crimes. Most of the cases have been pending before Kosovo courts for several years. Humanitarian Law Centre Kosovo also observed infrequent hearings and delayed translations of case files in relation to war crimes cases, in particular at the Basic Court of Mitrovica.

55. UNMIK continued to support the integration of the judiciary and the administration of justice in the north of Kosovo, focusing on improving case management. The backlog of civil cases before the Basic Court of Mitrovica has been decreasing, owing to the engagement of 10 translators and 4 legal associates. Also, two courtrooms have been furnished and fully equipped at branches of the Basic Court of Mitrovica in Zubin Potok and Leposavić/Leposaviq.

56. UNMIK continued to support judges and prosecutors in addressing gender-based institutional discrimination in the implementation of legislation with gender-related provisions. It supported an NGO in monitoring court hearings related to joint ownership of property, financial maintenance and domestic violence, and organized a workshop with appellate court judges on the lawful interpretation of provisions related to joint property. To enhance the protection of the human rights of the prison population and facilitate its rehabilitation, the Mission supplied equipment to several detention centres and provided information technology equipment to the Kosovo Judicial Council. In an effort to fill gaps in the critical capacities of law enforcement institutions, UNMIK implemented programmatic activities to improve the facilities of the Kosovo Police International Liaison and Coordination Unit in line with international standards and coronavirus disease (COVID-19) pandemic protocols, and to strengthen digital forensics capacities at the Kosovo Forensic Agency.

57. The nomination of the candidate for Kosovo State Prosecutor by the Kosovo Prosecutorial Council was criticized as non-transparent by the European Union and other international actors, as well as civil society organizations. On 21 April, the Council appointed an acting State Prosecutor pending the finalization of the process.

58. Several pieces of important draft legislation related to human rights are still awaiting approval by the Kosovo government, such as the draft amendment to the law on freedom of religion in Kosovo and the draft law on the prevention of and protection from domestic violence, violence against women and gender-based violence. On 7 July, the Ombudsperson Institution of Kosovo held a round-table discussion with Kosovo authorities to inform its forthcoming recommendations on the implementation of the law on protection from discrimination. In June, the Kosovo government presented a progress report on the protection and promotion of human rights (2021–2025) to the interinstitutional coordination group for human rights. The report is focused on the impact of the COVID-19 pandemic on human rights in Kosovo.

59. The Ministry of Justice finalized the draft strategy for transitional justice and submitted it to the Cabinet for approval. UNMIK commented on the draft strategy, emphasizing the importance of an inclusive human-rights-based and victim-centred approach aimed at reconciliation and non-recurrence.

60. There are still 1,622 missing persons (263 women and 1,359 men) connected to the 1998 and 1999 events in Kosovo. While the Belgrade-Pristina Working Group on persons who are unaccounted for in connection with events in Kosovo has not met at the level of heads of delegations since May 2021, several technical sub-working group meetings were held during the reporting period, albeit with limited progress. In May, in line with the agreement reached in September 2020 between the parties, the Serbian authorities conducted an assessment of a potential mass grave site in south-western Serbia, without any findings reported. UNMIK continued to advocate the resumption of the Working Group meetings and engaged with the families of missing persons from all communities to help to advance the fulfilment of their right to the truth.

61. UNMIK engaged with the Ombudsperson Institution of Kosovo, NGOs, the Office of the United Nations High Commissioner for Human Rights and other human rights institutions regarding a draft agreement for the transfer of approximately 300 prisoners from Denmark to Kosovo to ensure compliance with international standards. The draft agreement is pending approval by the Kosovo government and review by the Assembly of Kosovo.

62. UNMIK continued to support human rights education for young people, legal professionals, municipal authorities and civil society representatives. It promoted language rights in Kosovo by facilitating the learning of both official languages through supporting the work of the Language Commissioner. It also advocated the integration of international human rights standards, including under the Convention on the Rights of Persons with Disabilities, into the Kosovo legal framework.

63. In line with the United Nations Strategy and Plan of Action on Hate Speech, UNMIK found, through its monitoring of hate speech and incitement to hatred online and on social media, that such incidents were particularly prevalent along inter-ethnic lines, as well as when targeting members of the LGBTQI+ community. The lack of systematic monitoring, disapprobation or sanction of such exchanges on social media by public authorities risks deepening inter-ethnic divisions and discrimination, and may cause potential violence.

64. In September, the Assembly of Kosovo announced that it would revisit the draft amendments to the Civil Code, which it had failed to adopt earlier this year after a number of religious organizations opposed the inclusion of same-sex marriage. In May, the Ombudsperson Institution of Kosovo called for the draft amendments to define relations among persons of the same sex, including same-sex marriages, in line with the Kosovo Constitution.

65. UNMIK facilitated the issuance of 18 red notices, 0 yellow notices and 9 extradition requests from members of the International Criminal Police Organization (INTERPOL) to Kosovo. The Mission also opened 760 cases for investigation within the INTERPOL database. A total of 667 cases remain open related to the territory or people of Kosovo.

66. UNMIK continued to provide document certification services for use in countries that do not recognize Kosovo. During the reporting period, a total of 2,062 documents were processed related to pensions and civil status, such as diplomas and marriage, birth and death certificates.

VII. Women and peace and security

67. The Kosovo government commission responsible for the verification and recognition of the status of survivors of conflict-related sexual violence has received 1,781 applications since its establishment in 2018. As of September, 1,322 applicants (1,261 women and 61 men) had been granted survivor status, up from 1,149 in March 2022. On 21 April, the Kosovo government extended the mandate of the verification commission for a period of three years.

68. On 8 June, UNMIK and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) organized the ninth United Nations Global Open Day on Women, Peace and Security in Kosovo. The event was inaugurated by the President of Kosovo, Vjosa Osmani, the Special Representative and the United Nations Development Coordinator. More than 120 participants from Kosovo political and civil society institutions discussed the need to increase the participation of women in political processes and peacebuilding. The event produced several recommendations, such as introducing participation quotas for women in all decision-

making processes, including in the European Union-facilitated dialogue; collaboration with women at the grass-roots level to promote sustainable peacebuilding; and creating safe and inclusive environments to address institutional harassment against women.

69. On 4 August, UN-Women and the European Union inaugurated a mural dedicated to victims of femicide to help to raise awareness through art and activism with a view to eliminating violence against women.

70. In June 2022, with technical support from UN-Women, the municipalities of Gjakova/Đakovica, Gjilan/Gnjilane, Prizren and South Mitrovica integrated a gender perspective into their midterm budget frameworks to optimize gender-responsive budgeting.

71. During the reporting period, the alleged rape of an 11-year-old girl by five individuals in Pristina sparked public outcry over gender-based violence in Kosovo. Civil society organizations organized protests in Pristina, Tirana and Skopje demanding the establishment of effective mechanisms to ensure justice for victims of sexual violence. The Mission joined the statement of the multi-stakeholder Security and Gender Group, chaired by UN-Women and comprising international, government and civil society representatives, calling for greater action by Kosovo institutions to help to prevent gender-based and sexual violence.

VIII. Trust-building, partnership and cooperation

72. The Mission helped to bring communities together, in particular women and young people, through economic empowerment, art and culture, and dialogue. During the reporting period, UNMIK supported 20 confidence-building projects to strengthen relations among Kosovo Albanian, Kosovo Serb, Kosovo Roma, Kosovo Egyptian, Kosovo Ashkali, Kosovo Bosniak, Kosovo Turk and Kosovo Gorani communities.

73. UNMIK continued to work with local partners to advance its trust-building agenda, including by promoting cross-community engagement through the online Kosovo Trust-building Platform, developed by three women-led and multi-ethnic NGOs, namely Open Data Kosovo in Pristina and New Social Initiative and Alternativna in northern Kosovo. On 18 May, the three NGOs gathered more than 100 local and international activists to recognize their efforts in advancing the trust-building agenda in Kosovo. Awards were presented to three initiatives: the UNMIK-supported language learning platform “Voc-Up”, the bilingual Albanian-Serbian Radio Kosovo Force, and the multi-ethnic youth initiative United Youth Task Force.

74. UNMIK further advanced the youth, peace and security agenda by supporting multi-ethnic youth programmes, amplifying the voices of young change-makers and fostering youth trust-building efforts, including in the fields of advocacy, culture, sports and science. From 30 May to 3 June, UNMIK brought together 150 young people from Kosovo and the Western Balkans for the fourth United Nations Youth Assembly in Kosovo to discuss youth, peace and security challenges in the digital era and to develop joint solutions. UNMIK also supported the launch of the first youth-led television programme, *Youth Heroes: United in Diversity*, featuring a multi-ethnic team of young change-makers who develop creative solutions to such issues as bullying in schools and hate speech. The programme premiered in various locations around Kosovo and was broadcast in the Albanian and Serbian languages. In July, UNMIK partnered with the Kosovo-based network of young astronomers to revitalize and launch the Pristina observatory as a multi-ethnic youth science hub. The observatory, which had been closed to the public for over 35 years, reopened on 13 July with the support of UNMIK and the Municipality of Pristina.

75. UNMIK and the International Organization for Migration (IOM) organized outdoor activity camps for 114 young girls and boys from diverse ethnic backgrounds to foster reconciliation and social cohesion in the Mitrovica region. UNMIK also supported the revitalization of art spaces and cultural education through an inter-ethnic initiative of civil society organizations from South and North Mitrovica. More than 65 arts and cultural workshops and events were held, including the Zana literature festival, and local poetry was translated and published in Albanian, Serbian and English. The Mission continued to work towards advancing the rights to life, health, education and an adequate standard of living of the Kosovo Roma community in South Mitrovica. It also promoted youth entrepreneurship and the economic empowerment of women and men from the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities in South Mitrovica through the provision of business development training, mentorship and small grants. It provided capacity-building support for local institutions to combat domestic violence and vocational training for survivors at the regional shelter in Zubin Potok.

76. To improve access to justice for vulnerable individuals, including women, survivors of gender-based violence, and minority groups, the UNMIK-supported legal aid centre of the Kosovo Law Institute provided free legal aid to more than 1,000 vulnerable individuals, including 398 women, on issues related to property rights, pension rights, labour contracts and domestic violence. On 23 June, the Special Representative presented certificates of appreciation to law students who supported the legal aid centre. UNMIK also supported a mock trial at the Basic Court of Pristina implemented by the Kosovo Law Institute on 23 June.

77. UNMIK and the United Nations Development Programme (UNDP) supported the Basic Court of Pristina in providing interpretation and translation services and worked with the Kosovo Academy of Justice to strengthen the professional skills of 160 legal associates from the Kosovo Albanian and Kosovo Serb communities. IOM continued to support the Balkanistics study programme and the Language Centre at the University of Pristina to train language professionals and qualified interpreters.

78. On 28 July, the Assembly of Kosovo and its Sustainable Development Council, supported by the Office of the United Nations Development Coordinator in Kosovo, held a training session for members of parliament and staff of parliamentary committees on the integration of Sustainable Development Goals into their work. In July, the Vushtrri/Vučitrn municipality, supported by the United Nations Human Settlements Programme (UN-Habitat) and the United Nations Kosovo team, presented the first Kosovo voluntary local review of the implementation of the Sustainable Development Goals, based on information collected from residents concerning social, environmental and economic needs and challenges.

79. Also in July, parts of the discontinued Pristina-Belgrade railway line were opened as a green corridor installation for the Manifesta 14 cultural festival. With UN-Habitat support, the 1,300-metre mobility path connected communities through a safer and more inclusive use of public space. As part of the Manifesta initiatives, UNDP supported the transformation of an abandoned public library in Pristina into the Centre for Narrative Practice, an interdisciplinary space which allows people from all communities to conduct research and use various tools and materials to tell stories and explore solutions to urban challenges.

IX. Pandemic impact and response

80. Kosovo experienced a new wave of COVID-19 infections in July and August 2022. At the wave's peak, the daily number of new cases rose to more than 1,800 and the daily number of active cases surpassed 10,000. During the reporting period, more

than 45,000 new cases, 75 fatalities and a peak of more than 100 hospitalizations were reported. Since the start of the pandemic, 283,016 cases and 3,415 fatalities have been reported in Kosovo. On 30 April, the Kosovo government eased most of the measures to counter COVID-19.

81. The vaccination process in Kosovo continued. In July, health authorities started administering the fourth dose of the vaccine to individuals over 60 years of age, with more than 1,750 of the doses administered by the end of the reporting period. Since the beginning of the vaccination process, 904,222 individuals have received at least one dose of the vaccine, while 824,596 have received two doses and 105,069 have received three doses.

82. Through its combined activities, the United Nations in Kosovo contributed to the success of a COVID-19 vaccination campaign, offering a stronger level of protection to people across Kosovo and reducing the number of admissions to intensive care units and deaths. The World Health Organization and UNICEF supported public health institutions in Kosovo in strengthened the management of the COVID-19 vaccination campaign. UNICEF supported temporary COVID-19 vaccination sites in several municipalities and delivered vaccine refrigerators and freezers to all municipalities. The United Nations Office for Project Services constructed a warehouse for central vaccine storage in Pristina, expanded the oxygen distribution network in six regional hospitals and made other improvements to the medical infrastructure throughout Kosovo.

83. The total number of COVID-19 cases among United Nations staff and dependants since the beginning of the pandemic increased from 351 to 443. UNMIK and the United Nations agencies, funds and programmes remained fully operational. The Mission continued to offer antigen and polymerase chain reaction (PCR) testing facilities and has maintained medical support arrangements with hospitals in Skopje for all United Nations staff and dependants. COVID-19 vaccines are also readily available in the Mission area.

X. Observations

84. Tensions and heated rhetoric throughout the reporting period underlined the fragile environment on the ground. The events of 31 July in northern Kosovo in response to Kosovo government decisions on the freedom of movement marked a serious escalation, bringing the situation to the brink of confrontation with potentially grave security consequences.

85. While calm has prevailed following extensive diplomatic engagements, the importance of restraint and commitment to dialogue to resolve disagreements cannot be understated. The engagement of the European Union, together with the United States, was critical in de-escalating the security situation and paving the way for the European Union-facilitated high-level talks to address the immediate crisis. I also commend the Kosovo Force for its engagement and enhanced operational presence in northern Kosovo, together with the European Union Rule of Law Mission in Kosovo, which helped to preserve calm and stability.

86. The developments on 31 July also highlighted the risks posed by both misinformation and disinformation in contributing to the escalatory rhetoric and tensions. All parties should ensure that communication via all channels is responsible in order to minimize the risk of renewed escalation.

87. The observed presence of armed individuals among Kosovo Serb protesters during the events of 31 July was alarming. It is critical that restraint be exercised and

such escalatory developments be prevented. It is also imperative that problem-solving through dialogue remain the only means of addressing concerns.

88. The seeming lack of coordination between the different components of the police in Pristina and northern Kosovo is of concern. I urge Kosovo authorities to preserve the full integration of northern Kosovo regional and station-level commands into the Kosovo police framework in line with the “First agreement of principles governing the normalization of relations” of 19 April 2013. The police integration constituted a major milestone in the normalization of relations. It should be built upon to ensure cohesion in policing and strengthen the rule of law throughout Kosovo. Greater trust would be established if concerns of the local population were taken into account and its access to basic public services was ensured during police operations in northern Kosovo.

89. The high-level meeting between Belgrade and Pristina facilitated by the European Union on 18 August demonstrated their commitment to peaceful solutions through the European Union-facilitated dialogue. I urge the parties to maintain their engagement to preserve the integrity of the dialogue process, and to follow through on all outstanding agreements. Constructive and forward-looking discussions are particularly important to resolve the remaining disagreements on the freedom of movement and to gain new momentum with regard to the implementation road map on the 2013 and 2015 energy agreements.

90. Sustainable dialogue and solutions, leading to long-term normalization of relations, can only come about if they are inclusive, with meaningful participation of key stakeholders, in particular women, young people and civil society actors from all communities. The recommendations stemming from the United Nations Global Open Day on Women, Peace and Security should help to guide further efforts to advance the equal and meaningful participation of women in political processes and peacebuilding.

91. The reported rape of an 11-year-old girl in Pristina is appalling. I call upon the authorities to ensure that justice is served for this abhorrent crime and to further their efforts to ensure the effective protection and support of survivors of sexual and gender-based violence.

92. I am disheartened by the continued lack of cooperation within the Working Group on persons who are unaccounted for in connection with events in Kosovo. While discussions on the subject continue, joint work centred on humanitarian and human rights principles can serve as inspiration for dealing with the past in an inclusive manner with a view to encouraging reconciliation.

93. Concerted efforts are needed to foster an environment conducive to the safe, dignified and sustainable return of all internally displaced persons and refugees to Kosovo. Equally, ensuring respect for the rule of law, including the long overdue implementation of the relevant legal decisions upholding the property rights of the Visoki Dečani monastery, is vital to building trust among communities and with institutions.

94. I welcome the outreach and support of the Kosovo institutions to address the concerns of the non-majority communities, especially the most socially and economically disadvantaged, such as the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities. Their needs remain extensive, and the United Nations will continue to do its utmost, together with international and local partners, to alleviate their challenges. To that end, 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 in Kosovo.

95. I take note of the adoption of the law on the Kosovo population and housing census. It will be important for the Kosovo government and development partners to coordinate their efforts, once the date for the census has been set, to ensure its smooth conduct to produce up-to-date and reliable population data representative of all communities.

96. I thank the Special Representative, Caroline Ziadeh, for her effective leadership, and all the staff of UNMIK for their dedicated efforts in delivering on the Mission's mandate. I welcome the close cooperation between the Mission and the United Nations Kosovo team. I thank the outgoing United Nations Development Coordinator in Kosovo, Ulrika Richardson, for her contribution. I also wish to express my gratitude to the European Union, the Kosovo Force, OSCE and other international partners for their continued collaboration with the United Nations in 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 March 2022–15 September 2022

1. Summary

The deployment of a reserve formed police unit from March to July, consisting of a French and a Portuguese contingent, marked a significant and visible enhancement of the operational capacity of the European Union Rule of Law Mission in Kosovo. The deployment of the reserve formed police unit alongside the Mission's standing formed police unit and its rapid integration into the Mission's chain of command improved the Mission's capability to monitor developments during the Serbian general elections on 3 April and, more generally, to act as second security responder in Kosovo. The formed police unit and reserve formed police unit conducted joint exercises with the first security responder, namely the Kosovo police, and the third security responder, namely the Kosovo Force of the North Atlantic Treaty Organization. The arrival of the reserve formed police unit was welcomed by local counterparts from all the communities in Kosovo.

The Mission continued its monitoring of selected cases and trials in the justice system. A positive development was the observation that the judiciary had acted upon several recommendations outlined in the Mission's fifth justice monitoring report, published in December 2021, including on the adjudication of high-profile cases and the lack of progress in tackling the excessive use of detention on remand. In July, the Mission published its report on the assessment of the handling of rape cases by the justice system in Kosovo. The report contains findings and recommendations for relevant institutions to address sexual violence and rape cases in particular, in accordance with the requirements of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

Mission experts continued to support the Kosovo Correctional Service with capacity-building measures in various areas and by assisting the drafting processes of several sub-legal acts and internal regulations. The Mission raised several issues with the Kosovo Correctional Service senior management and with the Ministry of Justice, including rehabilitation measures, changes to the Kosovo Correctional Service internal organizational structure and sentence plans for prisoners. Given the recurrence of failed recruitments for senior positions over the past years due to multiple reasons (e.g. lack of suitable candidates), the Mission once again stressed that the recruitment of senior staff should be addressed as a matter of priority. It also noted with concern that prisoners with mental health problems were often not placed in the Forensic Psychiatric Institute, as foreseen by the regulations, owing to the Institute's insufficient placement capacities, and underlined the need to resolve this problem as soon as possible.

The Mission continued to support the Kosovo Institute of Forensic Medicine in searching for human remains, exhuming them from graves in different locations and identifying them at the mortuary.

The Mission noted positive developments in the implementation of some aspects of the European Union-facilitated Justice Agreement and in the field of border management.

2. Monitoring

The Mission continued its monitoring of the work of the Kosovo police, the prosecution and the judiciary through selected cases and trials in the justice system. In its fifth justice monitoring report, published in December 2021, the Mission had outlined, among other things, recommendations on the adjudication of high-profile cases and on tackling the excessive use of detention on remand. Both have been acted upon to some degree by the judiciary. The Mission observed a continued trend of increasing numbers of productive hearings, including in high-profile cases. Moreover, several defendants who had been in detention on remand in prisons for a long time were released into house arrest. Another positive development was a disciplinary measure imposed by a court panel on two lawyers for unjustified absence from court hearings. The Mission had repeatedly flagged the widespread practice of defendants, lawyers and witnesses ignoring court summons and not attending hearings without justification, while court panels hardly ever imposed any of the sanctions at their disposal in order to deter such behaviour. It is encouraging to note that a different approach is finally being displayed, and it is hoped that other panels will follow suit.

The Mission provided comments on the Kosovo transitional justice strategy drafted by the Ministry of Justice.

In July, the Mission published its report on the assessment of the handling of rape cases by the justice system in Kosovo. The report is aimed at providing a preliminary assessment of the handling of cases qualified as rape in Kosovo, in the light of the international standards set by, inter alia, the Istanbul Convention, to which Kosovo institutions are formally committed as of 25 September 2020. The Mission observed that, while a substantial number of sexual violence cases, in particular those affecting minors, were reported to relevant institutions in the past three years, effective redress was provided to victims only in very few cases. The report includes several specific recommendations to the Kosovo authorities aimed at improving the procedures in such cases. Within this context, the Mission supported the drafting of a protocol for sexual violence offences. Once adopted, the protocol will standardize the provision of services by relevant institutions to victims of sexual violence throughout Kosovo and meet an important obligation stipulated in article 25 of the Istanbul Convention.

The Mission closely monitored a series of trials against foreign fighters repatriated from Islamic State camps in Syria to Kosovo in 2021 and charged with terrorism offences; all seven adults (six men and one woman) were found guilty and received very lenient sentences.

On 14 June, the Mission and the Kosovo Law Institute presented a report entitled *Justice in the Eyes of Citizens: Second Report on Monitoring of Court Hearings by Citizens*. It was part of the second phase of the Mission's project on building trust in the judicial system and enhancing the realization of human rights through lay trial monitoring, which was initiated in 2019 and focused on the principle of publicity of court proceedings, as provided for by the Kosovo legislation. This second report presented the key findings of the monitoring of 500 criminal trials conducted across Kosovo by 20 lay monitors between January and February 2022, alongside the Kosovo Law Institute's recommendations addressing the Kosovo justice system. The lay monitors, composed of citizens of different ethnicities, age groups, and educational and professional backgrounds, with no previous legal experience, were trained by Kosovo Law Institute and the Mission in the key concepts of court proceedings and trial monitoring. They exercised the right to attend public hearings, experiencing first-hand the functioning of justice institutions.

The Mission initiated and designed a workshop to address the issue of threats directed against Kosovo judges and prosecutors dealing with sensitive cases and to look at ways and mechanisms to protect them and their families. The workshop gathered 12 judges and prosecutors from different courts, mainly dealing with high-profile and corruption cases.

The Mission monitored the interviews in the recruitment process for State prosecutors and judges. The recruitment process for prosecutors concluded with the President of Kosovo, Vjosa Osmani, appointing by decree only seven prosecutors in June, leaving nine vacancies. The recruitment process for judges concluded with the appointment of 48 judges instead of the planned 54. On the basis of the observations made, the Mission issued recommendations to the Kosovo Prosecutorial Council and the Kosovo Judicial Council.

The Mission observed that the Kosovo police War Crimes Investigation Unit continued to digitalize, analyse and actively investigate cases handed over by the Mission to the Kosovo judiciary in 2018, as the Mission's executive mandate in this field ended.

The Mission continued to monitor, mentor and advise the senior management of the Kosovo Correctional Service, with a view to supporting the further development of a consolidated and professional senior management team. Fifty newly recruited correctional officers began a seven-month training programme at the Kosovo Academy for Public Safety. However, no key positions were filled, while the recruitment for the position of Director General of the Kosovo Correctional Service failed for the third time. Furthermore, the lack of staff due to illness and retirement and the inefficient and demotivating transfers of staff between correctional facilities are having a negative impact on prison management.

The Mission reiterated the importance of introducing standardized risk and needs assessments of prisoners and the urgent need to increase the number of assessors. There is a very limited offer of rehabilitation activities, and the Mission pointed out that the lack of social workers within the Kosovo Correctional Service structure is an additional impediment. To address these issues, the Mission conducted a four-day training workshop for Service staff on the implementation of sentence plans in prisons. The activity was aimed at training correctional staff in adapting the treatment of prisoners to their individual needs.

The Mission also supported the Kosovo Correctional Service working group to draft guidelines for correctional staff on how to treat prisoners with mental health problems. The guidelines are aimed at improving the capacities and skills of correctional staff to deal with this category of prisoners in emergencies.

The Kosovo Correctional Service requested the Mission's assistance in drafting sub-legal acts and regulations required for the newly approved law on the correctional service and the law on the execution of penal sanctions. In addition, the Mission supported the drafting processes of the internal rule on procedures and measures for personal data protection and the regulation on the internal organization and systematization of jobs in the Kosovo Probation Service and the Kosovo Correctional Service. Furthermore, the Mission supported the Kosovo Probation Service in drafting its four-year strategy.

In support of the European Union-facilitated dialogue, the Mission was asked by the Belgrade party to assist in facilitating the opening of the second part of the common crossing point at Merdarë/Merdare and the move of Belgrade officials to the new premises at the common crossing point at Mutivodë/Mutivode. The European Union-funded construction of the new common crossing point was already completed in 2019, but only now has the Belgrade party agreed to move into the new premises.

While progress in the implementation of the integrated border management strategy/action plan and of the six-point action plan of the National Centre for Border Management was limited, the establishment of the Centre's new Passenger Information Unit was successfully completed. Starting on 1 July, the Passenger Information Unit fully operates the advanced passenger information system, whereas the deadline to launch the passenger name record system is 1 January 2023.

The establishment of the Passenger Information Unit is a very important development in bringing Kosovo in line with European Union guidelines on combating irregular immigration and improving border control and national security, as well as targeting organized crime and terrorism.

In close cooperation with the European Union Special Representative for the Belgrade-Pristina dialogue and other Western Balkan regional issues, the Mission continued to support the technical implementation of the European Union-facilitated dialogue agreements related to the freedom of movement (freedom of movement). Following the agreement between the parties on introducing a sticker regime pending a stable solution for the issue of vehicle licence plates, the Mission monitored its implementation, noting that it worked without major difficulties.

Furthermore, the Mission continued to monitor the implementation of additional freedom of movement-related agreements, notably pertaining to the provision of services by the Civil Registration Agency to residents in the Kosovo Serb-majority municipalities in northern Kosovo. One of the main issues repeatedly raised by the Mission is the need to establish properly staffed "one-stop shops" for the main civil status offices in the municipalities of Zvečan/Zveçan, Leposavić/Leposaviq and Zubin Potok. The Mission additionally donated vehicles and information technology equipment to the Civil Registration Agency.

On 29 June, the government of Kosovo issued a decision to apply the use of a self-declaration form at border crossing points and common crossing points for citizens in possession of personal documents issued by Serbian authorities. Citizens with such documents would thereafter need to use the self-declaration form instead of their Serbian documents during their stay in Kosovo. The decision was announced as a reciprocal measure, given that this procedure had been agreed between Belgrade and Pristina in 2011 and implemented by the Serbian side ever since, but not by the Pristina side. On the same day, the government of Kosovo issued a decision requiring the replacement of Serbia-issued vehicle licence plates that designated Kosovo localities (such as "KM" for Kosovska Mitrovica) with Kosovo-issued plates between 1 August and 30 September. Both decisions were to come into effect on 1 August. The Mission closely monitored the developments, which unfolded following the announcement of these decisions, notably as the deadline for starting their implementation was nearing and the technical and infrastructure requirements for the procedures had not been met. Fierce protests of the Belgrade-backed Kosovo Serb political representatives and heated rhetoric on both sides, accompanied by roadblocks and closure of crossing points between Serbia and Kosovo on 31 July and 1 August, further fuelled the crisis, which was eventually settled through international diplomatic intervention leading to the decision of the government of Kosovo to postpone the implementation of both decisions by one month.

The Mission continued to support the President of the Mitrovica Basic Court and the Head of the Court of Appeals Division in Mitrovica. With the election of four Kosovo Serb judges, the Court of Appeals Division in Mitrovica is now fully staffed. For the first time since the integration of the judiciary was completed in October 2017, the composition of this Division is now in conformity with the European Union-facilitated Justice Agreement (two Kosovo Albanian and five Kosovo Serb judges).

The Mission is concerned about the approval of the Court of Appeals annual workplan for 2022 by the Kosovo Judicial Council. The new President of the Court of Appeals appointed a Kosovo Serb civil judge as Deputy President of the Court; however, he failed to adapt the workplan to the provisions stipulated in the First Agreement of Principles Governing the Normalization of Relations concerning the composition of panels in the Court of Appeals Special Department, which exclusively deals with serious crimes cases. According to the Agreement, all cases originating in Kosovo Serb-majority municipalities should be heard before Kosovo Serb-majority panels, yet the new workplan applied this principle to all Court of Appeals Departments except for the Special Department.

3. Operations

The Mission maintained its rapid intervention capacities. The formed police unit continued to conduct joint exercises with Kosovo Force and with the Kosovo police to ensure their combined readiness as the first, second and third security responders in Kosovo. In response to the events on 31 July in northern Kosovo following the government's decisions of 29 June to implement reciprocity measures, the formed police unit doubled its reconnaissance patrols in the northern part of Kosovo, including on the main roads leading to the common crossing points.

On 3 April, the day of the Serbian elections, the Mission's Situation and Coordination Centre was activated and staffed with several teams who monitored the situation in various municipalities and at the common crossing points. The reserve formed police unit, which had arrived in Kosovo by the end of March, was deployed at full strength, enabling the Mission to monitor effectively developments at all common crossing points. On 14 March, the Mission temporarily reinforced its formed police unit with a reserve formed police unit of 70 French and Portuguese gendarmes provided by the European Gendarmerie Force. The reserve formed police unit was deployed in response to the Mission's need to have additional forces on the ground and its ability to better support its Kosovo counterparts if requested and if necessary, taking into consideration the security environment in Kosovo and in the region.

The Mission also provided logistical and operational support to the Specialist Chambers and Specialist Prosecutor's Office in line with relevant legislation and within its means and capabilities.

The Mission intensified its work on locating and identifying missing persons. The Mission's Forensic Medicine Team assisted in preparing a strategy and action plan for the period 2021–2023 pertaining to the review of the remains at the mortuary of the Kosovo Institute of Forensic Medicine in Pristina. This document was presented to the Ministry of Justice in March. In July, the Mission's experts, together with local counterparts, submitted to the Ministry the first progress report on the review.

The Mission's experts continued to participate in bilateral meetings between the Pristina and Belgrade delegations on forensic issues related to missing persons. In April, at the thematic meeting on Kiževak held by the sub-working group on forensics in Belgrade, the Mission's Forensic Medicine Team shared its conclusions from the examinations of remains recovered during the excavations in the Kiževak quarry in Serbia. The sub-working group is chaired by the International Committee of the Red Cross (ICRC) and is composed of Mission experts and of representatives of the Pristina and Belgrade delegations on missing persons.

The Mission also supported excavations at the Štavalj mine, in Sjenica, Serbia, following an explicit request by the Commission on Missing Persons of the government of Kosovo.

In addition, Mission experts supported local counterparts in fieldwork at 12 different locations in Kosovo and contributed to the recovery of the remains of several persons. The Mission also assisted the Kosovo Institute of Forensic Medicine in the handover of the remains of seven missing persons associated with the massacres in Krushë e Madhe/Velika Kruša and Krushë e Vogël/Mala Kruša in March 1999.

In parallel to fieldwork, Mission experts continued to support the Kosovo Institute of Forensic Medicine in conducting examinations of newly recovered remains and the review of previous ones. Overall, the Mission assisted the Institute in submitting 37 samples for DNA analysis.

The Mission continued its support for the Kosovo police in the field of international police cooperation. Since Kosovo is not a member of the International Criminal Police Organization (INTERPOL), the Mission facilitated the information exchange between the Kosovo police International Law Enforcement Coordination Unit and the INTERPOL National Central Bureaus under the United Nations Interim Administration Mission in Kosovo umbrella. The Mission also facilitated the information exchange between the European Union Agency for Law Enforcement Cooperation (Europol) and the Kosovo police on serious crime investigations through its Swedish Europol liaison desk, as well as between the Kosovo police and the Serbian authorities (in accordance with a protocol between the Mission and the Ministry of Internal Affairs of Serbia). The Mission observed improvements in the information-sharing between the police services of Kosovo and Serbia via the Mission-facilitated protocol.

Annex II

Specialist Chambers and Specialist Prosecutor's Office

A significant milestone was reached during the reporting period with the pronouncement of the first trial judgment at the Specialist Chambers on 18 May 2022 in the case of *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*. Trial Panel II found both accused guilty of three of the four counts charged in the indictment, namely for obstructing official persons in performing official duties, intimidation during criminal proceedings and violating the secrecy of proceedings. Both accused were sentenced to four and a half years of imprisonment and a fine of 100 euros each. Both accused were acquitted with respect to the charge of retaliation.

The trial proceedings took place over the course of 32 days between 7 October 2021 and 3 February 2022. During this time, a total of 14 witnesses were called by both parties, 18 Defence witness statements were admitted, and 237 exhibits were tendered into evidence.

During the pretrial and trial proceedings in this case, a total of 963 filings were submitted, comprising 385 orders and decisions by the Specialist Chambers President, the Pre-Trial Judge, the Trial Panel and Court of Appeals Panels; 204 filings by the Specialist Prosecutor's Office; 280 by the Defence; and 93 by the Registry.

Both accused filed notices of appeal against the trial judgment on 17 June 2022; accordingly, the Specialist Chambers President assigned a Court of Appeals Panel on 21 June 2022 to decide on the appeals. The Office indicated that it did not intend to appeal the trial judgment. The first pre-appeal conference was held on 5 July and the appeal briefs were submitted on 19 August, in accordance with the Specialist Chambers Rules of Procedure and Evidence.

The case of *Specialist Prosecutor v. Salih Mustafa* also progressed significantly during the reporting period. The Trial Panel closed the case on 15 September, exactly one year since the opening statements delivered by the Office on 15 September 2021. During the trial proceedings, which took place over the course of 49 days, 29 witnesses from both parties were heard in court. On 22 June, Trial Panel I closed the evidentiary phase of the proceedings, and the parties submitted their final trial briefs on 21 July. The closing statements were delivered from 13 to 15 September.

The Trial Panel in this case further granted the request of the Victims' Counsel and appointed a financial expert to calculate the material damages and economic loss by the alleged direct victims in the case. The expert report was filed on 25 June.

Pretrial proceedings in the case of *Specialist Prosecutor v. Thaçi et al.* were ongoing during the reporting period. Eight status conferences were held during that time, the most recent of which took place on 8 September. On 30 June, the Specialist Chambers President assigned a Supreme Court Panel, over which she presides in accordance with article 32 (1) of the Law on Specialist Chambers and Specialist Prosecutor's Office, to decide on a request for protection of legality filed by Kadri Veseli on 29 June in relation to his detention.

On 15 August, the Supreme Court Panel issued its decision, finding that Mr. Veseli had failed to demonstrate that there had been substantial violations of procedures in the Law and Rules of Procedure. Accordingly, the Panel dismissed Mr. Veseli's request in its entirety. This is the first time the Supreme Court Panel was seized of a request.

Another significant milestone was reached on 15 September, when the pretrial judge notified the Specialist Chambers President that the case of *Specialist Prosecutor v. Pjetër Shala* would be ready for transmission to trial on 21 September.

The Specialist Chambers President assigned a Trial Panel to that case on that same day. One status conference was held in the case during the reporting period.

The Specialist Chamber of the Constitutional Court was seized of five referrals during the reporting period. On 13 June, 6 July and 22 August, it issued decisions on the referrals by Hashim Thaçi, Kadri Veseli, Jakup Krasniqi and Pjetër Shala, alleging violations of their fundamental rights and challenging, inter alia, the legality of charging joint criminal enterprise and the Specialist Chambers jurisdiction, as well as violations of fair trial rights. The Panel found the referrals premature and declared them inadmissible pursuant to article 113 (7) of the Constitution of Kosovo, article 49 (3) of the Law and rule 14 (f) of the Rules of Procedure for the Specialist Chamber of the Constitutional Court. In its decisions, the Chamber Constitutional Court found, inter alia, that international customary law can be directly applied before the Specialist Chambers.

The public hearings, 40 of which, in the four cases, took place during the reporting period, 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, 16 witnesses appeared with a view to testifying, 1,000 filings were processed and 480 document translations produced.

The Specialist Chambers carried out three custodial visits of one detainee to Kosovo on humanitarian grounds in May and July, pursuant to decisions by the relevant Panel. Thus far, there have been six custodial visits.

There are currently eight detainees at the Specialist Chambers Detention Facilities, which is monitored by ICRC and the Specialist Chambers Ombudsperson. ICRC visited the facilities in April. Mid-July marked one year since the resumption of in-person family visits to the detainees. During the reporting period, over 375 visits by detainees' friends and family took place.

The number of participating victims increased during the reporting period. On 25 May, the Pre-Trial Judge issued a third decision in the *Thaçi et al.* Case, admitting 12 new applicants to the proceedings as participating victims. On 11 August, the Pre-Trial Judge admitted one further victim in the *Shala* case. There are currently 42 participating victims in three of the four cases before the Specialist Chambers: two in the case against Mr. Shala, eight in the case against Mr. Mustafa and 32 in the *Thaçi et al.* case.

The publicly available list of counsel contains 224 persons eligible to practice before the Specialist Chambers, of whom 109 are qualified to represent victims.

On 1 April, the Minister of Justice of Kosovo, Albulena Haxhiu, and her delegation were received by the Specialist Chambers President and Specialist Chambers Registrar at the Specialist Chambers premises in The Hague. The Specialist Chambers legal aid scheme, the facilitation of family visits to detainees and other matters within the legal framework of the court were discussed.

On 16 May, the Specialist Chambers judges met at the premises for their first in-person gathering since the onset of the COVID-19 pandemic. On that day, the judges officially inaugurated the Specialist Chambers courtroom and met with the support staff.

From 23 June to 24 June, the Specialist Chambers President, the Specialist Chambers Registrar and the Specialist Prosecutor welcomed European Union member State representatives who form the Committee for Civilian Aspects of Crisis Management at the premises. The principals gave an update on recent developments

and answered questions. The guests were also given a tour of the premises and heard presentations from a number of Specialist Chambers Heads of Units.

On 28 June 2022, the 2021 annual report of the Specialist Chambers and the Office was published online in Albanian, Serbian and English.

On 4 July, the Specialist Chambers President addressed civil society and media representatives from Kosovo during an outreach event organized online. Other outreach activities during the reporting period included producing and broadcasting video clips and infographics about the court and hosting events for the general public, young people, NGO representatives, lawyers and others in communities all over Kosovo, both in-person and online.

The Office continued to be engaged in pretrial litigation with defence counsel on a great number of issues, including submissions to the court seeking the interim release of their clients in accordance with the Specialist Chambers legal framework. The Office has opposed these requests, arguing in a series of filings that there was a very real risk that, if freed, the accused would seek to obstruct court proceedings and tamper with witnesses.

The Office has also continued to interview witnesses and suspects in both The Hague and Pristina, review documentary evidence collected in the course of the investigation and preparing it for disclosure purposes, and work with relevant authorities to ensure that documents are cleared for use in court and that witnesses are cleared to testify in court. The 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 15 September 2022)

<i>Country</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Austria	1	–	1
Finland	–	2	2
Germany	1	–	1
Hungary	–	1	1
Slovenia	–	1	1
Russian Federation	1	1	2
United Kingdom of Great Britain and Northern Ireland	–	1	1
Total	3	6	9

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo (as at 15 September 2022)

<i>Country</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Czechia	–	2	2
Poland	–	2	2
Republic of Moldova	–	1	1
Romania	–	1	1
Türkiye	1	1	2
Total	1	7	8

Map

