



Security Council

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United Nations Interim Administration Mission in Kosovo

Report of the Secretary-General

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution [1244 \(1999\)](#), by which the Council established the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested the Secretary-General to report at regular intervals on the implementation of its mandate. The report covers the activities of UNMIK, and developments related thereto, from 19 September 2023 to 15 March 2024.

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

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

3. Although there was some progress during the past six months in the implementation of European Union-facilitated agreements, tensions between Belgrade and Pristina increased, and the security situation in northern Kosovo remained tenuous. There was no progress towards the establishment of the Association/Community of Serb-majority Municipalities despite diplomatic pressure. Nonetheless, Belgrade and Pristina advanced on the implementation of the energy road map, the registration of vehicle licence plates and reciprocal freedom of movement for vehicles between Kosovo and Serbia. In other developments, Kosovo Serbs initiated petitions to recall mayors in four northern municipalities in accordance with the new administrative instruction provided by the Kosovo government. The new regulation of the Central Bank of Kosovo, determining the euro as the only currency for cash transactions in Kosovo from 1 February 2024, affected the economic and social rights of Kosovo Serbs and other non-majority communities and has further strained relations between the parties.



4. On 24 September 2023, a serious security incident unfolded near Banjska/Banjskë village in Zvečan/Zveçan municipality in northern Kosovo, involving around 30 armed individuals who erected roadblocks and confronted Kosovo police officers. The incident resulted in the death of one police officer, injuries to two other officers and the death of three armed assailants. Eight Kosovo Serb suspects were arrested, while others fled the scene and crossed the administrative boundary line into Serbia. On 26 September, the Kosovo authorities released four of the eight detained suspects for lack of evidence. In the following days, tensions flared between Belgrade and Pristina, with the former heightening its military presence along the administrative boundary line and then scaling it back following international pressure.

5. In the wake of the assault, the Prime Minister of Kosovo, Albin Kurti, accused Serbia of systematically encouraging and sponsoring violence, while the President of Kosovo, Vjosa Osmani, also declared a day of mourning on 25 September in respect of the deceased Kosovo police officer. The President of Serbia, Aleksandar Vučić, disavowed any involvement by the Serbian authorities, claiming the incident was a reaction of Kosovo Serbs to the Kosovo government's policies in northern Kosovo. Mr. Vučić declared a day of mourning in Serbia for "the three deceased Serbs and the killed policeman", while the Serbian List, the largest Kosovo Serb political party, declared three days of mourning for the Kosovo Serbs who died.

6. The European Union High Representative for Foreign Affairs and Security Policy, Josep Borrell, condemned the attack, stating that the responsible perpetrators "must face justice" and that European Union members "urge all actors to work to de-escalate" the situation. The Secretary of State of the United States of America echoed the European Union's condemnation of the incident. In the following days, similar statements were issued by various international actors, including the Kosovo Force and the Special Representative of the Secretary-General for Kosovo, who called for "the perpetrators to be held accountable".

7. Following the Banjska/Banjskë incident, the North Atlantic Treaty Organization (NATO) temporarily deployed additional troops to join the Kosovo Force between October and December. On 20 November, the Secretary-General of NATO confirmed that 2023 had seen "the largest enforcement" of the Kosovo Force by 1,000 troops in the past decade. Since then, some of the extra troops have been withdrawn.

8. Shortly after the Banjska/Banjskë incident, Kosovo authorities published footage of the assailants, including Milan Radoičić, Vice President of the Serbian List political party. On 29 September, he admitted his involvement in the operation, claimed to have acted in his personal capacity and without the knowledge of Belgrade and announced his resignation from his post. On 3 October, he was detained by the Serbian authorities and released the following day. The Belgrade High Court said that it had filed criminal charges and had ordered his conditional release pending trial. Pristina and Belgrade both declared that they had opened investigations into the Banjska/Banjskë incident, which are currently ongoing. On 3 October, Kosovo authorities issued arrest warrants for Mr. Radoičić alongside 21 other individuals, followed by additional arrest warrants for a further 19 individuals on 30 October and 16 February, respectively. As at 4 March 2024, the International Criminal Police Organization (INTERPOL) had published Red Notices for 29 of these individuals. The Minister for Foreign Affairs of Serbia, Ivica Dačić, ruled out the extradition of Mr. Radoičić.

9. On 21 October, the European Union Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues, Miroslav Lajčák, accompanied by officials from France, Germany, Italy and the United States, visited Pristina and Belgrade. They presented the draft proposal for the establishment of the

Association/Community of Serb-majority Municipalities in Kosovo, with clear expectations that the parties would honour their dialogue-related obligations.

10. On 26 October, the leaders of France, Germany and Italy met in Brussels with Mr. Kurti and Mr. Vučić, accompanied by the President of the European Council, Charles Michel, Mr. Borrell and Mr. Lajčák, on the margins of a meeting of the European Council. They called on Kosovo to launch the procedure to establish the Association/Community of Serb-majority Municipalities, as prescribed in the draft statute, and on Serbia to deliver on “de facto” recognition. Mr. Kurti stated his readiness to sign the Agreement on the path to normalization between Kosovo and Serbia of 27 February 2023, along with the draft statute, provided that Mr. Vučić also signed. Mr. Vučić acknowledged the draft statute as an “acceptable basis” and stressed the readiness of Serbia to fulfil its commitments “that do not imply the de facto or de jure recognition of Kosovo and Kosovo’s membership in international organizations, such as the United Nations”.

11. The Assembly of Kosovo debated the new draft statute to establish the Association/Community during a special plenary session on 3 November. Mr. Kurti stated that he had not yet accepted the proposed draft because there had been no signing of the document; once it was signed, it would be sent to the Constitutional Court of Kosovo for review.

12. Mr. Lajčák’s separate meetings in Brussels on 16 November with the chief negotiators did not yield progress on the statute, but other aspects of the dialogue saw some advancement. On 9 December, Mr. Lajčák reported the signing of a commercial agreement between the Kosovo Electricity Distribution Services and the newly established company Elektrosever, marking an important step in the implementation of the energy road map agreed in June 2022. On 29 February, Elektrosever began distributing electricity bills in northern Kosovo, marking the first time since 1999 that local residents had been billed for electricity.

13. On 13 December, the European Union and Western Balkans leaders met in Brussels for their fourth annual summit, resulting in the Brussels declaration, which, among other things, urged the parties to implement the Agreement on the path to normalization and its Implementation Annex. In a letter to the European Union on 14 December, the Prime Minister of Serbia, Ana Brnabić, noted that the declaration was “a political statement and a legally non-binding document” and that it would be deemed acceptable only in a context that did not refer to any de facto or de jure recognition of Kosovo. Mr. Kurti urged international actors to address Ms. Brnabić’s letter, claiming that it hindered the normalization of relations, and reiterated the need for both sides to formally sign the Agreement. At the following European Council meeting in December, European Union leaders requested that the European Commission include the Agreement and its Implementation Annex in the Serbian negotiating framework with the European Union. On 24 January, the Spokesperson of the European External Action Service stressed that the Agreement was considered binding and remained “an integral part of their respective European paths”.

14. On 17 December, eligible voters from Kosovo participated in the Serbian general elections. The Kosovo government opposed the holding of Serbian elections in Kosovo without a formal request from the Government of Serbia, in line with its previous stance on the conduct of previous Serbian elections and a constitutional referendum in 2022. The European Union expressed regret at the Kosovo government’s position, noting that it was not in line with the “spirit of the dialogue, the principle of protecting the rights of non-majority communities, and building trust between Kosovo and Serbia”. On election day, the Government of Serbia and the Serbian List arranged transportation for voters from Kosovo to polling stations in central Serbia. Aside from long traffic queues, no significant issues were reported.

15. On 25 December, the Government of Serbia announced that it would allow freedom of movement in Serbia for all vehicles bearing Kosovo-issued licence plates starting from 1 January 2024. It highlighted that this decision, based on the 2011 Agreement on Freedom of Movement, was not a recognition of Kosovo's independence and could not be interpreted as "Belgrade's consent to deviate from the rights guaranteed by United Nations Security Council resolution 1244". On 4 January, the Kosovo government reciprocated and abolished the sticker regime for Serbian licence plates. On 7 January, Mr. Borrell welcomed the decisions as a positive step in the implementation of the Agreement and an indication that progress in the normalization of relations was possible.

16. On 27 December, the Central Bank of Kosovo adopted a regulation on cash payments with the stated aim of protecting the integrity of the financial system in Kosovo and fighting money-laundering and the financing of terrorist activities. The regulation stipulated that, as at 1 February 2024, the only currency allowed for cash transactions in Kosovo would be the euro, thereby interrupting the common practice of using the Serbian dinar as the primary currency for cash and commercial transactions in Kosovo Serb-majority areas, which had been in place since 1999. Prior to the enforcement date, the Kosovo authorities offered limited public explanations of the content and effect of the regulation. The implementation of the regulation interrupted payments to individuals employed by Serbian-funded institutions and to pensioners of the Serbian social security system in Kosovo. It also affected small and medium-scale businesses, as well as health, child-care and education services.

17. On 17 January, Mr. Vučić said that he raised concerns over the currency regulation in a meeting with Mr. Lajčák on the margins of the meeting of the World Economic Forum in Davos, cautioning that it would pose "the most serious and significant threat to dialogue".

18. On 28 January, the Quint (France, Germany, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States) representatives in Kosovo issued a joint statement expressing concern about the impact of the Central Bank's regulation on the everyday lives of the Serb-majority communities in Kosovo. They called for the suspension of the enforcement of the regulation to allow for a sufficiently long period of transition. On 6 February, the Special Representative of the Secretary-General for Kosovo urged restraint and constructive engagement. She emphasized the need to discuss outstanding issues through the European Union-facilitated dialogue, allowing sufficient time for effective communication and outreach to affected communities beforehand.

19. In late January and early February, Kosovo police conducted operations targeting facilities used by Serbian non-majority communities in the Dragash/Dragaš, Pejë/Peć, Klinë/Klina and Istog/Istok municipalities, as well as a community centre in Pristina. The Kosovo police reported the seizure of various documents, the sealing of buildings and the temporary detainment of staff in the four municipalities, stating that it suspected that the facilities had been used/were being used to conduct illegal activities. On 2 February, a team of journalists from Radio Goraždevac (Pejë/Peć), the only Kosovo Serb media outlet in the area, was stopped by the Kosovo police and their vehicle was searched, despite having presented valid press credentials.

20. On 5 February, the First Deputy Prime Minister for European Integration, Development and Dialogue of Kosovo, Besnik Bislimi, sent a letter to Mr. Lajčák detailing proactive measures taken by Kosovo to de-escalate tensions and requesting the lifting of measures imposed by the European Union.

21. Mr. Kurti announced on 6 February that steps would be taken by his administration to facilitate a transition period for the application of the currency regulation. The Central Bank then announced on 12 February a 10-point plan to

mitigate any adverse effects of the new regulation and said that the transition phase would not last more than three months.

22. Meanwhile, following the request of Serbia for an extraordinary session of the Security Council to discuss the consequences of the new currency regulation, the Council convened on 8 February. Mr. Vučić and Mr. Kurti participated in the session, presenting contrasting narratives regarding the situation in Kosovo and the regulation's impact.

23. A group of Kosovo Serb lawyers submitted a request to the Constitutional Court of Kosovo on 20 February to assess the constitutionality of the regulation and asked the Court to suspend the regulation as an interim measure until the Court decided on the case. A response from the Court remains pending.

24. Mr. Lajčák held a meeting in Brussels on 27 February on the currency regulation with the chief negotiator of Serbia and the Governor of the Central Bank of Kosovo. Mr. Bislimi, the chief negotiator of Kosovo, did not attend, noting that "the dinar issue is not part of the dialogue". Mr. Lajčák qualified the meeting as a first step towards finding a sustainable solution for the affected communities.

III. Northern Kosovo

25. In the wake of the attack in Banjska/Banjskë, the Kosovo police increased its presence in northern Kosovo, including through the deployment of special operations units along the administrative boundary line. Over the following weeks, Kosovo police conducted several search operations that resulted in the confiscation of assets, weapons and ammunition.

26. The Kosovo police restricted movements in the area by temporarily closing administrative boundary crossing points from 24 September. Gate 31 (Brnjak/Bërnjak) was closed to incoming traffic until 4 October, while Gate 1 (Jarinje/Jarinë) remained closed to incoming traffic until 18 October. In mid-October, the Kosovo police blocked alternative roads near the administrative boundary line, impeding travel for work, school and health care. Many of the barriers were reconfigured several weeks later to allow smaller vehicles to pass through.

27. The Kosovo government's restrictions on Serbian goods, which began in June 2023, continued to affect the socioeconomic rights of residents and entrepreneurs. On 6 October, the Director of the Clinical Hospital Centre in North Mitrovica stated that essential medical supplies were critically low and described the situation as a "humanitarian disaster". The Ministry of Health of Kosovo rebutted these claims and reiterated the procedure for requesting medical supplies for health institutions in Serb-majority municipalities. Following diplomatic efforts, the delivery of medicines and medical supplies from Serbia on 9 November temporarily alleviated shortages. However, local pharmacies and medical institutions again reported shortages of medicines and supplies in northern Kosovo in late January and February.

28. Several hundred residents and business owners gathered in North Mitrovica on 25 December to protest the restrictions on the import of Serbian goods into Kosovo, and started a petition to request the lifting of the restrictions imposed in June 2023. On 27 February, Sava Janjić, the abbot of the Visoki Dečani monastery in western Kosovo, raised concerns about the socioeconomic impact of these measures on Serbian communities in Kosovo.

29. On 12 October, Mr. Vučić called on Kosovo Serbs to re-engage in political life in Kosovo. The following day, the Serbian List announced its readiness to initiate petitions to recall the Kosovo Albanian mayors who had been elected in the

extraordinary local elections in northern Kosovo in April 2023, in which only 3.47 per cent of eligible voters participated.

30. On 24 October, the Serbian List elected Zlatan Elek as its new president, replacing Goran Rakić. In late 2023, the Central Election Commission of Kosovo registered two new political parties, the Serbian National Movement and Serbian Democracy.

31. Residents in all four northern municipalities launched petitions on 5 December to recall the mayors in accordance with the administrative instruction. By mid-January, the initiators of the petitions reported having obtained signatures from 20 per cent of residents across the four municipalities, thus reaching the required threshold. On 8 March, the Central Election Commission announced that it had verified the petitions and that voting to recall the mayors would take place on 21 April.

32. On 19 December, the Privatization Agency of Kosovo assumed control of the Rajska Banja spa complex in Banjska/Banjskë and handed it to the Ministry of Internal Affairs of Kosovo. This operation sparked reactions from local politicians and the Government of Serbia about the inviolability of private property and the rights of Kosovo Serbs. As reported by the Kosovo police, weapons and ammunition were seized at the spa complex on 25 September in relation to the Banjska/Banjskë incident.

33. Following the events of May 2023, when Kosovo Serb protesters clashed with Kosovo Force members in front of municipal buildings in northern Kosovo, UNMIK has not been able to fully access the Mission's field offices situated within the municipal premises of Leposavić/Leposaviq, Zubin Potok and Zvečan/Zveçan in northern Kosovo. UNMIK security personnel were able to secure these offices in the summer of 2023, with the assistance of the Kosovo Force and the Kosovo police, to ensure the inviolability of United Nations premises and assets. However, on 14 December, UNMIK ascertained that its office in Leposavić/Leposaviq had been broken into and was occupied by municipal employees. On 20 December, the Mission was able to visit its offices in Zubin Potok with the assistance of the Kosovo Force and observed that they had been compromised. UNMIK staff noticed signs of forceful entry and significant vandalism, as well as missing physical assets. On 21 December, UNMIK unsuccessfully tried to access its two offices located in the Zvečan/Zveçan municipal building and was only able to access them on 26 December, with the mayor's approval and escorted by the Kosovo police and the Kosovo Force. One of the offices appeared to be intact, while some physical assets were missing from the second office. The Mission has raised these issues with the Kosovo authorities.

34. At the end of December, the Kosovo government announced that it would recover the payment of accumulated debts of up to €12 million for the consumption of electricity by using capital from the development fund for municipalities in the north of Kosovo, established by a 2013 agreement. The European Union raised concerns, noting that the decision did not meet the criteria of the fund and its development aims.

35. On 20 December, the Kosovo Competition Authority, an independent public institution responsible for promoting fair market competition, issued a fine of €1.6 million to a branch of a private Serbian mobile telephone company operating in Kosovo, citing a law introduced in 2022. The fine was for reportedly failing to submit a request for the mandatory notice of the purchase of 100 per cent of shares in three other companies in 2019. The General Director of Telekom Serbia said that the decision presented a continuation of the "campaign by Albin Kurti's administration against this company".

36. On 29 December, the new Municipal Assembly of North Mitrovica, comprising a majority of Kosovo Albanian representatives, allocated land currently used by

institutions that are supported by the Government of Serbia to the Ministry of Internal Affairs of Kosovo. After collecting the required number of signatures, the Serbian Democracy party submitted a petition to the Municipal Assembly to revoke the decision and asked for a referendum on the matter, in accordance with the Law on Local Self-Government. On 23 February, the Municipal Assembly responded by indicating that it was not required to call a vote on the matter, citing the absence of municipal legislation on referendums.

37. On 7 February, Kosovo police conducted a search of the Serbian post office in Gorazhdec/Goraždevac and seized documents and equipment. In addition, on 7 and 14 February, Kosovo authorities stopped trucks transferring cash from entering Kosovo at Gate 1 (Jarinje/Jarinë) following the entry into force of the new currency regulation.

38. Several thousand Kosovo Serbs from across Kosovo gathered in North Mitrovica on 12 February to protest the Central Bank's new currency regulation. Speakers emphasized the regulation's impact on the most vulnerable people, asked for its cancellation and appealed to the international community to intervene.

39. On 12 and 25 January respectively, the Kosovo Force announced the withdrawal of its personnel from the municipal buildings in Leposavić/Leposaviq and Zvečan/Zveçan, noting that it would continue to conduct regular patrols in the area. It had been deployed to the two municipal buildings following the violent protests of May 2023.

40. On 13 March, Mr. Kurti announced that the Kosovo government had ordered the Kosovo Cadastral Agency to implement the 2016 decision of the Constitutional Court regarding the property of the Visoki Dečani monastery. The Quint and other members of the international community commended this move.

41. On 14 March, the Kosovo Ministry of Infrastructure replaced monolingual Serbian traffic signs on the roads in northern Kosovo with new bilingual signs (in Albanian followed by Serbian in the Latin alphabet). The Language Commissioner of Kosovo called for the order of the language on the signs to be reversed and that the Serbian language should be in Cyrillic. Some of the newly installed road signs were vandalized.

IV. Rule of law and human rights

Rule of law

42. The Special Prosecution Office of Kosovo continued to issue indictments against Kosovo Serbs for alleged war crimes committed during the 1998–1999 conflict, including several in absentia. On 8 December, the Special Prosecution Office reported that it had issued 33 indictments against 89 individuals for war crimes since being granted the authority to investigate war crimes in 2016. It also issued indictments against a further 53 individuals for their alleged involvement in April 1999 in the deaths of 370 people in the villages of Mejë/Meja and Rekë/Reka, in the municipality of Gjakovë/Đakovica, bringing the reported total of individuals indicted for war crimes to 142.

43. In October, the acting Minister for Justice of Montenegro declined to extradite two individuals wanted by the Kosovo authorities for prosecution of war crimes, citing the potential for the Convention for the Protection of Human Rights and Fundamental Freedoms to be violated. Both individuals were subject to Red Notices issued by INTERPOL pursuant to international wanted notices issued by UNMIK in February 2015 and July 2023, respectively.

44. On 20 November, the first trial held in absentia for war crimes began in the Basic Court of Pristina. The prosecution noted that, further to exploring all legal

avenues to secure the defendant's physical presence at the trial, it had also waited for the legally mandated period of six months to elapse before issuing the indictment.

45. On 7 December, the Court of Appeals heard the appeal of a former Kosovo Liberation Army commander, who had been sentenced to a term of nine years and six months in prison for war crimes by the Basic Court of Prizren in June 2023. Separate war crimes trials began against two Kosovo Serbs, who had previously served as a Kosovo police officer and a prison guard, respectively. On 5 February 2024, the Basic Court of Pristina acquitted the former Kosovo police officer of charges related to his alleged involvement in war crimes. The trial of the former prison guard is currently ongoing.

46. International community representatives and judicial bodies in Kosovo called on the government to refrain from making statements that risked undermining the independence of the judiciary and the public's confidence in it. The interventions followed statements by the Prime Minister and other members of the Kosovo government that criticized the findings and decisions of judicial institutions regarding the detention and prosecution of individuals.

47. A third revision of the Law on the Kosovo Prosecutorial Council was submitted to the European Commission for Democracy through Law (Venice Commission), which on 18 December reiterated that "appropriate safeguards against the risk of politicization in the process of selection and election of lay members" of the Council should be introduced.

48. On 27 February, in the case of two indictees who had been accused of "participating in a crowd committing a criminal offence and hooliganism" in relation to the protests in Zvečan/Zveçan municipality in May 2023, the Basic Court of Pristina found both defendants guilty. The individuals, who had previously entered guilty pleas, were sentenced to six months imprisonment. Subsequently, one defendant was released, having already served time in detention on remand, while the other, who had served 26 days in prison, was released after paying a sum of €6,000 in lieu of serving the remaining sentence.

49. Public criticism of the perceived failure of judges and prosecutors to treat seriously the issue of domestic violence and gender-based violence continued. The assassination of a woman on 29 November, reportedly organized by her husband, sparked local protests and international calls for the justice system to prioritize cases pertaining to violence against women and girls, and for perpetrators to receive penalties commensurate with the gravity of the crime.

50. With over 10,000 public officials having disclosed their financial holdings, the Agency for Prevention of Corruption reported a significant increase in registrations of wealth declarations in 2023. However, the number of related court cases remains low. High-profile cases are frequently sent for retrial and convictions often result in minor penalties. The European Commission, in its report on Kosovo for 2023, noted that there was a need for a more robust criminal justice response to high-level corruption cases.

51. UNMIK continued to provide document certification services. The Mission processed a total of 1,855 documents, of which 823 related to pensions and 1,032 related to degree diplomas and marriage, birth and death certificates. The Mission also facilitated the issuance of 21 Red Notices and 19 extradition requests from INTERPOL to Kosovo. UNMIK also opened 544 new documentation cases based on requests for information. A total of 1,070 cases related to the territory or habitual residents of Kosovo remain open.

Human rights

52. In February, the Kosovo government initiated the establishment of a working group to amend the Law on Protection from Discrimination to increase the protection of vulnerable groups and non-majority communities from discrimination by addressing gaps in the current law and challenges regarding its implementation.

53. The Kosovo government further developed its action plan for the rights of lesbian, gay, bisexual, transgender and intersex persons in Kosovo for the period 2024–2026, in consultation with the international community, including UNMIK, and civil society. The plan also seeks to increase the capacities of the Kosovo judiciary, prosecution and Ombudsperson Institution to address hate crimes targeting members of the lesbian, gay, bisexual, transgender and intersex community.

54. On 14 December, the Assembly of Kosovo passed amendments to the Law on Freedom of Association in Non-governmental Organizations (NGOs). The amendments raised concerns regarding the potential implications for civic space and the access of NGOs to justice, particularly because they create restrictions on court access, limitations on NGO registration and increased financial liabilities.

55. On 27 December, the Kosovo government approved the strategy for the protection and promotion of the rights of communities and their members for the period 2023–2027, reflecting some of the recommendations of the Fifth Opinion on Kosovo of the Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities.

56. On the same day, the Kosovo government approved a draft law on the Independent Media Commission, raising concerns among journalists and civil society regarding toughened registration modalities and increased administrative fines.

57. In September, a delegation of expert lawyers of the Parliamentary Assembly of the Council of Europe visited Kosovo. This was followed by a visit of the Rapporteur on Kosovo for the Political Affairs Committee of the Parliamentary Assembly of the Council of Europe in November. They consulted Kosovo institutions, civil society, UNMIK and international partners regarding the conformity of Kosovo’s legal and human rights framework with the standards of the Council of Europe.

58. On 7 November, the Kosovo Supreme Court upheld the verdict of the Court of Appeals of February 2023, which sentenced an individual to 13 years of imprisonment for conflict-related sexual violence during the conflict in Kosovo. The case marked the first of its kind handled by a local court. On 13 December, the special war crimes prosecutor in Pristina filed two indictments for war crimes trials in absentia. On 4 March, the Kosovo police and the Special Prosecution Office of Kosovo jointly announced that a Kosovo Serb had been arrested on suspicion of having committed an offence of conflict-related sexual violence in Vushtrri/Vučitrn in 1999.

59. On 8 November, the Kosovo government established the Institute of Crimes Committed during the War in Kosovo. The Institute is mandated to document crimes committed during the 1998–1999 conflict in Kosovo, including serious breaches of human rights, war crimes and crimes against humanity.

60. There are still 1,615 missing persons (262 women and 1,353 men) connected to the 1998–1999 events in Kosovo. On 8 November, the Kosovo government’s Commission for Missing Persons indicated that the excavation of a potential mass grave site at the Štavalj mine in Serbia that began in 2021 would resume, marking the first such excavation in Serbia since May 2022. Meanwhile, on 22 December, the Kosovo government informed the public about the ongoing evaluations of 15 potential mass grave sites across Kosovo.

61. The Working Group on Missing Persons, chaired by the International Committee of the Red Cross, resumed meetings in Geneva on 31 January 2024 for the first time since 2021. The Declaration on Missing Persons outlining the establishment of a joint commission to enhance cooperation between both parties, which was facilitated by the European Union and endorsed by Belgrade and Pristina on 2 May 2023, has not yet been put into action.

62. The Kosovo government commission responsible for the verification and recognition of the status of survivors of conflict-related sexual violence granted survivor status to 1,629 applicants (1,540 women and 89 men). The commission rejected 317 applications (274 women and 43 men).

63. Physical and verbal attacks against journalists continued to raise concerns for freedom of expression and the right to security of the person. As of December 2023, the Kosovo Journalists Association had documented 72 attacks against journalists in 2023. Serbian print newspapers were unavailable to vendors in Kosovo owing to the June 2023 restrictions on the import of Serbian goods. In November 2023, UNMIK facilitated communication between the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression of the United Nations and the Kosovo government regarding several cases concerning the right to freedom of expression and media freedom.

64. On 20 October, the Kosovo police expelled the abbot of the Devina Vode monastery for “national security” reasons and banned him from re-entering Kosovo for five years, raising concerns regarding freedom of religion. Local residents coordinated the collection of signatures to petition for his return to the monastery. The Serbian Orthodox Church said the action was extrajudicial, quoting existing legal provisions against the arbitrary prohibition of entry into or stay in Kosovo for clergy members.

65. Concerns related to property rights persisted. On 23 October and 18 December, respectively, the Basic Court of Pristina annulled preliminary expropriation decisions by the Kosovo government concerning parcels in Leposavić/Leposaviq and Zubin Potok municipalities. In the former case, the Court found that the Kosovo government had failed to provide the justification for achieving a legal public interest. In the latter, the Court found that the preliminary decision had not clarified the exact purpose of expropriation and how the legitimate public purpose would be achieved.

66. On 15 January, the Kosovo government opened a regional office in the North Mitrovica municipal building for the verification of diplomas issued by educational institutions in Kosovo run by the Government of Serbia. It also announced the opening of two other offices for the same purpose in Gračanica/Graçanicë and Ranilug/Ranillug municipalities in southern Kosovo. The verification of diplomas is intended to give graduates of those institutions, primarily Kosovo Serbs, equal access to employment in Kosovo’s institutions.

67. UNMIK engaged with institutional and civil society actors to help prepare the ground for the implementation of the Convention on the Rights of Persons with Disabilities by developing coordination mechanisms and a road map. The Mission promoted the right to know of families of missing persons and supported efforts to combat the persisting stigmatization of survivors of conflict-related sexual violence. UNMIK supported the University of Pristina in its first master’s degree programme on human rights, including by establishing a human rights clinic.

V. Other key developments

68. On 16 October, the Berlin Process Summit in Tirana gathered leaders from the Western Balkans region and the European Union. The regional leaders committed to advancing regional economic integration through the common regional market agreement by accelerating domestic reforms, particularly on the rule of law and the fight against organized crime. They signed an agreement for the mutual recognition of certain professional qualifications, welcomed the entry into force for Albania, Kosovo, North Macedonia and Serbia of the three mobility agreements signed in Berlin in November 2022, and called for the other Western Balkans partners to approve these agreements.

69. On 8 November, the European Commission adopted a new Growth Plan for the Western Balkans comprising €6 billion for the period 2024–2027. The Plan aims at extending some of the benefits of membership to the region in advance of accession, boosting economic growth and accelerating socioeconomic convergence, based on the condition that Western Balkans partners implement the necessary fundamental reforms and deepen regional cooperation. Belgrade and Pristina can only access these funds if they make progress in the European Union-facilitated dialogue on normalization of relations.

70. The European Union's decision on visa liberalization for Kosovo entered into force on 1 January 2024, allowing holders of Kosovo travel documents to travel visa-free to countries in the Schengen area for 90 days. Holders of passports issued by the Coordination Directorate of the Ministry of Interior of Serbia continue to require a visa to travel to the European Union. Kosovo has asked European Union members to dismiss a proposal by the European Commission to allow these passport holders to travel visa-free to the European Union as it would directly conflict with the principles of sovereignty, legal integrity and the ongoing efforts for normalization.

VI. Returns, reconciliations, cultural heritage and community relations

71. The Office of the United Nations High Commissioner for Refugees (UNHCR) registered 84 voluntary returns from members of non-majority communities who had been displaced within and outside Kosovo. The returnees include 39 women and 45 men: 62 Kosovo Serbs, 13 Kosovo Roma, 7 Kosovo Egyptians and 2 Kosovo Ashkali. This brings the total number of displaced persons of non-majority communities who have found durable solutions in Kosovo since 2000 to 29,405. This includes 14,431 women and 14,974 men (12,824 Kosovo Serbs, 7,779 Kosovo Egyptians and Kosovo Ashkali, 4,090 Kosovo Roma, 1,879 Kosovo Bosniaks, 1,464 Kosovo Gorani, 1,325 Kosovo Albanians, 21 Kosovo Montenegrins, 19 Kosovo Turks and 4 Kosovo Croats). There remain 15,641 displaced persons within Kosovo (7,201 women and 8,440 men), as well as 69,627 persons with displacement-related needs across the Western Balkans, out of approximately 200,000 displaced persons from Kosovo residing in the region, most of them in Serbia.

72. UNHCR provided legal aid to 57 individuals (38 women and 19 men) of the Kosovo Ashkali, Kosovo Egyptian and Kosovo Roma communities related to processing their civil status registration and facilitating access to rights and services.

73. There were 74 asylum claims submitted to the authorities (71 men and 3 women). UNHCR ensured that all asylum-seekers received free legal aid, psychosocial support and interpretation services.

74. The International Organization for Migration (IOM) contributed to safe conditions for returns through the construction and reconstruction of three houses for 12 returnees (7 women and 5 men).

75. Regional police stations registered 235 migrant arrivals (231 men and 4 women) who were accommodated at a temporary reception centre that provides protection-sensitive services with the support of IOM. A displacement-tracking matrix methodology developed by IOM enabled the Kosovo government to identify migration trends.

76. Between September and January, UNMIK recorded a number of incidents affecting Serbian Orthodox sites in non-majority community inhabited areas. These included a forceful break-in and burglary at the Saint Archangel Michael Serbian Orthodox Church near Rakinicë/Rakinica village in Podujevë/Podujevo municipality on 28 November by a self-proclaimed Orthodox monk from Albania and several Kosovo Albanians to conduct a “liturgy”. On 6 December, the abbot of the Visoki Dečani monastery stated that the Kosovo police twice refused to register a criminal complaint for burglary and desecration. There were two thefts at Serbian Orthodox churches in Osojan/Osojane, Istog/Istok municipality, and in Devet Jugovića/Bardhosh, Pristina municipality.

77. Additional cases involving religious sites of non-majority communities included a theft of €3,000 from the Catholic church of Shën Gjon Pagëzorit in the village of Zllakuqan/Zlokuçane in Pejë/Peć region and the breaking of tombstones on two occasions in November and December 2023 at a multi-religious cemetery in Prizren. Thefts occurred at several other religious sites, including Serbian Orthodox churches, mosques and Muslim graveyards.

78. Other incidents included the spraying of graffiti reading “Kad se vojska na Kosovo vrati” (“When the [Serbian] army returns to Kosovo”) in several locations in North Mitrovica, Zvečan/Zveçan and Zubin Potok municipalities in September 2023. On 30 September, the Kosovo police removed a banner in South Mitrovica depicting an Orthodox church, a cemetery and men hanging from a tree with the date of 24 September 2023. On 13 November, a Serbian flag at the monument dedicated to the missing persons from the 1998–1999 conflict in Hoçë e Madhe/Velika Hoça village in Rahovec/Orahovac was found partially burned. In December and January, graffiti with the messages “Russia” and “Z” and of a cross with the letters “CCCC” (the initialism of a phrase that translates to “Only unity saves the Serbs”) were sprayed on the walls of Kosovo Albanian houses in North Mitrovica.

79. Other examples include the spraying of graffiti reading “UÇK” (“Kosovo Liberation Army”) on an information board of the Draganac monastery in Novobërdë/Novo Brdo in December. In October and November, roadworks damaged several graves at Serbian Orthodox cemeteries in North Mitrovica and Ferizaj/Uroševac municipalities, respectively. In January, the Archaeological Institute of Kosovo erected a fence around the special protective zone of Hvosno monastery in Istog/Istok. The Serbian Orthodox Church raised complaints about Pristina’s lack of communication concerning the fencing and restoration works.

80. After the reconstitution in December 2022 of the independent commission for the verification of degrees issued by the University in North Mitrovica, the commission held 22 meetings and registered 96 diplomas, of which 75 have been verified. On 27 October 2023, the Minister for Communities and Returns announced that the Kosovo government had decided to include high school diplomas issued by Serbian institutions in Kosovo in the verification process and that amendments to the rules had been drafted to reflect the expansion of its mandate.

81. In preparation for the census expected to take place in April 2024, the Kosovo Agency for Statistics started the process of recruiting close to 4,400 staff (over 3,500 registrars and close to 900 supervisors), of which almost 500 positions are reserved for members of non-majority communities.

VII. Trust-building, partnership and cooperation

82. Following the success of the first 2023 trust-building event in May, UNMIK hosted the United Nations Kosovo Trust-building Forum: Supporting Togetherness for a Better Future in Thessaloniki, Greece, in November. The event was aimed at supporting efforts to bridge divides and address the trust deficit in Kosovo. It brought together 190 participants from across communities, including representatives of civil society, the media, Kosovo institutions and international partners. Contributions of guest speakers, alongside local and regional panellists, informed debates among participants. Six multi-ethnic working groups developed recommendations and action points in the areas of economic empowerment, environmental protection, language rights, media and misinformation, strengthening participation and inclusion, and the rule of law.

83. UNMIK continued its support of the Barabar Centre, a multi-ethnic hub in Pristina. Since its inauguration in May 2023, the Centre has hosted some 60 events bringing communities together, including the preparatory consultation sessions for the United Nations Kosovo Trust-building Forum organized by UNMIK.

84. The Mission further promoted a multi-ethnic artistic hub in northern Kosovo as part of its trust-building support through arts and cultural activities. UNMIK continued to support the construction of a sustainable shelter in South Mitrovica for victims of gender-based violence, with completion scheduled for 2024.

85. The Mission provided ongoing support to the Legal Aid Centre of the Kosovo Law Institute, which provided free legal aid to 205 vulnerable individuals (78 women and 127 men). UNMIK provided training to 12 young Kosovo Serb lawyers (7 women and 5 men) to enhance their legal expertise and sponsored an inter-ethnic group of 20 law students to work with a law clinic.

86. In collaboration with the United Nations Development Programme (UNDP) and local NGOs, UNMIK facilitated language support to the Basic Courts of Pristina and Mitrovica, ensuring the translation of 1,170 court case files and the provision of interpretation services during court sessions. Together with the Kosovo Judicial Council, UNMIK and UNDP helped improve the archive systems for the seven Basic Courts by registering over 2 million cases. The Mission supported the Kosovo Judicial Council in publishing 1,200 court judgments translated online in the Serbian language. UNDP continued to support legal and policy advancements against corruption in close collaboration with the Office of the Prime Minister. The availability of an online platform for asset declarations resulted in over 4,000 public officials declaring assets and income in 2023.

87. UNMIK and the Council of Europe provided training to municipal non-discrimination officers to reinforce language rights, in cooperation with the Language Commissioner. The Mission also worked with the Ombudsperson Institution and the Kosovo Agency of Statistics to develop human rights indicators for mainstreaming human rights in data collection and storage.

88. UNMIK assisted Kosovo Albanian and Kosovo Serb media organizations by training young journalists to mitigate the impact of misinformation and disinformation on inter-ethnic relations. The Mission supported the translation of the “False News and Hate Speech Platform” from Albanian into Serbian. The Mission also supported

media literacy classes, delivered by the Balkan Investigative Reporting Network, targeting several hundred high school students to help them identify fake news.

89. The Mission funded more than 20 small-scale confidence-building projects, focusing on intercommunal, inter-ethnic and intermunicipal cooperation, as well as on empowering women, youth, persons with disabilities and children with special needs to actively engage in capacity-building activities.

90. In September, the United Nations Office on Drugs and Crime, along with the Regional Anti-Corruption Initiative, brought together over 40 anti-corruption practitioners from across the Western Balkans for a meeting to discuss the Regional Anti-Corruption and Illicit Finance Road Map. The event focused on strengthening criminal justice responses to corruption and economic crimes.

VIII. Women and peace and security

91. In November 2023, UNMIK collaborated with the Ministry of Justice for the 16 Days of Activism against Gender-Based Violence annual global campaign, organizing more than 80 awareness-raising activities. Moreover, the Ministry established an interministerial coordinating group on domestic violence and assumed the role of coordinator. This follows the enactment of a law in October 2023 on the prevention of and protection from domestic violence, violence against women and gender-based violence. The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) organized various activities, including supporting the launch of the first action plan for gender equality and the closing event of the UN-Women regional programme on ending violence against women and girls. In addition, in collaboration with the European Union, UN-Women assisted the Ministry of Justice in launching new modules for identifying cases of domestic violence.

92. In December 2023, the Kosovo government implemented several policies and measures to advance gender equality and women's empowerment. These included providing a monthly stipend to families for childcare, doubling funding for domestic violence and gender-based violence shelters and launching a programme for the treatment of perpetrators, as well as subsidizing 70 per cent of the salaries of survivors when employed for a six-month period.

IX. Youth, peace and Security

93. In December 2023, the Kosovo government endorsed the new Strategy for Youth 2024–2032 and the Law on Youth. UNMIK supported the drafting process by facilitating the participation of young people from non-majority communities in the consultations.

94. The strategy foresees a cross-sectoral approach to youth policy under eight ministries. It also establishes the Youth Commission as the highest coordination mechanism, chaired by the Prime Minister. The newly established Youth Development Agency under the Ministry of Culture, Youth and Sports oversees the strategy's implementation. The strategy aligns the definition of "youth" to the standards of the United Nations with an age range of between 15 and 24 years old and endorses a specific budget line for youth-related activities.

95. Between December 2023 and February 2024, 320 young people from diverse communities participated in the first phase of an UNMIK-supported project, implemented by a multi-ethnic network of young Kosovo peacebuilders, called the United Youth Task Force. Activities included a creative workshop on peace education for children from non-majority communities, training courses on human rights

education and countering hate speech and a humanitarian fair that brought together ethnically diverse social enterprises. UNMIK also supported intergenerational learning by organizing a study visit to the Missing Persons Resource Centre for 20 ethnically diverse young people.

96. A regional youth-focused project, supported by the Peacebuilding Fund and implemented by UNDP, the United Nations Population Fund (UNFPA), the United Nations Educational, Scientific and Cultural Organization and UN-Women, organized several initiatives. UNDP and UNFPA collaborated with Special Olympics Kosovo to engage youth with disabilities to promote inclusivity and equality. The initiative reached over 1,500 young participants. These activities were aimed at enhancing awareness of conflict legacies, fostering constructive narratives and promoting gender equality.

Observations

97. I welcome the progress made at the end of 2023 in the implementation of European Union-facilitated agreements, including the implementation of the 2022 energy road map and the customs agreement and the enabling of reciprocal freedom of movement for vehicles between Kosovo and Serbia. Sustained constructive engagement to ensure the continuous implementation of the agreements remains indispensable for preventing any relapse to tension and conflict.

98. I strongly condemn the serious security incident on 24 September in Banjska/Banjskë that led to the tragic loss of life and call for the completion of investigations and for the perpetrators to be brought to justice without delay.

99. I am concerned by the implementation of the new currency regulation on cash transactions that has affected the economic and social rights of non-majority communities, and especially the most vulnerable people. I call for outstanding issues to be urgently discussed within the framework of the European Union-facilitated dialogue to ensure that the rights of all affected communities and most vulnerable groups are respected and protected.

100. I call upon the parties to reaffirm their commitment to the European Union-facilitated dialogue and to fully implement existing agreements. Both sides should maintain an open and inclusive approach. I reiterate my call for greater and meaningful participation of women representatives in the dialogue.

101. I note the submission of petitions to recall the mayors in the four northern municipalities in Kosovo and underline the importance of promptly holding early local elections in these municipalities, with the participation of Kosovo Serbs, to defuse tensions and move forward. The inclusiveness of elections and their conduct in a safe and secure environment are critical to establishing municipal institutions that are representative of local communities.

102. I reiterate that premises and assets of the United Nations should not be subject to interference and call on the relevant Kosovo authorities to provide support to UNMIK in regaining full and unhindered access to its premises in northern Kosovo.

103. I welcome the decision of the Kosovo government to implement the 2016 Constitutional Court ruling regarding the property of the Visoki Dečani monastery, which is a step towards fostering trust among all communities in Kosovo.

104. I encourage all parties to implement measures that safeguard and promote respect for human rights. Enforcement of the rule of law, including actions related to land expropriations, should be exercised in strict conformity with the legal framework of Kosovo and international standards. Journalists in Kosovo need greater protection and safety.

105. I welcome the first meeting of the Working Group on Missing Persons since 2021, held on 31 January 2024, and urge both sides to continue their engagements to make progress on this important matter, in line with the European Union-facilitated Declaration on Missing Persons endorsed by both parties.

106. I encourage government institutions to advance efforts to enhance the legal and policy frameworks addressing gender-based violence and to ensure their effective implementation.

107. I reiterate my appeal for voluntary contributions to the United Nations trust fund to enhance support to the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities, who remain among the most vulnerable in Kosovo.

108. I thank my Special Representative, Caroline Ziadeh, for her astute leadership and all UNMIK staff for their dedicated efforts. I commend the Mission's prioritization of trust-building and intercommunal engagement to enhance social cohesion in the face of the increased tensions documented in the present report. I welcome the vital ongoing cooperation between the Mission and the United Nations Kosovo team. I also express my gratitude to the European Union, the Kosovo Force, OSCE and other international partners for their continued close collaboration with UNMIK and their respective efforts to reduce tensions and sustain peace.

Annex I

Report of the High Representative of the Union for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo from 18 September 2023 to 15 March 2024

Summary

The reporting period saw a further worsening of relations between Belgrade and Pristina and a deterioration of the already fragile security situation in the north of Kosovo. On 24 September 2023, the Kosovo Police (KP) encountered a large group of heavily armed Kosovo Serbs led by the then vice-president of Kosovo-Serb political party Srpska Lista, Milan Radoičić, in the vicinity of the village of Banjska/Banjskë in the north of Kosovo. During the ensuing shoot-out between this group and the KP one KP officer and three assailants were killed. After the gunfight, the KP arrested eight suspects, three of whom currently remain under investigation, and seized a large quantity of vehicles, weaponry and other military-grade equipment. President Osmani-Sadriu labelled the violent events in Banjska/Banjskë as ‘state-sponsored terrorism’. Serbia, on the other hand, denied it had been involved in any way.

The enhanced presence of KP, and notably KP Special Operations Units (SOU), in the north of Kosovo and the numerous search and seizure operations following the violent events in Banjska/Banjskë further contributed to widening the gap and deepening mistrust between Kosovo Serbs and Kosovo Albanians. While the dispute over vehicle registration plates was resolved at the end of 2023, pending issues including expropriations of land plots owned by Kosovo Serbs and evictions of Serbian ‘parallel structures’ from premises in the north of Kosovo, exacerbated the fragile security situation, feeding anxiety among Kosovo Serbs. The situation further deteriorated in the beginning of 2024 following intensified activity by Pristina to dismantle the Serbian ‘parallel structures’ both north and south of the Ibar/Ibër river, and by the latest regulation by the Central Bank of Kosovo (CBK) on cash operations and the ban on imports of Serbian dinars, effective as of 1 February 2024.

EULEX responded to the many challenges on the ground by deploying its capacities to the fullest extent, maintaining an increased number of situational awareness patrols and adopting a more assertive posture when conducting its robust monitoring activities. During the KP operations and subsequent investigations related to the Banjska/Banjskë incident, EULEX was present in a monitoring capacity, including at the interviews with civilians in theatre and the examination of the crime scene and all other KP activities, including searches of private properties, the detention of suspects as well as the judicial follow-up. On 26 September, EULEX monitored the autopsies of the three members of the armed group killed in Banjska/Banjskë. Moreover, EULEX continued its monitoring of selected cases and trials, with a specific focus on cases related to developments in the north of Kosovo.

On the operational side, along with an enhanced presence and visibility in the northern municipalities, the Mission continued to perform its other operational tasks, notably police cooperation, forensic medicine and support to the Kosovo Specialist Chambers and Specialist Prosecutor’s Office. In the second half of 2023, an additional 25 police officers (20 from Lithuania and five from France) reinforced the EULEX Reserve Formed Police Unit (RFPU), and, in November, a specialised team of six Police Advisors was temporarily deployed across police stations in the four northern municipalities, paving the way for a more sustainable reinforcement of EULEX’s Police Advisors North (PAN).

EULEX maintained its good cooperation with KFOR and stood ready to take on its role as second security-responder, as defined in the Kosovo security setup, according to which the KP is the first, EULEX the second and KFOR the third security responder. Cooperation with KP improved in the wake of the Banjska/Banjskë incident.

On 21 September 2023, the Assembly of Kosovo adopted the new *Law on Domestic Violence, Gender-based Violence and Violence Against Women*. The Mission has since been engaged in assisting the Government of Kosovo (GoK) with drafting nine by-laws foreseen in the Law. In November 2023, the Mission marked the *16 Days of Activism Against Gender-based Violence* by organising several activities, including one high-level roundtable on psychological well-being of victims of sexual violence, and two field outreach events with municipal officers and school students.

Monitoring

Given the developments in the north of Kosovo, special attention was given to cases involving Kosovo Serbs along the entire justice chain including by monitoring the conditions of those arrested and held in detention facilities during this period. EULEX continued its regular monitoring of selected cases, including former EULEX cases, war-crime cases, high-profile cases (involving prominent public figures or influential persons), as well as *ad hoc* cases. The Mission assessed that the concerning trend of acquittals or lenient sentences in high-profile cases continued during the reporting period. On 20 September, after seven years of court proceedings, 36 doctors accused in the case known as ‘Stenta II’ were acquitted of all charges of bribery and misuse of official position or authority by the Basic Court of Pristina. In October, the 15 defendants in the former EULEX ‘Grande II’ case (including the son of former President of Kosovo, Ibrahim Rugova) were all acquitted of the charges of organised crime and smuggling of migrants, whereas three were convicted of illegal possession of weapons.

Continuing its monitoring of expropriation of land plots owned by Kosovo Serbs in the north of Kosovo, the Mission provided substantial input to a *White Paper* outlining serious concerns of the international community in this regard. EULEX, together with the EUSR, the EU Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan Regional Issues (EUSR DWB), the OSCE and the US Embassy presented this paper to the GoK in September. EULEX also followed up on complaints by affected citizens against decisions on expropriation issued by the GoK as well as on the adjudication of these cases at the Basic Court of Pristina.

In October and November, the Mission followed several developments liable to impacting inter-community relations. These included the KP closure of more than 30 informal crossing points over the Administrative Border/Boundary Line (ABL) with Serbia. While the KP stated that this action was executed to stop illegal activities, Kosovo Serbs complained that it affected their freedom of movement. Additionally, the Mission closely followed the case of a monk of the Serbian Orthodox Church who was deported from Kosovo on 20 October. He is a national of North Macedonia who had been residing in a monastery in the north of Kosovo for the past 13 years. The Mission also followed up on reports about the desecration of a Serbian Orthodox cemetery in the municipality of Rahovec/Orahovac in December.

On the day of the parliamentary elections in Serbia, 17 December, the Mission deployed patrols and monitoring teams to observe the security situation in the Kosovo Serb-majority settlements across Kosovo, at Common Crossing Points (CCP) with Serbia and along the roads leading towards them. Special attention was given to assembly points where Kosovo Serbs boarded busses to travel across the ABL to cast their votes. EULEX kept its quick-response force on standby, deployed liaison

officers to the KP command structures and maintained regular contacts with KFOR. No incidents were recorded.

On 25 December, Serbia announced that it allowed the use on its territory of “RKS” plates issued by Kosovo authorities without stickers covering Kosovo’s state symbols. This decision was reciprocated by the GoK on 4 January, marking a positive development in freedom of movement for all communities in Kosovo. The re-registration of vehicles from plates issued by the Serbian ‘parallel structures’ to RKS vehicle plates surged in the north of Kosovo towards the end of November, following a decision by the GoK to introduce fines and other measures towards vehicles with such plates. Several thousand vehicles were re-registered within a short period. The Mission extended its regular monitoring patrols to the vehicle registration centres and assessed that the procedure was carried out smoothly and without incidents.

The Mission furthermore followed up and closely monitored the procedure to recall the mayors in the four municipalities in the north of Kosovo. This matter is still pending.

As of the beginning of February, the Mission has been monitoring the activities of the KP against several institutions of the Serbian ‘parallel structures’ and the developments connected with the new Regulation of the CBK on cash operations and the ban on imports of Serbian dinars, including the seizure by the KP of cash transfers from Serbia to unlicensed Serbian bank branches in Kosovo.

In addition to the abovementioned monitoring of detained Kosovo Serbs, EULEX continued its support of the Kosovo Correctional Service (KCS), focusing, *inter alia*, on the monitoring of KCS recruitment processes; contributing to the drafting of a large number of new by-laws and regulations; training of KCS staff; as well as assisting in improving the Kosovo Probation Service (KPS) setup and working methods. Limited progress was recorded in the permanent staffing of KCS management positions, including with regard to gender balance. After four failed recruitment rounds stretching over more than two years, the GoK announced, on 27 October, the appointment of a permanent Director-General of the KCS. Further senior appointments within the KCS remain pending.

Reacting to the observations presented in the EULEX Monitoring Report on *The Application of Conditional Release in Kosovo*, launched in May 2023, the Kosovo Judicial Council (KJC) and the Kosovo Conditional Release Panel requested the Mission to support the working group amending the *KJC Regulation for the Organisation and Function of the Conditional Release Panel*. On 4 January, the KJC published a revised regulation on the Conditional Release Panel, which included almost all the recommendations outlined in the Mission’s report.

Operations

The Mission’s Formed Police Unit (FPU) and the Reserve FPU (RFPU) conducted regular patrolling activities to assess the security situation in the north of Kosovo, notably around municipal buildings, CCP with Serbia, KP checkpoints, mixed-community neighbourhoods, cultural heritage sites and locations in which specific incidents were reported. The FPU monitored selected KP search and seizure operations. As the monitoring of such operations is new to the Mission, dedicated guidelines were developed to facilitate assessment of compliance with relevant provisions of the Kosovo Criminal Procedure Code and international human-rights standards. The monitoring of the search and seizure operations was supported by the specialised team of Police Advisors. As a matter of fact, an important objective for the Specialised Team deployment was to enhance the Mission’s capacity to advise the

Kosovo Police on how to better deliver regular police activities in full compliance with their human-rights obligations, and thus to increase the population's confidence.

The RFPU patrolled Kosovo Serb settlements south of the Ibër/Ibar river. In September, 20 additional police officers from Lithuania were deployed to reinforce the RFPU, in addition to the contingent of Italian Carabinieri consisting of 24 personnel. From 16 December 2023 until 15 February 2024 the RFPU was further reinforced by a *Specialized Element* (RFPU SE) consisting of five French gendarmes, strengthening information-gathering, reporting and situational awareness in line with Mission priorities. The RFPU SE primarily operated in the Kosovo Serb settlements south of the Ibër/Ibar river. The redeployment of the entire RFPU took place on 15 February 2024.

EULEX maintained its good cooperation with KFOR and stood ready to take on its role as second security-responder, as defined in the Kosovo security setup, according to which the KP is the first, while EULEX and KFOR are the second and third security responders, respectively. Cooperation with KP proved less smooth due to the insufficient level and timeliness of information sharing with EULEX, which hindered EULEX in its monitoring activities. The Mission flagged the issue on several occasions. Since the beginning of November, some improvement was noted in the timeliness of notices prior to search and seizure operations and the quality of the information provided to EULEX. This positive development was further reflected in the successful cooperation in preparing regular joint KP-EULEX security assessments, as foreseen in the 'Bratislava Agreement'. However, issues related to timely and comprehensive information sharing remain to be addressed.

The Mission continued to support the KP in international police cooperation. This included the facilitation of exchange of information between the KP and the National Central Bureaus of INTERPOL under the umbrella of UNMIK, as well as the exchange between KP and Europol on serious crime investigations through the Mission's Swedish Europol liaison desk. Additionally, the Mission continued to facilitate the exchange of information between the KP and the Serbian authorities, in accordance with the relevant protocol between EULEX and the Serbian Ministry of Interior (MoI) and maintained its efforts to improve the swiftness and quality of information exchange between the KP and the Serbian MoI, including in sensitive cases.

The Mission's Forensic Medicine Team (FMT) supported the Kosovo Institute of Forensic Medicine (IFM) and the KP War Crime Investigation Unit in carrying out 42 field operations. Of these, operations at seven locations resulted in the exhumation of 19 sets of human remains, in addition to several remains of at least seven individuals from a primary mass grave site in Bishtazhin/Bištražin (municipality of Jakovë/Đakovica). One of the recently searched locations is within the Jashari Memorial Complex (in Prekaz, the municipality of Skenderaj/Srbica). Seven persons are still reported missing in connection with the massacre that took place at this location in March 1998. In addition to this support, the Mission continued to assist the IFM in the examination of recently exhumed remains, as well as in the review of the remains stored at the Institute's morgue. All in all, examinations conducted during the reporting period resulted in the collection of 37 samples which were submitted for DNA analysis and the submission of two presumptive identification requests to the DNA laboratory of the International Commission on Missing Persons. During this period, the IFM received 31 DNA reports, which returned ten new identifications. The Mission's forensic experts also assisted the IFM in the review and preparation of three cases for handover of identified remains to their families.

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

Annex II

Specialist Chambers and Specialist Prosecutor's Office

The Specialist Chambers (SC) and the Specialist Prosecutor's Office (SPO) reached a number of milestones during the reporting period, including the arrest of four individuals charged with offences against the administration of justice.

On 5 October 2023, the SPO arrested Mr Ismet Bahtijari and Mr Sabit Januzi in Kosovo pursuant to arrest warrants, transfer orders and a confirmed indictment issued by a Pre-Trial Judge of the SC. Mr Bahtijari and Mr Januzi were transferred the following day to the SC Detention Facilities in The Hague. They made their initial appearance before the Pre-Trial Judge on 9 October, during which they pleaded not guilty to the charges of obstructing official persons in performing official duties and intimidation during criminal proceedings. The SPO filed its pre-trial brief in this case on 2 February 2024.

On 11 December 2023, the SPO arrested Mr Haxhi Shala in Kosovo pursuant to an arrest warrant, transfer order and a confirmed indictment by the Pre-Trial Judge of the SC. He was transferred to The Hague on 12 December 2023 and made his initial appearance on 13 December 2023. At a further appearance on 15 December 2023 he pleaded not guilty to the charges of obstructing official persons in performing official duties and intimidation during criminal proceedings.

On 8 February 2024, the Pre-Trial Judge approved the SPO request to join the cases against Mr Bahtijari, Mr Januzi, and Mr Haxhi Shala. The first status conference in this case was held on 13 February 2024.

On 2 November 2023, the SPO arrested Mr Isni Kilaj in Kosovo pursuant to an arrest order issued by the Specialist Prosecutor for offences against the administration of justice, including obstructing official persons in performing official duties. Mr Kilaj was transferred to the SC Detention Facilities on 3 November 2023 and made his first appearance before the Single Judge on 4 November 2023.

Furthermore, there were developments regarding the case against Mr Dritan Goxhaj, who was arrested in Albania on 31 July 2023 pursuant to a warrant of arrest of the SC for offences against the administration of justice. The arrest was executed by the authorities of Albania following an SC request for cooperation and assistance. On 18 September 2023, a decision approving Mr Goxhaj's transfer to the SC was issued by a Tirana court. On 10 October 2023, the Court of Appeal in Tirana rejected the transfer and released Mr Goxhaj, without notice and without a written reasoned decision, which is still pending.

On 18 September 2023, the Supreme Court Chamber rejected the requests submitted by Mr Gucati and Mr Haradinaj for protection of legality pursuant to Article 48(6) to (8) of the Law on Specialist Chambers and Specialist Prosecutor's Office in their entirety, finding that no substantial violations of the procedure and no violations of the criminal law had occurred through the judgments of the trial and appeals Panel.

On 12 October 2023, the President issued the first decisions on the eligibility of Mr Hysni Gucati and Mr Nasim Haradinaj for commutation, modification or alternation of their sentences of four years and three months of imprisonment for offences against the administration of justice, after they served two-thirds of their sentences. The President considered all the information before her and, having consulted with the Judges of the sentencing Panels and having heard Mr Gucati and Mr Haradinaj, decided that Mr Gucati's sentence should be modified to provide for his release to Kosovo with conditions. Mr Gucati was transferred to Kosovo on

16 October 2023. Given Mr Haradinaj's non-compliance with some regulations of the SC's Detention Facilities, the President decided to modify Mr Haradinaj's sentence only following a subsequent confirmation from the Registry of Mr Haradinaj's compliance. On 14 December 2023, the President ordered his release subject to certain conditions. Mr Haradinaj was transferred to Kosovo on 14 December 2023. The President also decided that the conditions imposed on Mr Gucati and Mr Haradinaj apply for the remainder of the duration of their sentence and may be revoked in case of any breach of any of the conditions.

The trials before the SC progressed expeditiously. In the *Specialist Prosecutor v. Pjetër Shala* case, Mr Shala is charged with arbitrary detention, cruel treatment, torture and murder as war crimes allegedly committed at the Kukës Metal Factory in Albania. The Defence closed its case on 15 January 2024. The closing statements will be heard in April 2024. A total of 34 witnesses testified or gave evidence in the case.

In the *Specialist Prosecutor v. Hashim Thaçi et al.* case, the trial commenced on 3–5 April 2023. The Specialist Prosecutor has thus far called 48 witnesses to testify and the Trial Panel has admitted into evidence 38 witness statements in lieu of testimony. There are currently 141 participating victims in this case. Mr Hashim Thaçi, Mr Kadri Veseli, Mr Rexhep Selimi and Mr Jakup Krasniqi are charged with six counts of crimes against humanity – persecution, imprisonment, other inhumane acts, torture, murder and enforced disappearance of persons – and four counts of war crimes – illegal or arbitrary arrest and detention, cruel treatment, torture and murder.

Pursuant to a decision rendered by Trial Panel II on 1 December 2023, the Registrar implemented modifications to the conditions of detention for three of the accused. These conditions included a system of prior approval by the Registrar of visits and active monitoring of in-person visits, except with Counsel, as well as a system to identify and refuse visits and telephone calls with persons in respect of whom the Registrar assessed there were credible indications of conduct that could risk the integrity of proceedings or compliance with the Detention Rules. The SPO had turned to the Panel in this regard after its investigations into possible obstruction of justice appeared to indicate that the three accused used their non-privileged visits to unlawfully disseminate confidential information and, in Mr Thaçi's case, to instruct visitors to manipulate witness testimony.

In the *Specialist Prosecutor v. Salih Mustafa* case, the appeals proceedings concluded during the reporting period with the issuance of an appeal judgment on 14 December 2023. Following Mr Mustafa's appeal against the trial judgment, finding him guilty of the war crimes of arbitrary detention, torture and murder, the Court of Appeals Panel dismissed eight grounds raised by Mr Mustafa, while granting, in part, his challenge to the Trial Panel's imposition of a sentence of 26 years of imprisonment. The Court of Appeals Panel found that, in cases before both international tribunals and Kosovo courts concerning war crimes comparable to those for which Mr Mustafa was sentenced, shorter sentences were imposed than those imposed by the Trial Panel in this case. Accordingly, the Appeals Panel reduced Mr Mustafa's overall single sentence from 26 years to 22 years of imprisonment, with credit for time served.

On 17 January 2024, the SC President assigned a Single Judge to oversee the Registrar's implementation of the reparation order issued by Trial Panel I on 6 April 2023 against Mr Mustafa. Mr Mustafa was ordered by the Trial Panel to pay 207,000 Euro as compensation for the harm inflicted on the victims of the crimes for which he was convicted.

During the six-month reporting period, 1,616 filings and 618 orders and decisions were processed, 411 documents totalling 3,661 pages translated, and 2,634 items disclosed between the parties in all the cases before the SC. A total of 74

hearings took place and were streamed on the SC website in the three official languages of the court – Albanian, Serbian and English. The recordings thereof are available on the SC YouTube channel. In all, 33 witnesses in two trial proceedings provided their testimonies before the SC during the reporting period.

There are 157 participating victims in three of the four cases before the SC: eight in the case against Mr Mustafa, eight in the case against Mr Shala and 141 in the case against Mr Thaçi et al.

There are currently 238 persons on the publicly available List of Counsel eligible to practise before the SC. Of these persons, 114 are qualified to represent victims. The Defence teams consist of 127 persons of whom 70 are practising in the *Thaçi et al.* case.

On 27 October 2023, the President and the Registrar travelled to New York to participate during the United Nations (UN) legal week and to provide further updates on the Court during an event hosted by the European Union (EU) Delegation to the UN. The Representatives of the EU Member States forming the EU Working Party on the Western Balkans Region visited the SC and the SPO on 27 September 2023 and attended presentations by the three Principals. On 8 December 2023, the SC and the SPO hosted EU Member States and Third Contributing States at the SC premises, during which the SC and SPO Principals provided updates on the most recent developments.

In July 2023, a Call for Nomination of Judges to a reserve list for the Roster was published to ensure the continued and uninterrupted efficient operations of the SC. The call will close on 15 March 2024. Any appointment to the Roster will only be effectuated where the number of Judges from the Roster appears insufficient. The reserve list for the Roster is intended to ensure that in case of future resignations of Judges, they can be immediately replaced, thereby preventing any delays in the proceedings.

The new Specialist Prosecutor, Ms Kimberly West, took office on 18 October 2023, having been appointed on 2 June 2023.

The SC President visited Kosovo from 28 November to 1 December 2023. During her visit she hosted an outreach event with civil society and university students in Pristina. The President also met with the Kosovo Deputy Minister of Justice, Mr Blerim Salihu, and various members of the international community, including the Ambassadors to Kosovo of the EU Member States and Third Contributing States, the Head of the EU Office in Kosovo and EU Special Representative and the Head of the EU Rule of Law Mission in Kosovo.

The SPO continued to interview witnesses and suspects, review documentary evidence collected during its investigation and work with relevant authorities to ensure both that documents are cleared for use in court and that witnesses are cleared to testify in court. The SPO 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 March 2024)

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

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo (as at 15 March 2024)

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

Map

