

1 Implementation of the Comprehensive Settlement Proposal - State of Implementation					
2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
3			International	Kosovo	
4	General principles, Kosovo's governance and constitutional order				
5	Constitution				
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.
12	Kosovo to establish a Constitutional Court	Art. 6 Annex I	ICO	Government, AoK	The Court began its operations in September 2009. All nine judges were appointed in early summer 2009. The Secretary General of the Court has been appointed and the Court has delivered over 30 judgments which are available on its website.
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.

2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
3			International	Kosovo	
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 were 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 became a member of the IMF and World Bank in July 2009. The process for EBRD membership has also started.
17	Government to promote reconciliation process as well as comprehensive and gender-sensitive approach to dealing with the past	Art. 2.5		Government	Limited, incidental and forward looking progress.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	According to the statistical overview published by UNHCR Kosovo at the end of April 2010, 557 displaced persons belonging to minority communities have voluntarily returned to Kosovo in 2010. This amounts to a very significant increase compared to the number of voluntary minority returns for the first quarter of 2009 (208). The numbers of successful returns for 2009 are substantially higher than for 2008, and indicate substantial engagement by the Government of Kosovo, supported by international donors. In absolute numbers this success is still limited. The absorption of forced returnees in 2009, as a result of agreements with some third countries, caused substantial problems of coordination and provision of assistance by the Government of Kosovo. A new Law on Readmission is in the draft phase. A new Government Regulation mandating the establishment of Municipal Offices for Communities and Return is near completion.
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 of Kosovo continues to meet regularly in the Working Group.
20	Kosovo to adopt a debt law covering any decisions related to public borrowing	Art. 8.1		Government	The Debt Law was adopted by the Assembly in December 2009.
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 2009, among the EC, IMF and the government; the Terms of Reference of the FSM were also adopted.

2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	Local elections were held in Kosovo on 15 November 2009. Elections were held in three new majority Serb municipalities and one extended municipality. Participation by all communities was higher than expected, and the elections generally met international standards. Kosovo Serbs did not vote in significant numbers in Kosovo's northern municipalities. Elections remain to be organized in Mitrovica North and Partes. Elections will take place in Partes on 20 June.
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>				
31	Kosovo to guarantee community rights in Constitution	Art. 3 (GP); Annex II		Government, AoK	The Constitution incorporates Annex II CSP, including principles regarding representation and role of communities in central institutions and access to appeals to the Constitutional Court on community rights issues.
32	Law on Protection and Promotion of Rights of Communities and Their Members	Art. 2.1 Annex XII; Annex II	ICO	Government, AoK	The Law on Rights and Interests of Communities is being amended to provide explicitly for representation of members of the Montenegrin community in Kosovo on the CCC. By letter of 26 May 2010, the Ambassador of Croatia has requested the Prime Minister of Kosovo to also include explicit reference to the Kosovo-Croat community in the Law.
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>				

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	The Law on Rights and Interests of Communities provides a legal framework protecting the rights of communities to preserve, protect and develop their identities. Financial assistance is provided on an ad hoc basis to individual cultural events of communities, although this has not included the Kosovo-Serb community. This demonstrates only a small amount of the obligation of the Government towards the communities, and full implementation of the Law on Rights and Interests of Communities would entail annual government strategies indicating contributions from all line Ministries. While the broader conditions in Kosovo may not hinder the protection and promotion of community identities, they also do not 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. The results of the decentralization process and the municipal elections of November 2009 have brought an increased level of dialogue and cooperation among communities.
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.

2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
3			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	There is no systematic cross-sectoral policy. The decentralization process may lead to improvements in the enjoyment of these rights by Kosovo-Serbs, but that is not guaranteed. In general progress is fragile and subject to unexpected advances and reversals. See also lines 35 and 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 lines 31 and 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. A general trend can be observed of catering to the needs of the majority community first, while only addressing the needs of other communities when explicitly requested, on an <i>ad hoc</i> basis.
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.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
43	Government to ensure that communities have access to and representation in public and broadcast media, and programming in their own language	Art. 3.1.j Annex II		Public broadcaster RTK, AoK, Independent Media Commission (IMC)	Re-licensing process successfully completed and reviewed by ICR. Public broadcaster required by law to provide programming in languages of non majority communities; this commitment is monitored by the IMC. Public broadcaster working on extending terrestrial signal.
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	ICO, Steering	Government, IMC, ICO, Steering Group	Since Kosovo cannot become a member of the ITU at this time, this provision cannot be implemented as drafted. The Steering Group for a new TV channel has met in plenary three times to date under chairmanship of German Ambassador and with ICO staff support. Consensus reached that a new channel will be publicly based and in co-operation with existing public broadcaster RTK. Working groups now examining institutional format and technical issues to deadline of 17 June. ICO continues to insist on core principles of financial sustainability, editorial independence and viewer interest.
45					
46	DECENTRALISATION				
47	<i>Adoption of relevant legislation</i>				
48	Law on Local Self-Government	Art. 2.1 Annex III		Government, AoK	2008 Law on Local Self Government is in the process of being amended. The inter-ministerial working group has produced a draft to be submitted to the Assembly.
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	The Law on Local Health was amended to reflect the enhanced competency for secondary health in the Kosovo Serb majority municipalities of Graçanicë/Gračanica, Shtërpçë/Štrpce and Mitrovicë/Mitrovica North, in accordance with decentralization
53	ICR appointment of Municipal Preparation Teams for the new municipalities	Art. 12.2 Annex III	ICO	Government	All MPT's have been appointed.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	Following the inaugural sessions, the MPT's transferred their work to the elected representatives where the process is being continued. MPTs in Mitrovicë/Mitrovica North and Partesh/ Parteš will continue to work until elections in those municipalities.
55	Kosovo to establish the municipalities of Mitrovicë/Mitrovica North, Ranillugë/Ranilug, Kllokot-Vërboç/Klokot-Vrbovac, Partesh/Parteš, and Graçanicë/Gračanica and extend the existing municipality of Novobërdë/Novo Brdo	Art. 12 Annex III	ICO	Government	All six MPT's have been appointed. Four of them have completed their work with the establishment of Ranillug/Ranilug, Kllokot-Vërboç/Klokot-Vrbovac, Graçanicë/Gračanica and extended Novobërdë/Novo Brdo municipalities. Partesh/Parteš, and Mitrovicë/Mitrovica North MPTs continue working.
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.
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	ICO	Government, AoK, municipal authorities	Further transfers took place in conjunction with the 2010 budget preparations. Six competence areas are under review for determining the methodology of transfer from central to local levels. Other MOUs are being pursued with relevant Ministries, but progress is slower than hoped for. Existing and new legislation is monitored and analyzed for compliance with the CSP.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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.
60	Kosovo authorities and ICR ensure resources, properties and administrative structures for new municipal governments	Art. 12 Annex III	ICO	Government	In 2010 the Ministry of Health budget for the secondary health facility in Gracanicë/Gračanica was transferred to that municipality. Regional theatre and library staff have been transferred from the Ministry of Culture, Youth and Sport to the respective municipalities per the transfer of competencies agreement. It has been pre-determined that Euro1m of reserve funds held by MLGA for the new municipalities will be spent on Gracanicë/Gračanica. Following advocacy by the ICO, the number of administrative staff for new municipalities was raised for Gracanicë/Gračanica, Ranillug/Ranilug and Kllokot/Klokot. Sites and building plans have been identified for three new municipal buildings (Gracanicë/Gračanica, Ranillug/Ranilug and Kllokot/Klokot)financed by the ECLO. The 2010 budget provides for recurrent costs of all new municipalities. In addition the MLGA has allocated resources to continue investment in new municipal infrastructure. Transfer of executive responsibility to the new municipal governments is ongoing.
61	ICR to appoint one member to the independent commissions charged with reviewing statute and accreditation of university of Mitrovicë/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 achieve progress on this issue. The decentralization process leading to the establishment of a new municipality of North Mitrovicë/Mitrovica may open the way to making progress. Currently, a new Law on Higher Education is being drafted, and is included in the Government's legislative Strategy for 2010. This draft Law recognizes the special provisions of article 14 on the University of Mitrovicë/Mitrovica set forth in the Law on Education in the municipalities of the Republic of Kosovo.
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. See lines 53 and 54.

2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
3			International	Kosovo	
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 Mitrovica operational.
64					
65	JUSTICE SYSTEM				
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	On 16 February 2010 the President of the Republic of Kosovo appointed eight of the sixteen judges at the Supreme Court. Unfortunately, no suitable non-majority candidates were successful in the process. However, three seats will remain vacant at the Supreme Court until such time as these positions can be filled. In March 2010 an additional vacancy announcement was published to fill the remaining eight seats at the Court and it is anticipated that these appointments will be made in June 2010.
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	On 12 May 2010 the President of the Republic of Kosovo appointed 9 judges to the District Court in Mitrovica, one of whom is a member of a non-majority community. An additional seat will remain vacant at the court for an additional non-majority community member. We anticipate that the appointments to the other district courts will be made by mid-June 2010. In so far as non-majority community members are successful in the process they will be appointed or otherwise seats will be kept vacant for them until suitable candidates are identified.
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 the agenda as yet.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	Phase II of the reappointment/vetting process is near completion. The entire vetting process will be completed by October 2010. A significant number of non-majority community members did not apply and therefore on completion of the process the judiciary will not be reflective of the ethnic diversity of Kosovo. However, once the reappointment/vetting process is completed the seats which have been kept vacant for non-majority community members can be filled by the KJC. The KJC will need to make significant efforts in order to attract suitably qualified members of the non-majority communities.
70	KJC and IJPC to ensure that comprehensive judicial and prosecutorial appointment process is carried out	Art. 3 Annex IV		KJC and IJPC	The reappointment/vetting process will be completed by the end of October 2010. Thereafter, the final appointments will be made by the President of the Republic of Kosovo.
71	Kosovo to ensure that Kosovo Judicial Council complies with CSP requirements	Art. 4 Annex IV		Government	The Law on the Temporary Composition of the KJC was adopted in January 2009 and it provides that in its final composition the KJC will have 13 members. Currently, it has eight members and it will gain an additional two members once Phase II of the reappointment/vetting process is completed in mid June 2010. The KJC will meet for the first time in full composition sometime after the completion of the reappointment/vetting process in October 2010.
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		On 18 May 2009 the ICR appointed Judge Katara and Prosecutor Walentich as the international members of the KJC.

2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
3			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		On 22 March 2010, the ICR yielded the authority to consent to the appointment of international judges and prosecutors selected by the ESDP Mission prior to their appointment.
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	ICO	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	ICO	Government, AoK, Prizren municipality	ICO has made extensive contributions to the draft law. Minister of Environment and Spatial Planning (MESP) forwarded the draft to the Government in November, 2009. An inter-governmental working group has been reviewing the draft, which is expected to be submitted to the Council of Ministers soon.
79	Government and municipalities to harmonise spatial planning instruments with Special Protective Zones	Art. 4.1.3 Annex V		Government, municipal authorities	Good progress 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. Progress has been made in integrating the Special Protective Zones into the draft Kosovo Spatial Plan, which once approved would become the document on which all municipal development plans should be based.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	All relevant legislation (Customs Code; VAT Law; Law on Corporate Income Tax) has entered into force
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	Administrative Instructions for the Corporate Income Tax Law and the VAT Law are currently being drafted.
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	The Cultural Heritage Forum led by the Ministry of Culture is continuing its work. The European Commission and the Council of Europe continue to support 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. See also line 84.
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.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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(KP) have assumed responsibility for protection of sites in line with its Operational Order. IMP to gradually recede from such activities. The guarding of the Gazimestan Memorial Monument has been handed over to KP in March 2010. A multi-ethnic team of KP officers is permanently guarding the site.
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	ICO continues to actively contribute to the drafting process of the law and to consensus building within the working group.
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 /Hoçë e Madhe). 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	The Head of the Greek Liaison Office in Pristina is now acting as EU Facilitator for the Protection of the Religious and Cultural Heritage of the Serbian Orthodox Church in Kosovo.
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				

2	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	Framework in place.
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	Concluded in July 2009.
100	Medium Term Expenditure Framework 2010/12	Art. 8.1 (GP)		Government, AoK	The Government approved the 2011-2013 MTEF on 30 April . Currently the document is being revised to reflect the fiscal changes foreseen in the IMF Agreement.
101	Consultations for the preparation of the Kosovo Consolidated Budget	Art 8.1 (GP)	ICO, European Commission, IMF	Government, AoK	Budget preparation for 2011 is in the early stages. The Government has issued the first budget Circular on 4 May , containing initial spending ceilings and the budget calendar.
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 2009, 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 first installment to the World Bank was paid in 2009. The debt is to be paid in two installments a year, in March and September. The first installment for 2010 was paid in an amount of euros 10.82 million.
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 2009 and 2010. Overall, there have been 15 other appointments in the Liquidation Committees and 5 appointments in Review Committees. 120 Liquidation Committees are currently working. ICO is monitoring the work of the Appointees.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
106	ICR to make certain KPA appointments	Arts. 4.2-5 Annex VII	ICO		The Supervisory Board is not functional as the Kosovo authorities have not yet made any appointments to it. Relevant appointments were made by the ICR during the summer of 2008 and in 2010. International Stakeholders Meetings take place instead of the regular Supervisory Board meetings.
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. The process of selection for the Director of Customs is currently underway and being monitored by ICO. The mandate of the Director of Treasury expires in July 2010 and the process of selection will be monitored. The Governor of the Central Bank has not changed after the entry in force of the Constitution.
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.
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.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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	ICO	KPCC, AoK	Adopted by the Assembly, has entered into force
122	Law on pensions for KPC members	Art. 9 (GP); Art. 6 Annex VIII	ICO	Government, AoK	Adopted by the Assembly, has entered into force.
123	Law on Classification of Information and Security Clearances.	Art. 9.3 (GP)	ICO	Government, AoK	Adoption by the Assembly expected imminently.
124	Law on State Emergencies	Art. 9.3 (GP)		Government, AoK	The Government of Kosovo is currently drafting legislation that covers relevant areas. However, the drafting of a "Law on State Emergencies" is not foreseen to commence in the near future.
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	Appropriate Oversight committees have been established in November 2009. The Rules of Procedure have been amended accordingly.
126	Kosovo Security Council (KSC) to develop a Security Strategy.	Art. 1.4 Annex VIII		KSC	The Kosovo Security Council is in the process of completing the draft strategy.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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 Kosovo communities in the security sector:</p> <p>Kosovo Security Force 1744 uniformed staff:</p> <p>6.30% communities representation (CR) (1.66% Turkish, 1.54% Bosnian, 3.15% Other)</p> <p>Ministry for the Kosovo Security Force 55 uniformed staff: 0.00% CR 90 civilian staff: 5.55% CR (3 Bosnian, 1 Serbian, 1 Turkish staff)</p> <p>Kosovo Police 8618 uniformed and civilian staff: 14.20 % CR (9.39 % Serbian, 2.63 % Bosnian, 2.18 % other)</p> <p>Kosovo Intelligence Agency (Recruitment ongoing)</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	The JTC completed the physical demarcation of the border on 15 October 2009.
129	ICO to represent ICR on Joint Technical Commission	Art. 3.3 Annex VIII	ICO		Throughout the demarcation process the ICO participated in the JTC meetings.
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	Taking into account progress achieved by Government institutions ICO continues to provide strategic advice where required.
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	Government ministries and agencies are fully capable to direct and coordinate capacity building inputs. ICO advises where required.
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, IMP, 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.

2 3	CSP Implementation Benchmarks	CSP Reference	Actors		General Comment
			International	Kosovo	
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.