Dealing with the Past and Reconciliation in Kosovo: A Summary of Institutions and Initiatives

A Working Document

2017

Prishtina, Kosovo
Acknowledgments

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### Acronyms

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<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>DDR</td>
<td>Disarmament, Demobilization, Reintegration</td>
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<td>DPA</td>
<td>UN Department of Political Affairs</td>
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<td>EU</td>
<td>European Union</td>
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<td>EULEX</td>
<td>The European Union Rule of Law Mission in Kosovo</td>
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<td>FVU</td>
<td>Force Vetting Unit</td>
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<td>ICTY</td>
<td>International Criminal Tribunal for the Former Yugoslavia</td>
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<td>IMWG DwPR</td>
<td>Inter-Ministerial Working Group on Dealing with the Past and Reconciliation</td>
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<td>KFOR</td>
<td>Kosovo Force</td>
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<td>KLA</td>
<td>Kosovo Liberation Army</td>
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<td>KPA</td>
<td>Kosovo Property Agency</td>
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<td>KPC</td>
<td>Kosovo Protection Corps</td>
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<td>NAPISAA</td>
<td>National Action Plan for the Implementation of the Stabilization and Association Agreement</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NGO</td>
<td>Non-governmental organization</td>
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<tr>
<td>OHCHR</td>
<td>UN Office of the High Commissioner for Human Rights</td>
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<td>OMPF</td>
<td>Office of Missing Persons and Forensics</td>
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<tr>
<td>PCC</td>
<td>Property Claims Commission</td>
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<tr>
<td>RECOM</td>
<td>Regional Commission</td>
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<tr>
<td>SAA</td>
<td>Stabilization and Association Agreement</td>
</tr>
<tr>
<td>STJK</td>
<td>Support to Transitional Justice in Kosovo</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNKT</td>
<td>UN Kosovo Team</td>
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<td>UNMIK</td>
<td>United Nations Mission in Kosovo</td>
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I. Introduction

The movement for an independent Kosovo\(^1\) escalated into an armed conflict between February 1998 and June 1999. The autonomy Kosovo had within the former socialist Yugoslavia under President Tito was removed by Serbia beginning with legal amendments in 1989, and removal of autonomous institutions over the 1990s. In response, ethnic Albanian resistance began with the establishment of parallel institutions for governance (for example education, medical, tax structures), and ultimately armed resistance culminating in the 1998 - 1999 armed conflict. The conflict came to an end in 1999 when NATO, in support of the Kosovo Liberation Army (KLA), conducted protected bombing to drive back Serbian elements. The intervention led to the withdrawal of Serbian forces from Kosovo and the establishment of an interim United Nations Mission in Kosovo (UNMIK), which administered an interim government as formal arrangements for Kosovo independence were sought.

The Serbian crackdown on the Kosovo resistance to the removal of Kosovar autonomy over the 1990s, and the subsequent conflict\(^2\) resulted in numerous human rights violations, war crimes and crimes against humanity including: extrajudicial deaths, sexual violence, disappearances, arbitrary arrests, and arbitrary detention. Under the interim UNMIK government and then under the independent Kosovo state, an extensive myriad of transitional justice initiatives have been undertaken in Kosovo in an attempt to establish and verify the truth about these events; seek justice and reparations for victims; and to ensure such a conflict does not happen again.

Chief among these initiatives, the Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG DwPR) was created in June 2012. This document is a compilation of the research and activities of the IMWG DwPR, and a summary of the main initiatives undertaken by Kosovo institutions in line with Kosovo’s obligation to deal with the past and reconciliation, as documented by the IMWG DwPR.

Transitional justice processes do not happen independent of other process; and there have been a number of political, state-building and other processes that have intersected with transitional justice initiatives in Kosovo. This paper does not take stock of these intersecting processes, rather it is focused on the work of the IMWG DwPR and the current status of institutional initiatives aimed at dealing with the past and reconciliation. It is hoped this may serve as a baseline summary for future continued efforts and initiatives to deal meaningfully with the past and promote lasting reconciliation in Kosovo.

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\(^1\) References to Kosovo in this report should be understood to be in the context of the United Nations Security Council resolution 1244 (1999).

\(^2\) The armed conflict in Kosovo is referred to as “The Kosovo Liberation War” in legal documents of the Republic of Kosovo.
II. The Inter-Ministerial Working Group on Dealing with the Past and Reconciliation

A. Background

The 2007 Comprehensive Proposal for the Kosovo Status Settlement, which concluded negotiations with Serbia for Kosovo independence, included an obligation to undertake transitional justice initiatives to deal with the past, and promote reconciliation:

Kosovo shall promote and fully respect a process of reconciliation among all its Communities and their members. Kosovo shall establish a comprehensive and gender sensitive approach for dealing with its past, which shall include a broad range of transitional justice initiatives.3

This obligation, along with the entire Comprehensive Proposal for the Kosovo Status Settlement, was incorporated into the Kosovo Constitution upon independence in 2008.4

In 2012, the International Civilian Office, established in 2008 to oversee the implementation of the Proposal, operationalized this obligation to undertake transitional justice initiatives, deal with the past and promote reconciliation through a commitment to work with the Government to adopt a strategy supporting reconciliation and dealing with the past.5 Following this declaration, a series of workshops were held with government staff and civil society members in early 2012, followed by a one day international conference on 22 May 2012. At the international conference, the Minister of Justice announced the intention to form an Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG DwPR). The IMWG DwPR was formalized by government decision on 4 June 2012.6 The group held its first meeting in March 2013 and has been operational since.

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3The Comprehensive Proposal for the Kosovo Status Settlement, Art. 2.5.
4The Constitution of the Republic of Kosovo, Art. 143:
   1. All authorities in the Republic of Kosovo shall abide by all of the Republic of Kosovo’s obligations under the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007. They shall take all necessary actions for their implementation.
   2. The provisions of the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007 shall take precedence over all other legal provisions in Kosovo.
   3. The Constitution, laws and other legal acts of the Republic of Kosovo shall be interpreted in compliance with the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007. If there are inconsistencies between the provisions of this Constitution, laws or other legal acts of the Republic of Kosovo and the provisions of the said Settlement, the latter shall prevail.
6Decision No. 03/77 of 4 June 2012, On the establishment of Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR) (Annex I).
B. Mandate

The IMWG DwPR was established by the Government of Kosovo Decision No. 03/77, which outlines the composition, purpose, mandate and standards of the group.\(^7\) According to the Decision, the group is composed of representatives from the Office of the Prime Minister; Ministry of Justice; Office of the President; Ministry of Labor and Social Welfare; Ministry of Communities and Returns; Ministry of Health; Ministry of Education, Science and Technology; Ministry of Finance; Ministry of European Integration; Institute for War Crime Research; Government Commission on Missing Persons; Language Commission; and eight members of civil society.\(^8\) The Group is also open to experts and observers from international organizations; foreign embassies; and the judiciary in Kosovo.

The purpose of the IMWG DwPR is to:

... deal with gross human rights violations and serious violations of international humanitarian law in the past in Kosovo including the last war and the transition period taking into consideration the views of all communities in Kosovo in order to promote reconciliation and lasting peace, \textit{inter alia}, by ensuring accountability, serving justice, providing remedies to victims, facilitating truth-seeking, promoting healing, taking all measures needed to restore confidence in the institutions of the State and implementing the rule of law in accordance with international human rights law and transitional justice standards.\(^9\)

The IMWG DwPR is responsible for, and competent to:

1. Establish a comprehensive, inclusive and gender-sensitive approach for dealing with the past in Kosovo including the last war and the transition period taking into consideration the views of victims of all communities in Kosovo, amounting to a National Transitional Justice Strategy,
2. Design and implement a broad range of transitional justice initiatives, strategies, policies and measures to address gross human rights violations,
3. Promote a process of reconciliation among all Communities and their members in Kosovo.\(^10\)

The mandate obliges the group to work within the parameters of domestic legislation, having special regard for the values enshrined in the Kosovo Constitution (article 7), and the State Responsibility for the promotion of tolerance, dialogue and inclusion of minorities (article 58.2).\(^11\) It further requires the

\(^7\) Decision No. 03/77 of 4 June 2012, On the establishment of Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR).
\(^8\) List members of the Working Group on Dealing with the Past and Reconciliation (DwPR), (Annex I)
\(^9\) Decision 03/77, ch. II. Purpose, art. 3.
\(^10\) Decision 03/77, ch. IV. Competencies, art. 6.
\(^11\) Ibid., art. 5 calls for special reference to articles 7 and 58.2 of the Constitution of the Republic of Kosovo. Article 7 (1) The constitutional order of the Republic of Kosovo is based on the principles of freedom, peace, democracy, equality, respect for human rights and freedoms and the rule of law, non-discrimination, the right to property, the protection of environment, social justice, pluralism, separation of state powers, and a market economy. (2) The Republic of Kosovo ensures gender equality as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other areas of societal life. Article 58 (2): The Republic of Kosovo shall promote a spirit of tolerance, dialogue and
group to consider international standards and obligations in the field of transitional justice, international jurisdiction and relevant reports and decisions of the United Nations.

The Working Group is mandated to cover the four pillars of transitional justice: truth-seeking, reparations, justice, and institutional reform. It is intended to be a focal point in order to facilitate dialogue and cooperation between institutions and organizations and spread information about transitional justice in Kosovo.

The primary objective of the IMWG DwPR is to develop a National Strategy on Transitional Justice to be approved by the government. In pursuance of this aim, the Working Group was firstly to prepare its Rules of Procedure and an Action Plan.

Minor amendments were made to the structure and function of the group in 2014. In April 2014 a second deputy chair position was added to be fulfilled by a civil society representative (the chair and first deputy chair being Government representatives), and the reporting method was amended for reports to be submitted to the Government with a copy to the European Union (EU).\(^{12}\)

In October 2014, four institutions of the Office of the Prime Minister were added to the group, and group’s ability to receive financial support from the Government and donors to implement activities was clarified.\(^{13}\) The rules of procedure and work plan of the IMWG DwPR were approved by the Government in October 2014.\(^{14}\)

**Work Plan and Methodology of the Inter-Ministerial Working Group on Dealing with the Past and Reconciliation**

In 2014, the IMWG DwPR developed and approved a Work Plan for Drafting the National Strategy on Transitional Justice in Kosovo 2015 – 2017.\(^{15}\) The Work Plan outlines the general framework on the work, methodology, activities, deadlines, and responsibilities in order to draft the National Strategy.

According to the Work Plan, and guided by the IMWG DwPR mandate, the IMWG DwPR established four sub-groups on the right to know; the right to justice; reparations; and guarantees for non-recurrence.\(^{16}\) The work of the sub-groups, as established in the Work Plan, is to include: consultations with relevant

\(^{12}\)Decision No. 06/181 of 2 April 2014, For amending and updating the Decision of Government of Kosovo No. 03/77 of date 4 June 2012 on Establishment of Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR) (Annex I).

\(^{13}\) Decision No. 04/200 of 15 October 2014 (Annex I).

\(^{14}\) Decision No. 02/200 and Decision No. 03/200 of 15 October 2014. The Rules of Procedure were subsequently passed into Regulation 18/2014 On the Work of the Working Group on Dealing with the Past and Reconciliation (See Annex I).

\(^{15}\)In accordance with the Government Decision No. 03/77 (4/6/2012), as amended by Decision No. 06/181 (2/4/14), and in compliance with the IMWG Rules of Procedure, also approved by the government in 2014.

\(^{16}\) Decision No. 03/77, ch. III. Mandate, art. 4, proposes the use of “the four pillars of transitional Justice, including truth-seeking, reparations, justice and institutional reform”.

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stakeholders and analysis of legislation, policies, and the general state of issues in their relevant field. The groups met regularly throughout 2015 and each created a main list of issues on which to focus. The groups also established a list of victim associations and organizations with which to meet and consult. In 2016, two national consultants assisted the sub-groups to document their initiatives and proposed next steps.

In order to create the National Strategy, the Work Plan outlines how the Group is to conduct public consultations in the form of meetings and workshops with experts, victims, non-governmental organizations, and relevant institutions and stakeholders at the local and national levels. The aim of the public consultations is to enable public discussion in Kosovo on justice, peace, and reconciliation and to develop proposals that contribute to the National Strategy. Consultations are intended to ensure that the Strategy meets the real needs of categories of victims and society and creates opportunities to discuss and debate provisions of the state. In 2016, several workshops were convened by the IMWG DwPR to develop a plan to conduct consultations, however, the national consultations for the purpose of designing a transitional justice strategy are yet to commence. Nonetheless, the IMWG DwPR has developed a preliminary draft of a National Transitional Justice Strategy that is intended to be further developed and finalized after conducting national consultations.

C. Sub-Working Groups

Sub-Working Group on The Right to Know
The main objectives of the Sub-working Group on the Right to Know the Truth are: identifying massive violations of human rights, international humanitarian law, and other violations committed in Kosovo; verifying the truth of events for the victims; and establishing the persons, perpetrators, and motives involved in human rights violations and crimes. These aims are targeted in order to achieve sustainable peace and to conserve collective memory, with full transparency and responsibility.

Sub-objectives of the group are: establishing a national mechanism for seeking both individual and collective truths, which takes into account specifics of the Republic of Kosovo and its history; establishing a mechanism that stores and collects data and evidence; researching and identifying documented facts and the governmental, nongovernmental, and intergovernmental organizations that work in the field of documentation; enlightening the truth surrounding gender-based crimes, forced disappearances, mass deportations, and the destruction of personal data; and establishing the institutional, legal and professional capacities to receive documentation of cases related to Kosovo from the ICTY, UNMIK, and EULEX. In lieu of the public consultation/ national dialogue process for the purpose of designing a transitional justice strategy having been decided upon, the term “consultations” as a name for the process is used for consistency purposes. This is not to presume this is what the process should or will be called when undertaken. Work Plan for Drafting the National Strategy on Transitional Justice in Kosovo (2015-2017) (Annex II). EULEX: The European Union Rule of Law Mission in Kosovo.
Sub-Working Group on The Right to Justice

The main objectives of the Sub-working Group on the Right to Justice are: to ensure free, equal, and inclusive access to justice institutions; and full and rightful consideration of cases of war crimes and crimes against humanity. These aims seek to achieve justice for crimes committed in Kosovo during the conflict.

The sub-objectives of the sub-working group include: institutional reform and capacity building of the justice system; a review of legal framework based on the principle “do no harm”; an expansion of the mandate and responsibilities of the justice system, in order to cover cases in which prosecutors and witnesses are outside of Kosovo; capacity building of judicial personnel; building regional, neighborhood, and international cooperation in order to ease data exchange; developing an efficient system for the protection of data and witnesses; and establishing a new mechanism for the consultation and support of victims in criminal proceedings.

Sub-Working Group on Reparations

The main objective of the Sub-working Group on Reparations is the development of a program of reparations that is transformative, and can build a rightful and peaceful society through the recognition and empowerment of victims. The goal of the group is the societal integration of victims and to build trust between citizens and the state.

The sub-objectives of the group are to create reparation programs that: are transformative; include all groups of victims and ethnicities; are gender sensitive; include collective and individual measures; use a range of reparation measures (including financial assistance, rehabilitation services, positive discrimination in access to services, inclusion in development and transitional justice policies, and symbolic initiatives); include groups of victims in processes of mapping, designing, implementing, monitoring, and evaluation; recognize victims as equal citizens in society and as important allies in the recovery of society from conflict; harmonize and supplement existing measures that are focused on veterans and civilian victims; and have inter-institutional mechanisms of coordination to inform and sensitize the community about groups of victims.

Sub-Working Group on Guarantees of Non-Recurrence

The main objective of the Sub-working Group on Guarantees of Non-recurrence is the elimination of the possibility of recurrence of mass violation of human rights and international criminal law, through institutional, legal, and professional reforms and a process of accountability, transparency, and other democratic standards. The group also aims to support transitional justice through compliance with EU democratic standards.

Sub-objectives of the group include: reviewing reforms in security institutions; reviewing reforms in educational institutions; establishing educational programs and inclusive training programs on human rights and international law; reviewing legal framework for the empowerment of civil society groups working in the area of transitional justice and removing any obstacles to their work, empowering them legally, and increasing their impact; reviewing reforms in public administration; creating a transparent process of verification in accordance with international standards of human rights; developing a vetting process and opening of officials’ dossiers; and a transparent review of state and public administrations.
in order to remove officials that are verified to have been involved in violations of human rights and international criminal law from their positions.

D. International Support

The European Union

In October 2015, the Government of Kosovo signed the Stabilization and Association Agreement (SAA) with the European Union. In December 2015, the Government of Kosovo approved its National Action Plan for the Implementation of the Stabilization and Association Agreement (NAPISAA). Referencing the General Principles of the SAA, included within the NAPISAA is an obligation for the Government to approve a National Transitional Justice Strategy (draft to be provided by the IMWG DwPR). Approval of the Strategy was originally scheduled to be completed in the third quarter of 2016, however, upon clarification by the Ministry of European Integration, the group was advised that the expected timeframe for the approval was the first quarter of 2017. The European Commission reports on the work of the IMWG DwPR in its Kosovo progress reports. The European Union has also provided financial support for transitional justice initiatives in Kosovo.

The United Nations

In December 2013, the Office of the Prime Minister of Kosovo and the United Nations Development Programme in Kosovo (UNDP) entered into a cooperation agreement to support the IMWG DwPR. In June 2014, UNDP together with OHCHR established the Support to Transitional Justice in Kosovo (STJK) project. UN Women and the International Organization for Migration joined the project towards the end of 2014, bringing the support of the UN Kosovo Team (UNKT) to the project. UN Women has provided technical and financial support to the STJK, including through gender-mainstreaming, fundraising, capacity-strengthening activities such as facilitation of workshops, support to sub-working groups, and

20Within the General Principles of the SAA (Articles 3-19), are outlined Kosovo’s obligations for international law, democratic principles, human rights, and rule of law (3, 4); Kosovo’s commitment towards improved relations with Serbia and cooperation with other regional neighbors and EU members (5, 7, 8, 13, 16, 17, 19); cooperation with the ICTY and Rome Statute of the ICC (6); and commitment to WTO Agreements (10).
21NAPISAA, pp. 40, 43, and 449. Within the Matrix of Short Term Measures, Government approval of a Transitional Justice strategy is noted as an item under the Regional Cooperation and International Obligations section to be completed by the third quarter in 2016: p. 449. As this timing was not in line with the IMWG DwPR’s own timing, it sought clarification, via its secretariat, from the Kosovo Ministry of European Integration. The Ministry informed the IMWG DwPR via email on 14 March 2016 that the timing had been pushed back to the first quarter of 2017. As at October 2016, the NAPISAA timing is being reviewed. In line with this, the Report on the Implementation of the National Programme for Implementation of the Stabilization and Association Agreement during January – June 2016 does not address the Transitional Justice strategy in its assessment of the implementation of short-term measures.
22NAPISAA, p. 449. Clarification as received from the Ministry of European Integration by email to the Secretariat of the IMWG DwPR on 14 March 2016.
drafting and editing of materials such as this report. In 2016, through the engagement of UNDP, the UN Department of Political Affairs (DPA) provided support to the STJK and IMWG DwPR with assistance of members of the DPA Standby Team of Mediation Experts. Standby Team members with process design expertise visited Kosovo twice in 2016, providing support for preliminary designs for a national consultation/dialogue process on transitional justice.

The UNKT, led by UNDP, has provided support both directly to the IMWG DwPR, and to the STJK project team established to support the IMWG DwPR secretariat. The project team, comprising of a communications officer; an administrative assistant; a project associate; and senior advisor on transitional justice (June 2014 to June 2016), was at first situated in the Ministry of Internal Affairs and moved to the Office of the Prime Minister in 2016. Two national consultants joined the team in 2016 to assist IMWG DwPR preparations for the development of a national strategy on transitional justice. The STJK project concluded on 30 November 2016.

**The Netherlands**
Through the Dutch Embassy in Kosovo, the Government of the Netherlands supported the establishment of the IMWG DwPR by financing an administrative assistant position within the secretariat and the organizing a conference on transitional justice in October 2013. The Embassy also provided funding for ten IMWG DwPR members to participate in a study visit to Belfast in April 2014.

**Switzerland**
The Swiss Government provided technical and financial support to both the IMWG DwPR and the STJK, notably including the secondment of a Senior Advisor for two years (June 2014 – June 2016). The Swiss Government also funded seven members of the working group (three from Government institutions and four from civil society) to attend a course on Dealing with the Past. Switzerland provided financial support for the implementation of activities, the wages of project staff, and technical support by the Senior Advisor. Additionally, the Swiss Embassy in Kosovo has organized a series of coordination meetings with stakeholders on transitional justice and dealing with the past and reconciliation.

**France**
The French Embassy in Kosovo provided financial support to the STJK to implement activities aimed at awareness-raising about transitional justice, promoting inclusivity and reconciliation, and challenging ethnic stereotypes among children from different communities.

### III. Transitional Justice Initiatives to Deal with the Past in Kosovo

#### A. Truth Seeking

**Missing Persons**
The Victim Recovery and Identification Commission was established on May 11, 2000 by UNMIK. The Commission was mandated to assist in the recovery, identification, and disposition of mortal remains; the collection and maintenance of data related to remains; and the coordination of exhumation and
investigation activities with the International Criminal Tribunal for the former Yugoslavia and competent judicial authorities.\textsuperscript{24}

In June 2002, the UNMIK Office of Missing Persons and Forensics (OMPF), within the Department of Justice, became the sole body responsible for missing persons issues. The Office had a two-fold mandate, to (1) provide information about the fate of missing persons and (2) provide a forensics system of European standards in Kosovo. The tasks of OMPF included the identification of burial sites, and the excavation, exhumation, autopsy, and identification of mortal remains. In 2008, OMPF was transferred from UNMIK to the EULEX Justice Component.

In 2010, the Office of Missing Persons and Forensics was renamed the Department of Forensic Medicine. The Department of Forensic Medicine maintained the mandate to continue missing persons operations and the delivery of forensic medicine, and was given new competences including further developing local forensic capacities.

In 2003, a Memorandum of Understanding between UNMIK and the International Commission on Missing Persons was signed in order to support the DNA identification system within Kosovo. This MoU still serves as a basis for support for the Department of Forensic Medicine.

In 2004, within the framework of the Vienna Dialogue,\textsuperscript{25} an internationally mediated dialogue between Pristina and Belgrade on technical issues, the Working Group on persons unaccounted for in relation to the events in Kosovo between January 1998 and December 2000 was established. The Working Group held its first meeting in March 2005. The Working Group meetings were held between delegations from Kosovo (with UNMIK) and Serbia, and were mediated by representatives from the International Committee of the Red Cross.\textsuperscript{26} The primary mandate of the Working Group was to provide support in the search for missing persons as a result of the war in Kosovo, and to inform families as needed. Although the Working Group continues to function in theory as a dialogue forum between Kosovo and Serbia on the issue of missing persons, limited progress has been made regarding the sharing of sensitive information.\textsuperscript{27}

\textsuperscript{24} Regulation No. 2000/28 On the Victim Recovery and Identification Commission.
\textsuperscript{25} The Vienna Dialogue was launched by the EU in October 2003. The dialogue involved discussions between Kosovo and Serbia on missing persons, returns of displaced persons, energy, transport, and telecommunications. The President of Kosovo and the Assembly Speaker of Kosovo both took part in the launch of the dialogue. The dialogue was meant to open lines of communication between Kosovo and Serbia before the beginning of the final status process. The Working Group on Missing Persons met for the first time in February 2004. However, the Dialogue was suspended in March 2004 after violence erupted in Kosovo.
\textsuperscript{27} Ibid.
In 2008, the Government Commission on Missing Persons was established as an inter-institutional mechanism on missing persons issues. The Commission is made up of the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the Ministry of Justice, the Department of Forensic Medicine, the Ministry of Local Government Administration, the Ministry for Kosovo Security Force, the Ministry of Labor and Social Welfare, and three representatives from the Missing Persons Families’ Association. The 2011 Law No. 04/L-023 on Missing Persons and Regulation No. 15/2012 On the Work of the Government Commission on Missing Persons define the mandate of the Commission as a governmental mechanism that reviews and informs families on the outcomes of search requests; leads, supervises, coordinates, and harmonizes the activities of local and international institutions with regards to missing persons issues; and enlightens the fate of missing persons as a result of the 1998-1999 war, regardless of ethnicity, religion, military, or civil status.  

Law No. 04/L-023 On Missing Persons guarantees the right of families to know the fate and whereabouts of family members missing as a consequence of the war in Kosovo; regulates the legal status of missing persons; and enables the creation of a Central Registry on Missing Persons.

Within the Assembly of the Republic of Kosovo, there is a Parliamentary Commission on Human Rights, Gender Equality, Missing Persons and Petitions. The mandate of this Commission is to organize public discussions; supervise the work of governmental institutions engaged on the issue of missing persons; engage the issue of missing persons in the Assembly; and encourage the issue of missing persons to become part of the work and agenda of the Assembly.

Kosovo War Crimes Research Institute
The Kosovo War Crimes Research Institute began work on 15 June 2011 as a public research institute within the Ministry of Justice. The aim of the Institute is to collect, systematize, process, and publish data on crimes against humanity, war crimes, and acts of genocide committed in Kosovo during 1998 and 1999. The Institute is mandated to analyze and verify crimes and other relevant events in order to develop a database, notes and cases for criminal prosecution that may then be utilized by other specialized institutions. The Institute has begun work to identify and investigate locations where crimes occurred in Kosovo during the war, however, as yet it has not published any data.

Non-Governmental Truth Seeking Initiatives
Many civil society organizations have been heavily involved in the search for missing persons, including: Missing Persons Families’ Association, the Kosovo Red Cross, the Council for the Protection of Human Rights and Freedoms, and the Humanitarian Law Center. In 2001, over 20 associations joined together to create the Coordinating Council of the Association of Families of Missing Persons in Kosovo.

NGOs have been involved in the documentation of mass violations of human rights, including: the Council for the Defense of Human Rights and Freedoms, the Humanitarian Law Center, the Center for

29Law No.04/L–023 On Missing Persons.
the Protection of Women and Children, the Humanitarian and Charitable Society ‘Mother Teresa’, and the Kosovo Rehabilitation Center for Torture Victims.

**RECOM**

RECOM is a regional commission of nongovernmental organizations for establishing and publicizing facts about war crimes and other serious violations of human rights committed in the territory of former Yugoslavia from 1991-2001. The RECOM process began at the First Regional Forum for Transitional Justice in May 2006, as a debate on the instruments of truth-telling and for the disclosure of truth about the past. At the Forum, representatives of nongovernmental organizations and associations of families of missing persons and victims from the former Yugoslav countries voted for the creation of a regional body for the establishment of facts about war crimes.

The Coalition for RECOM was established as an intergovernmental committee at the Fourth Regional Forum for Transitional Justice on 28 October 2008. The Coalition consists of over 2,000 members – organizations and individuals from all the countries of former Yugoslavia. The mandate of the Coalition as an extra-judicial body is to investigate all allegations of war crimes, crimes against humanity and other serious human rights violations in connection with the war; list the names of all war victims and victims of crimes pertaining to the war; collect information about the camps and other centers of forced detention; and initiate debate about instruments for detecting and finding the truth about the past in the former Yugoslavia. The draft Statute of the RECOM Coalition was adopted by the Coalition Assembly on 15 October 2010, and subsequently amended in 2011.

In 2013, presidents from the former Yugoslavian countries appointed envoys to RECOM. These envoys formed the Regional Expert Group for RECOM and made a step towards increased political participation in the Coalition. The Fourth President of Kosovo Atifete Jahjaga appointed her personal advisor on legal affairs Selim Selimi as the envoy from Kosovo. Four meetings were held by the presidential envoys from September 2013 to May 2014. The mandate of the envoys ended in October 2014 and their proposed Amendments to the RECOM Statute Proposal were adopted by the RECOM Coalition in November 2015. This approval marked the initial step to transfer RECOM to the inter-state level.

The Coalition for RECOM continues to work on documentation and to gather political and societal support for the creation of an official regional commission to establish facts related to war crimes in the former Yugoslavia. Efforts are being made to include RECOM in the Berlin Process and to have the

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33 The Berlin Process concerns EU enlargement into the Western Balkans. It began in 2014 with the Conference of Western Balkan States in Berlin and continued at the 2015 Vienna Summit and 2016 Paris Summit. The Process is meant to create a framework for Balkan EU integration, consolidate Western Balkans countries’ integration
presidents of Western Balkan countries sign the Declaration on the Establishment of RECOM at the Rome Summit in 2017.34

**Documentation of Human Rights Violations and War Crimes in Kosovo**

The documentation of violations of human rights and war crimes in Kosovo has been conducted primarily by NGOs acting in Kosovo before, during and after the war. The Council for the Defence of Human Rights and Freedoms in Kosovo has documented human rights violations in Kosovo since 1990, regularly publishing their findings via a the organization’s Bulletin. The Humanitarian Law Center, established in Kosovo after the conflict, has also compiled comprehensive documentation of human losses during and after the conflict in Kosovo through the Kosovo Memory Book project. Other documentation initiatives include those of the Center for Research, Documentation and Publication and the NGO Integra, and various victims groups and associations, which have undertaken small-scale storytelling projects with the families of victims and survivors.

War crime documentation from Kosovo has been used as material evidence for the Court for War Crimes in the former Yugoslavia and for local courts in Kosovo and Serbia. All data about killed persons, mass graves, mass murders, missing persons, political prisoners and war prisoners, physical abuse, psychological abuse, arbitrary arrests, and about displaced persons by force has been provided by documents and materials provided by civil society organizations. However, in contrast to other categories of victims, no lists of victims of sexual violence have been provided. Other documentation of violations has come from witness testimonies, when people were interviewed by ICTY investigators for trials in front of the Tribunal and other local courts.

The ICTY, UNMIK, EULEX and other international organizations in Kosovo focused their documentation efforts primarily on retributive justice. The purpose of this documentation was to collect reliable evidence for prosecuting high-level political and military leaders on all sides of the conflict in the former Yugoslav space. The ICTY possesses the largest amount of primary and secondary documents and extensive audio-visual records on all conflicts in the former Yugoslavia, exceeding nine million entries, which are preserved both in physical and digital formats. Presently, only a small portion of its archive is publicly accessible, the sensitive material is not available to the public. It is unclear how much of this information, in what form, and when this information may become available.

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35 The Kosovo Memory Book contains a digital and printed database of all 13,535 people killed and disappeared during and immediately after the conflict in Kosovo (1 January 1998–31 December 2000). The record is based on 31,600 documents and over 10,000 witness statements, thereby providing a precise and detailed account of all human casualties, including their personal details, a short summary of their life and death, and references to the sources documenting the narrative. Available at: http://www.kosovomemorybook.org/.
B. Reparations

Recognized Categories of Persons Entitled to Reparations

Property Owners

As a consequence of the destruction and destabilization before and during the conflict, many people lost their homes to destruction and/or eviction. After the conflict, a large-scale resettlement and reconstruction programme was undertaken. Details of these initiatives are below under “Institutions for the return of property”.

Political Prisoners

Law No. 03/L-95 On the Rights of Former Politically Convicted and Persecuted regulates the status, special rights, and compensation for persons imprisoned, convicted and/or persecuted for political reasons between 1 March 1913 and 12 June 1999, and their family members. The Law defines the former politically convicted as: “a Kosovo citizen or person who by act decree was convicted for political-ideological incrimination acts of totalitarian regime in former Yugoslavia”; a former political prisoner as: “a person who was arrested, held in custody, isolated, or detained for political motives, for aims of the state and political interests, more than seventy-two (72) hours in special premises of the state”; and the former politically persecuted as: “a Kosovo citizen-person who with a legal act of competent body, for political motives was persecuted by state authorities.”

Pursuant to the Law, these persons have the right to: adequate legal, moral, social, and political rehabilitation; compensation related to confiscated immovable property; material and gradual compensation; rehabilitation, protection, and health insurance; and pension and disability insurance. The Law also provides for: priority in employment; priority in scholarship and accommodation in university dormitories for their children; priority in use of school books without payment; tax and customs facilities for equipment necessary for health rehabilitation; reduced transport expenses (via public transportation); priority for social and economic assistance; shelter; and compensation for burial expenses. The Law also establishes the Governmental Committee for Recognition of Status of the Former Politically Convicted and Former Politically Persecuted and the Institution for Former Politically Convicted and Former Politically Persecuted. The Committee’s work is ongoing; As of 18 November 2016, 2019 political prisoners had received compensation.

Survivors/Victims of Sexual Violence

Law No. 04/L-172 amends and supplements the Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims and their Families of 2011, adding the category of survivors of sexual violence to the Law. The Law defines a sexual violence victim of the war as: “a person who survived sexual abuse and rape within the period from 27 February...
1998 until 10 June 1999.”39 The Law provides verified victims of conflict-related sexual violence the right to a personal pension and access to health services abroad; priority employment in the public and private sector; release from property tax; and residential care. Victims and survivors of conflict-related sexual violence are to be recognized and verified by a Government Commission that has yet to be established in order to have access to the reparations provided for by Laws No. 04/L-172 and No. 04/L-054. Regulation No. 22/2015, passed by the Kosovo Government in December 2015 and entered into force in February 2016, establishes the conditions and procedures required in order to recognize and verify the status of victims of sexual violence during the Kosovo Liberation War by the Government Commission for the Recognition and Verification of the Status of Sexual Violence Victims during the Kosovo Liberation War.40

The fourth President of Kosovo Atifete Jahjaga made significant efforts to acknowledge the rights and suffering of victims of conflict-related sexual violence through the establishment of the National Council for Survivors of Conflict-Related Sexual Violence (see below).

Civilian Victims of the War
Law No. 04/L-054 defines the status and rights of civilian victims of the war and their families. The Law defines a civilian victim of war as: “a person who has died or been wounded by the enemy forces from the period of 27 February 1998 to 20 June 1999, as well as the persons who have suffered as a consequence of the war within three (3) years after the war ended from explosive devices left out [sic] from the war.”41 To the close family members of a civilian victim of war, the Law provides for the rights and benefits of: a family pension; primary and secondary health-care in public health-care institutions; release from property tax; and cheap and reduced tariff electricity consumption to families of civilian victims of war who are in difficult economic situations.

According to the Law, the close family of a missing civilian or civilian taken hostage can realize all the same rights of family members of civilian victims. The Law defines a civilian hostage of war as: “the civilian person, who during the war has been arrested and imprisoned in enemy camps for at least three (3) days” and a missing civilian person as: “a person whose whereabouts is unknown to his or her family members and who based on reliable information was reported missing during the period between 1 January 1998 and 31 December 2000, as a consequence of the war in Kosovo during 1998-1999.”42

39 Law No. 04/L-172 On Amending and Supplementing the Law No. 04/L-054 On the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims and Their Families.
40 Regulation No. 22/2015 On Defining the Procedures for Recognition and Verification of the Status of Sexual Violence Victims During the Kosovo Liberation War; Regulation No. 22/2015 has been amended by Regulation No. 10/2016 On Amending and Supplementing the Regulation No. 22/2015 On Defining the Procedures for Recognition and Verification of the Status of Sexual Violence Victims During the Kosovo Liberation War.
41 Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims and their Families.
42 Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims and their Families.
Physically Injured Civilians

Law No. 04/L-054 defines a civilian injured during the war as: “the person, whose organism has been damaged at least 40% due to wounds received from weapons, disease acquired in the camps or prisons during the recent war in Kosovo, since 27 February 1998 till 20 June 1999, and other persons, whose organism has been damaged at least 40% as a result of explosive devices left after the end of war.” According to the Law, a civilian injured in the war has the right to: a personal disability pension; care and assistance; health services abroad; rehabilitation services; residential care; and release from property tax. Injured civilians are separated into five groups, with disability ranging from 40% to 100%. Injured civilians must have a degree of disability of at least 40% in order to qualify for a pension, and have their degree of disability certified by the Medical Commission within the Ministry of Labor and Social Welfare.

Benefits for Former KLA Members and Their Families

A number of legislative instruments provide benefits and compensation for former KLA members. Compensation that former KLA members receive for service to their country is not considered reparations, but is rather a veteran service benefit. Law No.04/L-054 defines the rights and status of members of the Kosovo Liberation Army who fought, died, or were injured during the war and their families. Benefits in the Law can generally be divided into those for family members of KLA soldiers who were killed and missing during the war and veterans who were injured during the war. To families of KLA members who died or are missing, supports include: a family pension; health services; education and housing benefits and priority; and reduced public service fees and taxes. KLA members injured during the war and their families are given the right to: a personal disability pension; health care and rehabilitation benefits; priority and assistance in employment and education; and public service and tax reductions. Law No.04/L-261 On Kosovo Liberation Army War Veterans also defines the benefits of KLA Veterans and their families. Under this Law, KLA Fighter Veterans and their families have the right to: a Fighter Veteran’s Personal Pension; free health services; employment, education, housing, and transport privileges; and burial costs.

Under Law No. 04/L-070 On Awarding of Honors by the President of the Republic of Kosovo, symbolic public acknowledgement and individual decorations have been given to individuals and organizations for

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43KLA member categories under Law No. 04/L-054 include: National Martyr, KLA Invalid, Veteran of KLA, War Hostage, and Missing KLA Soldier.
44 The realization of certain benefits for injured KLA members is determined according to the degree of disability and the percentage of physical damage. KLA invalids are thus divided into eight groups.
45 According to Law No. 04/L-261, the Law does not apply to those who are already treated and benefiting from Law No. 04/L-054. It also divides Kosovo Liberation Army Veterans into the categories of: KLA War Invalid Veteran; KLA Fighter Veteran; Deported Veteran of KLA; Missing soldier Veteran of KLA; KLA member Veteran; and Participant Veteran of KLA War.
46 Law No. 04/L-261 On Kosovo Liberation Army War Veterans; KLA members are also given rights to health care under Law No. 04/L-249 On Health Insurance and rights to scholarship and educational privileges under Administrative Instruction (MEST) No. 12/2015 For Scholarship Allocation.
their contributions to Kosovo. Among these awards are: “Order of the Hero of Kosovo,” “Order of Freedom,” “Order of Independence,” and the “‘Adem Jashari’ Order of Freedom Fighter.”

Institutions and Structures

*The Department of Martyrs’ Families and War Invalids (DMFWI) & Verification Commission*

The Department of Martyrs’ Families and War Invalids is located within the Ministry of Labor and Social Welfare. The primary tasks and responsibilities of the Department include: the administration, planning, and development of pensions and benefits; carrying out payments for pension and benefit schemes; and developing and publishing statistics on pensions and benefits schemes.

Law No. 04/L-054 gives authority to establish the Governmental Committee on status recognitions and verification of a National Martyr, KLA Invalid, or KLA Internee. The Law requires the Committee to consist of representatives of: the Office of the Prime Minister; the Ministry of Labor and Social Welfare; the Ministry of Security Force; Former KLA Headquarters; Former KLA Operational Zones; KLA Veterans Organization; the Association of the Martyrs Families of the KLA; the War Invalids Association of the KLA; Former KPC; and the Former Ministry of Defense. Regulation No. 23/2012, passed 17 October 2012, gave the authority to establish the Commission and determined its function, duties, and responsibilities. By January 2014, the Commission had already verified 1691 applications. The process is ongoing.

*The National Council for Survivors of Sexual Violence During the War*

The National Council on the Survivors of Sexual Violence During the War in Kosovo (the National Council) was established by Presidential decree by the fourth President of Kosovo Atifete Jahjaga in March 2014. The Council ended its mandate in March 2016 just prior to the end of the Presidential term of President Jahjaga (April 2016). The National Council brought together representatives from key Government Ministries, representatives of the judiciary and prosecutors, civil society organizations, and international organizations in order to coordinate support for sexual violence survivors. The mandate of the National Council focused on four areas regarding reparations: legal recognition and access to justice; economic support and empowerment; health care; and awareness raising to tackle stigma and discrimination. The National Council through a bottom-up approach, coordinated and combined support for survivors in areas identified by survivors.

47 President Jahjaga awarded honours to a number of personalities and organizations, available at: https://president-ksgov.net/?page=2,6,4243#.WC1uaKlrLBi; For Awarded Honours, see: http://www.president-ksgov.net/?page=2,128.


49 Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims and their Families.

50 Regulation No. 23/2012 On the Government Commission for Recognition and Verification of the Status of National Martyr, Invalid, Veteran, Member, or Internees of Kosovo Liberation Army.

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The Government Commission for the Recognition and Verification of Victims of Sexual Violence During the Kosovo Liberation War

Law No.04/L-172 and Regulation No. 22/2015 provide the legal framework for a Government Commission for the Recognition and Verification of the Status of Sexual Violence Victims of the War. The Commission is to consist of nine members: one representative from the Office of the Prime Minister; one representative from the Ministry of Labor; one representative from the Ministry of Justice; one representative from the Ministry of Health; one representative from the Institute for war crimes; one clinical psychologist; one psychiatrist; one lawyer; and one representative from civil society who has experience in supporting and protecting sexual violence victims. The Commission was to be established within six months after entry into force of the Law, however, as yet is to be established. The deadline for victims of sexual violence to submit an application for the right to pensions and benefits is five years from the beginning of the work of the Commission. This Commission is in the process of being established, an undertaking led by the Legal Office of the Office of the Prime Minister until June 2016, these responsibilities were since transferred to the Ministry of Labour and Social Welfare.

The Government Commission on Missing Persons

Law No. 04/L-023 On Missing Persons establishes the powers and responsibilities of the Government Commission on Missing Persons. The Commission is a governmental body which heads, supervises, harmonizes, and coordinates activities with local and international institutions related to the fate of missing persons as a result of the 1998-1999 war. The Commission operates within the Office of the Prime Minister and acts in cooperation with local institutions, international organizations, the Public Prosecution Office, and Courts. According to the Law, the Commission is to inform, in writing, the family members of the outcome of search requests; review all requests relating to missing persons; cover the expenses of reburial after the identification of the mortal remains of a missing person; protect the rights and interests of missing persons and their families; coordinate data collecting activities; establish a Central Register on Missing Persons; and raise awareness and support initiatives related to missing persons by publicly reporting its findings. Regulation No. 15/2012 On the Work of the Government Commission on Missing Persons defines the responsibilities, scope, procedures, and organization of the Government Commission.

52 Law No. 04/L-172 On Amending and Supplementing the Law No. 04/L-054 On the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims and Their Families; Regulation No. 22/2015 On Defining the Procedures for Recognition and Verification of the Status of Sexual Violence Victims During the Kosovo Liberation War; Regulation No. 22/2015 also outlines the administrative and application procedures of the Commission to be used in order to recognize and verify the status of victims of sexual violence.

53 Regulation No. 10/2016 On Amending and Supplementing the Regulation No. 22/2015 On Defining the Procedures for Recognition and Verification of the Status of Sexual Violence Victims During the Kosovo Liberation War.

54 Law No. 04/L-023 On Missing Persons.

The Government Committee for Recognition of Status of the Former Politically Convicted and Former Politically Persecuted

Law No. 03/L-95 On the Rights of Former Politically Convicted and Persecuted establishes the Government Committee for Recognition of Status of the Former Politically Convicted and Former Politically Persecuted and the Institution for Former Politically Convicted and Former Politically Persecuted. The Government Committee was established to verify the status of former political prisoners and to recognize the rights and determine the condition, criteria, type, and manner of compensation for the former politically convicted and persecuted. The work of the Committee is ongoing. The Institution for Former Politically Convicted and Former Politically Persecuted was established in order to review, research, and publish the truth for the former politically convicted, imprisoned, and imprisoned, and support their integration into society.\footnote{Law No. 03/L-95 On the Rights of Former Politically Convicted and Persecuted.}

Regulation No. 26/2012 Of the Rules of Procedure of the Government Commission on the Rights of Former Prisoners, Former Politically Convicted and Persecuted and Regulation No. 07/2013 On Procedures and Compensation Criteria of Former Politically Convicted determine the organization and scope of the Commission and regulate the procedures and compensation criteria for the former politically convicted in Kosovo. According to these regulations, the Commission is to review and verify documents regarding the status of former convicted, former prisoners, and former politically persecuted.\footnote{Regulation No. 26/2012 Of the Rules of Procedure of the Government Commission on the Rights of Former Prisoners, Former Politically Convicted and Persecuted; Regulation No. 07/2013 On Procedures and Compensation Criteria of Former Politically Convicted.} The work of the Committee is still ongoing, and as at November 2016, over 2,000 former political prisoners have been verified and have received financial reparations.

The Agency for Management of Memorial Complexes

Law No. 04/L-146 On the Agency for the Management of Memorial Complexes of Kosovo establishes the Agency for Management of Memorial Complexes and defines its status, organization, functions, duties, responsibilities, and financing. The Agency is an independent body with a mandate to design, construct, administer, and manage Memorial Complexes. The Agency is to cooperate with institutions and organizations emerged from the KLA war, municipalities, and tourism agencies. The Law also includes a list of existing Memorial Complexes by municipality.\footnote{Law No. 04/L-146 On the Agency for the Management of Memorial Complexes of Kosovo, Annex 1 (See Annex III).}

Law No. 2004/39 protects the Adem Jashari Memorial Complex, declaring it an area with special national interest and ontological, anthropological, historical, and cultural significance for Kosovo citizens.\footnote{Law No. 2004/39 On the Announcement of the Memorial Complex with a Special National Interest ‘Adem Jashari’ in Prekaz.}

The Ministry for Communities and Returns

The Ministry for Communities and Returns was established on 24 January 2005 pursuant to UNMIK Regulation No. 2004/50. The Regulation gives the Ministry authority in the promotion and protection of the right to return, and the coordination, development, and implementation of related activities and
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The mandate of the Ministry for Community and Returns consists of: developing and applying legal regulations in order to guarantee the right to return; promoting favorable conditions for returns; providing leadership, confidence, dialogue, and reconciliation between communities; developing and monitoring the implementation of the Government Strategy on the delivery of communities and return; developing and managing programs and mechanisms in order to promote reintegration of communities and the sustainable return of displaced persons; coordination, overview, and support the activities of municipalities, ministries, and institutions on issues of return. In addition to the Ministry, the Consultative Council for Communities was also established in order to work with communities and encourage returns.

In 2006, State Representatives in Belgrade and Prishtina signed a Protocol on Voluntary and Sustainable Return as part of the Direct Dialogue Working Group on Returns within the Kosovo-Serbia direct dialogue process. The Protocol aimed to ease the way for the return; restoration of property rights; and creation of conditions for free movement of all peoples. The Protocol establishes administrative, material, safety, communal, infrastructure, and other conditions for return, including: provision of temporary accommodation; permits for reconstruction; access to public services; and exemptions from taxes.

The 2013 Strategy for Communities and Returns Action Plan was written for the period 2014 to 2018 and builds on the previous Strategy for 2009-2013. This Strategy serves as a guideline for returns and emphasizes three aims: sustainable returns of displaced persons; successful reintegration socially and economically; and a stabilization of communities. The Strategy also emphasizes the role and responsibilities of the Municipal Offices for Communities and Returns. The Action Plan for the Strategy lays out and assesses the progress of concrete measures for implementation, including: housing reconstruction; distribution of assistance packages; infrastructure projects; coordination with local and international institutions; and drafting legal framework and amendments.

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60 UNMIK Regulation No. 2004/50 On the Establishment of New Ministries and Introduction of Posts of Deputy Prime Minister and Deputy Ministers in the Executive Branch.
61 Law No. 03/L -047 On the Protection and Promotion of the Rights of Communities and their members in Kosovo; The CCC began in 2005 as an informal body attached to the Kosovo Delegation to the status negotiations, made up of representatives from minority communities. The Council developed a ‘Framework for the Protection of Rights of Communities in Kosovo’, which provided a multi-layered and interlocking system of constitutional and legal measures to ensure the full protection and enjoyment of individual and community rights for members of the minority communities in Kosovo. The Framework was presented at the status negotiations, and later served as the foundation for the Law on the Promotion and Protection on the Rights of Communities and their Members 2008 (Law on Communities). The CCC was legally established in Article 60 of the 2008 Kosovo Constitution, with the details of its mandate fleshed out in Article 12 of the Law on Communities. The Council was formally established by Presidential Decree on 15 September 2008, and held its inaugural session on 23 December 2008.
63 Strategy for Communities and Return 2014-2018; Strategy for Communities and Returns 2009-2013; Guidelines for the Implementation of Return Support; Revised Manual for Sustainable Return; Ministry for Communities and...
The Strategy also outlines the most recent data on returns in Kosovo. According to the document, a total of 6615 people of all ethnicities voluntarily returned from 2009-2013; 148 apartments and 957 houses were built from 2009-2013; and in 2013, 930 people lived within the 37 collective centers within Kosovo.64

Institutions for the Return of Property

UNMIK Regulations 1999/23 and 2000/60 established the Housing and Property Directorate as an international body to resolve property claims and the Housing Property Claims Commission as a quasi-judicial institution within the Directorate to make decisions on claims submitted. The Commission panels consisted of two international members and one Kosovan member who examined evidence and heard claims in closed sessions. According to UNMIK Regulation 2000/60, the Housing Property Claims Commission had exclusive jurisdiction on three types of claims: claims involving property rights lost during the discriminatory application of certain laws from 1989 to 1999; claims pertaining to informal property transactions of residential properties during the same period; and claims involving the loss of residential property during or after 1999.65

On 4 March 2006, UNMIK replaced the Property Directorate and Commission with the Kosovo Property Agency (KPA), an independent local agency charged with resolving all outstanding residential, commercial and agricultural immovable property disputes relating to the conflict. The KPA consists of an executive secretariat responsible for managing the claims process; a supervisory board that provides administrative oversight and policy guidance to the executive secretariat; and a Property Claims Commission (PCC) that is a quasi-judicial body that decides on claims that are referred to the executive secretariat.66

The KPA has received 42,749 total requests regarding ownership issues that have resulted from the armed conflict and have decided on 42,114 claims.67 While 29,871 decisions have been implemented, illegal re-occupation of properties, implementation, and funding sources remain as obstacles to the work of the Agency. A new Law on Comparison and Verification of the Property of the Kosovo Property Agency is pending approval.


64Strategy for Communities and Return 2014-2018.
C. Justice

National Prosecutions

*The European Union Rule of Law Mission in Kosovo (EULEX)*

Under UNMIK, a hybrid court system was established to adjudicate cases involving international crimes related to the conflict. This hybrid system continued in 2008 under EULEX. EULEX was mandated to assist the Kosovo government and relevant institutions in building a sustainable, independent, and impartial justice system, and to train and enable local police and prosecutors.\(^\text{68}\) The mandate has been changed slightly each renewal, and is presently extended until 2018.\(^\text{69}\)

*Handover of Competencies in Kosovo*

The EULEX Mission and Kosovo authorities have gradually transferred most EULEX activities to national institutions. Following 2014, in line with the *Law No. 04/L-273 On Amending and Supplementing the Laws Related to the Mandate of the European Union Rule of Law Mission in Kosovo*, the composition of court panels is now majority Kosovar and minority international; the Mission does not to take new cases, all new criminal trials are to be conducted by Kosovo authorities; and the number of EULEX staff has been reduced.\(^\text{70}\)

The Special Prosecution Office of the Republic of Kosovo was established by *Law No. 03/L-052 On the Special Prosecution Office of the Republic of Kosovo* in March 2008, in accordance to the Kosovo Constitution.\(^\text{71}\) The Office has exclusive competence to investigate and prosecute crimes set out in *UNMIK Regulation 2003/25 Provisional Criminal Code of Kosovo*, including: criminal offences against international law including genocide, crimes against humanity, war crimes, as well as inter-ethnic crime, terrorism, and organized crime. In 2011, two local prosecutors were appointed to the investigation and prosecution of war crimes, joining the two international prosecutors.

A series of laws passed in 2010 lay out the framework for the current national judicial system. The *Law No. 03/L-225 On State Prosecutor* established the State Prosecutor as an independent institution consisting of Basic Prosecution Offices, Appellate Prosecution Office, Special Prosecution Office, and

\(^{68}\) Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Rule of Law Mission in Kosovo, EULEX Kosovo; Law No. 03/L-053 on the Jurisdiction, Case Selection, and Case Allocation of EULEX Judges and Prosecutors.


\(^{70}\) Law No. 04/L-273 On Amending and Supplementing the Laws Related to the Mandate of the European Union Rule of Law Mission in Kosovo; Law No. 05/L-103 On Amending and Supplementing the Laws Related to the Mandate of the European Union Rule of Law Mission in the Republic of Kosovo; Law No. 04/L-274 On Ratification of the International Agreement Between the Republic of Kosovo and the European Union Rule of Law Mission in Kosovo.

\(^{71}\) Law No. 03/L-052 On the Special Prosecution Office of the Republic of Kosovo.
Office of the Chief State Prosecutor. The Law No. 03/L-224 On the Kosovo Prosecutorial Council established the framework and competences of the Kosovo Prosecutorial Council as an independent institution. The Law No. 03/L-223 On the Kosovo Judicial Council regulates the functioning and tasks of the Kosovo Judicial Council, including procedures for the appointment and training of judges, procedures for the overall administration of the courts, and procedures for the establishment of new courts and branches. The Law No. 03/L-199 On Courts established the organization and jurisdiction of Kosovo Basic Courts, Court of Appeals, and the Supreme Court, and outlines the qualifications for judges in Kosovo. The Law was implemented and court system established by 31 December 2012.

**Trials in Serbia**

In July 2003, the Law No. 67/2003 on Organization and Competences of Governmental Authorities transferred the jurisdiction for war crimes to specialized institutions in Serbia. The Law authorizes government authorities jurisdiction over crimes against humanity, violations of international law, and serious violations of international humanitarian law, in the territory of the former Republic of Yugoslavia since 1 January 1991. The three main state agencies for the prosecution of war crimes in Serbia are: the Office of the Prosecutor for War Crimes, the Department for War Crimes of the Higher Court in Belgrade, and the Department for War Crimes of the Court of Appeals in Belgrade. The work of these courts is supported by the Specialized War Crimes Chamber at the Belgrade District Court, the War Crimes Investigation Service, the Protection Unit, the Support and Assistance Service to Victims and Witnesses of the Department for War Crimes of the Higher Court of Belgrade, and the Special Detention Unit.

**International Prosecutions**

The International Criminal Tribunal for the former Yugoslavia

Resolution 827 of the Security Council of the United Nations established the International Criminal Tribunal for the former Yugoslavia (ICTY) in May 1993. The Tribunal was responsible to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991. The ICTY Statute outlines its competences as the prosecution of: grave breaches of the Geneva Conventions of 1949, violations of the laws or customs of war, genocide, and crimes against humanity. The Tribunal has concurrent jurisdiction with national courts, and primacy over national courts. In 2010, the International Residual Mechanism for ICTY was established, which maintains the obligations and functions of the International Tribunal with diminishing

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72 Law No. 03/L-225 On State Prosecutor.
73 Law No. 03/L-224 On the Kosovo Prosecutorial Council.
74 Law No. 03/L-223 On the Kosovo Judicial Council.
75 Law No. 03/L-199 On Courts.
76 Law No. 67/2003 on Organization and Competences of Governmental Authorities in War Crimes Proceedings.
78 Updated Statute on the International Criminal Tribunal for the Former Yugoslavia.
staff and activities over time. This Mechanism was established in light of the 2010 ICTY deadline having passed without all trials completed.  

**The Kosovo Relocated Specialist Judicial Institution**

The Kosovo Relocated Specialist Judicial Institution (Special Court) was established through the Law No. 05/L053 on Specialist Chambers and Specialist Prosecutor’s Office and the Constitution of the Republic of Kosovo, Article 162: The Specialist Chambers and Specialist Prosecutor’s Office, as amended by Amendment No. 24 of the Constitution of the Republic of Kosovo on 3 August 2015. The Special Court is not an international tribunal, but a Kosovo national court in the Kosovo justice system, comprised of international judges that administer justice outside Kosovo; it is hosted by the Netherlands. The court’s mandate is primarily to try serious crimes allegedly committed by senior members of the KLA against ethnic minorities and political opponents during the conflict in Kosovo as reported in the Council of Europe Parliamentary Assembly Report Doc of January 2011.

**Protection of Witnesses**

The competence and exclusive responsibility for the protection of witnesses was initially with the UNMIK and EULEX Witness Protection Unit, until the passing of Law No. 04/L-015 On Witness Protection by the Kosovo Assembly in July 2011. According to the Law, the protective measures for protected witnesses include: physical protection; temporary relocation to a safe place; change of identity; and social, legal, and financial support. The Law also established a Witness Protection Committee which consists of the Chief State Prosecutor, the Head Investigator of the Kosovo Police, and the Director of the Department for Witness Protection. The Commission is responsible for taking decisions on the inclusion, extension, duration, and ending of the Witness Protection Program. However, the majority of measures envisaged by the Law for Witness Protection and protection programs have yet to be implemented.

**Statute of Limitations and Investigations of War Crimes**

In Kosovo, there is a conflict between the constitution and procedural codes which has led to war crime, and crimes against humanity investigations expiring, despite the Statute of limitations technically not applying to these crimes. Currently, once a formal investigation starts, there is a two-year limit to the

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82 Law No. 04/L-015 On Witness Protection.
investigation. This problem has been brought to the attention of the Ministry of Justice, which is currently working on amendments to resolve the issue.

D. Institutional Reform for Non-recurrence of Violence

Security Sector

**DDR: Disarmament, Demobilization, and Reintegration**

UN Security Council Resolution 1244 of 1999 called for the demilitarization of the Kosovo Liberation Army and other armed Kosovo Albanian groups.\(^83\) NATO’s 1999 Undertaking of demilitarization and transformation by the Kosovo Liberation Army established the KLA ceasefire, their disengagement from zones of conflict, and their demilitarization and reintegration into society. The Undertaking gave authority to the International Security Presence (Kosovo Force - KFOR). Pursuant to the Undertaking, KLA undertook to: cease the firing of all weapons and use of explosive devices; not to place any mines, barriers, or checkpoints; stop the destruction of buildings, facilities, and structures; not to attack, detain, or intimidate any civilians in Kosovo; and not to conduct any reprisals or counterattacks. Within four days, KLA was to close all fighting positions and checkpoints, and within seven days it was to register all weapons and clear minefields. Demobilization and demilitarization was to be completed within three months by September 1999.\(^84\)

The Kosovo Protection Corps was established in 1999 by UNMIK Regulation No.1999/8 as a civilian emergency service agency with the mandate to: provide disaster response services; perform search and rescue; provide a capacity for humanitarian assistance in isolated areas; assist in demining; and contribute to rebuilding infrastructure and communities.\(^85\)

With Kosovo’s Declaration of Independence in 2008, the Comprehensive Proposal for the Kosovo Status Settlement proposed a new security architecture in Kosovo. The Proposal gave Kosovo authority over law enforcement, security, justice, public safety, intelligence, civil emergency response, and border control on its territory. Pursuant to the Proposal, the Kosovo Security Force was established to replace the Kosovo Protection Corps and the mandates of the International Civilian Representative and the International Military Presence were limited. In accordance with **Law No. 03/L-046 On the Kosovo Security Force** and following the Comprehensive Proposal, the Kosovo Security Force was created in 2008 without any institutional correlation to the Kosovo Protection Corps, which was disbanded in 2009.\(^86\) Only after the NATO vetting process were 1,400 former members of the Kosovo Protection Corps assigned to the Kosovo Security Force. **Law No. 03/L-046 On the Kosovo Security Force** defines the responsibilities and competences of the Kosovo Security Force as a security instrument for crisis response, peace support, natural disasters, explosive disposal, and civil protection operations.\(^87\) The Kosovo Security Force became fully operational in 2013. In 2014, government officials announced plans to transform the Kosovo Security Forces and Ministry of Security Forces into the Kosovo Armed Forces.

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\(^{84}\)Undertaking of demilitarization and transformation by the KLA.

\(^{85}\)UNMIK Regulation No. 1999/8 On the Establishment of the Kosovo Protection Corps.

\(^{86}\)Comprehensive Proposal for the Kosovo Status Settlement, Article 9 Security Sector.

\(^{87}\)Law No. 03/L-046 On the Kosovo Security Force.
Dealing with the Past and Reconciliation in Kosovo: A Summary of Institutions and Initiatives

and Ministry of Defense by 2019. A Draft Law on Amending and Supplementing the Laws Regarding Armed Forces of Kosovo has been approved by the Government of Kosovo and the Assembly of the Republic of Kosovo.

North Atlantic Treaty Organization Kosovo Force Vetting Unit (FVU)
The NATO-KFOR Vetting Unit (FVU) was established in 2008 with the mandate to verify all individuals that applied to become part of the Kosovo Security Forces and employees of the Ministry of Kosovo Security Forces. FVU verifications included review of: criminal records, character references, interviews, international records, and financial information. The FVU carried out verifications until 2013.

Kosovo Police
Law No. 03/L-035 On Police and Law No. 04/L-076 On Police follow the Kosovo Constitution in establishing the powers, duties, organization, and operations of the Kosovo Police and its police officers. The Laws establish the transfer of duties, responsibilities, and functions of the Kosovo Police Service established under UNMIK (as per UN Council Resolution 1244 and UNMIK Regulation No. 2005/54) to the Kosovo Police of the independent state. The domestic laws establish the Kosovo Police as a public service within the framework of the Ministry of Internal Affairs and give authority to the General Director and Ministry of Internal affairs to determine and certify all minimum qualification programs, employment, recruitment, selection, and trainings for police officers. Law No. 03/L-036 and Law No.03/L-231 determine the organization, function, and authorizations of the Police Inspectorate of Kosovo, which is to prevent, detect, document, and investigate the criminal offenses committed by Kosovo Police employees; inspect the structures and functions of Kosovo Police to ensure accountability, effectiveness, and efficiency in the implementation of applicable laws; and to receive and review all citizen complaints.

Judiciary
The Independent Judicial and Prosecutorial Commission
In 2008, the Independent Judicial and Prosecutorial Commission was established as an autonomous body of the Kosovo Judicial Council through UNMIK Administrative Instruction 2008/2. The Commission was established “for the purpose of conducting a one-time, comprehensive, Kosovo-wide review of the suitability of all applicants for permanent appointments, until the retirement age determined by law, as judges and prosecutors in Kosovo (the ‘Appointment Process’)”. The Instruction set out three phases in the Appointment Process: Phase I - the selection of judges for the Supreme Court and prosecutors for the Office of the Public Prosecutor and Special Prosecutor; Phase II - selection of judges for the District, Commercial Court, and the High Court for Minor Offences, and public prosecutors for the Offices of

89 Draft Law on Amending and Supplementing the Laws Regarding Armed Forces of Kosovo.
90 Guidance for the Completion of the Kosovo Security Force Application Form.
92 Law No. 03/L-035 on Police; Law No. 04/L-076 On Police.
93 Law No. 03/L-231 On Police Inspectorate of Kosovo; Law No. 03/L-036 On Kosovo Police Inspectorate.
District Public Prosecutors; and Phase III - the selection of judges for the Municipal Courts and Municipal Courts for Minor Offences and public prosecutors for the Offices of Municipal Public Prosecutors. The Instruction set out selection criteria for judges and prosecutors and the process for evaluation, and required candidates to pass an examination on the Codes of Ethics. The Commission included the Judicial Investigation Unit, responsible for the collection of personal information of each applicant, the review and assessment of information, and reporting these results to the Commission. The Commission signed an Memorandum of Understanding with local and international institutions which allowed it to request information on each applicant. The Commission completed its mandate in 2010.

The Office for Judicial and Prosecutorial Evaluation and Verification
The Office for Judicial and Prosecutorial Evaluation and Verification was established by the Kosovo Judicial and Prosecutorial Council on 11 November 2010 as an independent, special office responsible for the process of evaluation and verification for candidates of judicial prosecutorial positions. The Office is mandated to review, analyze, investigate, and verify the technical knowledge, ability, performance, background, and finances of candidates so that appointments are based on merit. The Office is also tasked with assisting the Kosovo Judicial Council and the Kosovo Prosecutorial Council in developing a sustainable system for evaluating, enhancing, and transferring judges and prosecutors. Through an MoU between the Kosovo Judicial Council and Kosovo Prosecutorial Council in October 2011, the Office was split, and three officials were transferred to the Office for Prosecutorial Evaluation and Verification while six remained in the new Office for Judicial Evaluation and Verification.

Elected Office
No vetting of Kosovo elected officials has occurred in an official capacity.

Role of the Kosovo Intelligence Agency
The Comprehensive Proposal for the Kosovo Status Settlement established the mandate for the Kosovo Intelligence Agency. Law No. 03/L-178 on Classification of Information and Security Clearances of 2010 established the Kosovo Intelligence Agency as the Vetting Authority responsible for conducting security clearance procedures for public authorities and their contractors, and monitoring and coordinating developments in the field of safeguarding classified information. Within the Agency, the Law establishes the Vetting Department as exclusively responsible for conducting security clearance procedures.

Education Reforms to Promote Non-Recurrence of Violence
In Kosovo, a number of educational reforms occurred in the aftermath of the conflict. The Government of Kosovo and the Ministry of Education Science and Technology have taken steps to improve the educational sector through the Kosovo Education Strategic Plans (2011-2016 and 2016-2021) and

95 Comprehensive Proposal for the Kosovo Status Settlement.
96 Law No. 03/L-178 on Classification of Information and Security Clearances.
numerous new laws on education. The Education Strategic Plans outline priorities at all levels of education which include: developing and supporting an inclusive system of education enabling equitable access to quality education; the education, training, and establishment of qualifications for teachers; improvement of school infrastructure; and implementing the Kosovo Curriculum Framework. The Plans specifically address the inclusion of minorities in non-discriminatory education as well as vocational education, non-formal education, and trainings for adults who had their education interrupted during the conflict. The new Kosovo Curriculum Framework of 2011 focuses on developing curriculum that incorporates the fundamental values and principles of human rights, living together, social justice, and inclusiveness. An Independent Commission was established in 2009 in order to review Serbian language curricula and textbooks, in addition to other minority languages, in order to foster integration and inclusion. The Ministry is cooperating with the Ministry for Communities and Returns and UNDP in order to provide scholarships for students that are part of the Roma, Ashkali, and Egyptian communities. Equal access to education is also part of the Strategy for Integration of Roma, Ashkali, and Egyptian Community in Kosovo 2009-2015.

Annexes

Annex I – Key IMWG DwPR Documents
1. Decision No. 03/77 of 4 June 2012, On the establishment of Inter-Ministerial Working Group on Dealing with the Past and Reconciliation
2. Decision No. 06/181 of 2 April 2014
3. Decision No. 02/200 of 15 October 2014
4. Decision No. 03/200 of 15 October 2014
5. Decision No. 04/200 of 15 October 2014
6. List members of the Working Group on Dealing with the Past and Reconciliation


Annex III – List of Memorials in Kosovo
(Law No. 04/L-146 On Agency for the Management of Memorial Complexes of Kosovo, Annex 1)

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97 See: Law No. 04/L-032 On Pre-University Education; Law No. 03/L-068 On Education in Municipalities of the Republic of Kosovo; Law No. 03/L-060 On National Qualifications; Law No. 03/L-018 On Final Examinations and State Matura Examination; Law No. 02/L-52 On Pre-School Education; Law No. 02/L-024 on Adult Education; Law No. 02/L-42 On Vocational Education and Training; Law No. 04/L-037 On Higher Education.


99 Curriculum Framework for Pre-University Education in the Republic of Kosovo.

100 Strategy for the Integration of Roman, Ashkali and Egyptian Communities in the Republic of Kosovo 2009-2015.
Pursuant to Articles 92.4 and 93.4 of the Constitution of the Republic of Kosovo, and based on Article 4 of Regulation no. 02/2011 on administrative responsibilities of Office of Prime Minister and ministries, as amended supplemented with Regulation No. 07/2011 and Article 19 of Rules of Procedure of the Government of Kosovo No. 09/2011, Government of Republic of Kosovo, in its meeting held on 04 June 2012, took the following:

DRAFT – DECISION
On the establishment of Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR)

I. Composition

1. Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR) shall be composed of following representatives:

   1.1. a representative of the Office of the Prime Minister, Chair
   1.2. a representative of the Ministry of Justice, Deputy Chair
   1.3. a representative of the Office of the President, member
   1.4. a representative of the Ministry of Labour and Social Welfare, member
   1.5. a representative of the Ministry of Communities and Returns, member
   1.6. a representative of the Ministry of Health, member
   1.7. a representative of the Ministry of Education, Science and Technology, member
   1.8. a representative of the Ministry of Finance, member
   1.9. a representative of the Ministry of European Integration, member
   1.10. a representative of the Institute for War Crime Research, member
   1.11. a representative of the Government Commission on Missing Persons, member
   1.12. a representative of the Language Commission, member
   1.13. representatives of the civil society, 8 (eight) members.

2. The following are invited in the capacity of experts and observers:
2.1. a representative of the Kosovo Prosecutorial Council
2.2. a representative of Kosovo Judicial Council
2.3. a representative of the EU Office in Kosovo
2.4. a representative of EULEX Special Prosecutor’s Office
2.5. a representative of EULEX
2.6. a representative of UNDP in Kosovo
2.7. a representative of OSCE in Kosovo
2.8. a representative of OHCHR in Kosovo
2.9. a representative of ICRC in Kosovo
2.10. a representative of US Embassy in Kosovo
2.11. a representative of Dutch Embassy in Kosovo
2.12. a representative of Norwegian Embassy in Kosovo
2.13. a representative of Swiss Embassy in Kosovo.

II. Purpose

3. The purpose of the establishment of the Working Group is to deal with gross human rights violations and serious violations of international humanitarian law in the past in Kosovo including the last war and the transition period taking into consideration the views of all communities in Kosovo in order to promote reconciliation and lasting peace, inter alia, by ensuring accountability, serving justice, providing remedies to victims, facilitating truth-seeking, promoting healing, taking all measures needed to restore confidence in the institutions of the State and implementing the rule of law in accordance with international human rights law and transitional justice standards.

III. Mandate

4. The mandate of the Working Group covers, inter alia, the four pillars of Transitional Justice including truth-seeking, reparations, justice and institutional reform.

5. In fulfilling its mandate, the Working Group shall be based on the Kosovo legislation, with special reference to Article 7 and Article 58.2 of the Constitution of the Republic of Kosovo, and shall particularly take into consideration international standards and obligations in the field of transitional justice, international jurisdiction and relevant reports and decisions of United Nations Institutions of Transitional Justice.

IV. Competencies

6. The Working Group shall be responsible for and competent to:

6.1. establish a comprehensive, inclusive and gender-sensitive approach for dealing with the past in Kosovo including the last war and the transition
period taking into consideration the views of victims of all communities in Kosovo, amounting to a National Transitional Justice Strategy,

6.2. design and implement a broad range of transitional justice initiatives, strategies, policies and measures to address gross human rights violations,

6.3. promote a process of reconciliation among all Communities and their members in Kosovo.

7. The WG is a central focal point. It facilitates and supports dialogue and cooperation between targeted groups, state institutions, non-governmental organizations and the international community.

8. The WG may cooperate and promote exchange of best practices with national and international organizations and academic institutions that may contribute to and enhance the purpose of the WG.

9. In order to ensure the qualified expertise in addressing specific topics, the working group may invite experts or representatives of other institutions.

10. Working Group may recommend amending laws and bylaws and shall participate in relevant processes to ensure compliance with transitional justice standards and promote the purpose of its mandate.

11. Working Group may provide recommendations and advisory opinions to ministries and institutions of Republic of Kosovo, communities at the local level, citizens of Republic of Kosovo and any natural or legal person in relation to issues under its mandate.

12. The WG may, if required, create other working bodies for the purpose of ensuring the high qualification of expertise in dealing with specific topics.

V. Operation

13. The WG and the Office are independent in exercising their functions and operate in compliance with the principles of impartiality, confidentiality and professionalism, and shall operate in accordance with the Constitution and the legislation of the Republic of Kosovo.

14. Office of the Prime Minister shall provide administrative and logistical support to the Working Group by establishing a secretariat of the working group.

VI. Rules of Procedure and Action Plan

15. The WG shall, within eight (8) months since its establishment, prepare its Rules of Procedures which shall regulate the manner and scope of work, rights and obligations, as well as any other issues of importance for the work of the WG and present them to the Government for approval.
The WG shall adopt, within ten (10) months from its establishment, an Action Plan for drafting of a National Transitional Justice Strategy and its implementation and present it to the Government for approval.

VII. Outreach

In the process of developing a National Transitional Justice Initiative, the Working Group engages in and supports an outreach program which includes the following communication channels:

17.1. Dissemination of information about the work of the Working Group and the process of transitional justice.
17.2. Establishing a dialogue between the affected population and the Working Group.
17.3. Conducting consultations by giving the targeted groups a space to voice their concerns and supporting the possibility of ownership.
17.4. Encouraging participation of the representatives of the affected population as well as NGOs by allowing them to take part in designing and implementation of transitional justice initiatives.

VIII. Standards

The WG shall perform all its duties and responsibilities in accordance with Transitional Justice Standards ensuring that the process of dealing with the past and reconciliation meets the following criteria:

18.1. Inclusiveness - The perspective of all the relevant stakeholders including all the members of the Communities in Kosovo as well as all the victims of the conflict have been discussed and taken into consideration. The participation of the Communities of Kosovo and all the victims of the conflict in the WG as well as in the process of DwP and Reconciliation shall be ensured.
18.2. Gender-sensitive approach - The special vulnerable position of women that suffered gender-based violence has been discussed and taken into consideration. The participation of women in the WG as well as in the process of DwP and Reconciliation shall be ensured.
18.3. Comprehensive approach - The comprehensive approach incorporates the full range of judicial and non-judicial measures, including, among others, individual prosecutions, reparations, truth-seeking, institutional reform, vetting of public employees and officials, or an appropriately conceived combination thereof.
18.4. Consultative process - The Working Group shall include the targeted population in the process of DwP, gathering the relevant facts and information from them as well as giving them through consultations a voice and recognizing them as equal interlocutors.

This list is exemplary and non-exhaustive.
IX. International Support

19. The International Organisations/Embassies shall be invited to support the process of developing the Strategy on Transitional Justice and its implementation, by contributing the necessary resources, providing professional expertise, and providing administrative assistance within the Secretariat/Office in support of the WG’s mandate.

X. Reporting

17. The Working Group shall submit annual work reports to the Government for approval and to the EU Office in Kosovo for consideration in Kosovo’s progress along the path to the EU.

XI. Appointment Procedures

Government

18. The institutions mentioned in Section 1 herewith shall be required to nominate three (3) representatives for the working group and submit their nominations to the OPM within two (2) months from the entry into force of this decision.

19. Within four (4) months after this decision enters into force, the OPM, in coordination with the Ministry of Justice, the Ministry for Health, shall from these nominations elect one (1) member and one (1) replacement of each institution ensuring adequate gender and ethnic representation. The members of the WG shall fulfil the following criteria: a higher education (university degree), be respected individuals of high moral character who enjoy a good reputation, have outstanding professional experience, and have expertise in human rights, community rights, language rights, law, public relations, public administration and civil service.

Civil Society

20. The OPM shall, within two (2) months from the day this decision enters into force, make a public call via three daily newspapers distributed throughout Kosovo and on its webpage, and invite CSOs to apply for membership in the Working Group within 30 days of such publication. The applicants shall provide evidence for their expertise and substantial work in the area of transitional justice through appropriate documentation and demonstrate their motivation and vision to engage in a process of DwPR and to develop a National Strategy in writing according to the Standards set under Section 18.

21. Within four (4) months of the entry into force of this decision, the OPM, in coordination with the Ministry of Justice, the Ministry of Health, and after consultations with the experts and observers (as stated under Section I.2), shall elect eight (8) CSO representatives ensuring adequate gender and ethnic representation to ensure application of the Standards specified under Sections 18.1 and 18.2. The CSO representatives shall fulfil the following criteria: a higher education (university
degree), be respected individuals of high moral character who enjoy good reputation, have outstanding professional experience and expertise in transitional justice.

XII. **Entry into Force**

22. The Decision shall enter into force on the day of signature.

Hashim THAÇI  
___________________  
Prime Minister of Kosovo

Cc:  
- Deputy Prime Ministers  
- All ministries (ministers)  
- Permanent Secretary OPM  
- Government archives.
Pursuant to Articles 92 paragraph 4 and 93 paragraph (4) of the Constitution of the Republic of Kosovo, and based on Article 4 of Regulation no. 02/2011 on administrative responsibilities of Office of Prime Minister and ministries, as amended supplemented with Regulation No. 07/2011 and Article 19 of Rules of Procedure of the Government of Kosovo No. 09/2011, Government of Republic of Kosovo, in its meeting held on 02 April 2014, took the following:

DECISION

For amending and updating the Decision of Government of Kosovo No. 03/77 of date 04 June 2012 on Establishment of Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR)

1. The Government Decision No. 03/77 dated 04.06.2012 on Establishment of the Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (WG DwPR) is amended and updated as follows:
   At Article 1.13 is added the text: “one of representatives from Civil Society, deputy-chair selected by the members of the Working Group” and Article 10. Reporting is replaced with the following text “The Working Group presents its annual report to Government for approval. A copy of report will be sent to EU Office in Kosovo for consideration in Kosovo’s progress along the path to the EU.

2. The Decision shall enter into force on the day of signature.

Hashim THAÇI
Prime Minister of Kosovo

Cc:
- Deputy Prime Ministers
- All ministries (ministers)
- Permanent Secretary OPM
- Government archives.
Pursuant to Articles 92.4 and 93.4 of the Constitution of the Republic of Kosovo, and based on Article 4 of Regulation no. 02/2011 on administrative responsibilities of the Office of Prime Minister and ministries, as amended and supplemented with Regulation No. 07/2011 and Article 19 of Rules of Procedure of the Government of Kosovo No. 09/2011, Government of the Republic of Kosovo, in its meeting held on 15 October 2014, adopted the following:

**DECISION**

1. Rules of Procedure of the Inter-Ministerial Working Groups on Dealing with the Past and Reconciliation (IMWG DwPR) are approved.
2. The Office of Prime Minister, the IMWG DwPR and other competent institutions are obliged to implement the regulation as stipulated under point 1 of this decision.
3. The decision shall enter into force on the day of signature.

Hashim THAÇI
Prime Minister of Kosovo

Cc:
- Deputy Prime Ministers
- All ministries (ministers)
- Permanent Secretary OPM
- Government archive
Pursuant to Articles 92.4 and 93.4 of the Constitution of the Republic of Kosovo, and based on Article 4 of Regulation no. 02/2011 on administrative responsibilities of the Office of Prime Minister and ministries, as amended and supplemented with Regulation No. 07/2011 and Article 19 of Rules of Procedure of the Government of Kosovo No. 09/2011, Government of the Republic of Kosovo, in its meeting held on 15 October 2014, adopted the following:

**DECISION**

1. Work plan of the Inter-Ministerial Working Groups on Dealing with the Past and Reconciliation (IMWG DwPr) is approved.
2. The IMWG DwPR and other competent institutions are obliged to implement the regulation as stipulated under point 1 of this decision.
3. The decision shall enter into force on the day of signature.

Hashim THAÇI

Prime Minister of Kosovo

Cc:
- Deputy Prime Ministers
- All ministries (ministers)
- Permanent Secretary OPM
- Government archive
Pursuant to Articles 92.4 and 93.4 of the Constitution of the Republic of Kosovo, and based on Article 4 of Regulation no. 02/2011 on administrative responsibilities of the Office of Prime Minister and ministries, as amended and supplemented with Regulation No. 07/2011 and Article 19 of Rules of Procedure of the Government of Kosovo No. 09/2011, Government of the Republic of Kosovo, in its meeting held on 15 October 2014, adopted the following:

**DECISION**

1. The Government Decision No. 03/77 dated 04.06.2012 on the Establishment of the Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG DwPR), previously supplemented and amended with the Government Decision 06/181 dated 02.04.2014, is hereby supplemented and amended as follows: Four additional members are added to the Point 1 of this Decision. The additions are the following:

   1.14. Representative of the Legal Office of the Office of the Prime Minister, member;
   1.15. Representative of the Agency for Gender Equality, member;
   1.16. Representative of the Office for Strategic Planning, member; and
   1.17. Representative of the Government Coordination Secretariat, member.

2. Point 5.3 is added to the Point 5. “Activities”. “The government and donors shall provide financial support to the IMWG DwPR and its Secretariat with the aim of implementing the activities.”

3. The decision shall enter into force on the day of signature.

Hashim THAÇI
Prime Minister of Kosovo
Cc:
- Deputy Prime Ministers
- All ministries (ministers)
- Permanent Secretary OPM
- Government archive
### List of members of the Working Group on Dealing with the Past and Reconciliation (DwPR)

<table>
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<tr>
<th>No.</th>
<th>Ministry, Institution</th>
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<td>Zyra e Kryeministrit / Kancelarija Premijera / Office of Prime Minister</td>
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<td>Ministria e Drejtesise/Ministarstvo Pravde / Ministry of Justice</td>
<td>Zëvendës kryesuese / Zamenik predsedavajućeg / Deputy Chair</td>
<td>Z/Gdin/Mr. Edmir Sejdiu</td>
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<td>Këshilli për Mbrojtjen e të Drejtave dhe Lirive të Njeriut / Council for the Defense of Human Rights and Freedoms</td>
<td>Zëvendës kryesues nga OSHC / Zamenik predsedavajućeg iz OCD/Deputy Chair from CSO’s</td>
<td>Z/Gdin/Mr. Behxhet Shala</td>
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<td>Instituti për Hulumtimin e Krimeve të Luftes / Institute for War Crime Research</td>
<td>Anëtar/ Član/ Member</td>
<td>Z/Gdin/Mr. Baki Svirca</td>
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<td>Zyra e Presidentit/ Kancelarija Predsednika/ Office of the President</td>
<td>Anëtar/ Član/ Member</td>
<td>Z/Gdin/Mr. Muharrem Mustafa</td>
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<td>Ministria e Punës dhe Mirëqenies Sociale/ Ministry of Labour and Social Welfare</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gđa /Ms. Minire Begaj</td>
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**Grupi Punues Ndërministror për Ballafaqimin me te Kaluarën dhe Pajtim (GP BmKP)**  
**Međuresorska Radna Grupa za Suočavanje sa Prošlošću i Pomirenje (SsPP)**  
**Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG DwPR)**  

*Prepared by VMUNOGLU*
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<th>No.</th>
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<td>Znj/Gđa/Ms. Besa Qirezi</td>
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<td>9</td>
<td>Ministria e Arsimit Shkencës dhe Teknologjisë/Ministarstvo obrazovanja, nauke i tehnologije/Ministry of Education, Science and Technology</td>
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<td>Znj/Gđa/Ms. Fatime Jasiqi Z/Gdin/Mr. Bashkim Shala</td>
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<td>Z/Gdin/Mr. Gezim Bislimi Z/Gdin/Mr. Milaim Aliu</td>
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<td>Anëtar/Član/Member</td>
<td>Z/Gdin/Mr. Armend Kelmendi</td>
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<td>Anëtar/Član/Member</td>
<td>Z/Gdin/Mr. Prenkë Gjetaj Znj/Gđa/Ms. Hasrete Canolli</td>
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<td>Komisioni për Gjuhë/Komisija za jezike/Language Commission</td>
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<td>Znj/Gđa/Ms. Safete Graicevci</td>
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<td>14</td>
<td>Qendra për Hulumtim, Dokumentim dhe Pubblikim (QHDP)/Centar za istraživanje, dokumentaciju i objavljivanje (CIDO)/Centre for Research, Documentation and Publication (CRDP)</td>
<td>Anëtar/Član/Member</td>
<td>Znj/Gđa/Ms. Nora Ahmetaj Z/Gdin/Mr. Kushtrim Koliqi</td>
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<td>Fondi për të Drejtën Humanitare Kosovë/Fond za Humanitarno Pravo Kosovo/The Humanitarian Law Center Kosovo</td>
<td>Anëtar/Član/Member</td>
<td>Z/Gdin/Mr. Bekim Blakaj</td>
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Grupi Punues Ndërministror për Ballafaqimin me te Kaluarën dhe Pajtim (GP BmKP) 
Meduresorska Radna Grupa za Suočavanje sa Pršlošću i Pomirenje (RG SsPP) 
Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG DwPR) 

 Prepared by VMUNOGLU
<table>
<thead>
<tr>
<th>No.</th>
<th>Organization</th>
<th>Position</th>
<th>Name</th>
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<tr>
<td>16</td>
<td>Qendra Kosovare për Rehabilitimin e të Mbijetuarve të Torturse (QKRMT) Centar za Rehbilitacione Zhrtave Torture /Kosova Rehabilitation Centre for Torture Victims (KRCT)</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gda/Mrs. Feride Rushiti Z/Gdin/Mr. Mehmet Musa</td>
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<tr>
<td>17</td>
<td>Qendra Avokuese për Kulturë Demokratike /Centar për Zagovaranje për Demokratsku Kulturo/ Advocacy Center for Democratic Culture</td>
<td>Anëtar/ Član/ Member</td>
<td>Z/Gdin/Mr. Dusan Radakovic</td>
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<td>18</td>
<td>Nisma e të Rinjve për të Drejtat e Njeriut / Inicijativa mladhi zë Ljudska prava/Youth Initiative for HR</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gda/Ms. Teuta Hoxha</td>
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<td>19</td>
<td>Qendra Evropiane për Çështje të Pakicave/ Evropski centar për manjinska pitanja/European Center for Minority Issues</td>
<td>Anëtar/ Član/ Member</td>
<td>Z/Gdin/Mr. Gazmend Salijevic Z/Gdin/Mr. Trim Kabashi</td>
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<tr>
<td>20</td>
<td>Partners Kosova, Qendra për Menaxhimin e Konflikteve/ Partneri Kosova, Centar për Menadžment konflikata/ Partners Kosova, Center for Conflict Management</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gda/Ms. Shukrije Gashi</td>
</tr>
<tr>
<td>21</td>
<td>Zyra Ligure e ZKMsë / Pravna Kancelarija Premijera /Legal Office of the OPMr</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gda/Ms. Besnike Mehmeti</td>
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<tr>
<td>22</td>
<td>Zyra e KMsë për Planifikim Strategjik / Kancelarija Premijera për Strateško Planiranje /OPM office for Strategic Planning</td>
<td>Anëtar/ Član/ Member</td>
<td>Z/Gdin/Mr. Adnan Ahmeti</td>
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<tr>
<td>23</td>
<td>ZKM Agjencia për Barazi Gjinore/ KP Agjencia për ravnopravnost polova /OPM Agency for Gender Equality</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gda/Ms. Leonora Selmani</td>
</tr>
<tr>
<td>24</td>
<td>ZKM Sekretariati Koordinues I Qeverisë / KP Koordinacioni sekretariatit Vlade /OPM Government Coordination Secretariat</td>
<td>Anëtar/ Član/ Member</td>
<td>Znj/ Gda/Ms. Mirlinda Lushtaku Z/Gdin/Mr. Mustaf Destani</td>
</tr>
</tbody>
</table>

Grupi Punues Ndërministror për Ballafaqimin me te Kaluarën dhe Pajtim (GP BmKP)
Meduresorska Radna Grupa za Suočavanje sa Prošlošću i Pomirenje (RG SsPP)
Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG DwPR)

Prepared by VMUNOGLOU
Based on the Government Decision of Republic of Kosovo, no 03/77, dated on 04/06/2012, updated and amended with the Decision No. 06/181, dated 02.04.2014, for establishment of the Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (hereinafter the IMWG DwPR) and in compliance with the Rules of Procedure, IMWG DwPR drafts this

WORK PLAN
For Drafting the National Strategy on transitional Justice in Kosovo


This document determines the general framework on the work methodology, activities, deadlines, contribution and division of responsibilities among the responsible institutions engaged in the process, which will serve on drafting of the National Strategy on Transitional Justice (hereinafter the Strategy).

The Work Plan on drafting the Strategy includes the period of 2015-2017, at the end of which the IMWG DwPR will forward the Strategy for the approval by the Government of Kosovo.

The Work Plan may be reviewed by the IMWG DwPR in terms of 6 months.
The Overall Objective

The overall objective which is aims to be achieved through implementation of this Work Plan is drafting of National Strategy on Transitional Justice.

Methodology

In compliance with the Rules of Procedure, for implementation of the Work Plan the following 4 sub – working groups will be established:

1. sub working grup on The Right to Know
2. sub working grup on The Right to Justice
3. sub working grup on Reparations; and
4. sub working grup on Guarantees for Non recurrence

The Working Group assigns the members of the sub working groups, basen on the expertise of the institution as well as the expertise of the representative.

Participation of the members shall be limited to two sub working groups, but each sub working group will be required to consult and involve all members of IMWG DwPR through their work, so that the work of sub working groups will not be limited to the contribution of only few members and be exclusive to the contribution of others.

The work of the sub working groups will include but not be limited to: consultations with the relevant stakeholders, analyses of legislation, policies and general state of the issues of the relevant field. The results will be presented in form of report which should be reviewed and adopted within the IMWG DwPR.

Each sub working grup will have the opportunity to engage experts in relevant fields, in orden to ensure the highest leve of professionalism, namely the proper treatment of each of the fields in this process. Engage experts in working subgroups will be according to Article 10, paragraph 4 of Regulation.

Consultations will be held in the form of meetings or workshops. Sub-working groups will ensure dialogue and debate through at least three consultations on issues that help the process of developing the Strategy.

Consultation will include local and national level and will seek the involvement of all categories of victims, other non-governmental organizations and relevant institutions and stakeholders.

Consultations and discussions are intended: to ensure that the strategy meets the real needs of categories of victims and society in general as well as create opportunities to explore what the state can provide in order that it will also be acceptable by victims and society.

All activities of the Working Group will be transparent to the public. The work of the Working Group will continuously be promoted through awareness campaigns and other activities.
Main Activities

This document outlines key activities of IMWG DwPR, through consultations and during the process of drafting the Strategy. While the specific activities of each sub-working group and budgetary implications for activities, are attached as Annex 1 and 2 of this document. Activities of the IMWG DwPR consist of and are not limited to:

- Organising monthly meetings of the IMWG DwPR;
- Design of the awareness campaigns;
- Publication of materials: brochures, leaflets and other awareness raising materials;
- Creating a separate link of the IMWG DwPR within the Web site of the Office of Prime Minister (OPM);
- Identification and engagement of experts for each sub working group;
- Analysing the legal framework and other policies;
- Developing the field consultations;
- Organising continuous trainings on specific fields of TJ for members of the IMWG DwPR and Secretariat;
- Organising study visits for members of the IMWG DwPR and Secretariat;
- Organising Conferences with stakeholders;
- Drafting of the Strategy;
- Organising public discussion of the Strategy;
- Delivering of the Final Draft of the Strategy for Government approval.

Monitoring and Reporting

The Government of Republic of Kosovo will monitor the work of the IMWG DwPR and oversees the progress of activities.

After each consultation meeting of the sub-working groups, the Secretariat together with the Chairs of sub working groups will prepare reports including recommendations and conclusions from the consultation meetings. These reports will then be shared with IMWG DwPR for review and will be used in drafting the National Strategy for Transitional Justice.
<table>
<thead>
<tr>
<th>OBJECTIVE</th>
<th>PLANNED ACTIVITIES</th>
<th>TIME FRAME</th>
<th>RESPONSIBLE</th>
<th>RESOURCES</th>
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<tbody>
<tr>
<td>1</td>
<td>Coordination of the IMWG DwPR activities</td>
<td>Organising the monthly meetings in compliance with the Rules of Procedure</td>
<td>Throughout the process</td>
<td>Public Institutions and Civil Society</td>
</tr>
<tr>
<td>2</td>
<td>Sensitization of the public on the process of Strategy drafting</td>
<td>Design of the Awareness Campaign</td>
<td>K2</td>
<td>OPM and the Members of the IMWG DwPR</td>
</tr>
<tr>
<td></td>
<td>Sensitization of Public on the work and objectives of the IMWG DwPR</td>
<td>Publication of brochures, leaflets and other printed material</td>
<td>K2</td>
<td>OPM and the Members of the IMWG DwPR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Organizing of one Conference for public awareness on the IMWG and consultations process</td>
<td>K2</td>
<td>Members of the IMWG and Secretariat</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Creation of the separate web page of the IMWG within the web page of the OPM</td>
<td>K2</td>
<td>OPM, Members of the IMWG and Secretariat</td>
</tr>
<tr>
<td>3</td>
<td>Increase of efficiency and level of knowledge for the IMWG members on specific thematic</td>
<td>Identification and engagement of experts within each sub working group</td>
<td>K3</td>
<td>Members of IMWG</td>
</tr>
<tr>
<td>4</td>
<td>Identification of gaps in the legislative framework and recommendations for improvement</td>
<td>Analyses of the legislative framework and other policies</td>
<td>Throughout the process</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Outreach work to Identify the needs of victims –for the Strategy drafting process</td>
<td>Field consultations</td>
<td>K2</td>
<td>Members of the IMWG and Secretariat</td>
</tr>
<tr>
<td>6</td>
<td>Capacity building of the members of IMWG and Secretariat</td>
<td>Organizing ongoing trainings on specific thematic of TJ</td>
<td>Throughout the process</td>
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<tr>
<td></td>
<td></td>
<td>Organizing study visits and exchange experiences</td>
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<tr>
<td>7</td>
<td>Identification of recommendations for drafting the Strategy</td>
<td>Organising one Conference with the stakeholders</td>
<td>K1</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Provision of the Draft Strategy</td>
<td>The draft Strategy</td>
<td>K1</td>
<td>Members of IMWG</td>
</tr>
<tr>
<td>9</td>
<td>Assessment of acceptability and inclusion of the key feedback received</td>
<td>Organising a public discussion of the Draft Strategy</td>
<td>K2</td>
<td>Members of the IMWG and Secretariat</td>
</tr>
<tr>
<td>10</td>
<td>Approval of the National Strategy on Transitional Justice</td>
<td>Submission of the National Strategy on TJ for Government approval</td>
<td>K3</td>
<td>Members of the IMWG, Secretariat and the RKS Government</td>
</tr>
</tbody>
</table>
Annex III: List of memorials

1. **Municipality of Prizren**
   - Memorial “KLA Martyrs”, Landovice, Prizren;
   - Cemetery and Monoliths in Jeshkova, Lubiqeve, Pirane
   - Memorial of Martyrs in Korishe; - Partially
   - Memorial of 22 Martyrs in Randobrave.
   - Memorial of Martyrs of the Nation - Landovice
   - Statue of Commander Petrit, Centre of Prizren

2. **Municipality of Hani i Elezit**
   - Cemetery Complex of KLA Martyrs - Puset e Nikes – Hani i Elezit - funded by the Community in 2002- 2004; Municipality has funded its restoration in 2012-2013.
   - Memorial of KLA Martyrs Feriz Guri – commander Shpata and Xhevdet Guri - partially funded by the municipality.

3. **Municipality of Dragash**
   - Commemorative Centre of Cemetery of KLA Martyrs – Dragash- 2003-2004

4. **Municipality of Junik**
   - Has not funded any such project.

5. **Municipality of Gllogoc**
   - Memorial “Massacre of Likoshan”- Likoshan; Municipality of Gllogoc together with the Municipality of Skenderaj and the Ministry 2012
   - Cemetery of KLA Martyrs in Gllanaselle, Komoran (partially), Gradice (monothil), Terdevc, Terstenik, Shtutice, Verboc, Negrovc (plaque financed by the Municipality);
   - Commemorative plaque - Poklek te Vjeter;
   - Cemetery of Martyrs - Gllobar, - Municipality 2005-2006

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1 Lista është marr nga anëtarja e grupit punues, nga kontakti direkt që e ka pasur me zyrtarët e Komunave respective.
6. **Municipality of Prishtine**
- Cemetery of KLA Martyrs - Prishtine; - Partially by the municipality.

7. **Municipality of Vushtrri**
- Memorial of KLA Martyrs - Vushtrri
- Memorial of KLA Martyrs - Bleta; Partially
- Memorial “Martyrs of Freedom” - Vushtrri,
- Cemetery of Martyrs - Vushtrri, Studime.
- Monument of Martyrs “Zahir Pajaziti-Edmond Hoxha-Hakif Zejnullahu”- Pestove. There is no information with regard to which municipality has issued the decision

8. **Municipality of Kline**
- Memorial of Cemetery of KLA Martyrs - Grabanice; (Kodra e Kuqe e Klines)
- Memorial of Cemetery of KLA Martyrs and Muje Krasniqi - Kline; Partially
- Memorial of Cemetery of KLA- Gllareve.

9. **Municipality of Malisheva**
- Complex - Special Area “General KLA Headquarters Kleçke and Divjake” – Berisha Mountains; 2010
- Cemetery of Martyrs - Malisheve; 2001
- Cemetery of Martyrs of different periods of our history; partially
- Cemetery of Massacre of Burimi – Dragobil; 2000-2001
- Operation area of the KLA Military Hosital - Gajrak and Kravasari; (partially, the plaque)
- KLA Headquarters during 1998-1999, Brigade 122 - Dragobil. (Plaque of the cemetery)

10. **Municipality of Gjakova**
- Memorial “KLA Martyrs” –Jabllanice; -Partially

11. **Municipality of Kaçanik**
12. Municipality of Mitrovica
- Regulation of Martyrs Cemetery - Shipol - 2007.
- Regulation of Martyrs Cemetery - Shipol, has started in 2013, not finished yet.
- Regulation of some Martyrs Cemetery that are buried in the village of Mazhiç- 2010.
- Regulation of the martyr monolith- Xhevat Jusufi in Smrekonica – 03.01.2013. Co-funding by two municipalities - Mitrovica and Vushtrri.
  - Partially invested in the regulation of the martyr monolith - Avni Shabani - 2011.
  - Partially invested in the regulation of the monolith dedicated to the martyrs Avni and Mehdi Hajredini - Koshtova - November 28, 2013.

13. Municipality of Ferizaj
- Cemetery of Martyrs –Ferizaj; 2006
- Monolith of Kemajl Hetemi- partially 2007;
- Bust of Driton Islami- partially 2006-2007; -
Bust of Naim Beka - 06.09.2010.

14. Municipality of Obiliq
- Memorial of Martyrs of Freedom – Obiliq;
- Bust of KLA Commander “Adem Jashari” – Obiliq; 14.06.2011-
- Statue of Patriot Aziz Zhiliivoda, 24.06.2011- Obiliq
- Bust of Martyr Fahri Fazliu – 3.11.2011; Obiliq
- Monument – Obelisk of Martyr Ferid Currit – Lower Mazgit;
- Monument of KLA Martyrs – Hade;
- Monolith of Freedom – Hamidi;
- Cemetery of KLA martyrs – Siboc;
- Monument of KLA War - Shipitulle.
- Monolith of Morina family in Millosheva;
- Monolith of Rama family - Shkabaj;
- Monolith of Halimi family - Dardhishte.
15. Municipality of Kamenica
- Memorial of KLA Martyrs cemetery - Kamenica; - Partially, in the second phase. There was no inauguration since it is still under construction. For the moment it is a court case

16. Municipality of Rahovec
- Memorial of “KLA Martyrs” –Xerxe; - Works are still continuing
- Cemetery of Martyrs of Rahovec; 2011
- Memorial “Hoçe e Vogel”. 2009
- House Museum “Ukshin Hoti”- Krushe e Madhe 18.06.2013
- Statute of Xhelal Hajda - Toni and Selajdin Mullaabazi – Mici- 06.11.2010

17. Municipality of Podujevo
- Complex of Cemetery of Martyrs- Penuh; Partially
- Cemetery of Martyrs and Memorial – “Tabet e Llapashtices”- Partially
Dedicated to:
Ise Havolli,
Rushit Selmani,
Bajram Murati,
Murat Murati,
Raif Haliti, Fatmir and Avni Selmani,
On the other side are Skender and Miftar
Zejnullahu, Lulezim Jashari,
Remzi Demolli,
Jetullah Kastrati,
Driton Azemi, and Isak Lutolli,
In the middle are the pictures of two commanders of the two units: Bedri Ahmeti - Bedi and Ismet Derguti.
- Bronze sculpture of Sami Plakolli 11.11.2013;
- Bust of Shaban Shala

18. Municipality of Deçan
- Memorial Complex KLA Headquarters and Cemetery of KLA Martyrs” Gllogjan –Deçan; 2012
- Memorial of Martyrs – Upper Strellc, Lebushe, Isniç, Ratish e Ulte, Gramaćel, Baballoq, Prilep, Beleg, Upper Carrabreg, Carrabreg i Ulte, Pobergj, Rizniq, Sllup;

- Monolith of Martyrs of the Nation in Deçan “Luan Haradinaj, Mentor Tolaj”;

- Memorial Complex – Reconciliation of Feuds and Cemetery of KLA Martyrs - Lumbardh

- Memorial Complex - Pogragje- 2013

- Memorial Complex dedicated to the massacre in the village of Beleg. -Monolith for 19 of missing persons in Pobergie of Deçan- 04.06.2012

19. **Municipality of Peja**

- Bust of Adrian Krasniqi 2011

- Bust of Adrian Krasniqi 2011

- Place of Massacre of Berisha family in Centre of Suhareka;

- Cemetery of Martyrs and Monolith of KLA - Suhareke.