

Country/entity	Kosovo Serbia Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Interim Agreement for Peace and Self-Government in Kosovo (Rambouillet Accord)
Date	23 Feb 1999
Agreement status	Agreement with subsequent status
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Balkan Conflicts (1991 - 1995) (1998 - 2001)

Former Yugoslavia

The disintegration of former Yugoslavia post cold war saw conflicts which became mediated and produced peace agreements in Slovenia (where the brief independence conflict was mediated by the EC Troika in 1991), Croatia (between Croatian and Serb populations 1991-1995), in Bosnia (between Croatian, Serb and Bosniak populations 1992-1995), in Macedonia (where mediation played a key pre-emptive role in preventing large scale conflict in 2001), in Kosovo (between Kosovar Albanians and Serbian population and the Federal Republic of Yugoslavia (FRY), but also between FRY and NATO, 1998-1999), and a conflict in the Presevo Valley (between Albanians in South Serbia and FRY, 2000-2001). The continued fall-out of the disintegration of former Yugoslavia also saw mediated agreement and ultimate dissolution of the Union between Serbia and Montenegro.

Bosnia-Herzegovina

In 1991, after nationalist parties won the first multi-party elections in the Socialist Federal Republic of Yugoslavia, a violent process of disintegration commenced. With its mixed population, Bosnia-Herzegovina became the centre of the following civil war that began in 1992 between the newly formed army of the Republic of Bosnia and Herzegovina (mostly Muslim Bosniacs), and the parastatal forces of self-declared Bosnian Croat (Herzeg-Bosnia) and Bosnian Serb (Republika Srpska) entities within Bosnia-Herzegovina, supported by Croatia and Serbia, with various, often short-lived, coalitions. The General Framework Agreement (Dayton Peace Agreement), signed in 1995, split the country into two ethno-federal entities, the Bosniak-Croat Federation and the Republika Srpska, and included continued peacekeeping and institutional administration by international actors.

Kosovo

The conflict between Serbs and Kosovar Albanians has a long history and always involved territorial disputes as well as ethno-political, cultural and linguistic factors. The most recent phase of the conflict began in November 1997 when the Albanian Kosovo Liberation Army (KLA or UCK) began their campaign for the independence of Kosovo from the Federal Republic of Yugoslavia (FRY – then Serbia and Montenegro). The subsequent war lasted until the NATO intervention, which undertook bombing campaigns of Belgrade and other places in Serbia during spring 1999. The main agreements solving the conflict were internationally driven and, finally, a UNSC resolution imposed a post-conflict arrangement in the wake of what was essentially a NATO military victory. In February 2008, Kosovo's parliament declared independence, but independence is still internationally disputed.

Close

Balkan Conflicts (1991 - 1995) (1998 - 2001)

Stage

Framework/substantive - comprehensive

Conflict nature	Government/territory
Peace process	Kosovo process
Parties	Signed only by some members of the Kosovo delegation: Rexhep Qosja; Blerim Shala; Veton Suroi; Unsigned by: Federal Republic of Yugoslavia; Republic of Serbia
Third parties	Witnessed by: Christopher Hill; Wolfgang Petritsch; negotiator Boris Mayorski (Russia) refused to witness.
Description	This comprehensive agreement covering the following matters: principles; confidence-building measures; a constitution for democratic self-government in Kosovo; police and civil public security; conduct and supervision of elections; economic issues; humanitarian assistance, reconstruction and economic development; an ombudsman; and implementation, which includes a ceasefire arrangement. It was negotiated and proposed but not accepted by Kosovo Serbs or Slobodan Milosevic and the Federal Republic of Yugoslavia. International use of force ensued, and post that conflict UN Security Council Resolution 1244 set out a transitional international administration, to promote a political solution involving autonomy 'taking full account' of the Rambouillet Accords (UNSCR 1244 of 19 June 1999, 11a).

Agreement document [KO_990223_InterimAgreementforPeaceandSelf-GovernmentinKosovoRambouillet.pdf](#) (opens in new tab) | [Download PDF](#)

Groups

Children/youth	No specific mention.
Disabled persons	Groups→Disabled persons→Substantive Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo 7. There shall be no interference with the right of citizens and national communities in Kosovo to call upon appropriate institutions of the Republic of Serbia for the following purposes: ... b. participation in social benefits programs, such as care for war veterans, pensioners, and disabled persons;
Elderly/age	No specific mention.
Migrant workers	No specific mention.

**Racial/ethnic/
national group**

Groups→Racial/ethnic/national group→Rhetorical

Page 1, Untitled Preamble

The Parties to the present Agreement...Recognizing the need for democratic self-government in Kosovo, including full participation of the members of all national communities in political decision-making

...

Desiring to ensure the protection of the human rights of all persons in Kosovo, as well as the rights of the members of all national communities

Page 4, Chapter 1: Constitution

Recognizing that the preservation and promotion of the national, cultural, and linguistic identity of each national community in Kosovo are necessary for the harmonious development of a peaceful society

Page 4, Chapter 1: Constitution

Recognizing that the institutions of Kosovo should fairly represent the national communities in Kosovo and foster the exercise of their rights and those of their members.

Groups→Racial/ethnic/national group→Anti-discrimination

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

1. All law enforcement agencies, organizations and personnel of the Parties, which for purposes of this Chapter will include customs and border police operating in Kosovo, shall act in compliance with this Agreement and shall observe internationally recognized standards of human rights and due process. In exercising their functions, law enforcement personnel shall not discriminate on any ground, such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national community, property, birth or other status.

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

1. ...International assistance will be provided without discrimination between national communities.

Groups→Racial/ethnic/national group→Substantive

Page 1, Framework, Article 1: Principles

2. National communities and their members shall have additional rights specified in Chapter 1. Kosovo, Federal, and Republic authorities shall not interfere with the exercise of these additional rights. The national communities shall be legally equal as specified herein, and shall not use their additional rights to endanger the rights of other national communities or the rights of citizens, the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, or the functioning of representative democratic government in Kosovo.

Page 1-2, Framework, Article 1: Principles

3. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 4, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

2. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

7. There shall be no interference with the right of citizens and national communities in Kosovo to call upon appropriate institutions of the Republic of Serbia for the following

Religious groups

Groups→Religious groups→Anti-discrimination

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

1. All law enforcement agencies, organizations and personnel of the Parties, which for purposes of this Chapter will include customs and border police operating in Kosovo, shall act in compliance with this Agreement and shall observe internationally recognized standards of human rights and due process. In exercising their functions, law enforcement personnel shall not discriminate on any ground, such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national community, property, birth or other status.

Groups→Religious groups→Substantive

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

a. preserve and protect their national, cultural, religious, and linguistic identities, including by:

...

vii. the preservation of sites of religious, historical, or cultural importance to the national community in cooperation with other authorities;

...

ix. operating religious institutions in cooperation with religious authorities;

Page 12, Chapter 1: Constitution, Article VII: National Communities

5. Members of national communities shall also be individually guaranteed:

...

f. the right to establish cultural and religious associations, for which relevant authorities will provide financial assistance.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons

Groups→Refugees/displaced persons→Rhetorical

Page 2, Framework, Article II: Confidence-Building Measures, Return

3. The Parties recognize that all persons have the right to return to their homes. Appropriate authorities shall take all measures necessary to facilitate the safe return of persons, including issuing necessary documents. All persons shall have the right to reoccupy their real property, assert their occupancy rights in state-owned property, and recover their other property and personal possessions. The Parties shall take all measures necessary to readmit returning persons to Kosovo.

Groups→Refugees/displaced persons→Substantive

Page 2, Framework, Article II: Confidence-Building Measures, Return

4. The Parties shall cooperate fully with all efforts by the United Nations High Commissioner for Refugees (UNHCR) and other international and non-governmental organizations concerning the repatriation and return of persons, including those organizations monitoring of the treatment of persons following their return.

Page 21, Chapter 3: Conduct and Supervision of Elections, Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:

...

c. an environment conducive to the return of displaced persons;

Page 22, Chapter 3: Conduct and Supervision of Elections, Article III: Central Election Commission

1. The Commission shall adopt electoral Rules and Regulations on all matters necessary for the conduct of free and fair elections in Kosovo, including rules relating to: the eligibility and registration of candidates, parties, and voters, including displaced persons and refugees;

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

3. The international community will provide immediate and unconditional humanitarian assistance, focusing primarily on refugees and internally displaced persons returning to their former homes. The Parties welcome and endorse the UNHCR's lead role in coordination of this effort, and endorse its intention, in close co-operation with the Implementation Mission, to plan an early, peaceful, orderly and phased return of refugees and displaced persons in conditions of safety and dignity.

Page 37, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR

3. The Parties understand and agree that the KFOR shall have the right to fulfill its supporting tasks, within the limits of its assigned principal tasks, its capabilities, and available resources, and as directed by the NAC, which include the following:

...

d. to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate threat to life and person.

Social class

No specific mention.

Gender

Women, girls and gender

Page 14, Chapter 2: Police and Civil Public Security, Article I: General Principles
1. All law enforcement agencies, organizations and personnel of the Parties, which for purposes of this Chapter will include customs and border police operating in Kosovo, shall act in compliance with this Agreement and shall observe internationally recognized standards of human rights and due process. In exercising their functions, law enforcement personnel shall not discriminate on any ground, such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national community, property, birth or other status.

Page 29, Chapter 5: Article IV: Process of Implementation, Elections and Census

...

3. a) The first census shall be limited to name, place of birth, place of usual residence and address, gender, age, citizenship, national community, and religion.

Men and boys

No specific mention.

LGBTI

No specific mention.

Family

No specific mention.

State definition

Nature of state (general)

Page 1, Untitled Preamble

The Parties to the present Agreement...Recalling the commitment of the international community to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia

Page 1, Framework, Article 1: Principles

2. ...The national communities shall be legally equal as specified herein, and shall not use their additional rights to endanger the rights of other national communities or the rights of citizens, the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, or the functioning of representative democratic government in Kosovo.

Page 4, Chapter 1:Constitution

Desiring through this interim Constitution to establish institutions of democratic self-government in Kosovo grounded in respect for the territorial integrity and sovereignty of the Federal Republic of Yugoslavia and from this Agreement, from which the authorities of governance set forth herein originate

Page 5, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

3. The Federal Republic of Yugoslavia has competence in Kosovo over the following areas, except as specified elsewhere in this Agreement:
a. territorial integrity

Page 30, Chapter 7: Implementation II, Article I: General Obligations

1.a. ...The Parties...also reaffirm the sovereignty and territorial integrity of the Federal Republic of Yugoslavia (FRY).

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

6. With respect to Kosovo:

a. There shall be no changes to the borders of Kosovo;

Cross-border provision

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

7. There shall be no interference with the right of citizens and national communities in Kosovo to call upon appropriate institutions of the Republic of Serbia for the following purposes:

a. assistance in designing school curricula and standards;

b. participation in social benefits programs, such as care for war veterans, pensioners, and disabled persons; and

c. other voluntarily received services, provided that these services are not related to police and security matters governed by Chapters 2 and 7 of this Agreement, and that any Republic personnel serving in Kosovo pursuant to this paragraph shall be unarmed service providers acting at the invitation of a national community in Kosovo, The Republic shall have the authority to levy taxes or charges on those citizens requesting services pursuant to this paragraph, as necessary to support the provision of such services.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Page 2, Framework, Article I: Principles

4. Citizens in Kosovo shall have the right to democratic self-government through legislative, executive, judicial, and other institutions established in accordance with this Agreement. They shall have the opportunity to be represented in all institutions in Kosovo. The right to democratic self-government shall include the right to participate in free and fair elections.

Page 4, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

1. Kosovo shall govern itself democratically through the legislative, executive, judicial, and other organs and institutions specified herein. Organs and institutions of Kosovo shall exercise their authorities consistent with the terms of this Agreement.

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

5. Citizens in Kosovo may continue to participate in areas in which the Federal Republic of Yugoslavia and the Republic of Serbia have competence through their representation in relevant institutions, without prejudice to the exercise of competence by Kosovo authorities set forth in this Agreement.

Page 6, Chapter 1: Constitution, Article II: The Assembly General

1. Kosovo shall have an Assembly, which shall be comprised of 120 Members.

Page 6, Chapter 1: Constitution, Article II: The Assembly General, Power of the Assembly

5. The Assembly shall be responsible for enacting laws of Kosovo, including in political, security, economic, social, educational, scientific, and cultural areas as set out below and elsewhere in this Agreement. This Constitution and the laws of the Kosovo Assembly shall not be subject to change or modification by authorities of the Republics or the Federation.

Page 8, Chapter 1: Constitution, Article II: The Assembly General, Leadership

10. The Assembly shall elect from among its Members a Presidency, which shall consist of a President, two Vice-Presidents, and other leaders in accordance with the Assembly's rules of procedure. Each national community meeting the threshold specified in paragraph 1(b)(ii) shall be represented in the leadership. The President of the Assembly shall not be from the same national community as the President of Kosovo.

Page 8, Chapter 1: Constitution, Article III: President of Kosovo

1. There shall be a President of Kosovo, who shall be elected by the Assembly by vote of a majority of its Members. The President of Kosovo shall serve for a three-year term. No person may serve more than two terms as President of Kosovo.

Page 9, Chapter 1: Constitution, Article IV: Government and Administrative Organs

1. Executive power shall be exercised by the Government. The Government shall be responsible for implementing the laws of Kosovo, and of other government authorities when such responsibilities are devolved by those authorities. The Government shall also have competence to propose laws to the Assembly.

a. The Government shall consist of a Prime Minister and Ministers, including at least one person from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Ministers shall head the Administrative Organs of Kosovo.

b. The candidate for Prime Minister proposed by the President shall put forward a list of Ministers to the Assembly. The Prime Minister, together with the list of Ministers, shall be approved by a majority of those present and voting in the Assembly. In the event that the

Elections

Page 2, Framework, Article I: Principles

4. Citizens in Kosovo shall have the right to democratic self-government through legislative, executive, judicial, and other institutions established in accordance with this Agreement. They shall have the opportunity to be represented in all institutions in Kosovo. The right to democratic self-government shall include the right to participate in free and fair elections.

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

3. The Federal Republic of Yugoslavia has competence in Kosovo over the following areas, except as specified elsewhere in this Agreement:

...

h. federal elections

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

4. The Republic of Serbia shall have competence in Kosovo as specified in this Agreement, including in relation to Republic elections.

Page 6, Chapter 1: Constitution, Article II: The Assembly General

1. Kosovo shall have an Assembly, which shall be comprised of 120 Members.

a. Eighty Members shall be directly elected.

b. A further 40 Members shall be elected by the members of qualifying national communities.

Page 6, Chapter 1: Constitution, Article II: The Assembly General, Other Provisions

2. Elections for all Members shall be conducted democratically, consistent with the provisions of Chapter 3 of this Agreement. Members shall be elected for a term of three years.

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly

5.a. The Assembly shall be responsible for:

...

xvi. Regulating elections consistent with Chapters 3 and 5;

Page 14, Chapter 1: Constitution, Article IX: Representation

1. Citizens in Kosovo shall have the right to participate in the election of:

a. At least 10 deputies in the House of Citizens of the Federal Assembly; and

b. At least 20 deputies in the National Assembly of the Republic of Serbia.

Page 14, Chapter 1: Constitution, Article IX: Representation

2. The modalities of elections for the deputies specified in paragraph 1 shall be determined by the Federal Republic of Yugoslavia and the Republic of Serbia respectively, under procedures to be agreed with the Chief of the Implementation Mission.

Page 21, Chapter 3: Conduct and Supervision of Elections, Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:

a. freedom of movement for all citizens;

b. an open and free political environment;

c. an environment conducive to the return of displaced persons;

d. a safe and secure environment that ensures freedom of assembly, association, and expression;

**Electoral
commission**

Page 21, Chapter 3: Conduct and Supervision of Elections, Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:
 - a. freedom of movement for all citizens;
 - b. an open and free political environment;
 - c. an environment conducive to the return of displaced persons;
 - d. a safe and secure environment that ensures freedom of assembly, association, and expression;
 - e. an electoral legal framework of rules and regulations complying with OSCE commitments, which will be implemented by a Central Election Commission, as set forth in Article III, which is representative of the population of Kosovo in terms of national communities and political parties; and
 - f. free media, effectively accessible to registered political parties and candidates, and available to voters throughout Kosovo.

Page 22, Chapter 3: Conduct and Supervision of Elections, Article II: Role of the OSCE

1. The Parties request the OSCE to adopt and put in place an elections program for Kosovo and supervise elections as set forth in this Agreement.

Page 22, Chapter 3: Conduct and Supervision of Elections, Article II: Role of the OSCE

2. The Parties request the OSCE to supervise, in a manner to be determined by the OSCE and in cooperation with other international organizations the OSCE deems necessary, the preparation and conduct of elections for:
 - a. Members of the Kosovo Assembly;
 - b. Members of Communal Assemblies;
 - c. other officials popularly elected in Kosovo under this Agreement and the laws and Constitution of Kosovo at the discretion of the OSCE.

Page 22, Chapter 3: Conduct and Supervision of Elections, Article II: Role of the OSCE

3. The Parties request the OSCE to establish a Central Election Commission in Kosovo ("the Commission").

Page 22, Chapter 3: Conduct and Supervision of Elections, Article II: Role of the OSCE

4. Consistent with Article IV of Chapter 5, the first elections shall be held within nine months of the entry into force of this Agreement. The President of the Commission shall decide, in consultation with the Parties, the exact timing and order of elections for Kosovo political offices.

Page 22, Chapter 3: Conduct and Supervision of Elections, Article III: Central Election Commission

1. The Commission shall adopt electoral Rules and Regulations on all matters necessary for the conduct of free and fair elections in Kosovo, including rules relating to: the eligibility and registration of candidates, parties, and voters, including displaced persons and refugees; ensuring a free and fair elections campaign; administrative and technical preparation for elections including the establishment, publication, and certification of election results; and the role of international and domestic election observers.

Page 22, Chapter 3: Conduct and Supervision of Elections, Article III: Central Election Commission

2. The responsibilities of the Commission, as provided in the electoral Rules and Regulations, shall include:
 - a. the preparation, conduct, and supervision of all aspects of the electoral process, including development and supervision of political party and voter registration, and creation of secure and transparent procedures for production and dissemination of

**Political parties
reform**

No specific mention.

Civil society

Page 2, Framework, Article II: Confidence-Building Measures, Return

4. The Parties shall cooperate fully with all efforts by the United Nations High Commissioner for Refugees (UNHCR) and other international and non-governmental organizations concerning the repatriation and return of persons, including those organizations monitoring of the treatment of persons following their return.

Page 2-3, Framework, Article II: Confidence-Building Measures, Access for International Assistance

5. There shall be no impediments to the normal flow of goods into Kosovo, including materials for the reconstruction of homes and structures. The Federal Republic of Yugoslavia shall not require visas, customs, or licensing for persons or things for the Implementation Mission (IM), the UNHCR, and other international organizations, as well as for non-governmental organizations working in Kosovo as determined by the Chief of the Implementation Mission (CIM).

Page 3, Framework, Article II: Confidence-Building Measures, Access for International Assistance

6. All staff, whether national or international, working with international or non-governmental organizations including with the Yugoslav Red Cross, shall be allowed unrestricted access to the Kosovo population for purposes of international assistance. All persons in Kosovo shall similarly have safe, unhindered, and direct access to the staff of such organizations.

Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

10. All abducted persons or other persons held without charge shall be released. The Parties shall also release and transfer in accordance with this Agreement all persons held in connection with the conflict. The Parties shall cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work in accordance with its mandate, including ensuring full access to all such persons, irrespective of their status, wherever they might be held, for visits in accordance with the ICRC's standard operating procedures.

Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

11. The Parties shall provide information, through tracing mechanisms of the ICRC, to families of all persons who are unaccounted for. The Parties shall cooperate fully with the ICRC and the International Commission on Missing Persons in their efforts to determine the identity, whereabouts, and fate of those unaccounted for.

Page 12, Chapter 1: Constitution, Article VII: National Communities

5. Members of national communities shall also be individually guaranteed:
... f. the right to establish cultural and religious associations, for which relevant authorities will provide financial assistance.

Page 20, Chapter 2: Police and Civil Public Society, Article VII: Arrest and Detention

4. Kosovo and its constituent communes shall establish jails and prisons to accommodate the detention of criminal suspects and the imprisonment of individuals convicted of violating the laws applicable in Kosovo. Prisons shall be operated consistent with international standards. Access shall be provided to international personnel, including representatives of the International Committee of the Red Cross.

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

3. The international community will provide immediate and unconditional humanitarian

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly
5.a. The Assembly shall be responsible for:

...

iii. Adopting regulations concerning the organization and procedures of the Administrative Organs of Kosovo;

Page 9, Chapter 1: Constitution, Article IV: Government and Administrative Organs

2. Administrative Organs shall be responsible for assisting the Government in carrying out its duties.

a. National communities shall be fairly represented at all levels in the Administrative Organs.

b. Any citizen in Kosovo claiming to have been directly and adversely affected by the decision of an executive or administrative body shall have the right to judicial review of the legality of that decision after exhausting all avenues for administrative review. The Assembly shall enact a law to regulate this review.

Constitution

Governance→Constitution→Constitutional reform/making
Summary: Chapter 1 provides a constitution.

Page 4, Chapter 1: Constitution

Desiring through this interim Constitution to establish institutions of democratic self-government in Kosovo grounded in respect for the territorial integrity and sovereignty of the Federal Republic of Yugoslavia and from this Agreement, from which the authorities of governance set forth herein originate.

Page 6, Chapter 1: Constitution, Article II: The Assembly General, Power of the Assembly
5. The Assembly shall be responsible for enacting laws of Kosovo, including in political, security, economic, social, educational, scientific, and cultural areas as set out below and elsewhere in this Agreement. This Constitution and the laws of the Kosovo Assembly shall not be subject to change or modification by authorities of the Republics or the Federation.

Page 9, Chapter 1: Constitution, Article V: Judiciary, General

2. The Kosovo courts shall have jurisdiction over all matters arising under this Constitution or the laws of Kosovo except as specified in paragraph 3. The Kosovo courts shall also have jurisdiction over questions of federal law, subject to appeal to the Federal courts on these questions after all appeals available under the Kosovo system have been exhausted.

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

5. The Constitutional Court shall consist of nine judges. There shall be at least one Constitutional Court judge from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Until such time as the Parties agree to discontinue this arrangement, 5 judges of the Constitutional Court shall be selected from a list drawn up by the President of the European Court of Human Rights.

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

6. The Constitutional Court shall have authority to resolve disputes relating to the meaning of this Constitution. That authority shall include, but is not limited to, determining whether laws applicable in Kosovo, decisions or acts of the President, the Assembly, the Government, the Communes, and the national communities are compatible with this Constitution.

a. Matters may be referred to the Constitutional Court by the President of Kosovo, the President or Vice-Presidents of the Assembly, the Ombudsman, the communal assemblies and

councils, and any national community acting according to its democratic procedures.

b. Any court which finds in the course of adjudicating a matter that the dispute depends on the answer to a question within the Constitutional Court's jurisdiction shall refer the issue to the Constitutional Court for a preliminary decision.

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

7. Following the exhaustion of other legal remedies, the Constitutional Court shall at the request of any person claiming to be a victim have jurisdiction over complaints that human rights and fundamental freedoms and the rights of members of national communities set forth in this Constitution have been violated by a public authority.

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

8. The Constitutional Court shall have such other jurisdiction as may be specified elsewhere in this Agreement page by law 180/06

Page 10 11, Chapter 1: Constitution, Article V: Judiciary, Supreme Court



Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level

Page 9, Chapter 1: Constitution, Article IV: Government and Administrative Organs

1. Executive power shall be exercised by the Government. The Government shall be responsible for implementing the laws of Kosovo, and of other government authorities when such responsibilities are devolved by those authorities. The Government shall also have competence to propose laws to the Assembly.

a. The Government shall consist of a Prime Minister and Ministers, including at least one person from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Ministers shall head the Administrative Organs of Kosovo.

Page 13, Chapter 1: Constitution, Article VIII: Communes

3. Each commune shall have an Assembly, an Executive Council, and such administrative bodies as the commune may establish.

a. Each national community whose membership constitutes at least three percent of the population of the commune shall be represented on the Council in proportion to its share of the communal population or by one member, whichever is greater.

b. Prior to the completion of a census, disputes over communal population percentages for purposes of this paragraph shall be resolved by reference to declarations of national community membership in the voter registry.

Power sharing→Political power sharing→Proportionality in legislature
State level

Sub-state level

Page 6, Chapter 1: Constitution, Article II: The Assembly General

1. Kosovo shall have an Assembly, which shall be comprised of 120 Members.

a. Eighty Members shall be directly elected.

b. A further 40 Members shall be elected by the members of qualifying national communities.

i. Communities whose members constitute more than 0.5 per cent of the Kosovo population but less than 5 per cent shall have ten of these seats, to be divided among them in accordance with their proportion of the overall population.

ii. Communities whose members constitute more than 5 per cent of the Kosovo population shall divide the remaining thirty seats equally. The Serb and Albanian national communities shall be presumed to meet the 5 per cent population threshold.

Page 6, Chapter 1: Constitution, Article II: The Assembly General, Other Provisions

3. Allocation of seats in the Assembly shall be based on data gathered in the census referred to in Chapter 5 of this Agreement. Prior to the completion of the census, for purposes of this Article declarations of national community membership made during voter registration shall be used to determine the percentage of the Kosovo population that each national community represents.

Page 8, Chapter 1: Constitution, Article II: The Assembly General, Leadership

10. The Assembly shall elect from among its Members a Presidency, which shall consist of a President, two Vice-Presidents, and other leaders in accordance with the Assembly's rules of procedure. Each national community meeting the threshold specified in paragraph 1(b)(ii) shall be represented in the leadership. The President of the Assembly shall not be from the same national community as the President of Kosovo.

Power sharing→Political power sharing→Other proportionality
State level

Sub-state level

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

5. The Constitutional Court shall consist of nine judges. There shall be at least one Constitutional Court judge from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Until such time as the Parties agree to

Territorial power sharing

Power sharing→Territorial power sharing→Local/municipal government

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

8. The basic territorial unit of local self-government in Kosovo shall be the commune. All responsibilities in Kosovo not expressly assigned elsewhere shall be the responsibility of the communes.

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly
5.a. The Assembly shall be responsible for:

...

x. Establishing a framework for local self-government;

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly
5.b. The Assembly shall also have authority to enact laws in areas within the

responsibility of the Communes if the matter cannot be effectively regulated by the Communes or if regulation by individual Communes might prejudice the rights of other Communes. In the absence of a law enacted by the Assembly under this subparagraph that preempts communal action, the Communes shall retain their authority.

Power sharing→Territorial power sharing→Autonomous regions

Summary: The agreement provides extensively for autonomy and self-government for Kosovo, delimiting the relationship to the Federal Republic of Yugoslavia, see extracts below.

Pages 5-6

Chapter 1 Constitution

Affirming their belief in a peaceful society, justice, tolerance, and reconciliation,

Resolved to ensure respect for human rights and the equality of all citizens and national communities,

Recognizing that the preservation and promotion of the national, cultural, and linguistic identity of each national community in Kosovo are necessary for the harmonious development of a peaceful society,

Desiring through this interim Constitution to establish institutions of democratic self-government in Kosovo grounded in respect for the territorial integrity and sovereignty of the Federal Republic of Yugoslavia and from this Agreement, from which the authorities of governance set forth herein originate,

Recognizing that the institutions of Kosovo should fairly represent the national communities in Kosovo and foster the exercise of their rights and those of their members,

Recalling and endorsing the principles/basic elements adopted by the Contact Group at its ministerial meeting in London on January 29, 1999,

Article I: Principles of Democratic/Self-Government in Kosovo

1. Kosovo shall govern itself democratically through the legislative, executive, judicial, and other organs and institutions specified herein. Organs and institutions of Kosovo shall exercise their authorities consistent with the terms of this Agreement.

2. All authorities in Kosovo shall fully respect human rights, democracy, and the equality

Economic power sharing No specific mention.

Military power sharing

Power sharing→Military power sharing→Proportionality

Page 38, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

1. A Joint Military Commission (JMC) shall be established with the deployment of the KFOR to Kosovo.

Page 39, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

2. The JMC shall be chaired by COMKFOR or his representative and consist of the following members:

- (a) the senior Yugoslav military commander of the Forces of the FRY or his representative;
- (b) the Ministers of Interior of the FRY and Republic of Serbia or their representatives;
- (c) a senior military representative of all Other Forces;
- (d) a representative of the IM;
- (e) other persons as COMKFOR shall determine, including one or more representatives of the Kosovo civilian leadership.

Page 39, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

3. The JMC shall:

- (a) serve as the central body for all Parties to address any military complaints, questions, or problems that require resolution by the COMKFOR, such as allegations of cease-fire violations or other allegations of non-compliance with this Chapter;
- (b) receive reports and make recommendations for specific actions to COMKFOR to ensure compliance by the Parties with the provisions of this Chapter;
- (c) assist COMKFOR in determining and implementing local transparency measures between the Parties.

Page 39, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

4. The JMC shall not include any persons publicly indicted by the International Criminal Tribunal for the Former Yugoslavia.

Page 39, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

5. The JMC shall function as a consultative body to advise COMKFOR. However, all final decisions shall be made by COMKFOR and shall be binding on the Parties.

Page 39, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

6. The JMC shall meet at the call of COMKFOR. Any Party may request COMKFOR to convene a meeting.

Page 39, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

7. The JMC shall establish subordinate military commissions for the purpose of providing assistance in carrying out the functions described above. Such commissions shall be at an appropriate level, as COMKFOR shall direct. Composition of such commissions shall be determined by COMKFOR.



Human rights and equality

**Human rights/RoL
general**

Page 1, Untitled Preamble

The Parties to the present Agreement...Desiring to ensure the protection of the human rights of all persons in Kosovo, as well as the rights of the members of all national communities

Page 1-2, Framework, Article 1: Principles

3. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 2, Framework, Article I: Principles

4. Citizens in Kosovo shall have the right to democratic self-government through legislative, executive, judicial, and other institutions established in accordance with this Agreement. They shall have the opportunity to be represented in all institutions in Kosovo. The right to democratic self-government shall include the right to participate in free and fair elections.

Page 4, Chapter 1: Constitution

Resolved to ensure respect for human rights and the equality of all citizens and national communities...

Page 4, Chapter 1: Constitution

Recognizing that the institutions of Kosovo should fairly represent the national communities in Kosovo and foster the exercise of their rights and those of their members

Page 4, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

2. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 11, Chapter 1: Constitution, Article VI: Human Rights and Fundamental Freedoms

1. All authorities in Kosovo shall ensure internationally recognized human rights and fundamental freedoms.

...

3. All courts, agencies, governmental institutions, and other public institutions of Kosovo or operating in relation to Kosovo shall conform to these human rights and fundamental freedoms.

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

...

c. providing education, consistent with the rights and duties of national communities, and in a spirit of tolerance between national communities and respect for the rights of the members of all national communities in accordance with international standards;

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

1. All law enforcement agencies, organizations and personnel of the Parties, which for purposes of this Chapter will include customs and border police operating in Kosovo, shall act in compliance with this Agreement and shall observe internationally recognized standards of human rights and due process. In exercising their functions, law enforcement personnel shall not discriminate on any ground, such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national community, property, birth or other status.

Bill of rights/similar No specific mention.

**Treaty
incorporation**

Page 2, Framework, Article I: Principles

5. Every person in Kosovo may have access to international institutions for the protection of their rights in accordance with the procedures of such institutions.

Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

12. Each Party:

- a. shall not prosecute anyone for crimes related to the conflict in Kosovo, except for persons accused of having committed serious violations of international humanitarian law. In order to facilitate transparency, the Parties shall grant access to foreign experts (including forensics experts) along with state investigators;
- b. shall grant a general amnesty for all persons already convicted of committing politically motivated crimes related to the conflict in Kosovo. This amnesty shall not apply to those properly convicted of committing serious violations of international humanitarian law at a fair and open trial conducted pursuant to international standards.

Page 11, Chapter 1: Constitution, Article VI: Human Rights and Fundamental Freedoms

2. The rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Kosovo. Other internationally recognized human rights instruments enacted into law by the Kosovo Assembly shall also apply. These rights and freedoms shall have priority over all other law.

Page 11, Chapter 1: Constitution, Article VII: National Communities

1. National communities and their members shall have additional rights as set forth below in order to preserve and express their national, cultural, religious, and linguistic identities in accordance with international standards and the Helsinki Final Act. Such rights shall be exercised in conformity with human rights and fundamental freedoms.

Page 28, Chapter 6: The Ombudsman, Article II: Jurisdiction

1. The Ombudsman shall consider:

- a. alleged or apparent violations of human rights and fundamental freedoms in Kosovo, as provided in the Constitutions of the Federal Republic of Yugoslavia and the Republic of Serbia, and the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto;

Civil and political rights

Human rights and equality→Civil and political rights→Equality

Page 1, Framework, Article 1: Principles

1. All citizens in Kosovo shall enjoy, without discrimination, the equal rights and freedoms set forth in this Agreement.

Page 1, Framework, Article 1: Principles

2. National communities and their members shall have additional rights specified in Chapter 1. Kosovo, Federal, and Republic authorities shall not interfere with the exercise of these additional rights. The national communities shall be legally equal as specified herein, and shall not use their additional rights to endanger the rights of other national communities or the rights of citizens, the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, or the functioning of representative democratic government in Kosovo.

Page 1-2, Framework, Article 1: Principles

3. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 4, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

2. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 11, Chapter 1: Constitution, Article VII: National Communities

3. The national communities shall be subject to the laws applicable in Kosovo, provided that any act or decision concerning national communities must be non-discriminatory. The Assembly shall decide upon a procedure for resolving disputes between national communities.

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

...

b. be guaranteed access to, and representation in, public broadcast media, including provisions for separate programming in relevant languages under the direction of those nominated by the respective national community on a fair and equitable basis;

Page 12, Chapter 1: Constitution, Article VII: National Communities

5. Members of national communities shall also be individually guaranteed:

...

b. equal access to employment in public services at all levels;

Page 13, Chapter 1: Constitution, Article VII: National Communities

7. Every person shall have the right freely to choose to be treated or not to be treated as belonging to a national community, and no disadvantage shall result from that choice or from the exercise of the rights connected to that choice.

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

1. All law enforcement agencies, organizations and personnel of the Parties, which for purposes of this Chapter will include customs and border police operating in Kosovo, shall act in compliance with this Agreement and shall observe internationally recognized standards of human rights and due process. In exercising their functions, law enforcement personnel shall not discriminate on any ground, such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national community, property, birth or other status.

Socio-economic rights

Human rights and equality→Socio-economic rights→Property

Page 2, Framework, Article II: Confidence-Building Measures, Return

3. The Parties recognize that all persons have the right to return to their homes.

Appropriate authorities shall take all measures necessary to facilitate the safe return of persons, including issuing necessary documents. All persons shall have the right to reoccupy their real property, assert their occupancy rights in state-owned property, and recover their other property and personal possessions. The Parties shall take all measures necessary to readmit returning persons to Kosovo.

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen, general

Page 27, Chapter 5: Implementation I, Article IV: Process of Implementation, Elections and Census

3. Under the supervision of the OSCE and with the participation of Kosovo authorities and experts nominated by and belonging to the national communities of Kosovo, Federal authorities shall conduct an objective and free census of the population in Kosovo under rules and regulations agreed with the OSCE in accordance with international standards. The census shall be carried out when the OSCE determines that conditions allow an objective and accurate enumeration.

a. The first census shall be limited to name, place of birth, place of usual residence and address, gender, age, citizenship, national community, and religion.

b. The authorities of the Parties shall provide each other and the OSCE with all records necessary to conduct the census, including data about places of residence, citizenship, voters' lists, and other information.

Page 28, Chapter 6: The Ombudsman, Article I: General

2. ...The Ombudsman shall not be a citizen of any State or entity that was a part of the former Yugoslavia, or of any neighboring State. Pending the election of the President and the Assembly, the CIM shall designate a person to serve as Ombudsman on an interim basis who shall be succeeded by a person selected pursuant to the procedure set forth in this paragraph.

Page 44, Appendix B: Status of Multi-National Military Implementation Force

6. (a) NATO shall be immune from all legal process, whether civil, administrative, or criminal.

(b) NATO personnel, under all circumstances and at all times, shall be immune from the Parties' jurisdiction in respect of any civil, administrative, criminal, or disciplinary offenses which may be committed by them in the FRY. The Parties shall assist States participating in the Operation in the exercise of their jurisdiction over their own nationals.

(c) Notwithstanding the above, and with the NATO Commander's express agreement in each case, the authorities in the FRY may exceptionally exercise jurisdiction in such matters, but only in respect of Contractor personnel who are not subject to the jurisdiction of their nation of citizenship.

Rights related issues→Citizenship→Citizens, specific rights

Page 1, Framework, Article 1: Principles

1. All citizens in Kosovo shall enjoy, without discrimination, the equal rights and freedoms set forth in this Agreement.

Page 1, Framework, Article 1: Principles

2. National communities and their members shall have additional rights specified in Chapter 1. Kosovo, Federal, and Republic authorities shall not interfere with the exercise of these additional rights. The national communities shall be legally equal as specified herein, and shall not use their additional rights to endanger the rights of other national communities or the rights of citizens, the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, or the functioning of representative democratic government in Kosovo.

Page 1-2, Framework, Article 1: Principles

3. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 2, Framework, Article 1: Principles

4. Citizens in Kosovo shall have the right to democratic self-government through legislative, executive, judicial, and other institutions established in accordance with this

Democracy

Page 1, Untitled Preamble

The Parties to the present Agreement...Convinced of the need for a peaceful and political solution in Kosovo as a prerequisite for stability and democracy

...

Recognizing the need for democratic self-government in Kosovo, including full participation of the members of all national communities in political decision-making

Page 1, Framework, Article 1: Principles

2. National communities and their members shall have additional rights specified in Chapter 1. Kosovo, Federal, and Republic authorities shall not interfere with the exercise of these additional rights. The national communities shall be legally equal as specified herein, and shall not use their additional rights to endanger the rights of other national communities or the rights of citizens, the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, or the functioning of representative democratic government in Kosovo.

Page 1-2, Framework, Article 1: Principles

3. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 4, Framework, Article II:Confidence-Building Measures, Independent Media

14. Recognizing the importance of free and independent media for the development of a democratic political climate necessary for the reconstruction and development of Kosovo, the Parties shall ensure the widest possible press freedoms in Kosovo in all media, public and private, including print, television, radio, and Internet.

Page 4, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

1. Kosovo shall govern itself democratically through the legislative, executive, judicial, and other organs and institutions specified herein. Organs and institutions of Kosovo shall exercise their authorities consistent with the terms of this Agreement.

Page 4, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

2. All authorities in Kosovo shall fully respect human rights, democracy, and the equality of citizens and national communities.

Page 5-6, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

9. To preserve and promote democratic self-government in Kosovo, all candidates for appointed, elective, or other public office, and all office holders, shall meet the following criteria...

Page 11, Chapter 1: Constitution, Article VII: National Communities

2. Each national community may elect, through democratic means and in a manner consistent with the principles of Chapter 3 of this Agreement, institutions to administer its affairs in Kosovo.

**Detention
procedures**

Page 20, Chapter 2: Police and Civil Public Society, Article VII: Arrest and Detention
2. Immediately upon making an arrest, the arresting officer shall notify the nearest Communal Criminal Justice Commission of the detention and the location of the detainee. He subsequently shall transfer the detainee to the nearest appropriate jail in Kosovo at the earliest opportunity.

Page 21, Chapter 2: Police and Civil Public Society, Article VIII: Administration of Justice,
1. Criminal Jurisdiction over Persons Arrested within Kosovo
a. Except in accordance with Article V and subparagraph (b) of this paragraph, any person arrested within Kosovo shall be subject to the jurisdiction of the Kosovo courts.
b. Any person arrested within Kosovo, in accordance with the law and with this Agreement, by the Border Police or Customs Police shall be subject to the jurisdiction of the FRY courts. If there is no applicable court of the FRY to hear the case, the Kosovo courts shall have jurisdiction.

Page 45, Appendix B: Status of Multi-National Military Implementation Force
21. In carrying out its authorities under this Chapter, NATO is authorized to detain individuals and, as quickly as possible, turn them over to appropriate officials.

Media and communication

Rights related issues→Media and communication→Media logistics

Page 3, Framework, Article II: Confidence-Building Measures, Other Issues

9. The Parties shall immediately comply with all requests for support from the Implementation Mission (IM). The IM shall have its own broadcast frequencies for radio and television programming in Kosovo. The Federal Republic of Yugoslavia shall provide all necessary facilities, including frequencies for radio communications, to all humanitarian organizations responsible for delivering aid in Kosovo.

Page 4, Framework, Article II: Confidence-Building Measures, Independent Media

14. Recognizing the importance of free and independent media for the development of a democratic political climate necessary for the reconstruction and development of Kosovo, the Parties shall ensure the widest possible press freedoms in Kosovo in all media, public and private, including print, television, radio, and Internet.

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

...

b. be guaranteed access to, and representation in, public broadcast media, including provisions for separate programming in relevant languages under the direction of those nominated by the respective national community on a fair and equitable basis;

Page 21, Chapter 3: Conduct and Supervision of Elections, Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:

...

f. free media, effectively accessible to registered political parties and candidates, and available to voters throughout Kosovo.

Page 27, Chapter 5: Implementation I, Article IV: Process of Implementation, Transitional Provisions

6. Prior to the election of Kosovo officials pursuant to this Agreement, the CIM shall take the measures necessary to ensure the development and functioning of independent media in keeping with international standards, including allocation of radio and television frequencies.

Page 44, Appendix B: Status of Multi-National Military Implementation Force

6. (a) NATO shall be immune from all legal process, whether civil, administrative, or criminal.

(b) NATO personnel, under all circumstances and at all times, shall be immune from the Parties' jurisdiction in respect of any civil, administrative, criminal, or disciplinary offenses which may be committed by them in the FRY. The Parties shall assist States participating in the Operation in the exercise of their jurisdiction over their own nationals.

(c) Notwithstanding the above, and with the NATO Commander's express agreement in each case, the authorities in the FRY may exceptionally exercise jurisdiction in such matters, but only in respect of Contractor personnel who are not subject to the jurisdiction of their nation of citizenship.

Page 45, Appendix B: Status of Multi-National Military Implementation Force

15. The Parties recognize that the use of communications channels is necessary for the Operation. NATO shall be allowed to operate its own internal mail services. The Parties shall, upon simple request, grant all telecommunications services, including broadcast services, needed for the Operation, as determined by NATO. This shall include the right

Mobility/access

Page 2-3, Framework, Article II: Confidence-Building Measures, Access for International Assistance

5. There shall be no impediments to the normal flow of goods into Kosovo, including materials for the reconstruction of homes and structures. The Federal Republic of Yugoslavia shall not require visas, customs, or licensing for persons or things for the Implementation Mission (IM), the UNHCR, and other international organizations, as well as for non-governmental organizations working in Kosovo as determined by the Chief of the Implementation Mission (CIM).

Page 3, Framework, Article II: Confidence-Building Measures, Access for International Assistance

6. All staff, whether national or international, working with international or non-governmental organizations including with the Yugoslav Red Cross, shall be allowed unrestricted access to the Kosovo population for purposes of international assistance. All persons in Kosovo shall similarly have safe, unhindered, and direct access to the staff of such organizations.

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly
5.a. The Assembly shall be responsible for:

...

vii. Enacting laws ensuring free movement of goods, services, and persons in Kosovo consistent with this Agreement;

Page 15, Chapter 2: Police and Civil Public Society, Article I: General Principles

5. All Kosovo, Republic and Federal law enforcement and Federal military authorities shall be obligated, in their respective areas of authority, to ensure freedom of movement and safe passage for all persons, vehicles and goods. This obligation includes a duty to permit the unobstructed passage into Kosovo of police equipment which has been approved by the CIM and COMKFOR for use by Kosovo police, and of any other support provided under subparagraph 4(h) above.

Page 19, Chapter 2: Police and Civil Public Society, Article VI: Security on International Borders

1. The Government of the FRY will maintain official border crossings on its international borders (Albania and FYROM).

Page 21, Chapter 3: Conduct and Supervision of Elections, Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:
a. freedom of movement for all citizens;

Page 23, Chapter 4: Economic Issues, Article I

4. The Federal Republic of Yugoslavia shall be responsible for the collection of all customs duties at international borders in Kosovo. There shall be no impediments to the free movement of persons, goods, services, and capital to and from Kosovo.

Page 23, Chapter 4: Economic Issues, Article I

6. Federal and other authorities shall within their respective powers and responsibilities ensure the free movement of persons, goods, services, and capital to Kosovo, including from international sources. They shall in particular allow access to Kosovo without discrimination for persons delivering such goods and services.

Page 26, Chapter 5: Implementation I, Article III: Status of Implementation Mission

1. Implementation Mission personnel shall be allowed unrestricted movement and

Protection measures

Rights related issues→Protection measures→Protection of groups

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

a. preserve and protect their national, cultural, religious, and linguistic identities, including by:

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

5. Assistance will also be provided to support the establishment and development of the institutional and legislative framework laid down in this Agreement, including local governance and tax settlement, and to reinforce civil society, culture and education. Social welfare will also be addressed, with priority given to the protection of vulnerable social groups.

Rights related issues→Protection measures→Other

Page 30, Chapter 7: Implementation II, Article I: General Obligations

2. The purposes of these obligations are as follows:

...

b. to provide for the support and authorization of the KFOR and in particular to authorize the KFOR to take such actions as are required, including the use of necessary force, to ensure compliance with this Chapter and the protection of the KFOR, Implementation Mission (IM), and other international organizations, agencies, and non-governmental organizations involved in the implementation of this Agreement, and to contribute to a secure environment;

Other

No specific mention.

Rights institutions

NHRI

Rights institutions→NHRI→Mentions of NHRI

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

6.a. Matters may be referred to the Constitutional Court by the President of Kosovo, the President or Vice-Presidents of the Assembly, the Ombudsman, the communal assemblies and councils, and any national community acting according to its democratic procedures.

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

7. Following the exhaustion of other legal remedies, the Constitutional Court shall at the request of any person claiming to be a victim have jurisdiction over complaints that human rights and fundamental freedoms and the rights of members of national communities set forth in this Constitution have been violated by a public authority.

Rights institutions→NHRI→New or fundamentally revised NHRI

Page 28, Chapter 6: The Ombudsman, Article I: General

1. There shall be an Ombudsman, who shall monitor the realization of the rights of members of national communities and the protection of human rights and fundamental freedoms in Kosovo. The Ombudsman shall have unimpeded access to any person or place and shall have the right to appear and intervene before any domestic, Federal, or (consistent with the rules of such bodies) international authority upon his or her request. No person, institution, or entity of the Parties may interfere with the functions of the Ombudsman.

Page 28, Chapter 6: The Ombudsman, Article I: General

2. The Ombudsman shall be an eminent person of high moral standing who possesses a demonstrated commitment to human rights and the rights of members of national communities. He or she shall be nominated by the President of Kosovo and shall be elected by the Assembly from a list of candidates prepared by the President of the European Court of Human Rights for a nonrenewable three-year term. The Ombudsman shall not be a citizen of any State or entity that was a part of the former Yugoslavia, or of any neighboring State. Pending the election of the President and the Assembly, the CIM shall designate a person to serve as Ombudsman on an interim basis who shall be succeeded by a person selected pursuant to the procedure set forth in this paragraph.

Page 28, Chapter 6: The Ombudsman, Article I: General

3. The Ombudsman shall be independently responsible for choosing his or her own staff. He or she shall have two Deputies. The Deputies shall each be drawn from different national communities.

a. The salaries and expenses of the Ombudsman and his or her staff shall be determined and paid by the Kosovo Assembly. The salaries and expenses shall be fully adequate to implement the Ombudsman's mandate.

b. The Ombudsman and members of his or her staff shall not be held criminally or civilly liable for any acts carried out within the scope of their duties.

Page 28-29, Chapter 6: The Ombudsman, Article II: Jurisdiction

1. The Ombudsman shall consider:

- a. alleged or apparent violations of human rights and fundamental freedoms in Kosovo, as provided in the Constitutions of the Federal Republic of Yugoslavia and the Republic of Serbia, and the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto; and
- b. alleged or apparent violations of the rights of members of national communities specified in this Agreement.

2. All persons in Kosovo shall have the right to submit complaints to the Ombudsman.

The Parties agree not to take any measures to punish persons who intend to submit or who have submitted such allegations, or in any other way to deter the exercise of this right

Regional or international human rights institutions

Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 2, Framework, Article I: Principles

5. Every person in Kosovo may have access to international institutions for the protection of their rights in accordance with the procedures of such institutions.

Page 4, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

13. All Parties shall comply with their obligation to cooperate in the investigation and prosecution of serious violations of international humanitarian law.

a. As required by United Nations Security Council resolution 827 (1993) and subsequent resolutions, the Parties shall fully cooperate with the International Criminal Tribunal for the Former Yugoslavia in its investigations and prosecutions, including complying with its requests for assistance and its orders.

b. The Parties shall also allow complete, unimpeded, and unfettered access to international experts-including forensics experts and investigators to investigate allegations of serious violations of international humanitarian law.

Page 5-6, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

9. To preserve and promote democratic self-government in Kosovo, all candidates for appointed, elective, or other public office, and all office holders, shall meet the following criteria:

a. No person who is serving a sentence imposed by the International Criminal Tribunal for the Former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may stand as a candidate or hold any office;

Page 28, Chapter 6: The Ombudsman, Article I: General

2. The Ombudsman shall be an eminent person of high moral standing who possesses a demonstrated commitment to human rights and the rights of members of national communities. He or she shall be nominated by the President of Kosovo and shall be elected by the Assembly from a list of candidates prepared by the President of the European Court of Human Rights for a nonrenewable three-year term...

Page 39, Page 38, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR, Article XI: Establishment of a Joint Military Commission

4. The JMC shall not include any persons publicly indicted by the International Criminal Tribunal for the Former Yugoslavia.

Page 40, Chapter 7: Implementation II, Article XIII: Cooperation

The Parties shall cooperate fully with all entities involved in implementation of this settlement, as described in the Framework Agreement, or which are otherwise authorized by the United Nations Security Council, including the International Criminal Tribunal for the former Yugoslavia.

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Reform to specific laws
Page 3, Framework, Article II: Confidence-Building Measures, Other Issues

8. Martial law shall not be declared in Kosovo.

Page 27, Chapter 5: Implementation I, Article IV: Process of Implementation, Transitional Provisions

4. All laws and regulations in effect in Kosovo when this Agreement enters into force shall remain in effect unless and until replaced by laws or regulations adopted by a competent body. All laws and regulations applicable in Kosovo that are incompatible with this Agreement shall be presumed to have been harmonized with this Agreement. In particular, martial law in Kosovo is hereby revoked.

Page 29, Chapter 6: The Ombudsman, Article III: Powers and Duties

2. The Ombudsman shall have complete, unimpeded, and immediate access to any person, place, or information upon his or her request.

...

e. The Parties undertake to ensure cooperation with the Ombudsman's investigations. Willful and knowing failure to comply shall be a criminal offense prosecutable in any jurisdiction of the Parties. Where an official impedes an investigation by refusing to provide necessary information, the Ombudsman shall contact that official's superior or the public prosecutor for appropriate penal action to be taken in accordance with the law.

Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform

Page 9, Chapter 1: Constitution, Article IV: Government and Administrative Organs

3. There shall be a Chief Prosecutor who shall be responsible for prosecuting individuals who violate the criminal laws of Kosovo. He shall head an Office of the Prosecutor, which shall at all levels have staff representative of the population of Kosovo.

Page 16, Chapter 2: Police and Civil Public Society, Article II: Communal Police,

3. Criminal Justice Administration.

a. A Criminal Justice Administration (CJA) shall be established. It shall be an Administrative Organ of Kosovo, reporting to an appropriate member of the Government of Kosovo as determined by the Government. The CJA shall provide general coordination of law enforcement operations in Kosovo. Specific functions of the CJA shall include general supervision over, and providing guidance to, communal police forces through their commanders, assisting in the coordination between separate communal police forces, and oversight of the operations of the police academy. In carrying out these responsibilities, the CJA may issue directives, which shall be binding on communal police commanders and personnel. In the exercise of its functions, the CJA shall be subject to any directions given by CIM.

b. Within twelve months of the establishment of the CJA, the CJA shall submit for review by the CIM a plan for the coordination and development of law enforcement bodies and personnel in Kosovo within its jurisdiction. This plan shall serve as the framework for law enforcement coordination and development in Kosovo and be subject to modification by the CIM.

c. The IM will endeavor to develop the capacities of the CJA as quickly as possible. Prior to the point when the CJA is able to properly carry out the functions described in the preceding paragraph, as determined by the CIM, the IM shall carry out these functions.

Page 17, Chapter 2: Police and Civil Public Society, Article III: Interim Police Academy

3. The Academy shall be headed by a Director appointed and removed by the CJA in consultation with the Kosovo Criminal Justice Commission and the IM. The Director shall consult closely with the IM and comply fully with its recommendations and guidance.

State of emergency provisions Page 3, Framework, Article II: Confidence-Building Measures, Other Issues
8. Martial law shall not be declared in Kosovo.

Page 27, Chapter 5: Implementation I, Article IV: Process of Implementation, Transitional Provisions

4. All laws and regulations in effect in Kosovo when this Agreement enters into force shall remain in effect unless and until replaced by laws or regulations adopted by a competent body. All laws and regulations applicable in Kosovo that are incompatible with this Agreement shall be presumed to have been harmonized with this Agreement. In particular, martial law in Kosovo is hereby revoked.

Judiciary and courts

Page 2, Framework, Article I: Principles

4. Citizens in Kosovo shall have the right to democratic self-government through legislative, executive, judicial, and other institutions established in accordance with this Agreement.

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly

5.a. The Assembly shall be responsible for:

... vi. Electing candidates for judicial office put forward by the President of Kosovo;

Page 8, Chapter 1: Constitution, Article III: President of Kosovo

2. The President of Kosovo shall be responsible for:

... ii. Proposing to the Assembly candidates for Prime Minister, the Constitutional Court, the Supreme Court, and other Kosovo judicial offices;

Page 9, Chapter 1: Constitution, Article IV: Government and Administrative Organs

2.b. Any citizen in Kosovo claiming to have been directly and adversely affected by the decision of an executive or administrative body shall have the right to judicial review of the legality of that decision after exhausting all avenues for administrative review. The Assembly shall enact a law to regulate this review.

Page 9, Chapter 1: Constitution, Article V: Judiciary, General

1. Kosovo shall have a Constitutional Court, a Supreme Court, District Courts, and Communal Courts.

Page 9, Chapter 1: Constitution, Article V: Judiciary, General

2. The Kosovo courts shall have jurisdiction over all matters arising under this Constitution or the laws of Kosovo except as specified in paragraph 3. The Kosovo courts shall also have jurisdiction over questions of federal law, subject to appeal to the Federal courts on these questions after all appeals available under the Kosovo system have been exhausted.

Page 9-10, Chapter 1: Constitution, Article V: Judiciary, General

3. Citizens in Kosovo may opt to have civil disputes to which they are party adjudicated by other courts in the Federal Republic of Yugoslavia, which shall apply the law applicable in Kosovo.

Page 10, Chapter 1: Constitution, Article V: Judiciary, General

4. The following rules will apply to criminal cases:

a. At the start of criminal proceedings, the defendant is entitled to have his or her trial transferred to another Kosovo court that he or she designates.

b. In criminal cases in which all defendants and victims are members of the same national community, all members of the judicial council will be from a national community of their choice if any party so requests.

c. A defendant in a criminal case tried in Kosovo courts is entitled to have at least one member of the judicial council hearing the case to be from his or her national community. Kosovo authorities will consider and allow judges of other courts in the Federal Republic of Yugoslavia to serve as Kosovo judges for these purposes.

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

5. The Constitutional Court shall consist of nine judges. There shall be at least one Constitutional Court judge from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Until such time as the Parties agree to discontinue this arrangement, five judges of the Constitutional Court shall be selected from a list drawn up by the President of the European Court of Human Rights.

Prisons and detention

Page 20, Chapter 2: Police and Civil Public Society, Article VII: Arrest and Detention

4. Kosovo and its constituent communes shall establish jails and prisons to accommodate the detention of criminal suspects and the imprisonment of individuals convicted of violating the laws applicable in Kosovo. Prisons shall be operated consistent with international standards. Access shall be provided to international personnel, including representatives of the International Committee of the Red Cross.

Page 29, Chapter 6: The Ombudsman, Article III: Powers and Duties

2. The Ombudsman shall have complete, unimpeded, and immediate access to any person, place, or information upon his or her request.

...

c. The Ombudsman may examine facilities and places where persons deprived of their liberty are detained, work, or are otherwise located.

Traditional Laws

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

a. preserve and protect their national, cultural, religious, and linguistic identities, including by:

...

vi. protecting national traditions on family law by, if the community decides, arranging rules in the field of inheritance; family and matrimonial relations; tutorship; and adoption;

Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development

Page 23, Chapter 4: Economic Issues, Article I

1. The economy of Kosovo shall function in accordance with free market principles.

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

1. In parallel with the continuing full implementation of this Agreement, urgent attention must be focused on meeting the real humanitarian and economic needs of Kosovo in order to help create the conditions for reconstruction and lasting economic recovery...

Page 24-25, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

6. It will also be vital to lay the foundations for sustained development, based on a revival of the local economy. This must take account of the need to address unemployment, and to stimulate the economy by a range of mechanisms. The European Commission will be giving urgent attention to this.

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance

Page 2-3, Framework, Article II:Confidence-Building Measures, Access for International Assistance

5. There shall be no impediments to the normal flow of goods into Kosovo, including materials for the reconstruction of homes and structures. The Federal Republic of Yugoslavia shall not require visas, customs, or licensing for persons or things for the Implementation Mission (IM), the UNHCR, and other international organizations, as well as for non-governmental organizations working in Kosovo as determined by the Chief of the Implementation Mission (CIM).

Page 3, Framework, Article II:Confidence-Building Measures, Other Issues

9. ...The Federal Republic of Yugoslavia shall provide all necessary facilities, including frequencies for radio communications, to all humanitarian organizations responsible for delivering aid in Kosovo.

Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

...

g. planning and carrying out public works of communal importance, including roads and water supplies, and participating in the planning and carrying out of Kosovo-wide public works projects in coordination with other communes and Kosovo authorities;

h. regulating land use, town planning, building regulations, and housing construction;

Page 45, Appendix B: Status of Multi-National Military Implementation Force

22. NATO may, in the conduct of the Operation, have need to make improvements or modifications to certain infrastructure in the FRY, such as roads, bridges, tunnels, buildings, and utility systems. Any such improvements or modifications of a non-temporary nature shall become part of and in the same ownership as that infrastructure. Temporary improvements or modifications may be removed at the discretion of the NATO Commander, and the infrastructure returned to as near its original condition as possible, fair wear and tear excepted.

National economic plan No specific mention.

Natural resources Page 13, Chapter 1: Constitution, Article VIII: Communes
4. The communes shall have responsibility for:

...

f. regulating hunting and fishing;

Page 23, Chapter 4: Economic Issues, Article II

Article II

1. The Parties agree to reallocate ownership and resources in accordance insofar as possible with the distribution of powers and responsibilities set forth in this Agreement, in the following areas:

a. government-owned assets (including educational institutions, hospitals, natural resources, and production facilities);

International funds Page 23, Chapter 4: Economic Issues, Article I

7. If expressly required by an international donor or lender, international contracts for reconstruction projects shall be concluded by the authorities of the Federal Republic of Yugoslavia, which shall establish appropriate mechanisms to make such funds available to Kosovo authorities. Unless precluded by the terms of contracts, all reconstruction projects that exclusively concern Kosovo shall be managed and implemented by the appropriate Kosovo authority.

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

1. In parallel with the continuing full implementation of this Agreement, urgent attention must be focused on meeting the real humanitarian and economic needs of Kosovo in order to help create the conditions for reconstruction and lasting economic recovery. International assistance will be provided without discrimination between national communities.

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

2. The Parties welcome the willingness of the European Commission working with the international community to co-ordinate international support for the parties' efforts. Specifically, the European Commission will organize an international donors' conference within one month of entry into force of this Agreement.

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

4. The international community will provide the means for the rapid improvement of living conditions for the population of Kosovo through the reconstruction and rehabilitation of housing and local infrastructure (including water, energy, health and local education infrastructure) based on damage assessment surveys.

Page 24-25, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

7. International assistance, with the exception of humanitarian aid, will be subject to full compliance with this Agreement as well as other conditionalities defined in advance by the donors and the absorptive capacity of Kosovo.

Page 26, Chapter 5: Implementation I, Article II: Responsibilities and Powers

1. The CIM shall:

...

d. participate in meetings of donor organizations, including on issues of rehabilitation and reconstruction, in particular by putting forward proposals and identifying priorities for their consideration as appropriate;

Business

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

3. The Federal Republic of Yugoslavia has competence in Kosovo over the following areas, except as specified elsewhere in this Agreement:

...

b. maintaining a common market within the Federal Republic of Yugoslavia, which power shall be exercised in a manner that does not discriminate against Kosovo

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly

5.a. The Assembly shall be responsible for:

...

vii. Enacting laws ensuring free movement of goods, services, and persons in Kosovo consistent with this Agreement;

...

xv. Adopting programs for the development of agriculture and of rural areas;

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

...

e. regulating commerce and privately-owned stores;

...

i. developing programs for tourism, the hotel industry, catering, and sport;

j. organizing fairs and local markets;

Page 45, Appendix B: Status of Multi-National Military Implementation Force

18. NATO shall be allowed to contract directly for the acquisition of goods, services, and construction from any source within and outside the FRY. Such contracts, goods, services, and construction shall not be subject to the payment of duties, taxes, or other charges. NATO may also carry out construction works with their own personnel.

Page 45, Appendix B: Status of Multi-National Military Implementation Force

19. Commercial undertakings operating in the FRY only in the service of NATO shall be exempt from local laws and regulations with respect to the terms and conditions of their employment and licensing and registration of employees, businesses, and corporations.

Page 46, Appendix B: Status of Multi-National Military Implementation Force

20. NATO may hire local personnel who on an individual basis shall remain subject to local laws and regulations with the exception of labor/employment laws. However, local personnel hired by NATO shall:

(a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity; (b) be immune from national services and/or national military service obligations; (c) be subject only to employment terms and conditions established by NATO; and (d) be exempt from taxation on the salaries and emoluments paid to them by NATO.

Taxation

Socio-economic reconstruction→Taxation→Power to tax

Page 2-3, Framework, Article II: Confidence-Building Measures, Access for International Assistance

5. There shall be no impediments to the normal flow of goods into Kosovo, including materials for the reconstruction of homes and structures. The Federal Republic of Yugoslavia shall not require visas, customs, or licensing for persons or things for the Implementation Mission (IM), the UNHCR, and other international organizations, as well as for non-governmental organizations working in Kosovo as determined by the Chief of the Implementation Mission (CIM).

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

3. The Federal Republic of Yugoslavia has competence in Kosovo over the following areas, except as specified elsewhere in this Agreement:

...

f. customs services,

g. federal taxation

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

7. There shall be no interference with the right of citizens and national communities in Kosovo to call upon appropriate institutions of the Republic of Serbia for the following purposes:

...

c. other voluntarily received services, provided that these services are not related to police and security matters governed by Chapters 2 and 7 of this Agreement, and that any Republic personnel serving in Kosovo pursuant to this paragraph shall be unarmed service providers acting at the invitation of a national community in Kosovo, The Republic shall have the authority to levy taxes or charges on those citizens requesting services pursuant to this paragraph, as necessary to support the provision of such services.

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

...

c. finance their activities by collecting contributions the national communities may decide to levy on members of their own communities.

Page 6, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly

5.a. The Assembly shall be responsible for:

i. Financing activities of Kosovo institutions, including by levying taxes and duties on sources within Kosovo;

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

...

l. financing the work of communal institutions, including raising revenues, taxes, and preparing budgets.

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

4. The IM shall have the authority to:

a. Monitor, observe, and inspect law enforcement activities, personnel, and facilities, including border police and customs units, as well as associated judicial organizations, structures, and proceedings;

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly
5.a. The Assembly shall be responsible for:
... xviii. Regulating land registries.

Page 13, Chapter 1: Constitution, Article VIII: Communes
4. The communes shall have responsibility for:
... h. regulating land use, town planning, building regulations, and housing construction;

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage

Land, property and environment→Cultural heritage→Tangible

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

a. preserve and protect their national, cultural, religious, and linguistic identities, including by:

...

iii. providing for education and establishing educational institutions, in particular for schooling in their own language and alphabet and in national culture and history, for which relevant authorities will provide financial assistance; curricula shall reflect a spirit of tolerance between national communities and respect for the rights of members of all national communities in accordance with international standards;

...

vii. the preservation of sites of religious, historical, or cultural importance to the national community in cooperation with other authorities;

Land, property and environment→Cultural heritage→Intangible

Page 12, Chapter 1: Constitution, Article VII: National Communities

4. The additional rights of the national communities, acting through their democratically elected institutions, are to:

a. preserve and protect their national, cultural, religious, and linguistic identities, including by:

i. inscribing local names of towns and villages, of squares and streets, and of other topographic names in the language and alphabet of the national community in addition to signs in Albanian and Serbian, consistent with decisions about style made by the communal institutions;

ii. providing information in the language and alphabet of the national community;

Page 12, Chapter 1: Constitution, Article VII: National Communities

5. Members of national communities shall also be individually guaranteed:

...

c. the right to use their languages and alphabets;

Land, property and environment→Cultural heritage→Promotion

Page 12, Chapter 1: Constitution, Article VII: National Communities

5. Members of national communities shall also be individually guaranteed:

... f. the right to establish cultural and religious associations, for which relevant authorities will provide financial assistance.

Environment

Page 7, Chapter 1: Constitution, Article II: The Assembly General, Powers of the Assembly

5.a. The Assembly shall be responsible for:

...

xiii. Protecting the environment, where inter-communal issues are involved;

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

...

d. protecting the communal environment;

...

f. regulating hunting and fishing;

**Water or riparian
rights or access**

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

...

g. planning and carrying out public works of communal importance, including roads and water supplies, and participating in the planning and carrying out of Kosovo-wide public works projects in coordination with other communes and Kosovo authorities;

Page 24, Chapter 4 A: Humanitarian Assistance, Reconstruction and Economic Development

4. The international community will provide the means for the rapid improvement of living conditions for the population of Kosovo through the reconstruction and rehabilitation of housing and local infrastructure (including water, energy, health and local education infrastructure) based on damage assessment surveys.

Security sector

**Security
Guarantees**

Page 6, Chapter 1: Constitution, Article II: The Assembly General, Power of the Assembly
5. The Assembly shall be responsible for enacting laws of Kosovo, including in political, security, economic, social, educational, scientific, and cultural areas as set out below and elsewhere in this Agreement. This Constitution and the laws of the Kosovo Assembly shall not be subject to change or modification by authorities of the Republics or the Federation.

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

4. The IM shall have the authority to:

...

d. In coordination with KFOR, assess threats to public order;

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, Framework, Article II: Confidence-Building Measures, End of Use of Force

1. Use of force in Kosovo shall cease immediately. In accordance with this Agreement, alleged violations of the cease-fire shall be reported to international observers and shall not be used to justify use of force in response.

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

1. The Parties shall, immediately upon entry into force of this Agreement (EIF), refrain from committing any hostile or provocative acts of any type against each other or against any person in Kosovo. They shall not encourage or organize hostile or provocative demonstrations.

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

2. In carrying out the obligations set forth in paragraph 1, the Parties undertake in particular to cease the firing of all weapons and explosive devices except as authorized by COMKFOR. They shall not place any mines, barriers, unauthorized checkpoints, observation posts (with the exception of COMKFOR-approved border observation posts and crossing points), or protective obstacles. Except as provided in Chapter 2, the Parties shall not engage in any military, security, or training-related activities, including ground, air, or air defense operations, in or over Kosovo, without the prior express approval of COMKFOR.

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

3. Except for Border Guard forces (as provided for in Article IV), no Party shall have Forces present within a 5 kilometer zone inward from the international border of the FRY that is also the border of Kosovo (hereinafter "the Border Zone"). The Border Zone will be marked on the ground by EIF + 14 days by VJ Border Guard personnel in accordance with direction from IM. COMKFOR may determine small scale reconfigurations for operational reasons.

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

4. (a) With the exception of civilian police performing normal police duties as determined by the CIM, no Party shall have Forces present within 5 kilometers of the Kosovo side of the boundary of Kosovo with other parts of the FRY.

(b) The presence of any Forces within 5 kilometers of the other side of that boundary shall be notified to COMKFOR; if, in the judgment of COMKFOR, such presence threatens or would threaten implementation of this Chapter in Kosovo, he shall contact the authorities responsible for the Forces in question and may require those Forces to withdraw from or remain outside that area.

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

5. No Party shall conduct any reprisals, counter-attacks, or any unilateral actions in response to violations of this Chapter by another Party. The Parties shall respond to alleged violations of this Chapter through the procedures provided in Article XI.

Page 38, Chapter 7: Implementation II, Article VIII: Operations and Authority of the KFOR

7. Notwithstanding any other provision of this Chapter, the Parties understand and agree that COMKFOR has the right and is authorized to compel the removal, withdrawal, or relocation of specific Forces and weapons, and to order the cessation of any activities whenever the COMKFOR determines such Forces, weapons, or activities to constitute a threat or potential threat to either the KFOR or its mission, or to another Party. Forces failing to redeploy, withdraw, relocate, or to cease threatening or potentially threatening activities following such a demand by the KFOR shall be subject to military action by the KFOR, including the use of necessary force, to ensure compliance,

consistent with the terms set forth in Article I, paragraph 2.

Police

Page 2, Framework, Article II: Confidence-Building Measures, End of Use of Force

2. The status of police and security forces in Kosovo, including withdrawal of forces, shall be governed by the terms of this Agreement. Paramilitary and irregular forces in Kosovo are incompatible with the terms of this Agreement.

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

6. With respect to Kosovo:

...

b. Deployment and use of police and security forces shall be governed by Chapters 2 and 7 of this Agreement;

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

7. There shall be no interference with the right of citizens and national communities in Kosovo to call upon appropriate institutions of the Republic of Serbia for the following purposes:

...

c. other voluntarily received services, provided that these services are not related to police and security matters governed by Chapters 2 and 7 of this Agreement, and that any Republic personnel serving in Kosovo pursuant to this paragraph shall be unarmed service providers acting at the invitation of a national community in Kosovo...

Page 13, Chapter 1: Constitution, Article VIII: Communes

4. The communes shall have responsibility for:

a. law enforcement, as specified in Chapter 2 of this Agreement;

...

k. organizing public services of communal importance, including fire, emergency response, and police consistent with Chapter 2 of this Agreement;

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

1. All law enforcement agencies, organizations and personnel of the Parties, which for purposes of this Chapter will include customs and border police operating in Kosovo, shall act in compliance with this Agreement and shall observe internationally recognized standards of human rights and due process. In exercising their functions, law enforcement personnel shall not discriminate on any ground, such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national community, property, birth or other status.

Page 14-15, Chapter 2: Police and Civil Public Society, Article I: General Principles

2. ...The Chief of the Implementation Mission (CIM) or his designee shall have the authority to issue binding directives to the Parties and subsidiary bodies on police and civil public security matters to obtain compliance by the Parties with the terms of this Chapter. The Parties agree to cooperate fully with the IM and to comply with its directives. Personnel assigned to police-related duties within the IM shall be permitted to wear a uniform while serving in this part of the mission.

Page 15, Chapter 2: Police and Civil Public Society, Article I: General Principles

4. The IM shall have the authority to:

a. Monitor, observe, and inspect law enforcement activities, personnel, and facilities, including border police and customs units, as well as associated judicial organizations, structures, and proceedings;

b. Advise law enforcement personnel and forces, including border police and customs units, and, when necessary to bring them into compliance with this Agreement, including this Chapter, issue appropriate binding directions in coordination with KEOP;

Armed forces

Page 2, Framework, Article II: Confidence-Building Measures, End of Use of Force

2. The status of police and security forces in Kosovo, including withdrawal of forces, shall be governed by the terms of this Agreement. Paramilitary and irregular forces in Kosovo are incompatible with the terms of this Agreement.

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

3. The Federal Republic of Yugoslavia has competence in Kosovo over the following areas, except as specified elsewhere in this Agreement:

...

d. defense [sic]

Page 5, Chapter 1: Constitution, Article 1: Principles of Democratic Self-Government in Kosovo

6. With respect to Kosovo:

...

b. Deployment and use of police and security forces shall be governed by Chapters 2 and 7 of this Agreement;

Page 15, Chapter 2: Police and Civil Public Society, Article I: General Principles

5. All Kosovo, Republic and Federal law enforcement and Federal military authorities shall be obligated, in their respective areas of authority, to ensure freedom of movement and safe passage for all persons, vehicles and goods...

Page 18, Chapter 1: Constitution, Article IV: Criminal Justice Commissions

3. The membership of the Kosovo Criminal Justice Commission and each Communal Criminal Justice Commission shall be representative of the population and shall include:

a. In the Kosovo Criminal Justice Commission:

...

vi. a representative of the VJ border guard, as appropriate;

...

b. In the Communal Criminal Justice Commissions:

...

vi. a representative of the VJ border guard, who shall have observer status, as appropriate;

Page 26, Chapter 5: Implementation I, Article II: Responsibilities and Powers

1. The CIM shall:

...

g. carry out the functions specified in this Agreement pertaining to police and security forces.

Page 30, Chapter 7: Implementation II, Article I: General Obligations

2. The purposes of these obligations are as follows:

a. ...Other than those Forces provided for in this Chapter, under no circumstances shall any armed Forces enter, reenter, or remain within Kosovo without the prior express consent of the KFOR Commander (COMKFOR). For the

purposes of this Chapter, the term "Forces" includes all personnel and organizations with military capability, including regular army... air forces, national guards... army reserves, military police... and any other groups or individuals so designated by

COMKFOR. The only exception to the provisions of this paragraph is for civilian police engaged in hot pursuit of a person suspected of committing a serious criminal offense, as

provided for in Chapter 2; Page 59 of 68

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

DDR

Security sector→DDR→Demilitarisation provisions

Page 31, Chapter 7: Implementation II, Article III: Redeployment, Withdrawal, and Demilitarization of Forces

In order to disengage their Forces and to avoid any further conflict, the Parties shall immediately upon EIF begin to re-deploy, withdraw, or demilitarize their Forces in accordance with Articles IV, V, and VI.

Page 33, Chapter 7: Implementation II, Article V: Other Forces

1. The actions of Forces in Kosovo other than KFOR, VJ, MUP, or local police forces provided for in Chapter 2 (hereinafter referred to as "Other Forces") shall be in accordance with this Article. Upon EIF, all Other Forces in Kosovo must immediately observe the provisions of Article I, paragraph 2, Article II, paragraph 1, and Article III and in addition refrain from all hostile intent, military training and formations, organization of demonstrations, and any movement in either direction or smuggling across international borders or the boundary between Kosovo and other parts of the FRY. Furthermore, upon EIF, all Other Forces in Kosovo must publicly commit themselves to demilitarize on terms to be determined by COMKFOR, renounce violence, guarantee security of international personnel, and respect the international borders of the FRY and all terms of this Chapter.

Page 33-34, Chapter 7: Implementation II, Article V: Other Forces

2. Except as approved by COMKFOR, from K-Day, all Other Forces in Kosovo must not carry

weapons:

- a. within 1 kilometer of VJ and MUP cantonments listed at Appendix A;
- b. within 1 kilometer of the main roads as follows:

[Summary: The agreement lists 13 routes within Kosovo where the restrictions apply].

- c. within 1 kilometer of the Border Zone;
- d. in any other areas designated by COMKFOR.

Page 34, Chapter 7: Implementation II, Article V: Other Forces

3. By K-Day + 5 days, all Other Forces must abandon and close all fighting positions, entrenchments, and checkpoints.

Page 34, Chapter 7: Implementation II, Article V: Other Forces

4. By K-Day + 5 days, all Other Forces' commanders designated by COMKFOR shall report completion of the above requirements in the format at Article VII to COMKFOR and continue to provide weekly detailed status reports until demilitarization is complete.

Page 34, Chapter 7: Implementation II, Article V: Other Forces

5. COMKFOR will establish procedures for demilitarization and monitoring of Other Forces in Kosovo and for the further regulation of their activities. These procedures will be established to facilitate a phased demilitarization program as follows:

- a. By K-Day + 5 days, all Other Forces shall establish secure weapons storage sites, which shall be registered with and verified by the KFOR;
- b. By K-Day + 30 days, all Other Forces shall store all prohibited weapons (any weapon 12.7mm or larger, any anti-tank or anti-aircraft weapons, grenades, mines or explosives) and automatic weapons in the registered weapons storage sites. Other Forces commanders shall confirm completion of weapons storage to COMKFOR no later than K-Day + 30 days;
- c. By K-Day + 30 days, all Other Forces shall cease wearing military uniforms and insignia, and cease carrying prohibited weapons and automatic weapons;
- d. By K-Day + 90 days, authority for storage sites shall pass to the KFOR. After this date, it shall be illegal for Other Forces to possess prohibited weapons and automatic weapons, and such weapons shall be subject to confiscation by the KFOR.

Page 34, Chapter 7: Implementation II, Article V: Other Forces

**Intelligence
services**

Page 30, Chapter 7: Implementation II, Article I: General Obligations

2. The purposes of these obligations are as follows:

a. to establish a durable cessation of hostilities. Other than those Forces provided for in this Chapter, under no circumstances shall any armed Forces enter, reenter, or remain within Kosovo without the prior express consent of the KFOR Commander (COMKFOR).

For the

purposes of this Chapter, the term "Forces" includes all personnel and organizations with military capability, including regular army, armed civilian groups, paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, Ministry of Internal Affairs, Local, Special, Riot and Anti-Terrorist Police, and any other groups or individuals so designated by COMKFOR. The only exception to the provisions of this paragraph is for civilian police engaged in hot pursuit of a person suspected of committing a serious criminal offense, as provided for in Chapter 2;

**Parastatal/rebel
and opposition
group forces**

Page 30, Chapter 7: Implementation II, Article I: General Obligations

2. The purposes of these obligations are as follows:

a. to establish a durable cessation of hostilities. Other than those Forces provided for in this Chapter, under no circumstances shall any armed Forces enter, reenter, or remain within Kosovo without the prior express consent of the KFOR Commander (COMKFOR).

For the

purposes of this Chapter, the term "Forces" includes all personnel and organizations with military capability, including regular army, armed civilian groups, paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, Ministry of Internal Affairs, Local, Special, Riot and Anti-Terrorist Police, and any other groups or individuals so designated by COMKFOR. The only exception to the provisions of this paragraph is for civilian police engaged in hot pursuit of a person suspected of committing a serious criminal offense, as provided for in Chapter 2;

~

Page 2, Framework, Article II: Confidence-Building Measures, End of Use of Force

2. The status of police and security forces in Kosovo, including withdrawal of forces, shall be governed by the terms of this Agreement. Paramilitary and irregular forces in Kosovo are incompatible with the terms of this Agreement.

Page 30, Chapter 7: Implementation II, Article I: General Obligations

2. The purposes of these obligations are as follows:

a. to establish a durable cessation of hostilities. Other than those Forces provided for in this Chapter, under no circumstances shall any armed Forces enter, reenter, or remain within Kosovo without the prior express consent of the KFOR Commander (COMKFOR).

For the

purposes of this Chapter, the term "Forces" includes all personnel and organizations with military capability, including regular army, armed civilian groups, paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, Ministry of Internal Affairs, Local, Special, Riot and Anti-Terrorist Police, and any other groups or individuals so designated by COMKFOR. The only exception to the provisions of this paragraph is for civilian police engaged in hot pursuit of a person suspected of committing a serious criminal offense, as provided for in Chapter 2;

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

3. Except for Border Guard forces (as provided for in Article IV), no Party shall have Forces present within a 5 kilometer zone inward from the international border of the FRY that is also the border of Kosovo (hereinafter "the Border Zone"). The Border Zone will be marked on the ground by EIF + 14 days by VJ Border Guard personnel in accordance with direction from IM. COMKFOR may determine small scale reconfigurations for operational reasons.

Page 31, Chapter 7: Implementation II, Article II: Cessation of Hostilities

4. (a) With the exception of civilian police performing normal police duties as determined by the CIM, no Party shall have Forces present within 5 kilometers of the Kosovo side of the boundary of Kosovo with other parts of the FRY.

(b) The presence of any Forces within 5 kilometers of the other side of that boundary shall be notified to COMKFOR; if, in the judgement of COMKFOR, such presence threatens or would threaten implementation of this Chapter in Kosovo, he shall contact the authorities responsible for the Forces in question and may require those Forces to

withdraw from or remain outside that area

Withdrawal of foreign forces	Page 34, Chapter 7: Implementation II, Article V: Other Forces 6. By EIF + 30 days, subject to arrangements by COMKFOR if necessary, all Other Forces personnel who are not of local origin, whether or not they are legally within Kosovo, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other States, shall be withdrawn from Kosovo.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	Page 5-6, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo 9. To preserve and promote democratic self-government in Kosovo, all candidates for appointed, elective, or other public office, and all office holders, shall meet the following criteria: ... b. All candidates and office holders shall renounce violence as a mechanism for achieving political goals; past political or resistance activities shall not be a bar to holding office in Kosovo.
Amnesty/pardon	Transitional justice→Amnesty/pardon→Amnesty/pardon proper Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues 12. Each Party: ... b. shall grant a general amnesty for all persons already convicted of committing politically motivated crimes related to the conflict in Kosovo. This amnesty shall not apply to those properly convicted of committing serious violations of international humanitarian law at a fair and open trial conducted pursuant to international standards.

Courts

Transitional justice→Courts→National courts

Page 15, Chapter 2: Police and Civil Public Society, Article I: General Principles

6. The Parties undertake to provide one another mutual assistance, when requested, in the surrender of those accused of committing criminal acts within a Party's jurisdiction, and in the investigation and prosecution of offenses across the boundary of Kosovo with other parts of the FRY. The Parties shall develop agreed procedures and mechanisms for responding to these requests. The CIM or his designee shall resolve disputes on these matters.

Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

12. Each Party:

a. shall not prosecute anyone for crimes related to the conflict in Kosovo, except for persons accused of having committed serious violations of international humanitarian law. In order to facilitate transparency, the Parties shall grant access to foreign experts (including forensics experts) along with state investigators;

Mechanism

No specific mention.

Prisoner release

Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

10. All abducted persons or other persons held without charge shall be released. The Parties shall also release and transfer in accordance with this Agreement all persons held in connection with the conflict. The Parties shall cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work in accordance with its mandate, including ensuring full access to all such persons, irrespective of their status, wherever they might be held, for visits in accordance with the ICRC's standard operating procedures.

Page 39-40, Chapter 7: Implementation II, Article XII: Prisoner Release

1. By EIF + 21 days, the Parties shall release and transfer, in accordance with international humanitarian standards, all persons held in connection with the conflict (hereinafter "prisoners"). In addition, the Parties shall cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work, in accordance with its mandate, to implement and monitor a plan for the release and transfer of prisoners in accordance with the above deadline. In preparation for compliance with this requirement, the Parties shall:

(a) grant the ICRC full access to all persons, irrespective of their status, who are being held by them in connection with the conflict, for visits in accordance with the ICRC's standard operating procedures;

(b) provide to the ICRC any and all information concerning prisoners, as requested by the ICRC, by EIF + 14 days.

Page 40, Chapter 7: Implementation II, Article XII: Prisoner Release

2. The Parties shall provide information, through the tracing mechanisms of the ICRC, to the families of all persons who are unaccounted for. The Parties shall cooperate fully with the ICRC in its efforts to determine the identity, whereabouts, and fate of those unaccounted for.

Vetting

Page 5-6, Chapter 1: Constitution, Article I: Principles of Democratic Self-Government in Kosovo

9. To preserve and promote democratic self-government in Kosovo, all candidates for appointed, elective, or other public office, and all office holders, shall meet the following criteria:

a. No person who is serving a sentence imposed by the International Criminal Tribunal for the Former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may stand as a candidate or hold any office; and

b. All candidates and office holders shall renounce violence as a mechanism for achieving political goals; past political or resistance activities shall not be a bar to holding office in Kosovo.

Victims

Page 10, Chapter 1: Constitution, Article V: Judiciary, Constitutional Court

7. Following the exhaustion of other legal remedies, the Constitutional Court shall at the request of any person claiming to be a victim have jurisdiction over complaints that human rights and fundamental freedoms and the rights of members of national communities set forth in this Constitution have been violated by a public authority.

Page 29, Chapter 6: The Ombudsman, Article III: Powers and Duties

1. The Ombudsman shall investigate alleged violations falling within the jurisdiction set forth in Article II.1. He or she may act either on his or her own initiative or in response to an allegation presented by any Party or person, non-governmental organization, or group of individuals claiming to be the victim of a violation or acting on behalf of alleged victims who are deceased or missing. The work of the Ombudsman shall be free of charge to the person concerned.

Missing persons

Page 3, Framework, Article II: Confidence-Building Measures, Detention of Combatants and Justice Issues

11. The Parties shall provide information, through tracing mechanisms of the ICRC, to families of all persons who are unaccounted for. The Parties shall cooperate fully with the ICRC and the International Commission on Missing Persons in their efforts to determine the identity, whereabouts, and fate of those unaccounted for.

Page 40, Chapter 7: Implementation II, Article XII: Prisoner Release

2. The Parties shall provide information, through the tracing mechanisms of the ICRC, to the families of all persons who are unaccounted for. The Parties shall cooperate fully with the ICRC in its efforts to determine the identity, whereabouts, and fate of those unaccounted for.

Reparations	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 2, Framework, Article II: Confidence-Building Measures, Return</p> <p>3. The Parties recognize that all persons have the right to return to their homes. Appropriate authorities shall take all measures necessary to facilitate the safe return of persons, including issuing necessary documents. All persons shall have the right to reoccupy their real property, assert their occupancy rights in state-owned property, and recover their other property and personal possessions. The Parties shall take all measures necessary to readmit returning persons to Kosovo.</p>
Reconciliation	<p>Page 4, Chapter 1: Constitution</p> <p>Affirming their belief in a peaceful society, justice, tolerance, and reconciliation...</p>

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar

Page 2, Framework, Article II: Confidence-Building Measures, End of Use of Force

1. Use of force in Kosovo shall cease immediately. In accordance with this Agreement, alleged violations of the cease-fire shall be reported to international observers and shall not be used to justify use of force in response.

Page 3, Framework, Article II: Confidence-Building Measures, Other Issues

9. The Parties shall immediately comply with all requests for support from the Implementation Mission (IM). The IM shall have its own broadcast frequencies for radio and television programming in Kosovo. The Federal Republic of Yugoslavia shall provide all necessary facilities, including frequencies for radio communications, to all humanitarian organizations responsible for delivering aid in Kosovo.

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

2. The Parties invite the Organization for Security and Cooperation in Europe (OSCE) through its Implementation Mission (IM) to monitor and supervise implementation of this Chapter and related provisions of this Agreement. The Chief of the Implementation Mission (CIM) or his designee shall have the authority to issue binding directives to the Parties and subsidiary bodies on police and civil public security matters to obtain compliance by the Parties with the terms of this Chapter. The Parties agree to cooperate fully with the IM and to comply with its directives. Personnel assigned to police-related duties within the IM shall be permitted to wear a uniform while serving in this part of the mission.

Page 14, Chapter 2: Police and Civil Public Society, Article I: General Principles

[Summary: This article provides extensively for the authority of the International Mission, and the IM's coordination with KFOR.]

Page 16, Chapter 2: Police and Civil Public Society, Article II: Communal Police, 3. Criminal Justice Administration.

[Summary: This section of the agreement provides for the establishment of a Criminal Justice Administration, see 'Criminal Justice' for full provision].

Page 16-17, Chapter 2: Police and Civil Public Society, Article II: Communal Police and Article III: Interim Police Academy

[Summary: These articles detail extensively the role of the IM in approving and monitoring uniform and equipment of the communal police, recruitment, and the CJA's establishment of an interim Police Academy.]

Page 18, Chapter 2: Police and Civil Public Society, Article IV: Criminal Justice Commissions

[Summary: This section of the agreement deals extensively with the formation and composition of Criminal Justice Commissions, and the role of the IM in forming these commissions. See 'Criminal Justice' for the full section.]

Page 19, Chapter 2: Police and Civil Security, Article V: Police Operations in Kosovo

1.b. During the period of the phased drawdown of the MUP, the MUP in Kosovo shall have authority to conduct only civil police functions and shall be under the supervision and control of the CIM. The IM may dismiss from service, or take other appropriate disciplinary action against, MUP personnel who obstruct implementation of this Agreement.

Page 19, Chapter 2: Police and Civil Security, Article V: Police Operations in Kosovo, and Article VI: Security on International Borders

[Summary: These articles deal extensively with the policing of FRY and Kosovo borders, with brief references to the supervising role of the IM.]

Enforcement mechanism

Page 27, Chapter 5: Implementation I, Article IV: Process of Implementation, General
1. The Parties acknowledge that complete implementation will require political acts and measures, and the election and establishment of institutions and bodies set forth in this Agreement. The Parties agree to proceed expeditiously with these tasks on a schedule set by the Joint Commission. The Parties shall provide active support, cooperation, and participation for the successful implementation of this Agreement.

Page 31, Chapter 7: Implementation II, Article I: General Obligations
3. The Parties understand and agree that the obligations undertaken in this Chapter shall apply equally to each Party. Each Party shall be held individually responsible for compliance with its obligations, and each agrees that delay or failure to comply by one Party shall not constitute cause for any other Party to fail to carry out its own obligations. All Parties shall be equally subject to such enforcement action by the KFOR as may be necessary to ensure implementation of this Chapter in Kosovo and the protection of the KFOR, IM, and other international organizations, agencies, and non-governmental organizations involved in the implementation of this Agreement.

Page 46, Chapter 8: Amendment, Comprehensive Assessment, and Final Clauses, Article I: Amendment and Comprehensive Assessment
1. Amendments to this Agreement shall be adopted by agreement of all the Parties, except as otherwise provided by Article X of Chapter 1.

Page 46, Chapter 8: Amendment, Comprehensive Assessment, and Final Clauses, Article I: Amendment and Comprehensive Assessment
2. Each Party may propose amendments at any time and will consider and consult with the other Parties with regard to proposed amendments.

Page 46, Chapter 8: Amendment, Comprehensive Assessment, and Final Clauses, Article I: Amendment and Comprehensive Assessment
3. Three years after the entry into force of this Agreement, an international meeting shall be convened to determine a mechanism for a final settlement for Kosovo, on the basis of the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of this Agreement, and the Helsinki Final Act, and to undertake a comprehensive assessment of the implementation of this Agreement and to consider proposals by any Party for additional measures.

Related cases

No specific mention.

Source

United States Institute of Peace
<http://www.usip.org/publications/peace-agreements-kosovo>
http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/kosovo_ramb.pdf