



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 me to report at regular intervals on the implementation of its mandate. The report covers the activities of UNMIK, and developments related thereto, from 16 January to 15 May 2019.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe and the Kosovo Force continue to perform their roles within the framework of Security Council resolution [1244 \(1999\)](#). The European Union Rule of Law Mission in Kosovo (EULEX) 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 my report 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. Tensions between Belgrade and Pristina remained high during the reporting period, continuing to hinder prospects for the resumption of a productive dialogue and to raise concerns among local and international stakeholders about the related risks to stability on the ground. The increased tariff on goods imported from Serbia and Bosnia and Herzegovina, which had been introduced by authorities in Pristina in November 2018 in response to perceived attempts by Belgrade to weaken the international standing of Kosovo, remained in place. That increase resulted in threats by Kosovo Serbs to withdraw from Kosovo institutions by mid-April and prompted the President of Serbia, Aleksandar Vučić, to announce, on 16 April, that Belgrade would introduce countermeasures if Pristina failed to lift the tariff.

4. On 8 April, almost five months after the mayors of the four Kosovo Serb-majority municipalities in northern Kosovo announced their resignations in response to the increase of the import tax, the President of Kosovo, Hashim Thaçi, announced that extraordinary mayoral elections would be held in northern Kosovo on 19 May.



Following a meeting with President Vučić in Belgrade on 10 April, the Kosovo Serb representatives announced that they would take part in the elections. On 23 April, the Central Election Commission of Kosovo certified candidates from two Kosovo Albanian parties, the ruling Democratic Party of Kosovo and the opposition Movement for Self-Determination (Vetëvendosje), but failed to certify those from the Serbian List party. This was because two Commission members from Vetëvendosje abstained from voting in protest against alleged plans by the Serbian List candidates to resign the mayorship again upon re-election, in opposition to the import tariff. The decision was condemned by Belgrade, including President Vučić, who expressed concern about what he characterized as efforts by Pristina to prevent the Serbian List party from participating in the mayoral elections. The Serbian List appealed to the Election Complaints and Appeals Panel, which, on 25 April, decided in favour of certifying the Serbian List candidates.

5. During the reporting period, persistent differences in the approaches of Belgrade and Pristina to the dialogue process inhibited the creation of conditions conducive to its meaningful resumption. While on several occasions Serbian President Vučić insisted that lifting the import tax was a condition to resuming talks with Pristina, President Thaçi and the Prime Minister of Kosovo, Ramush Haradinaj, argued that the import tax should remain in place unless and until there was a visible change in Belgrade policy on Kosovo. The Prime Minister further suggested that recognition of Kosovo was a “starting point” for progress in the dialogue with Belgrade, and that the acknowledgement of past crimes was a necessary condition for Belgrade and Pristina to move forward.

6. Repeated calls by Pristina for greater acknowledgment by Belgrade of past alleged war crimes coincided with the dismissal of two Serbian List members of the Kosovo government, the Minister of Local Government Administration and the Deputy Minister of Justice, for alleged denial of such crimes. On 6 May, a recently established ad hoc committee of the Assembly of Kosovo adopted a non-legally binding draft resolution on the Serbian genocide in Kosovo, in which authorities in Belgrade are called upon “to acknowledge war crimes, crimes against humanity and genocide committed in Kosovo during the period 1998–1999”. The Serbian List characterized it as a “move against dialogue and normalization” and an attempt to “destabilize the situation.”

7. Meanwhile, on 7 March, following the establishment in December 2018 of the negotiating team of Pristina to the European Union-facilitated dialogue with Belgrade, the Assembly of Kosovo adopted a law on “the duties, responsibilities and competencies of the State delegation of the Republic of Kosovo in the dialogue process with the Republic of Serbia”. It also adopted a non-legally binding “platform for dialogue on a final, comprehensive and legally binding agreement on the normalization of relations between the Republic of Kosovo and the Republic of Serbia” for future negotiations with Belgrade. The Serbian List did not participate in the vote. In both the law and the platform, the Assembly laid out the mandate of the negotiating team of Pristina, while at the same time introducing further stringent conditions for dialogue with Belgrade.

8. The main opposition parties, the Democratic League of Kosovo and Vetëvendosje, criticized the adoption of the law and the platform and filed a referral to the Constitutional Court on 15 March. They argued that the law on the dialogue violated the Constitution of Kosovo. In addition, the Serbian List and the authorities in Belgrade stated that the initiatives left no room for dialogue and compromise. The Serbian leadership dismissed the negotiating platform set out by Pristina, characterizing it as an “ultimatum” to which Belgrade would “never agree”.

9. In a separate development, on 2 February, the Assembly of Kosovo adopted the statute of the mining company, Trepça/Trepča, transforming its business units on both sides of the Ibër/Ibar river into a joint-stock company, with 80 per cent of its shares under the ownership of the government of Kosovo. That decision evoked criticism from officials in Belgrade and political representatives of Kosovo Serbs, who considered the statute to be illegitimate and drafted without consultation with Kosovo Serbs.

10. According to the European Union Special Representative and Head of the European Union Office in Kosovo, more than two years after the launch of the first European reform agenda for Kosovo, its institutions showed some progress during the reporting period in the implementation of priority measures in the governance and economic sectors and, to a lesser extent, in the employment and education sectors. The adoption of public administration reform laws by the Assembly of Kosovo in February and the proposed amendments to the legal framework on political party and campaign financing to strengthen accountability and transparency were positive developments. Nevertheless, representatives of the international community in Pristina have criticized the government of Kosovo for exerting political influence over senior-level appointments for independent institutions, including the appointment of a convicted war criminal as the representative of Pristina in Albania.

11. During the reporting period, Kosovo authorities took further steps in the fight against corruption. An Anti-fraud Unit was established under the National Audit Office of Kosovo on 19 March, and a new Criminal Code entered into force on 15 April, both of which are aimed at promoting effective prosecution of high-level corruption and organized crime. Acknowledging progress made by Kosovo in that area, the European Parliament voted on 28 March in favour of a non-binding resolution granting Kosovo visa liberalization and called on the European Council to do the same.

12. Occasional incidents were reported during the period under review in ethnically mixed areas. On 19 January, a Kosovo Serb-majority school and infirmary in the ethnically mixed village of Novak/Novake in the municipality of Prizren was vandalized by unknown perpetrators. On 2 February, a memorial plaque commemorating the disappearance of two Serbian journalists on August 1998 in the municipality of Rahovec/Orahovac was damaged by a Kosovo Albanian, who was subsequently arrested by the Kosovo police and admitted the crime to the prosecutor. On 12 April, an explosion occurred in the vicinity of Jasenovik i Poshtëm/Donji Jasenovik in Zubin Potok municipality in northern Kosovo, damaging two vehicles and a business office.

13. Kosovo institutions have advanced efforts to prevent violent extremism. On 13 March, on the basis of an international arrest warrant, Kosovo police apprehended a foreign citizen on suspicions of terrorism. On 4 April, the Special Prosecution of Kosovo filed an indictment for “incitement to commit a terrorist offence” against a Kosovo Albanian who was suspected of sharing materials on social media in support of Islamic State in Iraq and the Levant (ISIL, also known as Da’esh). The same individual had also allegedly used social networks to issue threatening messages against the Prime Minister of Kosovo. On 20 April, with the support of the United States of America, 110 people were repatriated from the Syrian Arab Republic to Kosovo: 74 children (including 9 unaccompanied minors or orphans), 32 women and 4 men. All 32 women are under investigation by the Special Prosecutor’s Office on suspicion of having joined or participated in a foreign army or police force and are currently under house arrest, together with the children. The four men and one minor are being detained in a high-security prison while investigations are ongoing; they are awaiting indictment and trial on the grounds of having joined or participated in a foreign army or police force.

III. Northern Kosovo

14. On 16 January, the mayor of South Mitrovica, Agim Bahtiri, submitted a petition to the President and the Assembly of Kosovo with approximately 16,000 signatures for the unification of the city of Mitrovica. President Thaçi expressed support for the petition and encouraged its consideration by the appropriate Kosovo institutions. The Serbian List condemned the initiative and organized a protest against it on 1 February. Some 4,000 people gathered in front of the North Mitrovica branch of the European Union Office in Kosovo to protest against both the petition and the adoption of the statute of the Trepça/Trepča mining company. Kosovo institutions had not taken further action to pursue the unification by the end of the reporting period. During the reporting period, the investigation into the murder of the Kosovo Serb politician Oliver Ivanović on 16 January 2018 remained inconclusive.

IV. Normalization of relations between Belgrade and Pristina

15. During the reporting period, no meetings were held between Belgrade and Pristina within the framework of the European Union-facilitated dialogue. On 29 April, the leadership of Belgrade and Pristina attended a meeting of Western Balkans leaders in Berlin, convened by the Chancellor of Germany and the President of France. Belgrade and Pristina agreed to press ahead with their efforts to implement existing agreements and to engage constructively in the dialogue for the normalization of relations, through the European Union, with the aim of reaching a comprehensive and final agreement. The parties also agreed to participate in a follow-up meeting to be convened in Paris in early July. On the margins of the Summit of the Brdo-Brijuni Process, held in Tirana on 8 and 9 May, the European Union High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission expressed concern about the stalemate in the European Union-facilitated dialogue, stating that the responsibility to relaunch talks lies with decision-makers in Pristina and their willingness to lift the import tax.

V. Returns, reconciliation, cultural heritage and community relations

16. During the reporting period, the Office of the United Nations High Commissioner for Refugees (UNHCR) recorded 43 voluntary returns by members of non-majority communities who had been displaced within and outside Kosovo. They included 22 women and 21 men (34 Kosovo Serbs, 5 Kosovo Roma and 4 Kosovo Ashkali). That brings the total number of displaced members of non-majority communities that have found durable solutions in Kosovo since 2000 to 28,154, including 13,815 women and 14,339 men (11,979 Kosovo Serbs, 7,581 Kosovo Egyptians and Ashkali, 3,930 Kosovo Roma, 1,875 Kosovo Bosniaks, 1,464 Kosovo Gorani, 1,281 Kosovo Albanians, 21 Kosovo Montenegrins, 19 Kosovo Turks and 4 Kosovo Croats). There remain 16,200 displaced persons within Kosovo and 69,627 persons with displacement-related needs across the Western Balkans region, out of the approximately 200,000 displaced persons from Kosovo residing in the region, most of them in Serbia.

17. Challenges relating to property restitution, the allocation of land for housing construction, security and socioeconomic opportunities for returnees continued to negatively affect progress on sustainable returns. During the reporting period, the government of Kosovo, with support from the Organization for Security and Cooperation in Europe and UNHCR, provided training to 280 municipal officials to

facilitate returns of displaced persons throughout Kosovo, in line with the government regulation on the return of displaced persons and durable solutions. In addition, 28 municipalities in Kosovo have established municipal commissions on returns.

18. The government of Kosovo, with support from an international non-governmental organization, the European Centre for Minority Issues, continued to work closely with the University of Mitrovica to issue individual certificates to its graduates that can be used to apply for positions in public institutions in Kosovo. During the reporting period, the independent commission of the government of Kosovo for the verification of degrees issued by the University received 49 new applications and approved 202 applications in all, bringing the total number of certificates issued by the commission since its establishment in 2015 to 1,552.

19. The Implementation and Monitoring Council, which oversees the special protective zones surrounding religious sites, met twice during the reporting period. On 5 February, the Council discussed two new proposed construction projects within the special protective zone of the Serbian Orthodox Church of the Presentation of the Virgin in the municipality of Lipjan/Lipljan: an administrative centre for the Islamic community and a residential building project. It concluded that both proposals needed to be further developed before a decision could be reached. At the same meeting, in response to concerns expressed by representatives of the Serbian Orthodox Church that the municipality of Deçan/Dečani had not abandoned its previous plans to build a transit road to Montenegro through the special protective zone of the Visoki Dečani monastery, the Council reiterated that the Law on Special Protective Zones should be upheld and that no works should take place without the consent of the Serbian Orthodox Church. The mayor of Deçan/Dečani attended the Council meeting held on 10 April, at which the Council discussed, among other issues, the ongoing concern of the Serbian Orthodox Church about the non-implementation of the Constitutional Court ruling of 19 May 2016 in favour of the Church's ownership right to 24 ha of land. The mayor and the Council acknowledged the need for regular dialogue between the concerned parties at the local level, which the Council agreed to facilitate and support.

20. According to the annual report of the Kosovo Office of the Language Commissioner on language compliance in municipalities, which was published on 28 March, residents from mostly non-majority communities in Kosovo faced obstacles in exercising their basic rights in relation to judicial remedy, property registration and health care owing to language constraints. In 2018, the Office received 23 complaints related to language rights, of which 17 have already been addressed by Kosovo institutions.

21. During the reporting period, UNHCR continued to support members of the Ashkali, Egyptian and Roma communities in Kosovo in obtaining civil documentation and resolving civil status issues to enable their access to public services. UNHCR assisted 54 individuals (23 women and 31 men) in obtaining civil documentation. Efforts also continued to mobilize voluntary contributions to the trust fund to support the Ashkali, Egyptian and Roma communities affected by lead poisoning in Kosovo, established in 2017 pursuant to the recommendations of the UNMIK Human Rights Advisory Panel. An initial contribution was received by the trust fund in May 2019.

VI. Rule of law and human rights

22. During the reporting period, Kosovo courts issued decisions on a number of high-profile organized crime and corruption cases. On 5 February, the Basic Court of Pristina convicted a former judge of money laundering and sentenced him to one year

of imprisonment and a fine. On 3 April, the same Court confirmed the indictment against 11 defendants, including members of the ruling coalition, the Democratic Party of Kosovo, for granting unlawful privileges and advantages to people seeking posts in government agencies and public firms. On 8 April, the Basic Court of Pejë/Peć confirmed an indictment against the mayor of Istog/Istok, for awarding a public construction tender to a relative.

23. Kosovo courts also issued a number of decisions in war crimes cases. On 8 March, the Basic Court of Pejë/Peć acquitted a Kosovo Serb who had been charged with the murder of two Albanian nationals and the expulsion of the Kosovo Albanian population from a village in the municipality of Klinë/Klina in 1998, owing to contradictory testimony by witnesses. On 5 April, the Court of Appeals of Kosovo confirmed the sentencing of a Kosovo Serb, by the Mitrovica Basic Court, to six and a half years in prison in relation to crimes against Kosovo Albanian civilians committed in 1999.

24. On 27 March, the Kosovo Institute of Forensic Medicine, with support from EULEX, assessed a possible mass grave site in Kishnicë/Kišnica village in the municipality of Graçanicë/Gračanica. The assessment was conducted on the basis of data previously collected through ground-penetrating radar surveys of five possible mass grave sites, carried out with UNMIK support on both sides of the administrative boundary, but did not yield any findings.

25. During the reporting period, the Kosovo government commission responsible for the verification and recognition of the status of survivors of conflict-related sexual violence received 92 applications, bringing the total number of applications received since its establishment, in February 2018, to 982. To date, 308 applicants (283 women and 25 men) have been granted survivor status.

26. During the period under review, the preparatory team for the establishment of the Kosovo truth and reconciliation commission held public consultations with members of civil society, academia and local communities across Kosovo to discuss the functional modalities of such a commission. The preparatory team, which had been established at the initiative of President Thaçi in February 2017, consists of representatives of central institutions and civil society groups from majority and non-majority communities.

27. On 28 February, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment presented a report to the Human Rights Council, at its fortieth session, on his visit to the region in 2017. In the report, the Special Rapporteur pointed to numerous and consistent allegations of torture and ill-treatment of people held in police custody in Kosovo and stressed the need to strengthen fair trial guarantees, in particular access to a lawyer and the exclusion of evidence obtained through torture or ill-treatment, and to improve conditions of detention. The Special Rapporteur recommended that Kosovo authorities criminalize other cruel, inhuman or degrading treatment or punishment in the same comprehensive terms as torture. The report also recommended that Kosovo authorities avoid unnecessary, excessive or otherwise arbitrary deprivation of liberty and strengthen existing preventive mechanisms in Kosovo through independent funding and adequate staffing.

28. In March, the Ombudsperson Institution of Kosovo issued its annual report, which assessed a wide range of human rights issues in 2018, including the lack of comprehensive child protection legislation and inadequate institutional responses to gender-based violence. In the report, the Institution provides recommendations aimed at reducing delays in judicial proceedings, enforcing the execution of judgements and protecting and upholding equality before the law, including gender equality.

VII. Women and peace and security

29. On 8 March, the Jahjaga Foundation, the Embassy of Germany and the United Nations Kosovo team organized a conference in Pristina aimed at promoting international collaboration in addressing legal, social and institutional challenges faced by the survivors of conflict-related sexual violence in Kosovo. In a video message, my Special Representative on Sexual Violence in Conflict called upon public institutions and society to continue to strengthen tools to restore the dignity of survivors. The conference provided an opportunity for the survivors of conflict-related sexual violence to express their concerns. At the end, participants issued a communiqué aimed at raising awareness of survivors' perspectives, demands and needs.

30. On 12 March, UNMIK, in collaboration with the United Nations Kosovo team and the European Union, organized the ninth annual Global Open Day on Women, Peace and Security in Kosovo, entitled "Trust-builders and deal-makers: advancing the women, peace and security agenda in Kosovo". The event, which was opened by my Special Representative and Head of UNMIK, the European Union Special Representative in Kosovo, the United Nations Development Coordinator in Kosovo and the Chair of the Assembly of Kosovo women's caucus, brought together more than 250 participants from Kosovo, including parliamentarians, politicians, government officials, civil society activists and representatives of the international community. It included a UNMIK-sponsored televised debate, in which participants stressed the need for the priorities and views of women to be reflected in ongoing political processes, including the European Union-facilitated dialogue between Belgrade and Pristina. Event participants also called for the establishment of formal mechanisms to support greater inclusion and engagement of women in political dialogue processes, including women from non-majority communities. On the margins of the event, UNMIK, in cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), organized a training workshop for municipal community leaders and the Regional Women's Lobby for Peace, Security and Justice in Southeast Europe on community-based mediation.

31. During the reporting period, as part of an UNMIK-funded project, UN-Women trained 50 members of the newly established women's association within the Kosovo Correctional Service on international standards and Kosovo legislation relating to the promotion of gender equality and non-discrimination. The training was focused on ways to achieve gender parity, in particular in senior management positions within the corrections service, such as through improved retention and promotion of women personnel.

VIII. Trust-building, partnerships and cooperation

32. During the reporting period, UNMIK, in close collaboration with the United Nations Kosovo team, continued to implement several programmatic trust-building activities in the areas of language, human rights, youth empowerment, gender equality and intercommunity dialogue. To date, through the implementation of its mandated tasks and funded projects, UNMIK has addressed half of the recommendations developed during the United Nations Kosovo Trust-Building Forum, held in Ljubljana in May 2018.

33. In the area of justice, UNMIK continued to support efforts to reduce the backlog of court cases in Kosovo, in furtherance of the recommendations of the Trust-Building Forum. The backlog of cases has been substantially reduced in the past two years, which is expected to continue, in part through the furnishing and equipping, through

UNMIK funding, of the appellate courtroom in North Mitrovica, inaugurated by my Special Representative on 16 April. During the reporting period, UNMIK also provided 10 interpreters and 2 legal associates to the Mitrovica Basic Court and funded the contract of an administrator to refer cases to mediation. On 8 May, my Special Representative inaugurated a legal aid support centre in Pristina, which was established with financial support from UNMIK and is administered by a local non-governmental organization, the Kosovo Law Institute. The aim of the support centre is to ensure access to free legal aid for vulnerable groups, in compliance with Kosovo legislation. During the event, my Special Representative expressed the Mission's commitment to continue to provide support to the justice institutions of Kosovo.

34. UNMIK also supported a project, implemented by the Balkan Investigative Reporting Network, to produce a series of televised town hall debates to enable local communities to discuss key issues identified during the Trust-Building Forum. During the reporting period, six debates were organized on a variety of topics, including the participation of women in political decision-making, religious tolerance and youth priorities. In addition to reaching in-person and televised audiences of more than 700 women and men, the debates enjoyed robust online viewership, with over 80,000 social media views.

35. On 1 April, UNMIK and the International Organization for Migration (IOM) brought together seven language experts (two women and five men) from Belgrade and Pristina to collaborate on the development of an electronic dictionary and associated mobile application (Albanian-Serbian and Serbian-Albanian). That trust-building initiative is aimed at promoting the learning of both official languages in Kosovo, in line with relevant legislation and international human rights standards.

36. As a follow-up to the Trust-Building Forum, on 18 April, the mayor of Prizren municipality organized a conference on environmental challenges. The conference, which was sponsored by UNMIK, brought together mayors and officials from 12 municipalities in the Pejë/Peć and Prizren regions and representatives of the international community. The conference resulted in project proposals to promote urban green space in the municipality of Gjilan/Gnjilane and to engage young people in environmental sustainability initiatives in the municipality of Malishevë/Mališevo. The conference was the first in a series of similar initiatives that UNMIK supports across Kosovo.

37. UNMIK continued to support the participation of young people in decision-making processes and intercommunity dialogue initiatives, in line with the Mission-wide framework strategy on youth, peace and security. From 9 to 10 March, UNMIK organized a training on peace education and mediation for a multi-ethnic team of 30 young leaders (16 women and 14 men). On 24 April, UNMIK and the United Nations Children's Fund jointly organized the third United Nations Youth Assembly in Kosovo, which brought together more than 250 young people, government representatives and United Nations participants, including my Envoy on Youth. During the event, young people from different ethnic communities engaged with Kosovo decision makers in discussions on empowering youth leadership across Kosovo. The activity was part of a project supported by the Peacebuilding Fund, entitled "Empowering youth for a peaceful, prosperous and sustainable future in Kosovo".

38. UNMIK continued to provide document certification services. During the period under review, a total of 1,279 documents were processed: 766 relating to pensions and 513 to civil status, such as high school and university diplomas and marriage, birth and death certificates. UNMIK also continued to facilitate bilateral police cooperation between Kosovo authorities and the Ministry of Interior of Serbia, for a

total of 44 requests received and processed. UNMIK facilitated the issuance of 12 Red Notices, 1 Yellow Notice and 7 extradition requests from States members of the International Criminal Police Organization (INTERPOL) to Kosovo. It also opened 618 cases for investigation within the INTERPOL database, bringing the total number of currently open cases related to the territory or people of Kosovo to 1,607. Overall, UNMIK processed 3,743 items of official correspondence related to its INTERPOL liaison function during the reporting period.

IX. Observations

39. I remain concerned about the heightened tensions between Belgrade and Pristina and urge all stakeholders to refrain from inflammatory rhetoric and provocative actions that could fuel discord. I am also concerned about the prolonged disengagement between the parties in the dialogue and its potential negative effects on the situation on the ground. It is imperative that the obstacles to the resumption of the dialogue, under European Union auspices, be effectively addressed, so as to create, without further delay, conditions conducive to a productive dialogue and the normalization of relations between Belgrade and Pristina.

40. I appreciate the important role that the European Union continues to play in guiding the political process between Belgrade and Pristina and I value the efforts it has made during the reporting period to maintain engagement with the parties.

41. I urge greater involvement by all segments of society on both sides of the political process, and I am especially pleased that the Global Open Day on Women, Peace and Security, which was organized by the United Nations in collaboration with the European Union and held in Pristina, highlighted the need for greater inclusion and engagement of women in the dialogue between Belgrade and Pristina. In that respect, I urge political leaders to take specific measures to ensure a gender-responsive political process, in line with commitments made under the women and peace and security agenda.

42. Impartial and credible justice is crucial to ensuring effective trust-building and sustainable reconciliation in Kosovo. It is essential that survivors of conflict-related sexual violence from all communities be able to both access and qualify for reparations and that the process be fully rights-based. I also underscore the continuing need for more effective institutional responses to gender-based violence and more robust child protection legislation and policies in Kosovo. I am pleased that the newly established legal aid support centre in Pristina will assist, among other vulnerable groups, the survivors of conflict-related sexual violence in seeking recognition of their status.

43. Upholding language rights is essential for the enjoyment of other civil and political rights. Initiatives aimed at promoting multilingualism in Kosovo are needed more than ever to bridge the rift between communities and overcome decades of mistrust. I therefore commend the concerted efforts of UNMIK and IOM to promote the learning of the Albanian and Serbian languages through innovative and engaging activities.

44. I welcome the convening of the third annual Kosovo Youth Assembly, which brought together young people from all communities in Kosovo to engage with decision makers on identifying ways to empower youth leadership across Kosovo. The initiatives highlighted in the present report reflect the concerted efforts made by my Special Representative and the Mission, in close collaboration with the United Nations Kosovo team and in partnership with local and international actors, to foster trust-building and promote political and societal reconciliation. I strongly support that

collaborative approach, which has substantially strengthened the implementation of the Mission's mandate to promote long-term peace and stability.

45. I welcome the initial contribution to the trust fund established in support of the Ashkali, Egyptian and Roma communities. More contributions are needed, however, to implement community-based assistance projects focused on the most pressing needs of those communities, which are the most vulnerable. I therefore encourage Member States and other actors and organizations to contribute to the fund.

46. I thank my Special Representative and all UNMIK staff for their dedication in advancing the Mission's objectives. I also express my gratitude to the long-standing partners of the United Nations in Kosovo, the Kosovo Force, the Organization for Security and Cooperation in Europe, the European Union Special Representative and offices on the ground, and to the United Nations Development Coordinator, as well as to the United Nations agencies, funds and programmes, for their continued teamwork and collaboration with UNMIK.

Annex I

Report of the European Union High Representative 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 January to 15 May 2019

1. Summary

With its reconfiguration process completed, the European Union Rule of Law Mission in Kosovo (EULEX) has fully dedicated itself to the implementation of its core mandate for 2018–2020, through its monitoring and operations pillars. With regard to the work undertaken through the monitoring pillar, the Mission was well received by local counterparts in its new role of monitoring former EULEX and other cases, as well as systemic issues and thematic areas on the police, prosecutorial and judicial levels.

The Mission noted a positive trend in the court hearings that it monitored, with a significant increase in productive over unproductive hearings.¹ The Kosovo Correctional Service concluded its recruitment of 120 staff, although certain weaknesses remained.

In support of the implementation of the European Union-facilitated dialogue, the Mission successfully advocated, on the technical level, the renewal of several ministerial decisions to facilitate freedom of movement agreements, although overall implementation in that area continued to lag behind. The construction of two of the three common crossing points hosted by Pristina was nearly completed, while work on the third remained blocked by Belgrade. Meanwhile, EULEX continued to play a facilitating role in the implementation of the Justice Agreement. In one area of intervention, that resulted in the Mitrovica division of the Court of Appeals being allocated a greater number of cases in the first months of 2019 than the total number of cases for all of 2018.

Within the scope of work of the operations pillar, the Mission continued its facilitation of international police cooperation matters with the Kosovo police, maintaining its Witness Security Department and its capability as a second security responder in Kosovo. After receiving an invitation by the Minister of Justice in January, EULEX also fully resumed its work on missing persons cases in an executive capacity. The Mission experienced political interference by some government representatives, however, in particular when attempting to find missing persons from minority communities. EULEX also provided logistical and operational support to the Specialist Chambers and Specialist Prosecutor's Office.

2. Activities of the European Union Rule of Law Mission in Kosovo

2.1. Monitoring

During the reporting period, EULEX monitored selected cases and trials in the Kosovo justice system, including former EULEX cases, to assess their compliance with Kosovo law and human rights standards.

Monitoring at the Kosovo police level was focused on the prioritized thematic areas of crimes under international law, gender-based violence and hate crimes, for which EULEX provided expertise and advice on addressing those issues in a coherent manner.

¹ Unproductive hearings are those immediately adjourned by the competent judge for reasons associated with the absence of parties, witnesses or experts.

At the prosecution and court levels, continuous tendencies were observed in cases of gender-based violence, where the prosecution opted for more lenient legal qualifications of criminal acts and the courts for more lenient sentences, and both the prosecution and the courts disregarded the aggravating factors outlined in the law.

In the cases that it monitored, EULEX identified a positive trend in the ratio of productive versus unproductive hearings, which rose from approximately 50 per cent productive hearings in 2018 to over 80 per cent by the end of April. Meanwhile, the slow pace of criminal proceedings, notably in complex or high-profile cases, remained a major concern. Equally worrying was the identification of a tendency to delay the scheduling of hearings for long periods of time in a number of high-profile cases.

The Mission closely monitored the establishment of the Special Department in the Basic Court of Pristina, expected to become operational by 1 July to deal with all cases assigned to the Special Prosecution of Kosovo, in line with the new Law on Courts. As different courts have interpreted the jurisdiction of the Special Department differently, the result has frequently led to proceedings being withheld, allegedly awaiting transfer to the Special Department. EULEX is concerned that the Special Department may fail to meet the necessary standards in terms of the number and quality of judges as well as in terms of transparency in allocating cases to judges. It is noteworthy, in that context, that the same group of judges repeatedly received most of the high-profile cases of the Basic Court of Pristina, indicating that the planned blind draw system was not always implemented. EULEX has advocated with local counterparts, also in cooperation with the European Union Special Representative, that such practices be avoided in the new Special Department.

On 23 January, EULEX began the practice of regularly sharing the findings from its monitoring activities, along with tailored recommendations, with relevant local counterparts and international partners through board meetings of the Ministry of Justice-led Justice 2020 initiative.

The Mission continued to monitor, mentor and advise the senior management of the Kosovo Correctional Service, in order to support the further development of a consolidated and professional senior management team and to develop its capability to, inter alia, ensure the equal enjoyment of rights by removing undue interference and eliminate the preferential treatment of inmates.

EULEX organized a three-day workshop for 50 female correctional staff between 5 and 7 March, delivered by trainers from the Prison and Probation Service of Sweden. The workshop dealt primarily with the career challenges facing female staff members in a male-dominated environment. The workshop will be followed by a study visit to Sweden in May.

Previously a major concern, the preferential treatment of high-profile prisoners was not much of an issue during the reporting period, as the number of such prisoners remained low throughout most of the period. Nevertheless, as six high-profile convicts from the *Drenica II* war crimes case were arrested in mid-April, the impact of that change remains to be seen.

The Mission continued to facilitate the implementation of the integrated border management technical protocol derived from the European Union-facilitated dialogue between Pristina and Belgrade. More than a year has passed since Belgrade withdrew from participating in integrated border management meetings at all levels with Pristina counterparts and EULEX officials, following the arrest of the Director of the Office for Kosovo and Metohija of the Government of Serbia, Marko Đurić, in North Mitrovica on 26 March 2018. The level of cooperation between the two sets of authorities has decreased since that time, although EULEX has regularly visited all

common crossing points and engaged separately with both sets of officials. That withdrawal of cooperation has affected the construction of the three common crossing points hosted by Pristina. Although construction has continued, nearing completion at Merdarë/Merdare and Mutivodë/Mutivode, Serbian officials did not move their staff into the new administrative building at the common crossing point at Merdarë/Merdare. They also refrained from taking action on resolving technical issues that would allow the start of construction of the common crossing point at Bërnjak/Tabalije.

On 22 March, the Ministry of Internal Affairs finalized its integrated border management strategy for the period 2019–2023, and the action plan was expected to be completed in mid-May. The documents were drafted with the support of EULEX and provide an outline of the role of the different actors in combating cross-border crime, with a focus on current challenges and emerging threats concerning border security.

In support of the technical implementation of the European Union-facilitated agreements relating to freedom of movement, EULEX advised the Ministry of Internal Affairs to renew a decision allowing the replacement of Serbian driver's licences issued between 10 June 1999 and 14 September 2016 and which had expired at the end of 2018. The Minister signed the renewal of the decision on 13 March, which remains in effect until the end of 2019. Similarly, on 25 March, following the advice of EULEX, the Ministry extended, by a period of six months, the decision on exempting fees for the reregistration of vehicles bearing Serbian licence plates (issued for Kosovo between 10 June 1999 and 14 September 2016) to Kosovo plates.

The Mission supported the President of the Mitrovica Basic Court and the Head of the Mitrovica division of the Court of Appeals in the implementation of the European Union-facilitated Justice Agreement. As a result of the facilitation conducted by EULEX, by the end of April 2019, the Mitrovica division had been allocated a total of 66 cases by the President of the Court of Appeals. That was a significant and positive increase to the workload of the judges of the Mitrovica division, who had been allocated only 40 cases for all of 2018.

Following disagreement on the allocation of criminal cases at the Court of Appeals level that would have prevented criminal judges from the Mitrovica division from adjudicating cases tried at the Court of Appeals in Pristina, EULEX raised the issue with the President of the Court. As a result, the President has begun to allocate criminal cases from the southern Kosovo Serb-majority municipalities to the Mitrovica division for adjudication, a practice that should ideally be fully formalized in the future.

2.2. Operations

EULEX maintained its support for the Kosovo police in international police cooperation. The Mission facilitated the exchange of information between the National Central Bureaus of INTERPOL and the International Law Enforcement Coordination Unit of the Kosovo police, under the umbrella of the UNMIK INTERPOL Liaison Office. EULEX continued to foster local capacities through the Mission's small-scale projects by supporting Kosovo police officers in fighting illicit trade. EULEX organized three study visits for the Coordination Unit, to Brussels, Vienna and Prague, to further familiarize them on best practices adopted on the concept of the single point of operational contact.²

² The concept of the single point of operational contact refers to the practice of countries appointing one person with whom to liaise on information exchanges between law enforcement agencies.

The Mission also facilitated the exchange of information between the Ministry of the Interior of Serbia and the Kosovo police, in line with the protocol on police cooperation between the two entities. The EULEX Witness Security Department continued to support permanently relocated operations and operations awaiting permanent relocation. As requested by local authorities, EULEX assisted the Kosovo police Witness Protection Directorate with the long-term planning of its first independent regional conference, which was to be held in mid-May, aimed at strengthening regional cooperation.

EULEX maintained its readiness to support the Institute of Forensic Medicine. On 31 January, the Mission received a letter from the Ministry of Justice, requesting its continued support in the development of local capacities at the Institute, including the continuation of work on missing persons cases in an executive capacity. The letter was issued as a result of intense liaising and coordination with both the Office of the Prime Minister and the Ministry of Justice over a period of several months.

With regard to assistance provided by EULEX on missing persons cases, the Mission conducted four site assessments of possible missing persons' graves in Istog/Istok, Gjakovë/Đakovica, Gillogovc/Glogovac and Graçanicë/Gračanica. Despite having been invited to continue its executive work with the Institute of Forensic Medicine, EULEX faced difficulties in the search for the missing. An example of that was the ongoing case in Gjakovë/Đakovica: after the local prosecution office granted an order for excavation, an adviser to the Prime Minister on missing persons expressed his discontent with the granting of the order.

The Institute of Forensic Medicine continued to face challenges in reaching a sufficient level of productivity. With regard to institutional developments, the draft regulation on the internal organization of the Institute was still not finalized. The regulation is a supplementary document to the Law on Forensic Medicine, adopted in April 2016, and is essential for the international accreditation of the Institute.

The EULEX formed police unit maintained its capability as a second security responder in Kosovo. In order to ensure the operational readiness of the unit, internal training sessions, as well as joint training sessions with the Kosovo Force of the North Atlantic Treaty Organization, have been held.

EULEX continued to provide logistical and operational support to the Specialist Chambers and Specialist Prosecutor's Office, in line with relevant legislation and within its means and capabilities.

3. Other key issues

Nothing significant to report.

Annex II

Specialist Chambers and Specialist Prosecutor's Office

During the reporting period, the Specialist Chambers increased its judicial activity, triggered by the activity of the Specialist Prosecutor's Office in summoning individuals with respect to its investigation. The Specialist Chamber of the Constitutional Court issued its first rulings on 7 and 20 February 2019, concerning a referral from a suspect summoned for questioning by the Specialist Prosecutor. The Specialist Chamber of the Constitutional Court dismissed the referral as inadmissible.

On 25 March 2019, a single judge of the Specialist Chambers rendered a decision on the first request for the review of a decision by the Registrar, which related to legal aid. In his decision, the judge upheld the original decision on the basis of sound financial management.

More than 150 lawyers have now been admitted to the lists of defence counsel and victims' counsel. On 1 March 2019, the Registrar adopted the Code of Professional Conduct for Counsel and Prosecutors before the Kosovo Specialist Chambers, following consultation with the judges of the Specialist Chambers, the Specialist Prosecutor and the representatives of the counsel on the lists of counsel and upon the approval of the President of the Chambers. The Code regulates professional conduct in judicial proceedings and provides for a disciplinary procedure in case of any breach of the Code, with the aim of ensuring the integrity of the proceedings and the fair and proper administration of justice. The establishment of an independent representative body for all counsel is also being encouraged.

On 7 and 8 March 2019, the judges of the Specialist Chambers convened in The Hague for their fourth plenary session. The judges received updates and addressed issues that may arise in future proceedings.

During the reporting period, the Specialist Chambers further finalized the legal framework and procedures relating to detention, in compliance with the applicable legal framework and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

To mitigate the risk of the United Kingdom of Great Britain and Northern Ireland leaving the European Union with no withdrawal agreement and/or no participation in the European Union Common Foreign and Security Policy and Common Security and Defence Policy, the Specialist Chambers and Specialist Prosecutor's Office continue to remain abreast of developments in that regard in the light of the potential impact on operational and business continuity. Since the previous reporting period, 33 new staff members joined the Specialist Chambers and Specialist Prosecutor's Office.

The Specialist Chambers remains committed to ensuring a dynamic and receptive outreach strategy. From 5 to 8 February 2019, the Specialist Chambers outreach team, along with the Victims' Participation Office, and in cooperation with various non-governmental organizations in Kosovo, carried out outreach meetings and round-table discussions with representatives of civil society in different parts of Kosovo, including Pristina and North Mitrovica. From 1 to 4 April 2019, the outreach team met with students in Pristina and Fushë Kosovë/Kosovo Polje. In February and April, the Victims' Participation Office organized information sessions for representatives of the Association of Families of Kidnapped and Missing Persons in Kosovo and Metohija and is reaching out to the Serbian diaspora, as well as to representatives of the Roma, Ashkali and Egyptian communities. The Office of the Ombudsperson also participated in outreach activities in Kosovo during the reporting period. The Specialist Chambers received eight student groups during the reporting

period, as part of the continuing visitor programme. Media queries and viewings of the website have increased, largely in response to the activities of the Specialist Prosecutor's Office. The Specialist Chambers continues to provide outreach products explaining its work and, on 22 February 2019, issued a strategic paper on its outreach programme.

On 6 February 2019, the President of the Specialist Chambers met with the Civilian Operations Commander of the European External Action Service, General Vincenzo Coppola. On 8 February 2019, the Committee for Civilian Aspects of Crisis Management of the Council of the European Union visited the future premises and courtroom of the Specialist Chambers and Specialist Prosecutor's Office.

The Specialist Chambers continues to coordinate closely with the Government of the Netherlands regarding the completion of the renovation of the permanent premises. The handover of the permanent premises to the Specialist Chambers was scheduled to take place in mid-May 2019. The Registrar has maintained regular contact with the Ministry of Foreign Affairs and the Ministry of Justice and Security of the Netherlands to ensure a smooth transition for all staff, assets and operations by June 2019. Further preparatory work required prior to the move in June 2019 is ongoing, including verifying that the functional specifications for the permanent premises are met. Following their deployment in March 2019, 30 new security staff members received role-specific training to operationalize the permanent premises and support core activities.

Throughout the reporting period, the Specialist Prosecutor's Office continued its investigation into the allegations contained in the report of the Parliamentary Assembly of the Council of Europe, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo", requesting the presence of suspects, victims and witnesses for questioning and collecting and reviewing evidence. Assistance from national authorities in Belgrade and Tirana, as well as the wider international community, is essential to the investigation. The Office is appreciative of the support it has received to date. In order to advance the investigation rapidly and meet its mandate, the Office requires the continued engagement and full support of the international community, international organizations and individual States in all its activities.

Annex III

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 May 2019)

<i>Country</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Austria	1	–	1
Finland	–	1	1
Germany	1	–	1
Hungary	–	2	2
Russian Federation	1	2	3
Turkey	–	1	1
Ukraine	–	1	1
Total	3	7	10

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 May 2019)

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



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Geospatial Information Section