

| 1 Implementation of the Comprehensive Settlement Proposal - State of Implementation | | | | | |
|---|---|--------------------|---------------|--|---|
| 2 | CSP Implementation Benchmarks | CSP Reference | Actors | | General Comment |
| | | | International | Kosovo | |
| 4 | General principles, Kosovo's governance and constitutional order | | | | |
| 5 | <i>Constitution</i> | | | | |
| 6 | Establishment of Constitution Commission (CC) in accordance with specified membership criteria | Arts. 10.1-2 | | President of Kosovo, President of Assembly of Kosovo (AoK) | Constitution Commission established in 2008 and completed its work. |
| 7 | Constitutional Commission to draft a Constitution | Art. 10.1 | | Constitutional Commission | Draft adopted by the Constitutional Commission on 1 April 2008. |
| 8 | Constitution to include the principles and elements set forth in Annex 1 of the Comprehensive Proposal | Arts. 1-11 Annex I | ICO | Constitutional Commission | ICR certified draft Constitution as in compliance with CSP on 2 April 2008. |
| 9 | CC to establish meaningful mechanisms to inform public of its activities | Art. 10.3 | | Constitutional Commission | Commission carried out a public information campaign allowing public to comment on draft. |
| 10 | Assembly to conduct appropriate consultations with Assembly members of Communities who are not in the majority in Kosovo before formally approving the Constitution | Art. 10.4 | | AoK | Consultations were sought with representatives of all Communities. |
| 11 | Assembly to adopt Constitution following certification by ICR of compliance with CSP | Art. 10.4 | | AoK | Constitution adopted by Assembly 9 April, entered into force 15 June 2008. |

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| 12 | Kosovo to establish a Constitutional Court | Art. 6 Annex I | ICO | Government | <p>On 26 June 2009 the President officially swore in the six national judges who had been proposed by the Assembly together with two of the international judges. The third international judge was sworn in at a separate ceremony in July.</p> <p>The Secretary General of the Court has been appointed and recruitment for the other personnel at the court is well under way. Four legal advisors funded from the ICO budget have been selected and will take up their positions in October.</p> |
| 13 | ICR representatives to support the work of Constitutional Commission | Art. 10.3 | ICO | | ICO legal experts worked closely with the Commission. |
| 14 | ICR to certify draft Constitution in accordance with Comprehensive Status Proposal | Art. 10.4 | ICO | | Draft Constitution certified on 2 April 2008. |

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| 15 | ICR to appoint three Constitutional Court members in consultation with European Court of Human Rights | Art. 6.1.3 Annex I; Constitution Art. 152 | ICO, ECHR | | The three judges have been appointed in consultation with the President of the European Court of Human Rights, two of them were sworn in on 26 June 2009 by the President. Judge Doicheva was sworn in two weeks later in July 2009. Judge Doicheva and Judge Rodrigues took up their duties on 1 August and Judge Carolan on 1 September 2009. |
| 16 | Kosovo to have the right to seek membership in international organisations | Art. 1.5 | ICO, ISG | Government | Kosovo, with ICO and ISG assistance, is now seeking membership in various international organizations. Kosovo was offered membership in the IMF and the World Bank on 9 May and 3 June 2009, respectively, and later signed the relevant treaties. Accession was ratified by the Assembly on 23 July 2009. Kosovo is now a member of both. |
| 17 | Government to promote reconciliation process as well as comprehensive and gender-sensitive approach to dealing with the past | Art. 2.5 | | Government | No apparent progress. |

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| 18 | Government to take all necessary measures for refugees and IDPs to return in a safe and dignified manner and reclaim property in accordance with relevant law, in cooperation with UNHCR and other relevant organizations | Art. 4 | UNHCR, other relevant organisations | Government | There are incidental cases of successful return. Progress is slow, although support from many stakeholders is available. |
| 19 | Government of Kosovo and Government of Serbia to participate in Working Group on Missing Persons established under Vienna Dialogue and chaired by ICRC | Art. 5 | ICRC, Government of Serbia | Government | The Government continues to meet regularly in the Working Group. There is incidental progress. |
| 20 | Kosovo to adopt a debt law covering any decisions related to public borrowing | Art. 8.1 | | Government | The process of drafting this law has been ongoing and involves the GoK and all major international stakeholders. |
| 21 | Government to establish with European Commission, in close cooperation with IMF, a Fiscal Surveillance Mechanism | Art. 8.1 | European Commission, International Monetary Fund | Government | The Fiscal Surveillance Mechanism (FSM) was established on 17 March among the EC, IMF and the government; the Terms of Reference of the FSM were also adopted. |
| 22 | Kosovo shall organize general and municipal elections no later than 9 months from entry into force of the Settlement | Art. 11.1 | ICO | Government, AoK | As the President has determined the sitting government and Assembly enjoy full mandates, he has not called general elections. Municipal elections will be held on 15 November in 36 municipalities, including three "new" municipalities and one extended one. Elections for the two remaining "new" municipalities are anticipated to be held no later than six months after 16 November 2009. |
| 23 | ISG to appoint the International Civilian Representative | Art. 12 | ISG | | The ISG met in February 2008 and appointed Mr. Pieter Feith as ICR. |
| 24 | Law on Kosovo Citizenship | Art. 1.6 Annex I (GP); Art. 2.11 Annex XII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 25 | Law on State Symbols | Art. 1.7 (GP); 2.12 Annex XII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 26 | Law on Official Holidays | Art. 1.7 (GP); 2.12 Annex XII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 27 | Laws on General and Local Elections | Art. 1.1 Annex XII | ICO | Government, AoK | Adopted by Assembly, has entered into force. |
| 28 | | | | | |
| 29 | THE RIGHTS OF COMMUNITIES AND THEIR MEMBERS | | | | |
| 30 | <i>Adoption of relevant legislation</i> | | | | |

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| | | | International | Kosovo | |
| 31 | Kosovo to guarantee community rights in Constitution | Art. 3 (GP); Annex II | | Government, AoK | Constitution incorporates Annex II CSP, including principles regarding representation and role of communities in central institutions. |
| 32 | Law on Protection and Promotion of Rights of Communities and Their Members | Art. 2.1 Annex XII; Annex II | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 33 | Establishment of the Community Consultative Council (CCC) | Art. 4.3 Annex II | | Office of the President of the Republic of Kosovo | The CCC meets regularly and has established functioning working groups on a number of sub-issues. Government appointments to the CCC have been made. Its work is supported at a technical level by the European Centre for Minority Issues . |
| 34 | <i>Government to promote mutual trust in Kosovo</i> | | | | |
| 35 | Create appropriate conditions enabling communities and their members to preserve, protect and develop their identities, including by supporting cultural initiatives and by providing financial assistance | Art. 2 Annex II | | Government | Limited and ad hoc programmes provide financial assistance to individual cultural events of communities. The broader conditions may not hinder the protection and promotion of community identities, but also do not actively foster them. See also lines 37 and 41. |
| 36 | Promote the spirit of tolerance, dialogue and reconciliation among communities | Art. 2 Annex II | | Government | Government program for 2008-2011 states objective of building trust among all citizens. Individual office-holders have made various efforts to promote this spirit. |
| 37 | Respect standards set forth in Council of Europe Framework Convention for Protection of National Minorities and European Charter for Regional or Minority Languages | Art. 2 Annex II | | Government | Advisory Office of Good Governance has developed implementation matrixes for the Framework convention on National Minorities. The Government has adopted a Human Rights Strategy. The resolution mechanisms for compliance with the European Charter for Regional and Minority languages, the Language Commission, are not functioning due to lack of adequate resources. |
| 38 | Protect persons subject to or threatened with discrimination or violence as a result of their national, ethnic, cultural, linguistic or religious identity. | Art. 2 Annex II | ESDP Mission, IMP | Government | The newly established Constitutional Court has jurisdiction to decide cases of discrimination. The protection of persons threatened on the basis of national, ethnic, cultural, linguistic identity is undertaken through a variety of mechanisms, including the Ombudsperson Institution, the criminal courts system and the Constitutional Court. |

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| | | | International | Kosovo | |
| 39 | Promote full and effective equality among members of communities in economic, social, political, cultural and other aspects of life | Art. 2 Annex II | | Government | Progress is fragile and subject to unexpected advances and reversals. See also line 41. |
| 40 | Take effective action against anyone who undermines the enjoyment by community members of their rights | Art. 2 Annex II | | Government | Progress is fragile and subject to unexpected advances and reversals. See also line 41. |
| 41 | Refrain from policies or practices aimed at assimilation of persons, against their will, belonging to Communities | Art. 2 Annex II | | Government | No overt policies or practices aimed at assimilation of communities have been observed. However, there is inconsistent use of official languages in state documents, public forms, public signage and general communication with the public. |
| 42 | Ensure that members of communities are able to freely exercise their rights | Art. 2 Annex II | | Government | See in particular lines 31 through 41 inclusive, as well as 43 and 44. |

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| | | | International | Kosovo | |
| 43 | Government to ensure that communities have access to and representation in public and independent broadcast media, and programming in their own language | Art. 3.1.j Annex II | | Public broadcaster RTK, AoK, Independent Media Commission (IMC) | Public broadcaster is required by law to provide programming in languages of non-minority communities, this commitment is monitored by the IMC. The IMC has taken the right of non-majority communities to mother tongue language broadcasting into full account for the re-licensing process and ICO monitors implementation. The Government has drafted regulation to operationalise Minority Media Fund. IMC to finalize digitalization strategy for Kosovo to be presented to ITU. |
| 44 | Government to take measures to secure international frequency plan allowing for Serbian-language TV station reaching all of Kosovo | Art. 3.1.k Annex II | | Government, Independent Media Commission | Since Kosovo cannot become a member of the ITU at this time, provision cannot be implemented as drafted. ICO continues through stakeholder forums to promote editorial independence, financial sustainability, integrative purpose and viewer interest as core principles of a Serbian language channel. |
| 45 | | | | | |
| 46 | DECENTRALISATION | | | | |
| 47 | <i>Adoption of relevant legislation</i> | | | | |
| 48 | Law on Local Self-Government | Art. 2.1 Annex III | | Government, AoK | Adopted by Assembly, has entered into force. |
| 49 | Law on Municipal Boundaries | Arts. 2.2, 12 and 13 Annex III | | Government, AoK | Adopted by Assembly, has entered into force. |
| 50 | Law on Local Government Finance | Arts. 2.3 and 8 Annex III | | Government, AoK | Adopted by Assembly, has entered into force. |
| 51 | Law on Local Education | arts. 3.1.h, 4.1.1 and 7 Annex III | | Government, AoK | Adopted by Assembly, has entered into force. |
| 52 | Law on Local Health | Art. 4.1.2 Annex III | | Government, AoK | This law was promulgated on 30 December 2008. |

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| 53 | ICR appointment of Municipal Preparation Teams for the new municipalities | Art. 12.2 Annex III | ICO | Government | Four out of six MPTs have been appointed. Interviews for the remaining two are being scheduled by ICO and the MLGA. |
| 54 | Government to cooperate with Municipal Preparation Teams to ensure that resources, properties and administrative structures are in place to allow for the establishment and functioning of new municipalities after local elections | Art. 12.2 Annex III | ICO | Government | Four out of six new (or extended) municipalities were deemed to have reached a sufficient level of preparation to hold local elections on 15 November. The remaining two require more time but preparations will be complete before elections there. Elections for these two remaining new municipalities are anticipated to be held no later than six months after 16 November 2009. |
| 55 | Kosovo to establish the municipalities of Mitrovicë/Mitrovica North, Ranillugë/Ranilug, Kllokot-Vërboc/Klokot-Vrbovac, Partesh/Parteš, and Graçanicë/Graçanica and extend the existing municipality of Novobërdë/Novo Brdo | Art. 12 Annex III | ICO | Government | Administrative boundaries are defined and budgets from 2009 (onwards) have been allocated. Elections are to be held in 4 new (or extended) municipalities on 15 November 2009. Elections for the two remaining "new" municipalities are anticipated to be held no later than six months after 16 November 2009. |
| 56 | Government to provide cost estimates for establishment and operation of new municipalities | Art. 8.4 Annex III | | Government | Budgets for new municipalities now operate as part of the government's annual budget cycle together with a reserve fund in MLGA for infrastructure requirements. |

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| | | | International | Kosovo | |
| 57 | Government to engage in consultations with non-majority communities that form 75% or more of population in concentrated areas regarding possible establishment of new municipalities | Art. 12.4 Annex III | | Government | The government has opened conversations with communities that believe themselves to be eligible for consultation under Article 12.4. However formal consultations will wait until census data has been verified; this will not be available until 2011. |
| 58 | Transfer of competencies to municipalities, establishment of administrative review mechanisms and implementation of other provisions of Law on Local Self-Government | Arts. 3, 4, 5, 6 and 12.2 Annex III | | Government, AoK, municipal authorities | Eight competence areas are continuing to be reviewed for possible transfer from central to local levels. Existing and new legislation is monitored and analyzed for compliance with the CSP. |
| 59 | Government, in consultation with ICR, to call population census one year after entry into force of CSP | Art. 14 Annex III | ICO | Government | After consultation with the ICR, on 25 June 2009 the government announced March 30 – April 11, 2011, as the dates for the population census. |

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| | | | International | Kosovo | |
| 60 | Kosovo authorities and ICR ensure resources, properties and administrative structures for new municipal governments | Art. 12 Annex III | ICO | Government | 2010 budget preparations provide for recurrent costs of all new municipalities. In addition the MLGA is allocating resources to continue investment in new municipal infrastructure. Transfer of executive responsibility to the new municipal government is pending elections. |
| 61 | ICR to appoint one member to the independent commissions charged with reviewing statute and accreditation of university of Mitrovica/Mitrovica North | Art. 7 Annex III | ICO | Municipalities of Mitrovicë/Mitrovica South and Mitrovicë/Mitrovica North, Ministry of Education | Political difficulties in relation to North Mitrovicë/Mitrovica have made it difficult to make progress on this issue for the moment. The revised law on Higher Education should refer to the establishment of this Independent Commission. |
| 62 | ICR to appoint an international representative to chair Joint Board of Mitrovicë/Mitrovica North and Mitrovicë/Mitrovica South, each municipality to appoint 5 members | Art. 13 Annex III | ICO | Municipalities of Mitrovicë/Mitrovica North and Mitrovicë/Mitrovica South | Progress cannot be made until the establishment of the new municipality of North Mitrovicë/Mitrovica. |
| 63 | ICR to establish field office in Mitrovicë/Mitrovica with particular focus on security/rule of law, freedom of movement/returns, property rights/housing, and economic development | Art. 4.4 Annex IX | ICO | | ICO Preparation Team established Mitrovica Office in 2007. ICO Office in Mitrovica established with Head of Office in February 2008. New substantive office opened in October 2008. |
| 64 | | | | | |
| 65 | JUSTICE SYSTEM | | | | |

| 2 3 | CSP Implementation Benchmarks | CSP Reference | Actors | | General Comment |
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| | | | International | Kosovo | |
| 66 | Kosovo Judicial Council (KJC) and Independent Judicial and Prosecutorial Commission (IJPC) to ensure at least 15% of judges of Supreme Court, but in no case fewer than (3) three judges, are from non-majority Communities | Art. 1.1 Annex IV | | KJC and IJPC | The deadline for the receipt of applications for the position of judge of the Supreme Court closed on 10 June, 2009. Recommendations will be made by the IJPC to the KJC during the first week of October and the appointments will be made by the President later that month. The IJPC carries out rigorous background checks on all applicants before they are selected for interview and thus a four month period is necessary between receipt of applications and recommendations by the IJPC. |
| 67 | Kosovo Judicial Council (KJC) and Independent Judicial and Prosecutorial Commission (IJPC) to ensure at least 15% of judges of each District Court, but in no case fewer than two (2) judges, are from non-majority Communities | Art. 1.2 Annex IV | | KJC and IJPC | The deadline for the receipt of applications for the position of judge of a District Court closed on 8 July, 2009. It is anticipated that the IJPC will have made all of its recommendations with respect to these positions by early April, 2010. The reason for the long delay between the receipt of applications and the making of the recommendations is due to the fact that the IJPC aims to fill 101 positions as a result of one vacancy announcement (all positions in second level courts and prosecutors' offices). As part of the vetting process it will carry out rigorous background checks on all applicants who apply and who fulfill the minimum eligibility criteria. |

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| 68 | Kosovo Judicial Council (KJC) to ensure implementation of system for establishment of basic courts upon request by municipality | Art. 1.3 Annex IV | | KJC | The KJC has not yet put in place a system for the establishment of basic courts upon request by a municipality nor has it received any such request from a municipality which might prompt it to take such action. The KJC in its current composition began work on 26 August, 2009 and has not put this issue on its agenda as yet. |

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| 69 | KJC and IJPC to ensure that composition of judiciary and prosecution service reflects ethnic diversity of Kosovo and need for equitable representation of all Communities | Art. 2 Annex IV | | KJC and IJPC | The IJPC and KJC apply the law with respect to ensuring ethnic diversity in the judiciary. With respect to the Supreme Court and District Courts there are clearly set percentages for non-majority community participation in the judiciary. The ICR has, in addition, encouraged the IJPC to develop a strategy so as to ensure such ethnic diversity in the judiciary as a whole as a result of the reappointment/vetting process specifically when the law does not set specific percentages with respect to non-majority community participation. The ICO will continue to follow up on this issue as the IJPC process proceeds. |
| 70 | KJC and IJPC to ensure that comprehensive judicial and prosecutorial appointment process is carried out | Art. 3 Annex IV | | KJC and IJPC | The KJC and IJPC are currently in Phase I of the reappointment process. There are three phases in total. During phase 1 judges of the Supreme Court and prosecutors of the Office of the Prosecutor will be appointed and this phase will be completed in October, 2009. During phase 2 judges and prosecutors of the second instance courts and prosecutors' offices will be appointed |
| 71 | Kosovo to ensure that Kosovo Judicial Council complies with CSP requirements | Art. 4 Annex IV | | Government | The Law on the Temporary KJC was adopted in January, 2009 and it was drafted in compliance with CSP requirements. The law provides that, for an interim period, there are to be 5 members of the KJC and these 5 members have been appointed – 3 non-judge members elected by deputies of the Assembly of the Republic of Kosovo and 2 members proposed by the ESDP mission and appointed by the ICR. |
| 72 | ICR to select, upon proposal of ESDP mission, two international members of the Kosovo Judicial Council | Art. 4.2.2 Annex IV | ICO, ESDP mission | | See line 71 above. |

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| | | | International | Kosovo | |
| 73 | ICR to consent, prior to their appointment, to international judges and prosecutors selected by the ESDP Mission | Art. 2.2.c Annex IX | ICO, ESDP mission | | In November 2009 the ICR consented to a significant number of appointments of ESDP mission judges and prosecutors. As judges and prosecutors depart and are replaced the ICR gives his consent as appropriate. |
| 74 | | | | | |
| 75 | RELIGIOUS AND CULTURAL HERITAGE | | | | |
| 76 | <i>Adoption and implementation of relevant legislation</i> | | | | |
| 77 | Law on Establishment of Special Protective Zones | Art. 4 Annex V | | Government, AoK | The law was adopted by the Assembly and entered into force. |
| 78 | Law on Special Protective Zone of Historic Centre of Prizren | Art. 4.1.7 Annex V | | Government, AoK, Prizren municipality | Good progress has been achieved in promoting the integration of the cultural heritage of all communities into a single approach. The draft law is being discussed by an Inter-Ministerial Working Group, including representatives of relevant government institutions and the municipality of Prizren, with active support from ICO HQ and regional office. Further involvement of Kosovo Serbs is critical. |
| 79 | Government and municipalities to harmonise spatial planning instruments with Special Protective Zones | Art. 4.1.3 Annex V | | Government, municipal authorities | Good results at municipal level, where cultural heritage is increasingly integrated within spatial plans, following close monitoring and support from ICO regional offices. Efforts for institutionalizing these practices at national level are ongoing. No further progress in integrating the Special Protective Zones into the draft Kosovo Spatial Plan, which once approved would become the document on which all municipal development plan should be based. |

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| 80 | Government and Assembly to put in place legislative framework to grant customs duty and tax privileges to Serbian Orthodox Church for economic activities specific to its financial self-sustainability | Art. 2 Annex V | | Government, AoK | Some elements of the framework were adopted by the Assembly as part of the Customs Code and have entered into force. Tax exemptions are being included in other legislation (VAT Law; Law on Corporate Income Tax) to complete this framework. |
| 81 | Government to establish administrative mechanism for implementation of the legal framework related to customs duty and tax privileges to be established | Art. 2 Annex V | | Government | The Customs Code has entered into force, but no progress has been made with drafting the numerous administrative regulations, including the regulation on tax exemption of religions. |
| 82 | Government to preserve cultural and religious heritage of all communities, including historical sites and monuments, as an integral part of Kosovo heritage; Implement the Law on Cultural Heritage | Art. 2.5 Annex II | | Government | Coordination among relevant actors has improved through the Cultural Heritage Forum led by the Ministry of Culture with joint support of our office and ECLC. In that framework, the Ministry of Culture succeeded in organizing European Heritage Days which include activities related to both Kosovo Serb and Kosovo Albanian communities, including a Ministerial visit to a Serbian Orthodox Monastery. The European Commission and the Council for Europe are supporting the Ministry of Culture in creating the conditions for the Law on Cultural Heritage to be implemented, including institutional reforms of the cultural heritage sector |
| 83 | Government to implement the Law on Freedom of Religion | Art. 1 Annex V | | Government | The Law on Freedom of Religion contains provisions related to the access to religious premises and the internal organization of religious communities, which are being implemented. |

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| 84 | Kosovo law enforcement agencies to provide security for Serbian Orthodox Church sites in conjunction with ESDP rule of law mission and IMP | Art. 3 Annex V | [IMP], ESDP mission | Government, KP | Kosovo Police have assumed responsibility for protection of sites in line with its Operational Order. IMP to gradually recede from such activities. |
| 85 | Government and local authorities to develop a mechanism for the village of Velika Hoča/Hoçë e Madhe to exercise limited authority over protection and promotion of religious and cultural heritage and rural planning. | Art. 4.2 Annex V | | Municipality of Rahovec/Orahovac, Government | Law is being drafted by an Inter-Ministerial Working Group, including representatives of relevant government institutions and the municipality of Rahovec/Orahovac, with active support from ICO HQ and regional office. Engagement of the Serbian Orthodox Church is needed to ensure successful implementation. |
| 86 | ICO to oversee progress of legislative and institutional mechanisms with respect to Religious and Cultural Heritage; GoK to ensure compliance | Annex V | ICO | Government | With the support of ICO, the Ministry of Environment and Spatial Planning (MESP) and the Ministry of Culture, Youth and Sports (MCYS) have set up three inter-Ministerial working groups to oversee progress and ensure compliance with provisions of Annex V Art 4 (Protective zones, Prizren and Velika Hoča). Another group hosted by MCYS deals with issues related to the security of cultural heritage sites, with the participation of Kosovo Police, ICO, ESDP mission, IMP, OSCE and UNMIK. |
| 87 | ICR to establish Implementation Monitoring Council (IMC) and appoint Chairperson | Art. 5 Annex V | ICO | Government | Active involvement of ICR to secure engagement of relevant local and international organizations, with an eye on the substance of issues. |

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| 88 | IMC to advise ICR on implementation of provisions relevant to Annex V, supervise delineation of SPZs, recommend changes if warranted, facilitate dispute resolution, recommend corrective measures, advise law enforcement agencies as appropriate. | Art. 5 Annex V | ICO | | See line 87. |
| 89 | Serbia to return archaeological and ethnological exhibits taken on loan from museums of Kosovo for temporary exhibitions in Belgrade 1998 – 1999, within 120 days from date of entry into force of Settlement | Art. 6 Annex V | Government of Serbia | | Further action required. |
| 90 | | | | | |
| 91 | ECONOMY | | | | |
| 92 | <i>Adoption of relevant legislation</i> | | | | |
| 93 | Law on Public Finance Management and Accountability | Art. 8.1 | | Government, AoK | Adopted by the Assembly, has entered into force. |
| 94 | Law on POEs | Art. 1 Annex VII | | Government, AoK | Adopted by the Assembly, has entered into force. |
| 95 | Law on KTA successor | Art. 8.4 (GP); Art. 2 Annex VII | | Government, AoK | Adopted by the Assembly, has entered into force. |
| 96 | Legal framework on the Special Chamber | Art. 3 Annex VII | | Government | International stakeholders are assessing the need for a legal framework. The Special Chamber appears to have reservations about the need for a new Special Chamber law. International stakeholders are reviewing whether an amendment law is needed. |
| 97 | Law on KPA | Art. 8.6 (GP); Arts. 4-5 Annex VII | | Government, AoK | Adopted by the Assembly, has entered into force. |
| 98 | Law on Property Restitution | Art. 2.13 Annex XII | | Government, AoK | At present, the situation is not conducive to a restitution process being started. |
| 99 | Mid-year review of the 2009 budget | Art. 8.1 (GP) | ICO | Government, AoK | The process was concluded in late July 2009. That said, consultation with the ICR has not been done in a timely manner. |

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| 100 | Medium Term Expenditure Framework 2010/12 | Art. 8.1 (GP) | | Government, AoK | The Government has adopted the Medium Term Expenditure Framework (MTEF) 2010-2012. The MTEF will be updated as part of the 2010 budget process. |
| 101 | Consultations for the preparation of the Kosovo Consolidated Budget | Art 8.1 (GP) | ICO, European Commission, IMF | Government, AoK | The budget process for 2010 is ongoing. Consultations with the ICR and other stakeholders are foreseen in early October. |
| 102 | Kosovo to assume its share, based on principle of territoriality, of external debt currently served by Serbia, possibly with facilitation by ISG-appointed international arbitrator | Art. 8.2 (GP); Annex VI | Government of Serbia, ISG, IMF, World Bank | Government | On 29 August, the World Bank wrote off \$550 million of debt Serbia owed to it; in parallel, Kosovo assumed that debt in an agreement entered into with the World Bank. The government has put aside € 55 million for debt servicing purposes in the draft 2010 budget. The first installment towards the World Bank debt was recently repaid, while the next payment is due in March of next year. Kosovo is still to take over portions of the Paris and London Club debt. |
| 103 | Government to ensure the independence of the Kosovo Pension Savings Trust (KPST) | Art. 8.5 (GP) | | Government | Law amending relevant UNMIK Regulation was adopted by Assembly and entered into force. The Government appointed members of the Governing Board on April 30 2009. The Board is fully constituted and been operating independently. |
| 104 | KPST to act independently, in the interest of its beneficiaries, and to invest assets prudently | Art. 8.5 (GP) | | KPST | KPST-managed funds are currently invested with sufficient prudence. |
| 105 | ICR to make certain international PAK appointments | Art. 2.2 Annex VII | ICO | | Appointments for the PAK Board and the Director of the Executive Secretariat were made during the summer of 2008; some of these were replaced during 2008. In July 2009, appointments were made to the PAK Liquidation and Review Committees. More appointments to these Committees are expected to be made later this year in accordance with PAK's needs. |

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| 106 | ICR and Government to make certain KPA appointments | Arts. 4.2-5 Annex VII | ICO | Government | Relevant appointments were made by ICR during the summer of 2008. One ICR-appointed member of the Supervisory Board recently resigned and will be replaced. The Kosovo authorities have made nominations but not yet all appointments to the KPA. |
| 107 | ICR to appoint international KPST members and Auditor General | Art. 2.2 Annex IX | ICO | | The Auditor General was appointed on 19 January 2009 and assumed his responsibilities on 1 March 2009. The ICR appointed one member of the KPST Board of Directors on 21 October 2008. |
| 108 | ICR to give consent to appointment of Director General of Customs, Director of Tax Administration, Director of Treasury and Managing Director of CBAK | Art. 2.2 Annex IX | ICO | | On 6 July 2009 the ICR granted his consent to the appointment of the Director of Tax Administration. |
| 109 | Serbia to return to Kosovo archives that have been displaced from Kosovo as well as Serbian archives that pertain to Kosovo, within six months of end of transition. Until then, free access to such archives should be allowed | Art. 7 Annex VII | Government of Serbia | | Further action required. |
| 110 | Management of publicly owned enterprises in compliance with international principles of corporate governance | Art. 1.2 Annex VII | ICO | POE boards, Government | Appointment of new members of Public Owned Enterprise boards has been finalized. |
| 111 | | | | | |
| 112 | KOSOVO SECURITY SECTOR | | | | |
| 113 | <i>Adaptation of relevant legislation</i> | | | | |
| 114 | Law on the Establishment of Kosovo Security Council | Art. 9, 14 (GP); Art. 1.4 Annex VIII; Art. 2.2 Annex XII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 115 | Law on Civil Aviation Authority | Art. 15.1.e (GP); Art. 7 Annex VIII; Art. 2.3 Annex XII | ICO | Government AoK | Adopted by the Assembly, has entered into force. |

| 2 | CSP Implementation Benchmarks | CSP Reference | Actors | | General Comment |
|-----|---|--|---------------|-----------------|---|
| | | | International | Kosovo | |
| 3 | | | | | |
| 116 | Law on the Ministry for the Kosovo Security Force | Arts. 9.5, 15.1.e 14.5 (GP); Art.5.1 Annex VIII; Art 2.4 Annex IX | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 117 | Law on the Kosovo Security Force | Arts. 9, 14.5 and 15.1.e (GP); Art. 5 Annex VIII; Art. 2.7 Annex XII; Arts. 1 and 2 Annex XI | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 118 | Law on Service in the KSF | Arts. 9, 14.5, 15.1.e (GP); Art. 5 Annex VIII; Art. 2.8 Annex XII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 119 | Law on the Establishment of a Kosovo Intelligence Agency | Arts. 9, 15.1.e (GP); Art. 4 Annex VIII; Art. 2.5 Annex IX; Art. 2.10 Annex XII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. The Director of the Kosovo Intelligence Agency was appointed on 4 February 2009. A Deputy Director and the Inspector General were appointed on 9 September 2009. |
| 120 | Law on Integrated Management and Control of the State Border. | Art 9 (GP); Art. 3 Annex VIII | ICO | Government, AoK | Adopted by the Assembly, has entered into force. |
| 121 | Law on Dissolution of the Kosovo Protection Corps | Art 9 (GP); Art. 6 Annex VIII; Art. 1.4 Annex XI | | KPCC, AoK | Adopted by the Assembly, has entered into force |
| 122 | Law on pensions for KPC members | Art. 9 (GP); Art. 6 Annex VIII | | Government, AoK | Adopted by the Assembly, has entered into force. |
| 123 | Law on Classification of Information and Security Clearances. | Art. 9.3 (GP) | | Government, AoK | A draft law has been completed by a working group chaired by a representative of the Kosovo Security Council Secretariat. The draft is expected to be presented to the Assembly of Kosovo in October 2009. |
| 124 | Law on State Emergencies | Art. 9.3 (GP) | | Government, AoK | Efforts are ongoing. |
| 125 | Assembly to establish appropriate oversight committees and amend its Rules of Procedure accordingly | Art. 9 (GP) Art. 4 Annex VIII; Art. 2.10 Annex XII | | Government, AoK | The Kosovo Assembly decided on 24 July 2009 to establish two functional parliamentary committees, on the Kosovo Intelligence Agency and the Kosovo Security Force. |
| 126 | Kosovo to draft subsidiary laws and internal regulations that will allow the laws to be implemented | Art. 1.4 Annex VIII | | Government, AoK | Efforts are ongoing. |

| 2 | CSP Implementation Benchmarks | CSP Reference | Actors | | General Comment |
|-----|---|--|---------------------|------------|--|
| | | | International | Kosovo | |
| 3 | | | | | |
| 127 | Government to achieve appropriate representation of Communities in security sector | Arts.1, 3, 9.2, 15.1.e (GP); Arts. 1.2, 2.3, 2.6, 4.1, 5.1, 5.5 Annex VIII | IMP | Government | <p>Current representation of communities in the security sector:</p> <p><u>Kosovo Security Force</u> 1328 uniformed staff: 7.83 % communities representation (CR) (1.58%Turkish, 2.03 %Bosnian, 4.22 %Other)</p> <p><u>Ministry for the Kosovo Security Force</u> 60 uniformed staff: 0.00 % CR 4 civilian staff: 3.50 % CR (2 Bosnian, 1 Serbian, 1 Turkish staff)</p> <p><u>Kosovo Police</u> 8618 uniformed and civilian staff: 14.20 % CR (9.39 % Serbian, 2.63 %Bosnian, 2.18 % Other);</p> <p><u>Kosovo Security Council</u> Members with executive authority: One of eight members with executive authority (Currently: Minister of Communities and Returns) - 12.5% CR Advisory members: In accordance with the Law, the chair of the Assembly Committee on the Rights and Interests of Communities may participate as an advisory member. This post is by law always held by a community representative.</p> <p><u>Kosovo Intelligence Agency</u> (Recruiting not yet commenced).</p> |
| 128 | Government to initiate establishment of Joint Technical Commission of Kosovo and Former Yugoslav Republic of Macedonia to demarcate border physically | Art. 3.3 Annex VIII | Government of FYROM | Government | Having completed 98 % of the physical demarcation of the border, the JTC met on 6 September 2009 for consultations about the placement of auxiliary border stones in one remaining sector. JTC members are currently consulting with their respective governments to find a way forward. |
| 129 | ICO to represent ICR on Joint Technical Commission | Art. 3.3 Annex VIII | ICO | | ICO attends JTC meetings with active support of both parties |
| 130 | ICR to supervise development of civilian oversight of security institutions and establish mechanisms to ensure a coherent approach among international actors | related to Arts. 2.4, 3.1 Annex IX | ICO | Government | ICO regularly attends the monthly Working Group on Security which forms a platform of information exchange and coordination chaired by the Government. ICO utilizes this forum to provide strategic advice and guidance to both the Government and international stakeholders and capacity builders. |

| 2 | CSP Implementation Benchmarks | CSP Reference | Actors | | General Comment |
|-----|--|---|---|-----------------|---|
| | | | International | Kosovo | |
| 131 | ICO, in coordination with relevant international and non-governmental organizations, to guide development of capacity building inputs in Security Sector | Art. 9.3 | ICO | Government | ICO works closely with all international government and non-governmental actors that contribute to the establishment of a democratically accountable security sector in Kosovo. ICO provides strategic advice and guidance utilizing both formal meetings and informal contacts on a working level. |
| 132 | IMP, in consultation with the ICR and Government, to decide on the timing of KPC dissolution | Art. 9.6 (GP); Art. 6 Annex VIII; Art. 1 Annex XI | ICO, International Military Presence, Office of the Kosovo Protection Corps Coordinator | Government | KPC was dissolved by 15 June 2009. A Demobilization and Reintegration process has been developed by the International Community for KPC retirees. |
| 133 | | | | | |
| 134 | ICR | | | | |
| 135 | Kosovo to accord ICR and EUSR and staff privileges and immunities equivalent to those under Vienna Convention on Diplomatic Relations | Art. 4.6 Annex IX | ICO | Government, AoK | Current arrangements are sufficient. ICO will monitor whether additional arrangements are necessary. |
| 136 | Kosovo to cooperate fully with ICR and provide assistance as necessary | Art. 1.11 (GP); Annexes IX, X and XI | | Government | Interaction between the ICR and Kosovo continues at a close level. Dialogue is constructive throughout, robust at times. |
| 137 | ICR to chair Coordination Committee | Art. 3.3 Annex IX | ICO, relevant international organisations | | Principals of major international stakeholders meet approximately every third week to ensure coordination on key policy areas affecting Kosovo. |