

ANHANG

Zeittafel

2. Jh.v.Chr.	Das Gebiet des späteren Kosovo wird Teil des Römischen Reiches (2. Makedonischer Krieg). Latinisierung der Bevölkerung.
5. Jh.n.Chr.	Im Zuge der Völkerwanderung Vordringen slawischer Völker nach Süd- und Südosteuropa.
7. Jh.	Entstehung der ersten serbischen Stammesfürstentümer im Raum des heutigen Montenegro, Bosnien, Nordalbanien und Teilen des Kosovo ("Raszien").
11. Jh.	Erste Nennung der "Albaner" (latinisierte, ursprünglich illyrische Bevölkerung).
ca. 1200	Entstehung des ersten serbischen Reiches.
1217	Krönung König Stefans des "Erstgekrönten" zum König der Serben. Das Reich wird durch die enge Verbindung mit der (seit 1219) eigenständigen orthodoxen serbischen Nationalkirche gestützt, was sich u.a. in den reich ausgestatteten Kirchen- und Klostergründungen insbesondere im Kosovo äußert.
1331-1355	größte Ausdehnung des serbischen Reiches unter Stefan Dusan, der 1346 vom serbischen Patriarchen in Skopje zum "Kaiser der Serben und Griechen" gekrönt wird. Kosovo ist wichtiges Zentrum dieses Reiches.
1371	Stefan Dusans Sohn Uros fällt in der Schlacht an der Maritza (Bulgarien) gegen die nach Südosteuropa vordringenden Osmanen. Zerfall des Großserbischen Reiches.
1389	Schlacht auf dem Amselfeld (Kosovo Polje) bei Pristina. Serbische Niederlage, die später in der Mythologie verklärt wird. Beide Anführer - der serbische Fürst Lazar, der eine neuerliche Einigung Serbiens anstrebte, sowie der Sultan Murad - fallen in der Schlacht. Lazars Sohn Stefan anerkennt die osmanische Oberhoheit.
1443-1468	Fürst Georg Kastriot "Skanderbeg" behauptet sich im nördlichen Albanien gegen die osmanische Herrschaft; seine (byzantinische) Doppeladler-Fahne wird später albanisches Nationalsymbol.
1453	Eroberung Konstantinopels durch die Osmanen (Sultan Mehmed II.); in der Folge neuerlicher Vorstoß auf den Balkan.
1455	Kosovo wird osmanisch
1459	Rest-Serbien (um Belgrad) wird Teil des Osmanischen Reiches
1689/90	Vorstoß kaiserlicher Truppen in den Raum Kosovo; beim Rückzug verläßt ein Teil der serbischen Bevölkerung mit ihrem Patriarchen dieses Gebiet. Zunahme der albanischen Besiedlung.

- 1737 neuerlicher Vorstoß kaiserlicher Truppen in den Raum Kosovo, wieder Rückzug.
- 1817 Nach dem Aufstand gegen die Osmanen (1804) erhält das Fürstentum Serbien im Raum Belgrad eine gewisse Autonomie, die es in der Folge ausbaut.
- 1878 Nach dem Russisch-türkischen Krieg (1877/78) Neuordnung der Besitzverhältnisse auf dem Balkan durch den Berliner Kongreß. Anerkennung der Unabhängigkeit Serbiens und Montenegros sowie der weitgehenden Autonomie Bulgariens. Österreich-Ungarn besetzt Bosnien-Herzegowina und den anschließenden Sandschak (= Verwaltungsbezirk) von Novipazar, der bis in das nördliche Kosovo reicht (Mitrovica). Bildung der "Liga von Prizren" als erster albanischer Nationalbewegung.
- 1908 Im Gefolge der Jungtürkischen Revolution annektiert Österreich-Ungarn Bosnien-Herzegowina, zieht sich aber aus dem Sandschak Novipazar zurück. Das albanische Siedlungsgebiet wird zunehmend zum Objekt der Interessen der Nachbarstaaten, aber auch der Großmächte Österreich-Ungarn und Italien.
- 1912-13 Erster Balkankrieg. Zurückdrängung des Osmanischen Reiches aus Südosteuropa; Besetzung großer Teile des Balkans durch die Staaten des Balkanbundes: Serbien, Bulgarien, Montenegro und Griechenland. Die europäischen Mächte erzwingen den Rückzug der Balkanstaaten aus Albanien, das als Fürstentum unter internationaler Kontrolle geschaffen wird. Kompromißlösung: Serbien verzichtet auf den Zugang zur Adria, erhält jedoch Kosovo und Mazedonien.
- 1913-14 Internationale Friedenstruppe in Nordalbanien (Shkodra/Skutari).
- 1914-18 Erster Weltkrieg. Ab 1915/16 Serbien (einschließlich Kosovos) und Nordalbanien unter k.u.k. Militärverwaltung.
- nach 1918 Albanien wird in den Grenzen von 1913 Republik, 1928 Königreich; 1939 Personalunion mit Italien
- Kosovo wird als serbische Provinz Teil des neuen Staates der Serben, Kroaten und Slowenen ("SHS-Staat", ab 1928 Königreich Jugoslawien).
- 1941 Balkanfeldzug der Achsenmächte. Italienische bzw. deutsche Besetzung Jugoslawiens; Kroatien ist eigener Staat. Gemeinsame (italienische) Verwaltung Albaniens und des westlichen Kosovo.
- 1942-45 Partisanenkrieg auf dem Balkan; nach der Kapitulation Italiens (1943) deutsche Verwaltung.
- 1944/45 Albanien und Jugoslawien entstehen in den Vorkriegsgrenzen.
- 1974 Die jugoslawische Verfassung gewährt den Provinzen Kosovo und Vojvodina weitgehende Autonomie.
- 1980 Tod Marschall Josip Broz Titos; krisenhafte Entwicklung

1989	Aufhebung der Autonomie im Kosovo und der Vojvodina; Studentenproteste; Boykott der staatlichen Institutionen durch die albanisch-kosovarische Bevölkerung.
1990	Ausrufung der Selbständigkeit Kosovos durch die albanischen Abgeordneten des Provinzparlaments.
1991	Beginn der Kämpfe in Slowenien und Kroatien. Während der Krieg in Bosnien durch EG-Vermittlung rasch beendet wird (Brioni-Abkommen, Juli 1991), dauern die Kampfhandlungen in Kroatien bis 1995.
1992	Im Kosovo Wahlen im Untergrund; Ibrahim Rugova wird "Präsident"; KSZE-Mission zur Beobachtung der Lage in der Krisenregion (bis 1993).
1-0	Krieg in Bosnien-Herzegowina; beendet mit dem Friedensabkommen von Dayton/Paris (Dezember 1995)
1992-1999	Vorbeugende Stationierung einer UN-Truppe (Teil von UNPROFOR, später UNPREDEP) in der früheren jugoslawischen Republik Mazedonien, um ein Übergreifen der Spannungen auf diese zu verhindern.
Frühjahr 1996	Die "Befreiungsarmee des Kosovo" (UCK) macht mit ersten Anschlägen auf serbische Polizeistationen auf sich aufmerksam.
Ende Februar/ Anfang März	
1998	Erste größere Offensive der serbischen Sonderpolizei in Drenica; etwa 80 Albaner (größtenteils Zivilisten) werden dabei getötet; die Balkan-Kontaktgruppe wird im Kosovo-Konflikt aktiv.
22.3.1998	Neuerlicher Sieg Rugovas und seiner LDK bei den Parlaments- und Präsidentschaftswahlen; die UCK wird jedoch zusehends zum bestimmenden Faktor.
31.3.1998	UNO-Resolution 1160; serbische Sicherheitskräfte und UCK werden gleichermaßen für die militärische Eskalation verantwortlich gemacht.
23.4.1998	94,7% der (ausschließlich serbischen) Wähler sprechen sich in einem Referendum gegen eine internationale Vermittlung im Kosovo-Konflikt aus.
8.6.1998	Die EU beschließt ein Einfrieren der jugoslawischen Auslandsguthaben.
10.6.1998	Die USA schließen sich den EU-Sanktionen an.
15.6.1998	Die NATO führt in Mazedonien und Albanien Luftmanöver durch ("Determined Falcon").
Juli/	
August 1998	Zerschlagung des UCK-Kerngebietes mit dem Zentrum Malisevo durch serbische Truppen
Mitte	

- September 1998 Als Folge der Kampfhandlungen vergrößert sich die Zahl der albanisch-kosovarischen Flüchtlinge auf 265.000 (davon ca. 170.000 Binnen-Flüchtlinge).
- 23.9.1998 UNO-Resolution 1199; es wird ein sofortiger Waffenstillstand zwischen den Konfliktparteien gefordert; der serbischen Regierung wird mit "weiteren Maßnahmen" gedroht; Intensivierung der Diskussion über die rechtliche Legitimerung eines militärischen Eingreifens in den Konflikt.
- 24.9.1998 NATO beschließt "Activation Warning"
- 4.10.1998 Der jugoslawische Verteidigungsrat erklärt, das "Land mit allen Mitteln gegen NATO-Angriffe verteidigen" zu wollen
- 8.10.1998 Die Verhängung der Pressezensur in Serbien wird mit der "Verhinderung von Angst, Panik und Defätismus" gerechtfertigt.
- 12.10.1998 NATO erteilt die "Activation Order" und ist bereit zu einer Luftoperation gegen Jugoslawien.
- 13.10.1998 Holbrooke-Milosevic-Abkommen; Milosevic lenkt vorerst ein: OSZE Verifikations-Mission und NATO-Luftüberwachung zur Kontrolle des serbischen Teilabzugs und der Flüchtlingsrückkehr.
- 24.10.1998 UNO-Resolution 1203; Unterstützung für den Inhalt des Holbrooke-Milosevic-Abkommens.
- 15.1.1999 Bei einer "Säuberungsaktion" der serbischen Sicherheitskräfte werden im Dorf Racak 45 Menschen getötet; die westliche Staatengemeinschaft verstärkt neuerlich ihr Drohpotential gegenüber Serbien.
- 6.-23.2. u.
15.-19.3.1999 Kosovo-Konferenz von Rambouillet/Paris; der Friedensplan der Kontaktgruppe (weitgehende Autonomie des Kosovo innerhalb der BR Jugoslawien, Stationierung einer internationalen Friedenstruppe) wird von der albanischen Delegation angenommen, von der serbischen jedoch abgelehnt.
- 20.3.1999 Die OSZE-Beobachter verlassen Kosovo.
- 22.3.1999 Scheitern der letzten Vermittlungsmission des US-Unterhändlers Holbrooke in Belgrad
- 23.3.1999 NATO-Generalsekretär Solana erteilt den Einsatzbefehl für die Operation "Allied Force"
- 24.3.1999 Beginn der NATO-Luftangriffe auf Ziele in Gesamtjugoslawien.
- April, Mai
1999 Parallel zur Luftoperation bemüht sich die Staatengemeinschaft weiterhin um eine politische Lösung; Rußland kritisiert die NATO-Luftangriffe zwar scharf, fungiert jedoch als Vermittler zwischen dem Westen und Serbien; die serbische Führung nutzt die NATO-Angriffe, um die "ethnischen Säuberungen" im Kosovo zu intensivieren (ca. 800.000 Flüchtlinge und Vertriebene).

- 6.5.1999 Treffen der G-8-Staaten in Bonn; Rußland und die westliche Staatengemeinschaft einigen sich auf die Installierung einer "zivilen und Sicherheitspräsenz" im Kosovo; der UNO wird eine Schlüsselrolle zugebilligt.
- 27.5.1999 Das Haager Kriegsverbrecher-Tribunal gibt bekannt, daß gegen Milosevic und vier weitere Repräsentanten der serbischen Führung Anklage erhoben wurde.
- 3.6.1999 Die jugoslawische Regierung und das serbische Parlament nehmen nach Verhandlungen zwischen Milosevic und dem finnischen Präsidenten Ahtisaari den internationalen Friedensplan für das Kosovo an.
- 5.6.1999 In Mazedonien beginnen die Verhandlungen zwischen der NATO und den serbischen Sicherheitskräften über den serbischen Abzug aus Kosovo.
- 9.6.1999 Unterzeichnung des "militärisch-technischen Abkommens" über den geordneten und verifizierbaren Rückzug der serbischen Truppen aus Kosovo sowie die Stationierung der NATO geführten Friedenstruppe KFOR.
- 10.6.1999 Die NATO setzt ihre Luftangriffe gegen die BR Jugoslawien aus; die UNO-Resolution 1244 erteilt das Mandat für die Implementierung des "militärisch-technischen Abkommens" und des "Ahtisaari-Friedensplanes".
- 12.6.1999 Die ersten KFOR-Soldaten treffen im Kosovo ein.
- 20.6.1999 Nach dem vollständigen Abzug der serbischen Truppen aus Kosovo erklärt die NATO die Operation "Allied Force" für beendet; die UCK stimmt ihrer Entwaffnung zu.

UN-Sicherheitsratsresolution 1160 vom 31. März 1998

Der Sicherheitsrat,

mit Dank Kenntnis nehmend von den Erklärungen der Außenminister Deutschlands, Frankreichs, Italiens, der Russischen Föderation, des Vereinigten Königreichs Großbritannien und Nordirland und der Vereinigten Staaten von Amerika (der Kontaktgruppe) vom 9. und 25. März 1998 (S/1998/223 und S/1998/272), einschließlich des Vorschlags über ein umfassendes Waffenembargo gegen die Bundesrepublik Jugoslawien, einschließlich des Kosovo,

mit Genugtuung über den Beschluß der Sondertagung des Ständigen Rates der Organisation für Sicherheit und Zusammenarbeit in Europa (OSZE) vom 11. März 1998 (S/1998/246),

unter Verurteilung der Anwendung übermäßiger Gewalt durch die serbischen Polizeikräfte gegen Zivilpersonen und friedliche Demonstranten im Kosovo und ebenso aller Terrorakte der Kosovo-Befreiungsarmee oder jeder anderen Gruppe oder Einzelperson sowie jeder Unterstützung terroristischer Tätigkeiten im Kosovo aus dem Ausland, namentlich durch die Bereitstellung von finanziellen Mitteln, Waffen und Ausbildung,

Kenntnis nehmend von der Erklärung des Präsidenten der Republik Serbien vom 18. März 1998 zu dem politischen Prozeß im Kosovo und in der Metohija (S/1998/250),

sowie davon Kenntnis nehmend, daß sich die führenden Vertreter der Volksgruppe der Kosovo-Albaner klar zur Gewaltlosigkeit bekennen,

feststellend, daß bei der Durchführung der in der Erklärung der Kontaktgruppe vom 9. März 1998 genannten Maßnahmen einige Fortschritte erzielt wurden, doch betonend, daß weitere Fortschritte erforderlich sind,

in Bekräftigung des Eintretens aller Mitgliedstaaten für die Souveränität und territoriale Unversehrtheit der Bundesrepublik Jugoslawien,

tätig werdend nach Kapitel VII der Charta der Vereinten Nationen,

1. fordert die Bundesrepublik Jugoslawien auf, sofort alle weiteren Schritte zu ergreifen, die erforderlich sind, um eine politische Lösung der Kosovo-Frage im Wege des Dialogs herbeizuführen und die in den Erklärungen der Kontaktgruppe vom 9. und 25. März 1998 genannten Maßnahmen durchzuführen;

2. fordert außerdem die Führung der Kosovo-Albaner auf, alle terroristischen Handlungen zu verurteilen, und betont, daß alle Teile der kosovo-albanischen Volksgruppe ihre Ziele ausschließlich mit friedlichen Mitteln verfolgen müssen;

3. unterstreicht, daß der Weg zur Beendigung der Gewalt und des Terrorismus im Kosovo darin besteht, daß die Behörden in Belgrad der Volksgruppe der Kosovo-Albaner einen echten politischen Prozeß anbieten;

4. fordert die Behörden in Belgrad und die Führer der kosovo-albanischen Volksgruppe auf, unverzüglich und ohne Vorbedingungen einen sinnvollen Dialog über Fragen des politischen Status aufzunehmen, und stellt fest, daß die Kontaktgruppe bereit ist, einen solchen Dialog zu erleichtern;

5. stimmt, ohne den Ergebnissen dieses Dialogs vorzugreifen, dem in den Erklärungen der Kontaktgruppe vom 9. und 25. März 1998 enthaltenen Vorschlag zu, wonach die Grundsätze für eine Lösung des Kosovo-Problems auf der territorialen Unversehrtheit der Bundesrepublik Jugoslawien beruhen und mit den Normen der OSZE, einschließlich den in der Schlußakte von Helsinki der Konferenz über Sicherheit und Zusammenarbeit in Europa von 1975 festgelegten Normen, sowie mit der Charta der Vereinten Nationen im Einklang stehen sollen und wonach eine solche Lösung auch die Rechte der Kosovo-Albaner und aller im Kosovo lebenden Menschen berücksichtigen muß, und bekundet seine Unterstützung für einen verbesserten Status für den Kosovo, der auch ein erheblich größeres Maß an Autonomie und sinnvoller Selbstverwaltung miteinschließt;

6. begrüßt die am 23. März 1998 erfolgte Unterzeichnung einer Vereinbarung über Maßnahmen zur Durchführung des Abkommens über das Bildungswesen von 1996, fordert alle Parteien auf, dafür zu sorgen, daß seine Durchführung reibungslos und ohne Verzögerungen gemäß dem vereinbarten Zeitplan vorangeht, und bekundet seine Bereitschaft, Maßnahmen in Erwägung zu ziehen, falls eine der Parteien die Durchführung blockiert;

7. bekundet seine Unterstützung für die Anstrengungen der OSZE, eine friedliche Beilegung der Krise im Kosovo herbeizuführen, namentlich durch den Persönlichen Beauftragten des amtierenden Vorsitzenden für die Bundesrepublik Jugoslawien, der gleichzeitig auch Sonderbeauftragter der Europäischen Union ist, sowie für die Rückkehr der Langzeitmissionen der OSZE;

8. beschließt, daß alle Staaten mit dem Ziel der Förderung des Friedens und der Stabilität im Kosovo den Verkauf oder die Lieferung von Rüstungsgütern und sonstigem Wehrmaterial jeder Art, einschließlich Waffen und Munition, militärischer Fahrzeuge und Ausrüstung sowie Ersatzteilen dafür, an die Bundesrepublik Jugoslawien, einschließlich des Kosovo, durch ihre Staatsangehörigen oder von ihrem Hoheitsgebiet aus oder unter Benutzung von ihre Flagge führenden Schiffen oder Luftfahrzeugen verhindern und die Bereitstellung von Waffen und Ausbildung für terroristische Tätigkeiten in diesem Gebiet verhindern werden;

9. beschließt, gemäß Regel 28 seiner vorläufigen Geschäftsordnung einen aus sämtlichen Ratsmitgliedern bestehenden Ausschuß des Sicherheitsrats einzusetzen, mit dem Auftrag, die nachstehenden Aufgaben wahrzunehmen, dem Rat über seine Arbeit Bericht zu erstatten und Bemerkungen und Empfehlungen dazu vorzulegen:

a) Einholung von Informationen von allen Staaten über die Maßnahmen, die sie zur wirksamen Anwendung der mit dieser Resolution verhängten Verbote ergriffen haben;

b) Prüfung etwaiger ihm von einem Staat zur Kenntnis gebrachter Informationen über Verstöße gegen die mit dieser Resolution verhängten Verbote und Empfehlung angemessener Maßnahmen als Antwort auf diese Verstöße;

c) regelmäßige Berichterstattung an den Sicherheitsrat über die dem Ausschuß vorgelegten Informationen betreffend angebliche Verstöße gegen die mit dieser Resolution verhängten Verbote;

d) Erlaß aller Richtlinien, die zur Erleichterung der Anwendung der mit dieser Resolution verhängten Verbote notwendig sind;

e) Prüfung der gemäß Ziffer 12 vorgelegten Berichte;

10. fordert alle Staaten und alle internationalen und regionalen Organisationen auf, ungeachtet etwaiger Rechte oder Pflichten aus einer internationalen Übereinkunft, einem Vertrag oder einer Lizenz oder Genehmigung, die zeitlich vor dem Inkrafttreten der mit dieser Resolution verhängten Verbote liegen, streng im Einklang mit dieser Resolution zu handeln, und betont in diesem Zusammenhang, wie wichtig es ist, daß das am 14. Juni 1996 in Florenz un-

terzeichnete Übereinkommen über die subregionale Rüstungskontrolle weiter angewandt wird;

11. ersucht den Generalsekretär, dem Ausschuß nach Ziffer 9 jede erforderliche Unterstützung zu gewähren und im Sekretariat die dafür erforderlichen Vorkehrungen zu treffen;

12. ersucht die Staaten, dem Ausschuß nach Ziffer 9 binnen 30 Tagen nach der Verabschiedung dieser Resolution über die Maßnahmen Bericht zu erstatten, die sie ergriffen haben, um den mit dieser Resolution verhängten Verboten Wirksamkeit zu verleihen;

13. bittet die OSZE, den Generalsekretär über die Situation im Kosovo und die von ihr in dieser Hinsicht ergriffenen Maßnahmen unterrichtet zu halten;

14. ersucht den Generalsekretär, den Rat regelmäßig unterrichtet zu halten und ihm spätestens 30 Tage nach der Verabschiedung dieser Resolution und danach alle 30 Tage über die Situation im Kosovo und die Durchführung dieser Resolution Bericht zu erstatten;

15. ersucht den Generalsekretär ferner, im Benehmen mit den zuständigen Regionalorganisationen in seinen ersten Bericht Empfehlungen betreffend die Einführung umfassender Regelungen zur Überwachung der Anwendung der mit dieser Resolution verhängten Verbote aufzunehmen, und fordert alle Staaten, insbesondere die Nachbarstaaten, dazu auf, in dieser Hinsicht voll zu kooperieren;

16. beschließt, die Situation auf der Grundlage der Berichte des Generalsekretärs, die unter anderem auch die Beurteilung der Lage durch die Kontaktgruppe, die OSZE und die Europäische Union berücksichtigen werden, erneut zu prüfen, und beschließt außerdem, sich erneut mit den mit dieser Resolution verhängten Verboten, namentlich auch mit Maßnahmen zu ihrer Beendigung, zu befassen, sobald er vom Generalsekretär eine Lagebeurteilung erhalten hat, aus der hervorgeht, daß die Regierung der Bundesrepublik Jugoslawien in konstruktiver Zusammenarbeit mit der Kontaktgruppe

a) einen sachorientierten Dialog im Einklang mit Ziffer 4 begonnen hat, an dem auch ein oder mehrere Vertreter unbeteiligter Parteien teilnehmen, es sei denn, das Ausbleiben eines solchen Dialogs ist nicht auf die Haltung der Bundesrepublik Jugoslawien oder der serbischen Behörden zurückzuführen;

b) die Einheiten der Sonderpolizei abgezogen und das Vorgehen der Sicherheitskräfte gegen die Zivilbevölkerung eingestellt hat;

c) den humanitären Organisationen sowie den Vertretern der Kontaktgruppe und anderen Abgesandten den Zugang zum Kosovo gestattet hat;

d) einer Mission des Persönlichen Beauftragten des amtierenden Vorsitzenden der OSZE für die Bundesrepublik Jugoslawien zugestimmt hat, die auch den neuen ausdrücklichen Auftrag hätte, sich mit den Problemen im Kosovo zu befassen, und außerdem der Rückkehr der Langzeitmissionen der OSZE zugestimmt hat;

e) eine Mission des Hohen Kommissars der Vereinten Nationen für Menschenrechte in das Kosovo erleichtert hat;

17. fordert die Anklagebehörde bei dem nach Resolution 827 (1993) vom 25. Mai 1993 geschaffenen Internationalen Gericht nachdrücklich auf, mit der Sammlung von Informationen im Zusammenhang mit den Gewalttätigkeiten im Kosovo zu beginnen, die unter ihre Zuständigkeit fallen könnten, und stellt fest, daß die Behörden der Bundesrepublik Jugoslawien verpflichtet sind, mit dem Gericht zusammenzuarbeiten, und daß die der Kontaktgruppe angehörenden Länder dem Gericht in ihrem Besitz befindliche erwiesene sachdienliche Informationen zur Verfügung stellen werden;

18. bekräftigt, daß konkrete Fortschritte bei der Lösung der ernsten politischen und menschenrechtlichen Fragen im Kosovo die internationale Stellung der Bundesrepublik Jugoslawien und die Aussichten auf eine Normalisierung ihrer internationalen Beziehungen und ihre volle Mitwirkung in den internationalen Institutionen verbessern werden;

19. betont, daß im Falle des Ausbleibens konstruktiver Fortschritte in Richtung auf eine friedliche Lösung der Situation im Kosovo weitere Maßnahmen erwogen werden;

20. beschließt, mit der Angelegenheit befaßt zu bleiben.

UN-Sicherheitsratsresolution 1199 vom 23. September 1998

Der Sicherheitsrat,

unter Hinweis auf seine Resolution 1160 (1998) vom 31. März 1998,

nach Behandlung der Berichte des Generalsekretärs im Einklang mit dieser Resolution sowie insbesondere seines Berichts vom 4. September 1998 (S/1998/834 und Add. 1),

in Würdigung der Erklärung der Außenminister Deutschlands, Frankreichs, Italiens, der Russischen Föderation, des Vereinigten Königreichs Großbritannien und Nordirland und der Vereinigten Staaten von Amerika (der Kontaktgruppe) vom 12. Juni 1998 zum Abschluß des Treffens der Kontaktgruppe mit den Außenministern Japans und Kanadas (S/1998/567, Anlage) sowie der weiteren Erklärung, die die Kontaktgruppe am 8. Juli 1998 in Bonn abgegeben hat (S/1998/657),

sowie in Würdigung der gemeinsamen Erklärung der Präsidenten der Russischen Föderation und der Bundesrepublik Jugoslawien vom 16. Juni 1998 (S/1998/526),

Kenntnis nehmend von der Mitteilung der Anklägerin des Internationalen Gerichts für das ehemalige Jugoslawien an die Kontaktgruppe vom 7. Juli 1998, in der sie die Auffassung zum Ausdruck bringt, daß die Situation im Kosovo einen bewaffneten Konflikt im Sinne des Mandats des Gerichts darstellt,

in ernster Sorge über die jüngsten heftigen Kämpfe im Kosovo und insbesondere über die exzessive und wahllose Gewaltanwendung seitens der serbischen Sicherheitskräfte und der jugoslawischen Armee, die zu zahlreichen Opfern unter der Zivilbevölkerung geführt haben und nach Schätzung des Generalsekretärs die Ursache für die Vertreibung von mehr als 230.000 Menschen waren,

in tiefer Sorge über den Flüchtlingsstrom in das nördliche Albanien, nach Bosnien und Herzegowina sowie in andere europäische Staaten im Gefolge der Gewaltanwendung im Kosovo sowie über die zunehmende Zahl von Binnenvertriebenen im Kosovo und in anderen Teilen der Bundesrepublik Jugoslawien, von denen nach Schätzung der Hohen Flüchtlingskommissarin der Vereinten Nationen bis zu 50.000 Menschen ohne Unterkunft und andere Mittel zur Deckung ihrer Grundbedürfnisse sind,

in Bekräftigung des Rechtes aller Flüchtlinge und vertriebenen Personen, sicher in ihre Heimat zurückzukehren, sowie unter Betonung der Verantwortung der Bundesrepublik Jugoslawien, hierfür die Voraussetzungen zu schaffen,

unter Verurteilung jeglicher Gewalttaten seitens aller Parteien und des Einsatzes terroristischer Mittel zur Verfolgung politischer Ziele durch Gruppen oder Einzelpersonen sowie jeder Unterstützung von außen für solche Aktivitäten im Kosovo, einschließlich der Lieferung von Waffen und der Ausbildung von Terroristen für die Durchführung von Aktionen im Kosovo, und in Sorge über die Berichte über fortgesetzte Verstöße gegen die durch die Resolution 1160 (1998) verhängten Verbote,

in tiefer Sorge über die rapide Verschlechterung der humanitären Lage im ganzen Kosovo und beunruhigt über die sich abzeichnende humanitäre Katastrophe, wie sie im Bericht des Generalsekretärs beschrieben wird, sowie unter Betonung der Notwendigkeit, dies zu verhindern,

ferner in tiefer Sorge über Berichte über zunehmende Verstöße gegen Menschenrechte und humanitäres Völkerrecht sowie in Bekräftigung der Notwendigkeit sicherzustellen, daß die Rechte aller Einwohner des Kosovo geachtet werden,

in Bekräftigung der in Resolution 1160 (1998) niedergelegten Ziele, in der der Rat die Unterstützung für eine friedliche Lösung des Kosovo-Problems zum Ausdruck gebracht hat, die einen verbesserten Status für das Kosovo, ein wesentlich höheres Maß an Autonomie und eine tatsächliche Selbstverwaltung umfassen würde,

sowie in Bekräftigung des Eintretens aller Mitgliedstaaten für die Souveränität und territoriale Unversehrtheit der Bundesrepublik Jugoslawien,

feststellend, daß die Verschlechterung der Situation im Kosovo (Bundesrepublik Jugoslawien) eine Bedrohung des Friedens und der Sicherheit in der Region darstellt,

tätig werdend nach Kapitel VII der Charta der Vereinten Nationen,

1. verlangt, daß alle Parteien, Gruppierungen und Einzelpersonen im Kosovo (Bundesrepublik Jugoslawien) sofort die Feindseligkeiten einstellen und eine Waffenruhe einhalten, wodurch die Aussichten auf einen sinnvollen Dialog zwischen den Behörden der Bundesrepublik Jugoslawien und der Führung der Kosovo-Albaner verbessert und das Risiko einer humanitären Katastrophe verringert würde;

2. verlangt außerdem, daß die Behörden der Bundesrepublik Jugoslawien und die Führung der Kosovo-Albaner sofortige Schritte zur Verbesserung der humanitären Lage und zur Abwendung der sich abzeichnenden humanitären Katastrophe unternehmen;

3. fordert die Behörden der Bundesrepublik Jugoslawien und die Führung der Kosovo-Albaner auf, sofort in einen sinnvollen Dialog ohne Vorbedingungen und unter internationaler Beteiligung sowie nach einem klaren Zeitplan einzutreten, der zu einem Ende der Krise und zu einer politischen Verhandlungslösung der Kosovo-Frage führt, und begrüßt die gegenwärtigen Bemühungen um die Erleichterung eines solchen Dialogs;

4. verlangt ferner, daß die Bundesrepublik Jugoslawien über die in Resolution 1160 (1998) geforderten Maßnahmen hinaus sofort folgende konkrete Schritte zur Herbeiführung einer politischen Lösung der Situation im Kosovo unternimmt, wie sie in der Erklärung der Kontaktgruppe vom 12. Juni 1998 niedergelegt sind:

a) Einstellung aller Handlungen der Sicherheitskräfte, die die Zivilbevölkerung schädigen, sowie Anordnung des Rückzugs der Sicherheitseinheiten, die zur Unterdrückung der Zivilbevölkerung eingesetzt werden;

b) Ermöglichung einer wirksamen und fortgesetzten internationalen Überwachungstätigkeit im Kosovo durch die Beobachtermission der Europäischen Gemeinschaft sowie in der Bundesrepublik Jugoslawien akkreditierte diplomatische Missionen, wozu auch die durch staatliche Stellen nicht behinderte Ein- und Ausreise der Beobachter von und nach Kosovo und deren völlige Bewegungsfreiheit im Kosovo gehören, sowie die zügige Ausstellung geeigneter Reisedokumente an internationales Personal, das an der Überwachungstätigkeit teilnimmt;

c) Erleichterung der sicheren Rückkehr der Flüchtlinge und Vertriebenen in ihre Heimat im Zusammenwirken mit dem UNHCR und dem Internationalen Komitee vom Roten Kreuz (IKRK) sowie freier und ungehinderter Zugang für humanitäre Organisationen und Hilfsgüter in das Kosovo;

d) Erzielung rascher Fortschritte in dem in Ziffer 3 genannten und in Resolution 1160 (1998) geforderten Dialog mit den Kosovo-Albanern nach einem klaren Zeitplan und mit dem

Ziel, vertrauensbildende Maßnahmen zu vereinbaren und eine politische Lösung für die Probleme des Kosovo zu finden;

5. verweist in diesem Zusammenhang auf die vom Präsidenten der Bundesrepublik Jugoslawien in seiner gemeinsamen Erklärung mit dem Präsidenten der Russischen Föderation am 16. Juni 1998 eingegangenen Verpflichtungen,

a) die bestehenden Probleme mit politischen Mitteln und auf der Grundlage der Gleichberechtigung aller Bürger und Volksgruppen im Kosovo zu lösen;

b) keine repressiven Maßnahmen gegen die friedliche Bevölkerung zu treffen;

c) den Vertretern auswärtiger Staaten und internationaler Einrichtungen, die in der Bundesrepublik Jugoslawien akkreditiert sind und die Lage im Kosovo überwachen, volle Bewegungsfreiheit zu gestatten und sicherzustellen, daß ihnen keine Beschränkungen auferlegt werden;

d) humanitären Organisationen, dem IKRK und dem UNHCR sowie humanitären Hilfsgütern vollen und ungehinderten Zugang zu gewährleisten;

e) die ungehinderte Rückkehr von Flüchtlingen und Vertriebenen auf der Grundlage von mit dem UNHCR und

dem IKRK abgestimmten Programmen zu erleichtern, aus denen staatliche Hilfe für den Wiederaufbau zerstörter Häuser geleistet wird;

und fordert die uneingeschränkte Umsetzung dieser Verpflichtungen;

6. besteht darauf, daß die Führung der Kosovo-Albaner alle terroristischen Aktionen verurteilt, und betont, daß alle Elemente innerhalb der kosovo-albanischen Volksgruppe ihre Ziele ausschließlich mit friedlichen Mitteln verfolgen müssen;

7. erinnert an die Verpflichtungen aller Staaten, die durch Resolution 1160 (1998) verhängten Verbote uneingeschränkt umzusetzen;

8. unterstützt die Schritte, die zur Durchführung einer wirksamen internationalen Überwachung der Lage im Kosovo unternommen wurden, und begrüßt in diesem Zusammenhang die Einsetzung der Diplomatischen Beobachtermission im Kosovo;

9. fordert die in der Bundesrepublik Jugoslawien vertretenen Staaten und internationalen Organisationen nachdrücklich auf, Personal zur Erfüllung der Verpflichtung zur wirksamen und fortgesetzten internationalen Überwachung im Kosovo zur Verfügung zu stellen, bis die Ziele dieser Resolution sowie der Resolution 1160 (1998) erreicht sind;

10. erinnert die Bundesrepublik Jugoslawien daran, daß die Verantwortung für die Sicherheit aller in der Bundesrepublik Jugoslawien akkreditierten Diplomaten sowie für die Sicherheit aller Angehörigen internationaler und nichtstaatlicher humanitärer Organisationen in der Bundesrepublik Jugoslawien in erster Linie bei ihr liegt, und fordert die Behörden der Bundesrepublik Jugoslawien und alle anderen Beteiligten in der Bundesrepublik Jugoslawien auf, alle geeigneten Schritte zu unternehmen, um zu gewährleisten, daß Beobachtungspersonal, das Aufgaben nach dieser Resolution wahrnimmt, nicht der Androhung oder Anwendung von Gewalt oder sonstigen Übergriffen ausgesetzt wird;

11. ersucht die Staaten, alle mit ihren innerstaatlichen Rechtsvorschriften sowie dem einschlägigen Völkerrecht im Einklang stehenden Mittel anzuwenden, um zu verhindern, daß in ihrem Hoheitsgebiet gesammelte Gelder dazu benutzt werden, gegen Resolution 1160 (1998) zu verstoßen;

12. ruft die Mitgliedstaaten und anderen Betroffenen auf, angemessene Mittel für die humanitäre Hilfe in der Region zur Verfügung zu stellen und umgehend und großzügig auf den

konsolidierten interinstitutionellen Appell der Vereinten Nationen zur Leistung humanitärer Unterstützung im Zusammenhang mit der Kosovo-Krise zu reagieren;

13. ruft die Behörden der Bundesrepublik Jugoslawien, die Führer der kosovo-albanischen Volksgruppe und alle anderen Beteiligten auf, mit der Anklägerin des Internationalen Gerichts für das ehemalige Jugoslawien bei der Untersuchung möglicher Verstöße innerhalb des Zuständigkeitsbereichs des Gerichts uneingeschränkt zusammenzuarbeiten;

14. unterstreicht außerdem, daß die Behörden der Bundesrepublik Jugoslawien diejenigen Angehörigen der Sicherheitskräfte, die an der Mißhandlung von Zivilisten und der gezielten Zerstörung von Eigentum beteiligt waren, der Gerechtigkeit zuführen müssen;

15. ersucht den Generalsekretär, dem Rat erforderlichenfalls regelmäßig darüber zu berichten, wie nach seiner Einschätzung diese Resolution von den Behörden der Bundesrepublik Jugoslawien und allen Elementen innerhalb der kosovo-albanischen Volksgruppe befolgt wird, so auch durch seine regelmäßigen Berichte über die Befolgung der Resolution 1160 (1998);

16. beschließt, weitere Schritte und zusätzliche Maßnahmen zur Erhaltung oder Wiederherstellung des Friedens und der Stabilität in der Region zu prüfen, falls die in dieser Resolution sowie in Resolution 1160 (1998) geforderten konkreten Maßnahmen nicht getroffen werden;

17. beschließt, mit dieser Angelegenheit befaßt zu bleiben.

UN-Sicherheitsratsresolution 1203 vom 24. Oktober 1998

Der Sicherheitsrat,

unter Hinweis auf seine Resolutionen 1160 (1998) vom 31. März 1998 und 1199 (1998) vom 23. September 1998 sowie auf die Wichtigkeit einer friedlichen Lösung des Problems im Kosovo (Bundesrepublik Jugoslawien),

nach Behandlung der gemäß diesen Resolutionen vorgelegten Berichte des Generalsekretärs, insbesondere seines Berichts vom 5. Oktober 1998 (S/1998/912),

mit Genugtuung über das am 16. Oktober 1998 in Belgrad von dem Minister für auswärtige Angelegenheiten der Bundesrepublik Jugoslawien und dem amtierenden Vorsitzenden der Organisation für Sicherheit und Zusammenarbeit in Europa (OSZE) unterzeichnete Abkommen, das die Einrichtung einer Verifikationsmission im Kosovo durch die OSZE vorsieht (S/1998/978), und namentlich die von der Bundesrepublik Jugoslawien eingegangene Verpflichtung, die Resolutionen 1160 (1998) und 1199 (1998) zu befolgen,

sowie mit Genugtuung über das am 15. Oktober 1998 in Belgrad von dem Generalstabschef der Bundesrepublik Jugoslawien und dem Obersten Alliierten Befehlshaber Europa der Nordatlantikvertrags-Organisation (NATO) unterzeichnete Abkommen, das die Einrichtung einer luftgestützten Verifikationsmission für das Kosovo vorsieht (S/1998/991, Anhang), welche die OSZE-Verifikationsmission ergänzt,

ferner mit Genugtuung über den Beschluß des Ständigen Rates der OSZE vom 15. Oktober 1998 (S/1998/959, Anhang),

unter Begrüßung des Beschlusses des Generalsekretärs, eine Mission in die Bundesrepublik Jugoslawien zu entsenden, um die Entwicklung der Lage am Boden im Kosovo aus unmittelbarer Nähe beurteilen zu können,

erneut erklärend, daß dem Sicherheitsrat nach der Charta der Vereinten Nationen die Hauptverantwortung für die Wahrung des Weltfriedens und der internationalen Sicherheit obliegt,

unter Hinweis auf die in Resolution 1160 (1998) niedergelegten Ziele, in der der Rat die Unterstützung für eine friedliche Lösung des Kosovo-Problems zum Ausdruck gebracht hat, die einen verbesserten Status für das Kosovo, ein wesentlich höheres Maß an Autonomie und eine tatsächliche Selbstverwaltung umfassen würde,

unter Verurteilung jeglicher Gewalttaten seitens aller Parteien und des Einsatzes terroristischer Mittel zur Verfolgung politischer Ziele durch Gruppen oder Einzelpersonen sowie jeder Unterstützung von außen für solche Aktivitäten im Kosovo, einschließlich der Lieferung von Waffen und der Ausbildung von Terroristen für die Durchführung von Aktionen im Kosovo, und in Sorge über die Berichte über fortgesetzte Verstöße gegen die durch die Resolution 1160 (1998) verhängten Verbote,

in tiefer Sorge über die jüngsten Schließungen der Büros unabhängiger Medien in der Bundesrepublik Jugoslawien durch die Behörden der Bundesrepublik Jugoslawien und betonend, daß diesen Medien die Wiederaufnahme ihrer Tätigkeit gestattet werden muß,

äußerst beunruhigt und besorgt über die weiterhin ernste humanitäre Lage im ganzen Kosovo und die sich abzeichnende humanitäre Katastrophe sowie unter erneuter Betonung der Notwendigkeit, dies zu verhindern,

betonend, wie wichtig die angemessene Koordinierung der von den Staaten, dem Amt des Hohen Flüchtlingskommissars der Vereinten Nationen und den internationalen Organisationen in Kosovo ergriffenen humanitären Initiativen ist,

unterstreichend, daß die Sicherheit der Mitglieder der Verifikationsmission im Kosovo und der luftgestützten Verifikationsmission für das Kosovo gewährleistet werden muß,

in Bekräftigung des Eintretens aller Mitgliedstaaten für die Souveränität und territoriale Unversehrtheit der Bundesrepublik Jugoslawien,

feststellend, daß die ungelöste Situation im Kosovo (Bundesrepublik Jugoslawien) auch weiterhin eine Bedrohung des Friedens und der Sicherheit in der Region darstellt,

tätig werdend nach Kapitel VII der Charta der Vereinten Nationen,

1. billigt und unterstützt das am 16. Oktober 1998 in Belgrad unterzeichnete Abkommen zwischen der Bundesrepublik Jugoslawien und der OSZE und das am 15. Oktober 1998 in Belgrad unterzeichnete Abkommen zwischen der Bundesrepublik Jugoslawien und der NATO betreffend die Verifikation der Einhaltung der Bestimmungen seiner Resolution 1199 (1998) durch die Bundesrepublik Jugoslawien und alle anderen Beteiligten im Kosovo und verlangt die volle und rasche Umsetzung dieser Abkommen durch die Bundesrepublik Jugoslawien;

2. nimmt davon Kenntnis, daß die Regierung Serbiens die zwischen dem Präsidenten der Bundesrepublik Jugoslawien und dem Sonderbotschafter der Vereinigten Staaten erzielte Vereinbarung (S/1998/953, Anhang) gebilligt hat und daß die Bundesrepublik Jugoslawien sich öffentlich dazu verpflichtet hat, die Verhandlungen über einen Rahmen für eine politische Regelung bis zum 2. November 1998 abzuschließen, und fordert die volle Einhaltung dieser Verpflichtungen;

3. verlangt, daß die Bundesrepublik Jugoslawien die Resolutionen 1160 (1998) und 1199 (1998) uneingeschränkt und umgehend befolgt und im Einklang mit den Bestimmungen der in Ziffer 1 genannten Abkommen mit der OSZE-Verifikationsmission im Kosovo und der luftgestützten NATO-Verifikationsmission für das Kosovo voll zusammenarbeitet;

4. verlangt außerdem, daß die Führung der Kosovo-Albaner und alle anderen Elemente innerhalb der kosovo-albanischen Volksgruppe die Resolutionen 1160 (1998) und 1199 (1998) uneingeschränkt und umgehend befolgen und mit der OSZE-Verifikationsmission im Kosovo voll zusammenarbeiten;

5. unterstreicht die dringende Notwendigkeit, daß die Behörden der Bundesrepublik Jugoslawien und die Führung der Kosovo-Albaner sofort in einen sinnvollen Dialog ohne Vorbedingungen und unter internationaler Beteiligung sowie nach einem klaren Zeitplan eintreten, der zu einem Ende der Krise und zu einer politischen Verhandlungslösung der Kosovo-Frage führt;

6. verlangt, daß die Behörden der Bundesrepublik Jugoslawien, die Führung der Kosovo-Albaner und alle anderen Beteiligten die Bewegungsfreiheit der Mitglieder der OSZE-Verifikationsmission im Kosovo und des sonstigen internationalen Personals achten;

7. fordert die Staaten und die internationalen Organisationen nachdrücklich auf, der OSZE-Verifikationsmission im Kosovo Personal zur Verfügung zu stellen;

8. erinnert die Bundesrepublik Jugoslawien daran, daß die Verantwortung für die Sicherheit aller in der Bundesrepublik Jugoslawien akkreditierten Diplomaten, einschließlich der Mitglieder der OSZE-Verifikationsmission, sowie für die Sicherheit aller Angehörigen internationaler und nichtstaatlicher humanitärer Organisationen in der Bundesrepublik Jugoslawien in erster Linie bei ihr liegt, und fordert die Behörden der Bundesrepublik Jugoslawien und alle anderen Beteiligten in der Bundesrepublik Jugoslawien einschließlich der Führung

der Kosovo-Albaner auf, alle geeigneten Schritte zu unternehmen, um zu gewährleisten, daß Personal, das Aufgaben nach dieser Resolution und den in Ziffer 1 genannten Abkommen wahrnimmt, nicht der Androhung oder Anwendung von Gewalt oder sonstigen Übergriffen ausgesetzt wird;

9. begrüßt in diesem Zusammenhang die von der Bundesrepublik Jugoslawien in den in Ziffer 1 genannten Abkommen eingegangene Verpflichtung, die Sicherheit der Verifikationsmissionen zu garantieren, stellt fest, daß die OSZE zu diesem Zweck Vereinbarungen erwägt, die in Zusammenarbeit mit anderen Organisationen umgesetzt würden, und erklärt, daß im Notfall Maßnahmen erforderlich sein können, um die Sicherheit und Bewegungsfreiheit dieser Missionen zu gewährleisten, wie in den in Ziffer 1 genannten Abkommen vorgesehen;

10. besteht darauf, daß die Führung der Kosovo-Albaner alle terroristischen Aktionen verurteilt, verlangt, daß derartige Aktionen sofort eingestellt werden, und betont, daß alle Elemente innerhalb der kosovo-albanischen Volksgruppe ihre Ziele ausschließlich mit friedlichen Mitteln verfolgen müssen;

11. verlangt, daß die Behörden der Bundesrepublik Jugoslawien und die Führung der Kosovo-Albaner sofort darangehen, bei den internationalen Bemühungen zur Verbesserung der humanitären Lage und zur Abwendung der sich abzeichnenden humanitären Katastrophe zu kooperieren;

12. bekräftigt das Recht aller Flüchtlinge und Vertriebenen, sicher in ihre Heimat zurückzukehren, und betont die Verantwortung der Bundesrepublik Jugoslawien, hierfür die Voraussetzungen zu schaffen;

13. fordert die Mitgliedstaaten und anderen Betroffenen nachdrücklich auf, angemessene Mittel für die humanitäre Hilfe in der Region zur Verfügung zu stellen und umgehend und großzügig auf den konsolidierten interinstitutionellen Appell der Vereinten Nationen zur Leistung humanitärer Unterstützung im Zusammenhang mit der Kosovo-Krise zu reagieren;

14. fordert die rasche und vollständige Untersuchung, unter internationaler Aufsicht und Beteiligung, aller gegen Zivilpersonen begangenen Greuelthaten sowie die volle Zusammenarbeit mit dem Internationalen Gericht für das ehemalige Jugoslawien, namentlich die Befolgung seiner Verfügungen und Informationssuchen und die Unterstützung seiner Ermittlungen;

15. beschließt, daß die mit Ziffer 8 der Resolution 1160 (1998) verhängten Verbote nicht für Ausrüstungsgegenstände gelten, die für die ausschließliche Verwendung der Verifikationsmissionen bestimmt sind, wie in den in Ziffer 1 genannten Abkommen vorgesehen;

16. ersucht den Generalsekretär, im Benehmen mit den Parteien, die durch die in Ziffer 1 genannten Abkommen betroffen sind, dem Rat regelmäßig über die Durchführung dieser Resolution Bericht zu erstatten;

17. beschließt, mit der Angelegenheit befaßt zu bleiben.

UN-Sicherheitsratsresolution 1244 vom 10. Juni 1999

Der Sicherheitsrat,

eingedenk der Ziele und Grundsätze der Charta der Vereinten Nationen und der Hauptverantwortung des Sicherheitsrats für die Wahrung des Weltfriedens und der internationalen Sicherheit,

unter Hinweis auf seine Resolutionen 1160 (1998) vom 31. März 1998, 1199 (1998) vom 23. September 1998, 1203 (1998) vom 24. Oktober 1998 und 1239 (1999) vom 14. Mai 1999,

bedauernd, daß die in diesen Resolutionen enthaltenen Forderungen nicht voll erfüllt worden sind,

entschlossen, eine Lösung der ernststen humanitären Lage im Kosovo (Bundesrepublik Jugoslawien) herbeizuführen und für die sichere und freie Rückkehr aller Flüchtlinge und Vertriebenen in ihre Heimat zu sorgen,

unter Verurteilung aller Gewalthandlungen gegen die Bevölkerung des Kosovo sowie aller terroristischen Handlungen, gleichviel, von welcher Seite sie begangen werden,

unter Hinweis auf die Erklärung des Generalsekretärs vom 9. April 1999, in der dieser seine Besorgnis über die humanitäre Tragödie im Kosovo zum Ausdruck gebracht hat,

in Bekräftigung des Rechts aller Flüchtlinge und Vertriebenen auf sichere Rückkehr in ihre Heimat,

unter Hinweis auf die Zuständigkeit und das Mandat des Internationalen Strafgerichts für das ehemalige Jugoslawien,

mit Genugtuung über die am 6. Mai 1999 verabschiedeten allgemeinen Grundsätze zur politischen Lösung der Kosovo-Krise (S/1999/516; Anlage 1 dieser Resolution) sowie mit Genugtuung darüber, daß die Bundesrepublik Jugoslawien die Grundsätze angenommen hat, die in den Punkten 1 bis 9 des am 2. Juni 1999 in Belgrad vorgelegten Papiers (S/1999/649; Anlage 2 dieser Resolution) enthalten sind, und daß sie diesem Papier zugestimmt hat,

in Bekräftigung des Eintretens aller Mitgliedstaaten für die Souveränität und territoriale Unversehrtheit der Bundesrepublik Jugoslawien und der anderen Staaten der Region, wie dies in der Schlußakte von Helsinki und in Anlage 2 zum Ausdruck kommt,

in Bekräftigung der in früheren Resolutionen geforderten substantiellen Autonomie und tatsächlichen Selbstverwaltung des Kosovo,

feststellend, daß die Situation in der Region auch weiterhin eine Bedrohung des Weltfriedens und der internationalen Sicherheit darstellt,

entschlossen, die Sicherheit des internationalen Personals zu gewährleisten und dafür zu sorgen, daß alle Beteiligten ihre Verpflichtungen aus dieser Resolution erfüllen, und zu diesen Zwecken tätig werdend nach Kapitel VII der Charta der Vereinten Nationen,

1. beschließt, daß eine politische Lösung der Kosovo-Krise auf den allgemeinen Grundsätzen in Anlage 1 und den weiteren Ausführungen in den Grundsätzen und weiteren erforderlichen Elementen in Anlage 2 zu beruhen hat;

2. begrüßt es, daß die Bundesrepublik Jugoslawien die in Ziffer 1 genannten Grundsätze und weiteren erforderlichen Elemente akzeptiert hat, und verlangt die uneingeschränkte Zusammenarbeit der Bundesrepublik Jugoslawien bei deren rascher Umsetzung;

3. verlangt insbesondere, daß die Bundesrepublik Jugoslawien die Gewalt und Unterdrückung im Kosovo unverzüglich und nachprüfbar beendet und nach einem engen Zeitplan, mit dem die Dislozierung der internationalen Sicherheitspräsenz im Kosovo zeitlich abgestimmt wird, den nachprüfbaren, stufenweisen Abzug aller militärischen, polizeilichen und paramilitärischen Kräfte aus dem Kosovo einleitet und abschließt;

4. bestätigt, daß nach dem Abzug eine vereinbarte Zahl jugoslawischen und serbischen Militär- und Polizeipersonals die Erlaubnis zur Rückkehr in das Kosovo erhält, um die Aufgaben nach Anlage 2 wahrzunehmen;

5. beschließt, unter der Schirmherrschaft der Vereinten Nationen im Kosovo internationale zivile und Sicherheitspräsenzen zu dislozieren, die über das erforderliche geeignete Gerät und Personal verfügen, und begrüßt es, daß die Bundesrepublik Jugoslawien diesen Präsenzen zugestimmt hat;

6. ersucht den Generalsekretär, im Benehmen mit dem Sicherheitsrat einen Sonderbeauftragten zu ernennen, der die Umsetzung der internationalen zivilen Präsenz überwachen soll, und ersucht den Generalsekretär ferner, seinen Sonderbeauftragten anzuweisen, sich eng mit der internationalen Sicherheitspräsenz abzustimmen, um sicherzustellen, daß beide Präsenzen auf die gleichen Ziele hinarbeiten und sich gegenseitig unterstützen;

7. ermächtigt die Mitgliedstaaten und die zuständigen internationalen Organisationen, die internationale Sicherheitspräsenz im Kosovo gemäß Punkt 4 der Anlage 2 einzurichten und mit allen Mitteln auszustatten, die sie für die Wahrnehmung ihrer Aufgaben nach Ziffer 9 benötigt;

8. bekräftigt die Notwendigkeit der raschen und baldigen Dislozierung wirksamer internationaler ziviler und Sicherheitspräsenzen im Kosovo, und verlangt, daß die Parteien bei deren Dislozierung voll kooperieren;

9. beschließt, daß die im Kosovo zu dislozierende und tätige internationale Sicherheitspräsenz unter anderem folgende Aufgaben haben wird:

a) Abschreckung von der Wiederaufnahme der Feindseligkeiten, Aufrechterhaltung und nötigenfalls Durchsetzung einer Waffenruhe, Gewährleistung des Abzugs der militärischen, polizeilichen und paramilitärischen Bundes- und Republikkräfte aus dem Kosovo sowie Verhinderung ihrer Rückkehr, außer soweit in Anlage 2 Punkt 6 vorgesehen;

b) Demilitarisierung der Kosovo-Befreiungsarmee (UCK) und anderer bewaffneter koso-vo-albanischer Gruppen, wie in Ziffer 15 verlangt wird;

c) Schaffung eines sicheren Umfelds, in dem Flüchtlinge und Vertriebene sicher in ihre Heimat zurückkehren können, die internationale zivile Präsenz arbeiten kann, eine Übergangsverwaltung eingerichtet und humanitäre Hilfe geleistet werden kann;

d) Gewährleistung der öffentlichen Sicherheit und Ordnung, bis die internationale zivile Präsenz die Verantwortung für diese Aufgabe übernehmen kann;

e) Überwachung der Minenräumung, bis die internationale zivile Präsenz gegebenenfalls die Verantwortung für diese Aufgabe übernehmen kann;

f) gegebenenfalls Unterstützung und enge Abstimmung mit der Arbeit der internationalen zivilen Präsenz;

g) erforderlichenfalls Wahrnehmung von Grenzüberwachungsaufgaben;

h) Gewährleistung des Schutzes und der Bewegungsfreiheit ihrer selbst sowie der internationalen zivilen Präsenz und der anderen internationalen Organisationen;

10. ermächtigt den Generalsekretär, mit Hilfe der zuständigen internationalen Organisationen eine internationale zivile Präsenz im Kosovo einzurichten, um eine Übergangsverwaltung für das Kosovo bereitzustellen, unter der die Bevölkerung des Kosovo substantielle Autonomie innerhalb der Bundesrepublik Jugoslawien genießen kann und die für eine Übergangszeit die Verwaltung wahrnehmen und gleichzeitig vorläufige demokratische Selbstverwaltungsinstitutionen schaffen und deren Entwicklung überwachen wird, um die Bedingungen für ein friedliches und normales Leben für alle Einwohner des Kosovo sicherzustellen;

11. beschließt, daß die internationale zivile Präsenz unter anderem folgende Hauptaufgaben haben wird:

a) bis zu einer endgültigen Regelung die Förderung der Herstellung substantieller Autonomie und Selbstverwaltung im Kosovo unter voller Berücksichtigung der Anlage 2 und des Rambouillet-Abkommens (S/1999/648);

b) Wahrnehmung grundlegender ziviler Verwaltungsaufgaben, wo und solange dies erforderlich ist;

c) bis zu einer politischen Regelung die Organisation und Überwachung der Entwicklung vorläufiger Institutionen für eine demokratische und autonome Selbstverwaltung, einschließlich der Abhaltung von Wahlen;

d) Übertragung ihrer Verwaltungsaufgaben auf diese Institutionen, nachdem sie geschaffen werden, bei gleichzeitiger Überwachung und Unterstützung der Konsolidierung der örtlichen vorläufigen Institutionen des Kosovo sowie weitere friedenkonsolidierende Tätigkeiten;

e) Erleichterung eines politischen Prozesses mit dem Ziel, unter Berücksichtigung des Rambouillet-Abkommens (S/1999/648) den künftigen Status des Kosovo zu bestimmen;

f) in einer Endphase die Überwachung der Übertragung der Machtbefugnisse von den vorläufigen Institutionen des Kosovo auf die im Rahmen einer politischen Regelung geschaffenen Institutionen;

g) Unterstützung des Wiederaufbaus der grundlegenden Infrastruktur und des sonstigen wirtschaftlichen Wiederaufbaus;

h) Unterstützung der humanitären Hilfe und der Katastrophenhilfe in Abstimmung mit den internationalen humanitären Hilfsorganisationen;

i) Aufrechterhaltung der zivilen öffentlichen Ordnung, namentlich durch die Schaffung örtlicher Polizeikräfte und in der Zwischenzeit durch die Dislozierung internationalen Polizeipersonals für den Dienst im Kosovo;

j) Schutz und Förderung der Menschenrechte;

k) Gewährleistung der sicheren und ungehinderten Rückkehr aller Flüchtlinge und Vertriebenen in ihre Heimat im Kosovo;

12. betont, daß es notwendig ist, koordinierte humanitäre Hilfseinsätze durchzuführen und daß die Bundesrepublik Jugoslawien humanitären Hilfsorganisationen ungehinderten Zugang zum Kosovo gewährt und mit diesen Organisationen zusammenarbeitet, um die schnelle und wirksame Bereitstellung internationaler Hilfe zu gewährleisten;

13. ermutigt alle Mitgliedstaaten und internationalen Organisationen, zum wirtschaftlichen und sozialen Wiederaufbau sowie zur sicheren Rückkehr der Flüchtlinge und Vertriebenen beizutragen, und betont in diesem Zusammenhang, wie wichtig es ist, so bald wie möglich eine internationale Geberkonferenz einzuberufen, insbesondere für die in Ziffer 11 g) genannten Zwecke;

14. verlangt, daß alle Beteiligten, einschließlich der internationalen Sicherheitspräsenz, uneingeschränkt mit dem Internationalen Gericht für das ehemalige Jugoslawien zusammenarbeiten;

15. verlangt, daß die UCK und andere bewaffnete kosovo-albanische Gruppen alle Offensivhandlungen unverzüglich einstellen und den vom Leiter der internationalen Sicherheitspräsenz im Benehmen mit dem Sonderbeauftragten des Generalsekretärs festgelegten Demilitarisierungsbedingungen nachkommen;

16. beschließt, daß die mit Ziffer 8 der Resolution 1160 (1998) verhängten Verbote nicht für Waffen und sonstiges Wehrmaterial gelten, die für die Verwendung durch die internationale zivile Präsenz und die internationale Sicherheitspräsenz bestimmt sind;

17. begrüßt die in der Europäischen Union und anderen internationalen Organisationen gegenwärtig geleistete Arbeit mit dem Ziel, einen umfassenden Ansatz für die wirtschaftliche Entwicklung und Stabilisierung der von der Kosovo-Krise betroffenen Region zu entwickeln, einschließlich der Umsetzung eines Stabilitätspakts für Südosteuropa unter breiter internationaler Beteiligung, um die Förderung der Demokratie, wirtschaftlichen Wohlstands, der Stabilität und der regionalen Zusammenarbeit zu begünstigen;

18. verlangt, daß alle Staaten der Region bei der Durchführung aller Aspekte dieser Resolution uneingeschränkt kooperieren;

19. beschließt, die internationale zivile Präsenz und die internationale Sicherheitspräsenz zunächst für einen Zeitraum von 12 Monaten einzurichten, der verlängert wird, sofern der Sicherheitsrat nichts anderes beschließt;

20. ersucht den Generalsekretär, dem Rat in regelmäßigen Abständen über die Durchführung dieser Resolution Bericht zu erstatten, wozu auch Berichte der Führung der internationalen zivilen Präsenz und der internationalen Sicherheitspräsenz gehören; die ersten Berichte sind binnen 30 Tagen nach Verabschiedung dieser Resolution vorzulegen;

21. beschließt, mit der Angelegenheit aktiv befaßt zu bleiben.

Anlage 1

Erklärung des Vorsitzenden zum Abschluß des Treffens der Außenminister der G-8 auf dem Petersberg am 6. Mai 1999

Die Außenminister der G-8 einigten sich auf folgende allgemeine Grundsätze zur politischen Lösung der Kosovo-Krise:

- unverzügliches und nachprüfbares Ende der Gewalt und Unterdrückung im Kosovo;
- Rückzug militärischer, polizeilicher und paramilitärischer Kräfte aus dem Kosovo;
- Stationierung von wirksamen internationalen zivilen und Sicherheitspräsenzen im Kosovo, die von den Vereinten Nationen gebilligt und beschlossen und in der Lage sind, die Erreichung der gemeinsamen Ziele zu garantieren;
- Einrichtung einer vom Sicherheitsrat der Vereinten Nationen zu beschließenden Übergangsverwaltung für das Kosovo, um die Bedingungen für ein friedliches und normales Leben für alle Einwohner im Kosovo sicherzustellen;
- die sichere und freie Rückkehr aller Flüchtlinge und Vertriebenen und ungehinderter Zugang zum Kosovo für humanitäre Hilfsorganisationen;
- ein politischer Prozeß zur Schaffung einer politischen Übergangsrahmenvereinbarung, die eine substantielle Selbstverwaltung für das Kosovo unter voller Berücksichtigung des Ram-

bouillett-Abkommens und der Prinzipien der Souveränität und territorialen Unversehrtheit der Bundesrepublik Jugoslawien und der anderen Länder der Region sowie die Demilitarisierung der UCK vorsieht;

- umfassender Ansatz für die wirtschaftliche Entwicklung und Stabilisierung der Krisenregion.

Anlage 2

Um eine Lösung der Kosovo-Krise herbeizuführen, soll eine Vereinbarung über die folgenden Grundsätze erreicht werden:

1. Unverzügliches und nachprüfbares Ende der Gewalt und Unterdrückung im Kosovo.
2. Nachprüfbarer Rückzug aller militärischen, polizeilichen und paramilitärischen Kräfte aus dem Kosovo nach einem engen Zeitplan.
3. Unter der Schirmherrschaft der Vereinten Nationen erfolgende Stationierung von wirksamen internationalen zivilen und Sicherheitspräsenzen im Kosovo, die tätig werden, wie nach Kapitel VII der Charta beschlossen wird, und die in der Lage sind, die Erreichung der gemeinsamen Ziele zu garantieren.
4. Die internationale Sicherheitspräsenz unter substantieller Beteiligung der Nordatlantikvertrags-Organisation muß unter gemeinsamer Führung disloziert werden und ermächtigt sein, ein sicheres Umfeld für alle Menschen im Kosovo zu schaffen und die sichere Rückkehr aller Vertriebenen und Flüchtlinge in ihre Heimat zu erleichtern.
5. Einrichtung einer vom Sicherheitsrat der Vereinten Nationen zu beschließenden Übergangsverwaltung für das Kosovo als Teil der internationalen zivilen Präsenz, unter der die Bevölkerung des Kosovo substantielle Autonomie innerhalb der Bundesrepublik Jugoslawien genießen kann. Die Übergangsverwaltung soll für eine Übergangszeit die Verwaltung wahrnehmen und gleichzeitig vorläufige demokratische Selbstverwaltungsinstitutionen schaffen und deren Entwicklung überwachen, um die Bedingungen für ein friedliches und normales Leben für alle Einwohner im Kosovo sicherzustellen.
6. Nach dem Abzug wird eine vereinbarte Zahl jugoslawischen und serbischen Personals die Erlaubnis zur Rückkehr erhalten, um folgende Aufgaben wahrzunehmen:
 - Verbindung mit der internationalen Zivilmission und der internationalen Sicherheitspräsenz;
 - Markierung und Räumung der Minenfelder;
 - Aufrechterhaltung einer Präsenz an Stätten des serbischen Kulturerbes;
 - Aufrechterhaltung einer Präsenz an wichtigen Grenzübergängen.
7. Sichere und freie Rückkehr aller Flüchtlinge und Vertriebenen unter der Aufsicht des Amtes des Hohen Flüchtlingskommissars der Vereinten Nationen und ungehinderter Zugang zum Kosovo für humanitäre Hilfsorganisationen.
8. Ein politischer Prozeß zur Schaffung einer politischen Übergangsrahmenvereinbarung, die eine substantielle Selbstverwaltung für das Kosovo unter voller Berücksichtigung des Rambouillet-Abkommens und der Prinzipien der Souveränität und territorialen Unversehrtheit der Bundesrepublik Jugoslawien und der anderen Länder der Region vorsieht, sowie die Demilitarisierung der UCK. Die Verhandlungen zwischen den Parteien über eine Regelung sollen die Schaffung demokratischer Selbstverwaltungsinstitutionen weder verzögern noch stören.

9. Ein umfassender Ansatz für die wirtschaftliche Entwicklung und Stabilisierung der Krisenregion. Dieser wird die Umsetzung eines Stabilitätspakts für Südosteuropa unter breiter internationaler Beteiligung beinhalten, um die Förderung der Demokratie, wirtschaftlichen Wohlstands, der Stabilität und der regionalen Zusammenarbeit zu begünstigen.

10. Die Aussetzung der Militäraktionen wird die Annahme der vorstehenden Grundsätze sowie die Zustimmung zu weiteren, zuvor festgelegten erforderlichen Elementen erfordern, die in der Fußnote genannt werden. Danach wird rasch eine militärisch-technische Vereinbarung geschlossen, in der unter anderem zusätzliche Modalitäten festgelegt werden, einschließlich der Rolle und der Aufgaben des jugoslawischen/serbischen Personals im Kosovo:

Abzug

•Verfahren für den Abzug, einschließlich eines stufenweisen, detaillierten Zeitplans und der Abgrenzung einer Pufferzone in Serbien, hinter die sich die bewaffneten Kräfte zurückziehen werden;

Zurückkehrendes Personal

- Ausrüstung für das zurückkehrende Personal;
 - Mandat, in dem seine Aufgaben festgelegt sind;
- Zeitplan für die Rückkehr des Personals;
- Abgrenzung der geographischen Einsatzbereiche des Personals;
 - Regeln für die Beziehungen dieses Personals zu der internationalen Sicherheitspräsenz und der internationalen Zivilmission.

Fußnote

Weitere erforderliche Elemente:

Ein enger und präziser Zeitplan für den Abzug, beispielsweise sieben Tage für den Abschluß des Abzugs und Rückverlegung der Luftabwehrwaffen hinter eine beidseitige Sicherheitszone von 25 Kilometern binnen 48 Stunden;

Die Rückkehr des Personals zur Wahrnehmung der vier oben genannten Aufgaben wird unter der Aufsicht der internationalen Sicherheitspräsenz erfolgen und auf eine kleine, vereinbarte Zahl (Hunderte, nicht Tausende) beschränkt sein;

Die Aussetzung der Militäraktionen wird nach dem Beginn des nachprüfbaren Abzugs erfolgen;

Die Aushandlung und der Abschluß einer militärisch-technischen Vereinbarung darf die zuvor festgelegte Frist für den Abschluß des Abzugs nicht verlängern.

Text des Rambouillet-Abkommens (Entwurf, 23. Februar 1999)

Interim Agreement for Peace and Self-Government in Kosovo February 23, 1999)

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Article I: General Principles

Article I: Principles

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

in this Agreement.

2. National communities and their members shall have additional rights specified in Chapter 1. Kosovo,

Federal, and Republic authorities shall not interfere with the exercise of these additional rights. The

national communities shall be legally equal as specified herein, and shall not use their additional

rights to endanger the rights of other national communities or the rights of citizens, the sovereignty

and territorial integrity of the Federal Republic of Yugoslavia, or the functioning of representative

democratic government in Kosovo.

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

national communities.

4. Citizens in Kosovo shall have the right to democratic self-government through legislative, executive,

judicial, and other institutions established in accordance with this Agreement. They shall have the

opportunity to be represented in all institutions in Kosovo. The right to democratic self-government shall

include the right to participate in free and fair elections.

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

accordance with the procedures of such institutions.

6. The Parties accept that they will act only within their powers and responsibilities in Kosovo as specified by

this Agreement. Acts outside those powers and responsibilities shall be null and void. Kosovo shall

have all rights and powers set forth herein, including in particular as specified in the Constitution at

Chapter 1. This Agreement shall prevail over any other legal provisions of the Parties and shall be directly

applicable. The Parties shall harmonize their governing practices and documents with this Agreement.

7. The Parties agree to cooperate fully with all international organizations working in Kosovo on the

implementation of this Agreement.

Article II: Confidence-Building Measures

End of Use of Force

1. Use of force in Kosovo shall cease immediately. In accordance with this Agreement, alleged violations of

the cease-fire shall be reported to international observers and shall not be used to justify use of force in response.

2. The status of police and security forces in Kosovo, including withdrawal of forces, shall be governed by

the terms of this Agreement. Paramilitary and irregular forces in Kosovo are incompatible with the terms of this Agreement.

Return

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

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

persons, including those organizations, monitoring of the treatment of persons following their return.

Access for International Assistance

5. There shall be no impediments to the normal flow of goods into Kosovo, including materials for the

reconstruction of homes and structures. The Federal Republic of Yugoslavia shall not require visas, customs, or licensing for persons or things for the Implementation Mission (IM), the UNHCR, and other international organizations, as well as for non-governmental organizations working in Kosovo as determined by the Chief of the Implementation Mission

(CIM).

6. All staff, whether national or international, working with international or non-governmental organizations

including with the Yugoslav Red Cross, shall be allowed unrestricted access to the Kosovo population for

purposes of international assistance. All persons in Kosovo shall similarly have safe, unhindered, and direct access to the staff of such organizations.

Other Issues

7. Federal organs shall not take any decisions that have a differential, disproportionate, injurious, or

discriminatory effect on Kosovo. Such decisions, if any, shall be void with regard to Kosovo.

8. Martial law shall not be declared in Kosovo.

9. The Parties shall immediately comply with all requests for support from the implementation Mission (IM).

The IM shall have its own broadcast frequencies for radio and television programming in Kosovo. The Federal

Republic of Yugoslavia shall provide all necessary facilities, including frequencies for radiocommunications, to all humanitarian organizations responsible for delivering aid in Kosovo.

Detention of Combatants and Justice Issues

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

11. The Parties shall provide information, through tracing mechanisms of the ICRC, to families of all persons who are unaccounted for. The Parties shall cooperate fully with the ICRC and the International Commission on

Missing Persons in their efforts to determine the identity, whereabouts, and fate of those unaccounted for.

12. Each Party:

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

(b) shall grant a general amnesty for all persons already convicted of committing politically motivated crimes related to the conflict in Kosovo. This amnesty shall not apply to those properly convicted of committing serious

violations of international humanitarian law at a fair and open trial conducted pursuant to international standards.

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

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

prosecutions, including complying with its requests for assistance and its orders.

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

Independent Media

14. Recognizing the importance of free and independent media for the development of a democratic political

climate necessary for the reconstruction and development of Kosovo, the Parties shall ensure the widest possible press freedoms in Kosovo in all media, public and private, including print, television, radio, and Internet.

Chapter 1

Constitution

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

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

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

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

Recognizing that the institutions of Kosovo should fairly represent the national communities in Kosovo and

foster the exercise of their rights and those of their members,

Recalling and endorsing the principles/basic elements adopted by the Contact Group at its ministerial meeting in

London on January 29, 1999,

Article I: Principles of Democratic Self-Government in Kosovo

1. Kosovo shall govern itself democratically through the legislative, executive, judicial, and other organs and

institutions specified herein. Organs and institutions of Kosovo shall exercise their authorities consistent with the terms of this Agreement.

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

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

elsewhere in this Agreement: (a) territorial integrity,

(b) maintaining a common market within the Federal Republic of Yugoslavia, which power shall be exercised

in a manner that does not discriminate against Kosovo,

(c) monetary policy, (d) defense, (e) foreign policy,

(f) customs services, (g) federal taxation, (h) federal elections, and (i) other areas specified in this Agreement.

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

to Republic elections.

5. Citizens in Kosovo may continue to participate in areas in which the Federal Republic of Yugoslavia and the

Republic of Serbia have competence through their representation in relevant institutions, without

prejudice to the exercise of competence by Kosovo authorities set forth in this Agreement.

6. With respect to Kosovo:

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

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

(c) Kosovo shall have authority to conduct foreign relations within its areas of responsibility equivalent to the power provided to Republics under Article 7 of the Constitution of the Federal Republic of Yugoslavia.

7. There shall be no interference with the right of citizens and national communities in Kosovo to call upon

appropriate institutions of the Republic of Serbia for the following purposes:

- (a) assistance in designing school curricula and standards;
- (b) participation in social benefits programs, such as care for war veterans, pensioners, and disabled persons; and
- (c) other voluntarily received services, provided that these services are not related to police and security matters governed by Chapters 2 and 7 of this Agreement, and that any Republic personnel serving in Kosovo pursuant to this paragraph shall be unarmed service providers acting at the invitation of a national community in Kosovo.

The Republic shall have the authority to levy taxes or charges on those citizens requesting services pursuant to

this paragraph, as necessary to support the provision of such services.

8. The basic territorial unit of local self-government in Kosovo shall be the commune. All responsibilities in

Kosovo not expressly assigned elsewhere shall be the responsibility of the communes.

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

(a) No person who is serving a sentence imposed by the International Criminal Tribunal for the Former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with

an order to appear before the Tribunal, may stand as a candidate or hold any office; and

(b) All candidates and office holders shall renounce violence as a mechanism for achieving political

goals; past political or resistance activities shall not be a bar to holding office in Kosovo.

Article II: The Assembly

General

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

(a) Eighty members shall be directly elected.

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

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

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

Other Provisions

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

3. Allocation of seats in the Assembly shall be based on data gathered in the census referred to in Chapter 5

of this Agreement. Prior to the completion of the census, for purposes of this Article declarations of national community membership made during voter registration shall be used to determine the percentage of the Kosovo population that each national community represents.

4. Members of the Assembly shall be immune from all civil or criminal proceedings on the basis of words

expressed or other acts performed in their capacity as Members of the Assembly.

Powers of the Assembly

5. The Assembly shall be responsible for enacting laws of Kosovo, including in political, security, economic,

social, educational, scientific, and cultural areas as set out below and elsewhere in this Agreement. This

Constitution and the laws of the Kosovo Assembly shall not be subject to change or modification by

authorities of the Republics or the Federation.

(a) The Assembly shall be responsible for:

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

(ii) Adopting budgets of the Administrative organs and other institutions of Kosovo, with the exception of communal and national community institutions unless otherwise specified herein;

(iii) Adopting regulations concerning the organization and procedures of the Administrative organs of Kosovo;

(iv) Approving the list of Ministers of the Government, including the Prime minister;

(v) Coordinating educational arrangements in Kosovo, with respect for the authorities of national communities and Communes;

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

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

(viii) Approving agreements concluded by the President within the areas of responsibility of Kosovo;

(ix) Cooperating with the Federal Assembly, and with the Assemblies of the Republics, and conducting relations with foreign legislative bodies;

(x) Establishing a framework for local self- government;

(xi) Enacting laws concerning inter-communa issues and relations between national communities, when necessary;

(xii) Enacting laws regulating the work of medical institutions and hospitals;

(xiii) Protecting the environment, where intercommunal issues are involved;

(xiv) Adopting programs of economic, scientific, technological, demographic, regional, and social development, as well as urban planning;

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

(xvi) Regulating elections consistent with

Chapters 3 and 5;

(xvii) Regulating Kosovo-owned property; and

(xviii) Regulating land registries.

(b) The Assembly shall also have authority to enact laws in areas within the responsibility of the Communes if the matter cannot be effectively regulated by the Communes or if regulation by individual Communes might prejudice the rights of other Communes. In the absence of a law enacted by the Assembly under this subparagraph that

preempts communal action, the Communes shall retain their authority.

Procedure

6. Laws and other decisions of the Assembly shall be adopted by majority of Members present and voting.

7. A majority of the Members of a single national community elected to the Assembly pursuant to paragraph 1(b) may adopt a motion that a law or other decision adversely affects the vital interests of their national community. The challenged law or decision shall be suspended with regard to that national community until the dispute settlement procedure in paragraph 8 is completed.

8. The following procedure shall be used in the event of a motion under paragraph 7:

(a) The Members making the vital interest motion shall give reasons for their motion. The proposers of the legislation shall be given an opportunity to respond.

(b) The Members making the motion shall appoint within one day a mediator of their choice to assist in reaching an agreement with those proposing the legislation.

(c) If mediation does not produce an agreement within seven days, the matter may be submitted for a binding ruling. The decision shall be rendered by a panel comprising three Members of the Assembly: one Albanian and one Serb, each appointed by his or her national community delegation; and a third Member, who will be of a third nationality and will be selected within two days by consensus of the Presidency of the Assembly.

(i) A vital interest motion shall be upheld if the legislation challenged adversely affects the community's fundamental constitutional rights, additional rights as set forth in Article VII, or the principle of fair treatment.

(ii) If the motion is not upheld, the challenged legislation shall enter into force for that community.

(d) Paragraph (c) shall not apply to the selection of Assembly officials.

(e) The Assembly may exclude other decisions from this procedure by means of a law enacted by a majority that includes a majority of each national community elected pursuant to paragraph 1(b).

9. A majority of the Members shall constitute a quorum. The Assembly shall otherwise decide its own rules of procedure.

Leadership

10. The Assembly shall elect from among its Members a Presidency, which shall consist of a President, two

Vice-Presidents, and other leaders in accordance with the Assembly's rules of procedure. Each national community meeting the threshold specified in paragraph

1(b)(ii) shall, be represented in the leadership. The President of the Assembly shall not be from the same national community as the President of Kosovo.

11. The President of the Assembly shall represent it, call its sessions to order, chair its meetings, coordinate the work of any committees it may establish, and perform other tasks prescribed by the rules of procedure of the Assembly.

Article III: President of Kosovo

1. There shall be a President of Kosovo, who shall be elected by the Assembly by vote of a majority of its

members. The President of Kosovo shall serve for a three-year term. No person may serve more than two

terms as President of Kosovo.

2. The President of Kosovo shall be responsible for:

(i) Representing Kosovo, including before any international or Federal body or any body of the Republics;

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

(iii) Meeting regularly with the democratically elected representatives of the national communities;

(iv) Conducting foreign relations and concluding agreements within this power consistent with the authorities of Kosovo institutions under this Agreement. Such agreements shall only enter into force upon approval by the Assembly;

(v) Designating a representative to serve on the Joint Commission established by Article I.2 of Chapter 5 of this Agreement;

(vi) Meeting regularly with the Federal and Republic Presidents; and

(vii) other functions specified herein or by law.

Article IV: Government and Administrative Organs

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

(a) The Government shall consist of a Prime Minister and Ministers, including at least one person from each

national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Ministers shall head the Administrative Organs of Kosovo.

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

Prime Minister is not able to obtain a majority for the Government, the President shall propose a new candidate for Prime Minister within ten days.

(c) The Government shall resign if a no confidence motion is adopted by a vote of a majority of the members of the Assembly. If the Prime Minister or the Government resigns, the President shall select a new candidate for Prime Minister who shall seek to form a Government.

(d) The Prime Minister shall call meetings of the Government, represent it as appropriate, and coordinate its work. Decisions of the Government shall require a majority of Ministers present and voting. The Prime Minister shall cast the deciding vote in the event Ministers are equally divided. The Government shall otherwise decide its own rules of procedure.

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

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

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

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

representative of the population of Kosovo.

Article V: Judiciary

General

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

2. The Kosovo courts shall have jurisdiction over all matters arising under this Constitution or the laws of Kosovo except as specified in paragraph 3. The Kosovo courts shall also have jurisdiction over questions of

federal law, subject to appeal to the Federal courts on these questions after all appeals available under the

Kosovo system have been exhausted.

3. Citizens in Kosovo may opt to have civil disputes to which they are party adjudicated by other courts in the

Federal Republic of Yugoslavia, which shall apply the law applicable in Kosovo.

4. The following rules will apply to criminal cases:

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

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

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

Constitutional Court

5. The Constitutional Court shall consist of nine judges. There shall be at least one Constitutional Court judge

from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II. Until

such time as the Parties agree to discontinue this arrangement, 5 judges of the Constitutional Court shall

be selected from a list drawn up by the President of the European Court of Human Rights.

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

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

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

7. Following the exhaustion of other legal remedies, the Constitutional Court shall at the request of any person

claiming to be a victim have jurisdiction over complaints that human rights and fundamental freedoms and the rights of members of national communities set forth in this Constitution have been violated by a public authority.

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

Supreme Court

9. The Supreme Court shall consist of nine judges. There shall be at least one Supreme Court judge from each national community meeting the threshold specified in paragraph 1(b)(ii) of Article II.

10. The Supreme Court shall hear appeals from the District Courts and the Communal Courts. Except as otherwise provided in this Constitution, the Supreme Court shall be the court of final appeal for all cases arising

under law applicable in Kosovo. Its decisions shall be recognized and executed by all authorities in the

Federal Republic of Yugoslavia.

Functioning of the Courts

11. The Assembly shall determine the number of District and Communal Court judges necessary to meet current needs.

12. Judges of all courts in Kosovo shall be distinguished jurists of the highest moral character. They shall be broadly representative of the national communities of Kosovo.

13. Removal of a Kosovo judge shall require the consensus of the judges of the Constitutional Court. A Constitutional Court judge whose removal is in question shall not participate in the decision on his case.

14. The Constitutional Court shall adopt rules for itself and for other courts in Kosovo. The Constitutional and

Supreme Courts shall each adopt decisions by majority vote of their members.

15. Except as otherwise specified in their rules, all Kosovo courts shall hold public proceedings. They shall issue published opinions setting forth the reasons for their decisions.

Article VI: Human Rights and Fundamental Freedoms

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

2. The rights and freedoms set forth in the European Convention for the Protection of Human Rights and

Fundamental Freedoms and its Protocols shall apply directly in Kosovo. Other internationally recognized human rights instruments enacted into law by the Kosovo Assembly shall also apply. These rights and freedoms shall have priority over all other law.

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

Article VII: National Communities

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

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

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

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

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

(i) inscribing local names of towns and villages, of squares and streets, and of other topographic names in the language

and alphabet of the national community in addition to signs in Albanian and Serbian, consistent with decisions about style made by the communal institutions;

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

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

(iv) enjoying unhindered contacts with representatives of their respective national communities, within the Federal Republic of Yugoslavia and abroad;

(v) using and displaying national symbols including symbols of the Federal Republic of Yugoslavia and the Republic of Serbia;

(vi) protecting national traditions on family law by, if the community decides, arranging rules in the field of

inheritance; family and matrimonial relations; tutorship; and adoption;

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

(viii) implementing public health and social services on a non-discriminatory basis as to citizens and national communities;

(ix) operating religious institutions in cooperation with religious authorities; and

(x) participating in regional and international non-governmental organizations in accordance with procedures of these organizations;

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

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

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

(a) the right to enjoy unhindered contacts with members of their respective national communities elsewhere in the Federal Republic of Yugoslavia and abroad;

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

(c) the right to use their languages and alphabets;

(d) the right to use and display national community symbols;

(e) the right to participate in democratic institutions that will determine the national community's exercise of the collective rights set forth in this

Article; and

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

6. Each national community and, where appropriate, their members acting individually may exercise these

additional rights through Federal institutions and institutions of the Republics, in accordance with the procedures of those institutions and without prejudice to the ability of Kosovo institutions to carry out their responsibilities.

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

Article VIII: Communes

1. Kosovo shall have the existing communes. Changes may be made to communal boundaries by act of the Kosovo Assembly after consultation with the authorities of the communes concerned.

2. Communes may develop relationships among themselves for their mutual benefit.

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

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

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

4. The communes shall have responsibility for:

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

(b) regulating and, when appropriate, providing child care;

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

(d) protecting the communal environment;

(e) regulating commerce and privately-owned stores;

(f) regulating hunting and fishing;

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

(h) regulating land use, town planning, building regulations, and housing construction-

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

(j) organizing fairs and local markets;

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

(l) financing the work of communal institutions,

including raising revenues, taxes, and preparing budgets.

5. The communes shall also have responsibility for all other areas within Kosovo's authority not expressly assigned elsewhere herein, subject to the provisions of Article II.5(b) of this Constitution.

6. Each commune shall conduct its business in public and shall maintain publicly available records of its deliberations and decisions.

Article IX: Representation

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

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

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

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

3. The Assembly shall have the opportunity to present to the appropriate authorities a list of candidates from which shall be drawn:

(a) At least one citizen in Kosovo to serve in the Federal Government, and at least one citizen in Kosovo to serve in the Government of the Republic of Serbia; and

(b) At least one judge on the Federal Constitutional Court, one judge on the Federal Court, and three judges on the Supreme Court of Serbia.

Article X: Amendment

1. The Assembly may by a majority of two-thirds of its Members, which majority must include a majority of the Members elected from each national community pursuant to Article II.1(b)(ii), adopt amendments to this

Constitution.

2. There shall, however, be no amendments to Article I.3-8 or to this Article, nor shall any amendment diminish

the rights granted by Articles VI and VII.

Article XI: Entry into Force

This Constitution shall enter into force upon signature of this Agreement.

Chapter 2

Police and Civil Public Security

Article I: General Principles

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

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

3. In carrying out his responsibilities, the CIM will inform and consult KFOR as appropriate.

4. The IM shall have the authority to:

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

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

(c) Participate in and guide the training of law enforcement personnel;

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

(e) Advise and provide guidance to governmental authorities on how to deal with threats to public order and on the organization of effective civilian law enforcement agencies;

(f) Accompany the Parties, law enforcement personnel as they carry out their responsibilities, as the IM deems appropriate;

(g) Dismiss or discipline public security personnel of the Parties for cause; and

(h) Request appropriate law enforcement support from the international community to enable IM to carry out the duties assigned in this Chapter.

5. All Kosovo, Republic and Federal law enforcement and Federal military authorities shall be obligated, in their

respective areas of authority, to ensure freedom of movement and safe passage for all persons, vehicles and goods. This obligation includes a duty to permit the unobstructed passage into Kosovo of police equipment

which has been approved by the CIM and COMKFOR for use by Kosovo police, and of any other support provided under subparagraph 4(h) above.

6. The Parties undertake to provide one another mutual assistance, when requested, in the surrender of those

accused of committing criminal acts within a Party's jurisdiction, and in the investigation and prosecution of

offenses across the boundary of Kosovo with other parts of the FRY. The Parties shall develop agreed procedures and mechanisms for responding to these requests. The CIM or his designee shall resolve disputes on these matters.

7. The IM shall aim to transfer law enforcement responsibilities described in Article II below to the law enforcement officials and organizations described in Article II at the earliest practical time consistent with

civil public security.

Article II: Communal Police

1. As they build up, Communal police units, organized and stationed at the communal and municipal levels, shall

assume primary responsibility for law enforcement in Kosovo. The specific responsibilities of the communal

police will include police patrols and crime prevention, criminal investigations, arrest and detention of criminal

suspects, crowd control, and traffic control.

2. Number and Composition. The total number of communal police established by this Agreement operating within Kosovo shall not exceed 3,000 active duty law enforcement officers. However, the CIM shall have the authority to increase or decrease this personnel ceiling if he determines such action is necessary to meet operational needs. Prior to taking any such action, the CIM shall consult with the Criminal Justice Administration and other officials as appropriate. The national communities in each commune shall be fairly represented in the communal police unit.

3. Criminal Justice Administration.

a. A Criminal Justice Administration (CJA) shall be established. It shall be an Administrative Organ of Kosovo, reporting to an appropriate member of the Government of Kosovo as determined by the Government.

The CJA shall provide general coordination of law enforcement operations in Kosovo. Specific functions

of the CJA shall include general supervision over, and providing guidance to, communal police forces through

their commanders, assisting in the coordination between separate communal police forces, and oversight of the operations of the police academy. In carrying out these responsibilities, the CJA may issue directives, which shall be binding on communal police commanders and personnel. In the exercise of its functions, the CJA shall be subject to any directions given by CIM.

b. Within twelve months of the establishment of the CJA, the CJA shall submit for review by the CIM a plan for

the coordination and development of law enforcement bodies and personnel in Kosovo within its jurisdiction. This plan shall serve as the framework for law enforcement coordination and development in Kosovo and be subject to modification by the CIM.

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

4. Communal Commanders. Subject to review by the CIM, each commune will appoint, and may remove for cause, by majority vote of the communal council, a communal police commander with responsibility for police operations within the commune.

5. Service in Police.

(a) Recruitment for public security personnel will be conducted primarily at the local level. Local and communal governments, upon consultation with communal Criminal Justice Commissions, will nominate officer candidates to attend the Kosovo Police Academy. Offers of employment will be made by communal police commanders, with the concurrence of the academy director, only after the candidate has successfully completed the academy basic recruit course.

(b) Recruitment, selection and training of communal police officers shall be conducted under the direction of the IM during the period of its operation.

(c) There shall be no bar to service in the communal police based on prior political activities. Members of the police shall not, however, be permitted while they hold this public office to participate in party political activities other than membership in such a party.

(d) Continued service in the police is dependent upon behavior consistent with the terms of this Agreement, including this Chapter. The IM shall supervise regular reviews of officer performance, which shall be conducted in accordance with international due process norms.

6. Uniforms and Equipment.

(a) All communal police officers, with the exception of officers participating in crowd control functions, shall wear a standard uniform. Uniforms shall include a badge, picture identification, and name tag.

(b) Communal police officers may be equipped with a sidearm, handcuffs, a baton, and a radio.

(c) Subject to authorization or modification by the CIM, each commune may maintain, either at the communal headquarters or at municipal stations, no more than one long-barreled weapon not to exceed 7.62 mm for every fifteen police officers assigned to the commune. Each such weapon must be approved by and registered with the IM and KFOR pursuant to procedures established by the CIM and COMKFOR. When not in use, all such weapons will be securely stored and each commune will keep a registry of these weapons.

(i) In the event of a serious law enforcement threat that would justify the use of these weapons, the communal police commander shall obtain IM approval before employing these weapons.

(ii) The communal police commander may authorize the use of these weapons without prior approval of the IM for the sole purpose of self-defense. In such cases, he must report the incident no later than one hour after it

occurs to the IM and KFOR.

(iii) If the CIM determines that a weapon has been used by a member of a communal police force in a manner contrary to this Chapter, he may take appropriate corrective measures; such measures may include reducing the number of such weapons that the communal police

force is allowed to possess or dismissing or disciplining the law enforcement personnel involved.

(d) Communal police officers engaged in crowd control functions will receive equipment appropriate to their task, including batons, helmets and shields, subject to IM approval.

Article III: Interim Police Academy

1. Under the supervision of the IM, the CJA shall establish an interim Police Academy that will offer mandatory and professional development training for all public security personnel, including border police. Until the interim

police academy is established, IM will oversee a temporary training program for public security personnel including border police.

2. All public security personnel shall be required to complete a course of police studies successfully before serving as communal police officers.

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

4. All Republic and Federal police training facilities in Kosovo, including the academy at Vucitrn, will cease

operations within 6 months of the entry into force of, this Agreement.

Article IV: Criminal Justice Commissions

1. The parties shall establish a Kosovo Criminal Justice Commission and Communal Criminal Justice Commissions. The CIM or his designee shall chair meetings of these Commissions. They shall be forums for cooperation, coordination and the resolution of disputes concerning law enforcement and civil public security in Kosovo.

2. The functions of the Commissions shall include the following:

(a) Monitor, review, and make recommendations regarding the operation of law enforcement personnel and

policies in Kosovo, including communal police units;

(b) Review, and make recommendations regarding the

recruitment, selection and training of communal police officers and commanders;

(c) Consider complaints regarding police practices filed by individuals or national communities, and provide

information and recommendations to communal police commanders and the CIM for consideration in their reviews of officer performance; and

(d) In the Kosovo Criminal Justice Commission only: In consultation with designated local, Republic and

Federal police liaisons, monitor jurisdiction sharing in cases of overlapping criminal jurisdiction between Kosovo, Republic and Federal authorities.

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

(a) In the Kosovo Criminal Justice Commission:

(i) a representative of each commune;

- (ii) the head of the Kosovo CJA;
 - (iii) a representative of each Republic and Federal law enforcement component operating in Kosovo (for example, Customs police and Border police);
 - (iv) a representative of each national community;
 - (v) a representative of the IM, during its period of operation in Kosovo;
 - (vi) a representative of the VJ border guard, as appropriate;
 - (vii) a representative of the MUP, as appropriate, while present in Kosovo; and
 - (viii) A representative of KFOR, as appropriate.
- (b) In the Communal Criminal Justice Commissions:
- (i) the communal police commander;
 - (ii) a representative of any Republic and Federal law enforcement component operating in the commune;
 - (iii) a representative of each national community;
 - (iv) a civilian representative of the communal government;
 - (v) a representative of the IM, during its period of operation in Kosovo;
 - (vi) a representative of the VJ border guard, who shall have observer status, as appropriate; and
 - (vii) A representative of KFOR, as appropriate.

4. Each Criminal Justice Commission shall meet at least monthly, or at the request of any Commission member.

Article V: Police Operations in Kosovo

1. The communal police established by this Agreement shall have exclusive law enforcement authority and jurisdiction and shall be the only police presence in Kosovo following the reduction and eventual withdrawal from Kosovo by the MUP, with the exception of border police as specified in Article VI and any support provided pursuant to Article I(3)(h).

(a) During the transition to communal police, the remaining MTJP shall carry out only normal policing duties, and shall draw down, pursuant to the schedule described in Chapter 7.

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

2. Concurrent Law Enforcement in Kosovo.

(a) Except as provided in Article V.1 and Article VI, Federal and Republic law enforcement officials may only act within Kosovo in cases of hot pursuit of a person suspected of committing a serious criminal offense.

(i) Federal and Republic authorities shall as soon as practicable, but in no event later than one hour after their entry into Kosovo while engaged in a hot pursuit, notify the nearest Kosovo law enforcement officials that the pursuit has crossed into Kosovo. Once notification has been made, further pursuit and apprehension shall be coordinated with Kosovo law enforcement. Following apprehension, suspects shall be placed into the custody

of the authorities originating the pursuit. If the suspect has not been apprehended within four hours, the original pursuing authorities shall cease their pursuit and immediately depart Kosovo unless invited to continue their

pursuit by the CJA or the CIM.

(ii) In the event the pursuit is of such short duration as to preclude notification, Kosovo law enforcement officials shall be notified that an apprehension has been made and shall be given access to the detainee prior to his removal from Kosovo.

(iii) Personnel engaged in hot pursuit under the provisions of this Article may only be civilian police, may only carry weapons appropriate for normal civilian police duties (sidearms, and long-barreled weapons not to exceed 7.62mm), may only travel in officially marked police vehicles, and may not exceed a total of eight personnel at any one time. Travel in armored personnel carriers by police engaged in hot pursuit is strictly prohibited.

(iv) The same rules shall apply to hot pursuit of suspects by Kosovo law enforcement authorities to Federal territory outside of Kosovo.

(b) All Parties shall provide the highest degree of mutual assistance in law enforcement matters in response to reasonable requests.

Article VI: Security on International Borders

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

2. Personnel from the organizations listed below may be present along Kosovo's international borders and at

international border crossings, and may not act outside the scope of the authorities specified in this Chapter.

(a) Republic of Serbia Border Police

(i) The Border Police shall continue to exercise authority at Kosovo's international border crossings and in connection with the enforcement of Federal Republic of Yugoslavia immigration laws. The total number of border police shall be drawn down to 75 within 14 days of entry into force of this Agreement.

(ii) while maintaining the personnel threshold specified in subparagraph (i), the ranks of the existing Border Police units operating in Kosovo shall be supplemented by new recruits so that they are representative of the Kosovo population.

(iii) All Border Police stationed in Kosovo must attend police training at the Kosovo police academy within 18 months of the entry into force of this Agreement.

(b) Customs Officers

(i) The FRY Customs Service will continue to exercise customs jurisdiction at Kosovo's official international border crossings and in such customs warehouses as may be necessary within Kosovo. The total number of customs personnel shall be drawn down to 50 within 14 days of the entry into force of this Agreement.

(ii) Kosovar Albanian officers of the Customs Service shall be trained and compensated by the FRY.

(c) The CIM shall conduct a periodic review of customs and border police requirements and shall have the

authority to increase or decrease the personnel ceilings described in paragraphs (a)(i) and (b)(i) above to reflect operational needs and to adjust the composition of individual customs units.

Article VII: Arrest and Detention

1. Except pursuant to Article V, Article I(3)(h), and sections (a)-(b) of this paragraph, only officers of the communal police shall have authority to arrest and detain individuals in Kosovo.

(a) Border Police officers shall have authority within Kosovo to arrest and detain individuals who have

violated criminal provisions of the immigration laws.

(b) Officers of the Customs Service shall have authority within Kosovo to arrest and detain individuals for criminal violations of the customs laws.

2. Immediately upon making an arrest, the arresting officer shall notify the nearest Communal Criminal Justice

Commission of the detention and the location of the detainee. He subsequently shall transfer the detainee to

the nearest appropriate jail in Kosovo at the earliest opportunity.

3. Officers may use reasonable and necessary force proportionate to the circumstances to effect arrests and keep suspects in custody.

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

Article VIII: Administration of Justice

1. Criminal Jurisdiction over Persons Arrested within Kosovo.

(a) Except in accordance with Article V and subparagraph

(b) of this paragraph, any person arrested within Kosovo shall be subject to the jurisdiction of the Kosovo courts.

(b) Any person arrested within Kosovo, in accordance with the law and with this Agreement, by the Border Police or Customs Police shall be subject to the jurisdiction of the FRY courts. If there is no applicable court of

the FRY to hear the case, the Kosovo courts shall have jurisdiction.

2. Prosecution of Crimes.

(a) The CJA shall, in consultation with the CIM, appoint and have the authority to remove the Chief Prosecutor.

(b) The IM shall have the authority to monitor, observe, inspect, and when necessary, direct the operations of

the office of the Prosecutor and any and all related staff.

Article IX: Final Authority to Interpret

The CIM is the final authority regarding interpretation of this Chapter and his determinations are binding on all

Parties and persons.

Chapter 3

Conduct and Supervision of Elections

Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include

but are not limited to:

- a) freedom of movement for all citizens;
- b) an open and free political environment;
- c) an environment conducive to the return of displaced persons;
- d) a safe and secure environment that ensures freedom of assembly, association, and expression;
- e) an electoral legal framework of rules and regulations complying with OSCE commitments, which will be implemented by a Central Election Commission, as set forth in Article III, which is representative of the population of Kosovo in terms of national communities and political parties; and
- f) free media, effectively accessible to registered political parties and candidates, and available to voters throughout Kosovo.

2. The Parties request the OSCE to certify when elections will be effective under current conditions in Kosovo,

and to provide assistance to the Parties to create conditions for free and fair elections.

3. The Parties shall comply fully with Paragraphs 7 and 8 of the OSCE Copenhagen Document, which are attached to this Chapter.

Article II: Role of the OSCE

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

2. The Parties request the OSCE to supervise, in a manner to be determined by the OSCE and in cooperation with other international organizations the OSCE deems necessary, the preparation and conduct of elections for:

- a) Members of the Kosovo Assembly;
- b) Members of Communal Assemblies;
- c) other officials popularly elected in Kosovo under this Agreement and the laws and Constitution of Kosovo at the discretion of the OSCE.

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

4. Consistent with Article IV of Chapter 5, the first elections shall be held within nine months of the entry

into force of this Agreement. The President of the Commission shall decide, in consultation with the Parties, the exact timing and order of elections for Kosovo political offices.

Article III: Central Election Commission

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

2. The responsibilities of the Commission, as provided in the electoral Rules and Regulations, shall include:

a) the preparation, conduct, and supervision of all aspects of the electoral process, including development and supervision of political party and voter registration, and creation of secure and transparent procedures for production and dissemination of ballots and sensitive election materials, vote counts, tabulations, and publication of elections results;

b) ensuring compliance with the electoral Rules and Regulations established pursuant to this Agreement, including establishing auxiliary bodies for this purpose as necessary;

c) ensuring that action is taken to remedy any violation of any provision of this Agreement, including imposing penalties such as removal from candidate or party lists, against any person, candidate, political party, or body that violates such provisions; and

d) accrediting observers, including personnel from international organizations and foreign and domestic non-governmental organizations, and ensuring that the Parties grant the accredited observers unimpeded access and movement.

3. The Commission shall consist of a person appointed by the Chairman-in-office (CIO) of the OSCE, representatives of all national communities, and representatives of political parties in Kosovo selected by criteria to be determined by the Commission. The rules of procedure of the Commission shall provide that in the exceptional circumstance of an unresolved dispute within the Commission, the decision of the

President shall be final and binding.

4. The Commission shall enjoy the right to establish communication facilities, and to engage local and administrative staff.

Chapter 4a
Economic Issues

Article I

1. The economy of Kosovo shall function in accordance with free market principles.
2. The authorities established to levy and collect taxes and other charges are set forth in this Agreement.

Except as otherwise expressly provided, all authorities have the right to keep all revenues from their own taxes or other charges consistent with this Agreement.

3. Certain revenue from Kosovo taxes and duties shall accrue to the Communes, taking into account the need

for an equalization of revenues between the Communes based on objective criteria. The Assembly of Kosovo

shall enact appropriate non-discriminatory legislation for this purpose. The Communes may also levy local

taxes in accordance with this Agreement.

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

5. Federal authorities shall ensure that Kosovo receives a proportionate and equitable share-of benefits that may

be derived from international agreements concluded by the Federal Republic and of Federal resources.

6. Federal and other authorities shall within their respective powers and responsibilities ensure the free movement of persons, goods, services, and capital to Kosovo, including from international sources. They

shall in particular allow access to Kosovo without discrimination for persons delivering such goods and services.

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

Article II

1. The Parties agree to reallocate ownership and resources in accordance insofar as possible with the distribution

of powers and responsibilities set forth in this Agreement, in the following areas:

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

(b) pension and social insurance contributions;

(c) revenues to be distributed under Article I.5; and

(d) any other matters relating to economic relations between the Parties not covered by this Agreement.

2. The Parties agree to the creation of a Claim Settlement Commission (CSC) to resolve all disputes between them on matters referred to in paragraph 1.

(a) The CSC shall consist of three experts designated by Kosovo, three experts designated jointly by the Federal Republic of Yugoslavia and the Republic of Serbia, and three independent experts designated by the CIM.

(b) The decisions of the CSC, which shall be taken by majority vote, shall be final and binding. The Parties shall implement them without delay.

3. Authorities receiving ownership of public facilities shall have the power to operate such facilities.

Chapter 4b

Humanitarian Assistance, Reconstruction and Economic

Development

1. In parallel with the continuing full implementation of this Agreement, urgent attention must be focused on

meeting the real humanitarian and economic needs of Kosovo in order to help create the conditions for reconstruction and lasting economic recovery. International assistance will be provided without discrimination between national communities.

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

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

4. The international community will provide the means for the rapid improvement of living conditions for the population of Kosovo through the reconstruction and rehabilitation of housing and local infrastructure

(including water, energy, health and local education infrastructure) based on damage assessment surveys.

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

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

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

Chapter 5
Implementation I

Article I: Institutions

Implementation Mission

1. The Parties invite the OSCE, in cooperation with the European Union, to constitute an Implementation Mission in Kosovo. All responsibilities and powers previously vested in the Kosovo Verification Mission and its Head by prior agreements shall be continued in the Implementation Mission and its Chief.

Joint Commission

2. A Joint Commission shall serve as the central mechanism for monitoring and coordinating the civilian implementation of this Agreement. It shall consist of the Chief of the Implementation Mission (CIM), one

Federal and one Republic representative, one representative of each national community in Kosovo,

the President of the Assembly, and a representative of the President of Kosovo. Meetings of the Joint Commission may be attended by other representatives of organizations specified in this Agreement or needed for

its implementation.

3. The CIM shall serve as the Chair of the Joint Commission. The Chair shall coordinate and organize the work of the Joint Commission and decide the time and place of its meetings. The Parties shall abide by and fully implement the decisions of the Joint Commission. The Joint Commission shall operate on the basis of consensus, but in the event consensus cannot be reached, the Chair's decision shall be final.

4. The Chair shall have full and unimpeded access to all places, persons, and information (including documents

and other records) within Kosovo that in his judgment are necessary to his responsibilities with regard to the civilian aspects of this Agreement.

Joint Council and Local Councils

5. The CIM may, as necessary, establish a Kosovo Joint Council and Local Councils, for informal dispute resolution and cooperation. The Kosovo Joint Council would consist of one member from each of the national

communities in Kosovo. Local Councils would consist of representatives of each national community living in

the locality where the Local Council is established.

Article II: Responsibilities and Powers

1. The CIM shall:

(a) supervise and direct the implementation of the civilian aspects of this Agreement pursuant to a schedule that he shall specify;

(b) maintain close contact with the Parties to promote full compliance with those aspects of this Agreement;

(c) facilitate, as he deems necessary, the resolution of difficulties arising in connection with such implementation;

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

(e) coordinate the activities of civilian organizations and agencies in Kosovo assisting in the implementation of the civilian aspects of this Agreement, respecting fully their specific organizational procedures;

(f) report periodically to the bodies responsible for constituting the Mission on progress in the implementation of the civilian aspects of this Agreement; and

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

2. The CIM shall also carry out other responsibilities set forth in this Agreement or as may be later agreed.

Article III: Status of Implementation Mission

1. Implementation Mission personnel shall be allowed unrestricted movement and access into and throughout

Kosovo at any time.

2. The Parties shall facilitate the operations of the Implementation Mission, including by the provision of assistance as requested with regard to transportation, subsistence, accommodation, communication, and other

facilities.

3. The Implementation Mission shall enjoy such legal capacity as may be necessary for the exercise of its functions under the laws and regulations of Kosovo, the Federal Republic of Yugoslavia, and the Republic of

Serbia. Such legal capacity shall include the capacity to contract, and to acquire and dispose of real and personal property.

4. Privileges and immunities are hereby accorded as follows to the Implementation Mission and associated

personnel:

(a) the Implementation Mission and its premises, archives, and other property shall enjoy the same privileges and immunities as a diplomatic mission under the Vienna Convention on Diplomatic Relations;

(b) the CIM and professional members of his staff and their families shall enjoy the same privileges and immunities as are enjoyed by diplomatic agents and their families under the Vienna Convention on Diplomatic Relations; and

(c) other members of the Implementation Mission staff and their families shall enjoy the same privileges and immunities as are enjoyed by members of the administrative and technical staff and their families under the Vienna Convention on Diplomatic Relations.

Article IV: Process of Implementation

General

1. The Parties acknowledge that complete implementation will require political acts and measures, and the

election and establishment of institutions and bodies set forth in this Agreement. The Parties agree to proceed expeditiously with these tasks on a schedule set by the Joint Commis-

sion. The Parties shall provide active support, cooperation, and participation for the successful implementation of this Agreement.

Elections and Census

2. Within nine months of the entry into force of this Agreement, there shall be elections in accordance with

and pursuant to procedures specified in Chapter 3 of this Agreement for authorities established herein,

according to a voter list prepared to international standards by the Central Election Commission. The

Organization for Security and Cooperation in Europe (OSCE) shall supervise those elections to ensure that

they are free and fair.

3. Under the supervision of the OSCE and with the participation of Kosovo authorities and experts nominated by and belonging to the national communities of Kosovo, Federal authorities shall conduct an objective and free census of the population in Kosovo under rules and regulations agreed with the OSCE in accordance with international standards. The census

shall be carried out when the OSCE determines that conditions allow an objective and accurate enumeration.

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

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

Transitional Provisions

4. All laws and regulations in effect in Kosovo when this Agreement enters into force shall remain in effect

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

5. Institutions currently in place in Kosovo shall remain until superseded by bodies created by or in accordance

with this Agreement. The CIM may recommend to the appropriate authorities the removal and appointment of

officials and the curtailment of operations of existing institutions in Kosovo if he deems it necessary for the

effective implementation of this Agreement. If the action recommended is not taken in the time requested,

the Joint Commission may decide to take the recommended action.

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

standards, including allocation of radio and television frequencies.

Article V: Authority to Interpret

The CIM shall be the final authority in theater regarding interpretation of the civilian aspects of this Agreement,

and the Parties agree to abide by his determinations as binding on all Parties and persons.

Chapter 6
The Ombudsman

Article I: General

1. There shall be an Ombudsman, who shall monitor the realization of the rights of members of national communities and the protection of human rights and fundamental freedoms in Kosovo. The Ombudsman shall

have unimpeded access to any person or place and shall have the right to appear and intervene before any domestic, Federal, or (consistent with the rules of such bodies) international authority upon his or her request.

No person, institution, or entity of the Parties may interfere with the functions of the Ombudsman.

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

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

(a) The salaries and expenses of the Ombudsman and his or her staff shall be determined and paid by the Kosovo

Assembly. The salaries and expenses shall be fully adequate to implement the Ombudsman's mandate.

(b) The Ombudsman and members of his or her staff shall not be held criminally or civilly liable for any acts

carried out within the scope of their duties.

Article II: Jurisdiction

The Ombudsman shall consider:

(a) alleged or apparent violations of human rights and fundamental freedoms in Kosovo, as provided in the

Constitutions of the Federal Republic of Yugoslavia and the Republic of Serbia, and the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto; and

(b) alleged or apparent violations of the rights of members of national communities specified in this Agreement.

2. All persons in Kosovo shall have the right to submit complaints to the Ombudsman. The Parties agree not to

take any measures to punish persons who intend to submit or who have submitted such allegations, or in

any other way to deter the exercise of this right.

Article III: Powers and Duties

1. The Ombudsman shall investigate alleged violations falling within the jurisdiction set forth in Article

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

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

upon his or her request.

(a) The Ombudsman shall have access to and may examine all official documents, and he or she can require

any person, including officials of Kosovo, to cooperate by providing relevant information, documents, and files.

(b) The Ombudsman may attend administrative hearings and meetings of other Kosovo institutions in order

to gather information.

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

(d) The Ombudsman and staff shall maintain the confidentiality of all confidential information obtained by them, unless the Ombudsman determines that such information is evidence of a violation of rights falling within his or her jurisdiction, in which case that information may be revealed in public reports or appropriate legal proceedings.

(e) The Parties undertake to ensure cooperation with the ombudsman's investigations. Willful and knowing failure to comply shall be a criminal offense prosecutable in any Jurisdiction of the Parties. Where an official impedes an investigation by refusing to provide necessary information, the Ombudsman shall contact that

officials superior or the public prosecutor for appropriate penal action to be taken in accordance with the law.

3. The Ombudsman shall issue findings and conclusions in the form of a published report promptly after

concluding an investigation.

(a) A Party, institution, or official identified by the Ombudsman as a violator shall, within a period specified by the Ombudsman, explain in writing how it will comply with any prescriptions the Ombudsman may put forth for remedial measures.

(b) In the event that a person or entity does not comply with the conclusions and recommendations of the Ombudsman, the report shall be forwarded for further action to the Joint Commission established by Chapter 5 of this Agreement, to the President of the appropriate Party, and to any other officials or institutions that the Ombudsman deems proper.

Chapter 7
Implementation II

Article I: General Obligations

1. The Parties undertake to recreate, as quickly as possible, normal conditions of life in Kosovo and to co-operate fully with each other and with all international organizations, agencies, and non-governmental

organizations involved in the implementation of this Agreement. They welcome the willingness of the

international community to send to the region a force to assist in the implementation of this Agreement.

a. The United Nations Security Council is invited to pass a resolution under Chapter VII of the Charter endorsing and adopting the arrangements set forth in this Chapter, including the establishment of a multinational military

implementation force in Kosovo. The Parties invite NATO to constitute and lead a military force to help ensure compliance with the provisions of this Chapter. They also reaffirm the sovereignty and territorial integrity of the

Federal Republic of Yugoslavia (FRY).

b. The Parties agree that NATO will establish and deploy a force (hereinafter IIKFORII) which may be composed of ground, air, and maritime units from NATO and non-NATO nations, operating under the

authority and subject to the direction and the political control of the North Atlantic Council (NAC) through the NATO chain of command. The Parties agree to facilitate the deployment and operations of this force and agree also to comply fully with all the obligations of this Chapter.

c. it is agreed that other States may assist in implementing this Chapter. The Parties agree that the modalities of those States' participation will be the subject of agreement between such participating States and NATO.

2. The purposes of these obligations are as follows:

a. to establish a durable cessation of hostilities. Other than those Forces provided for in this Chapter, under no circumstances shall any armed Forces enter, reenter, or remain within Kosovo without the prior express consent of the KFOR Commander (COMKFOR). For the purposes of this Chapter, the term "Forces" includes all personnel and organizations with military capability, including regular army, armed civilian groups, paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, Ministry of Internal Affairs, Local, Special, Riot and Anti-Terrorist Police, and any other groups or individuals so designated by COMKFOP,. The only exception to the provisions of this paragraph is for civilian police engaged in hot pursuit of a person suspected of committing a serious criminal offense, as provided for in Chapter 2;

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

governmental organizations involved in the implementation of this Agreement, and to contribute to a secure environment;

c. to provide, at no cost, the use of all facilities and services required for the deployment, operations and support of the KFOR.

3. The Parties understand and agree that the obligations undertaken in this Chapter shall apply equally to each

Party. Each Party shall be held individually responsible for compliance with its obligations, and each agrees that

delay or failure to comply by one Party shall not constitute cause for any other Party to fail to carry out its own obligations. All Parties shall be equally subject to such enforcement action by the KFOR as may be necessary to ensure implementation of this Chapter in Kosovo and the protection of the KFOR, IM, and other international organizations, agencies, and non-governmental organizations involved in the implementation of this Agreement.

Article II: Cessation of Hostilities

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

encourage or organize hostile or provocative demonstrations.

2. In carrying out the obligations set forth in paragraph 1, the Parties undertake in particular to cease the

firing of all weapons and explosive devices except as authorized by COMKFOR. They shall not place any mines,

barriers, unauthorized checkpoints, observation posts (with the exception of COMKFOR-approved border observation posts and crossing points), or protective obstacles. Except as provided in Chapter 2, the Parties

shall not engage in any military, security, or training related activities, including ground, air, or air defense

operations, in or over Kosovo, without the prior express approval of COMKFOR.

3. Except for Border Guard forces (as provided for in Article IV), no Party shall have Forces present within a

5 kilometer zone inward from the international border of the FRY that is also the border of Kosovo (hereinafter

"the Border Zone"). The Border Zone will be marked on the ground by EIF + 14 days by VJ Border Guard personnel in accordance with direction from IM. COMKFOR may determine small scale reconfigurations for operational reasons.

4. a. With the exception of civilian police performing normal police duties as determined by the CIM, no Party

shall have Forces present within 5 kilometers of the Kosovo side of the boundary of Kosovo with other parts of

the FRY.

b. The presence of any Forces within 5 kilometers of the other side of that boundary shall be notified to COMKFOR; if, in the judgment of COMKFOR, such presence threatens or would threaten implementation of this Chapter in Kosovo, he shall contact the authorities re-

sponsible for the Forces in question and may require those Forces to withdraw from or remain outside that area.

5. No Party shall conduct any reprisals, counter-attacks, or any unilateral actions in response to violations of

this Chapter by another Party. The Parties shall respond to alleged violations of this Chapter through the

procedures provided in Article XI.

Article III: Redeployment, Withdrawal, and Demilitarization of Forces

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

Article IV: VJ Forces

1. VJ Army Units

a. By K-Day + 5 days, all VJ Army units in Kosovo (with the exception of those Forces specified in paragraph 2 of this Article) shall have completed redeployment to the approved cantonment sites listed at Appendix A to this Chapter. The senior vi commander in Kosovo shall confirm in writing to COMKFOR by K-Day + 5 days that the VJ is in compliance and provide the information required in Article VII below to take account of withdrawals or other changes made during the redeployment. This information shall be updated weekly.

b. By K-Day + 30 days, the Chief of the VJ General Staff, through the senior VJ commander in Kosovo, shall provide for approval by COMKFOR a detailed plan for the phased withdrawal of Vi Forces from Kosovo to other locations in Serbia to ensure the following timelines are met:

1) By K-Day + 90 days, VJ authorities must, to the satisfaction of COMKFOR, withdraw from Kosovo to other locations in Serbia 50% of men and materiel and all designated offensive assets. Such assets are taken to be: main battle tanks; all other armored vehicles mounting weapons greater than 12.7mm; and, all heavy weapons (vehicle mounted or not) of over 82mm.

2) By K-Day + 180 days, all VJ Army personnel and equipment (with the exception of those Forces specified in paragraph 2 of this Article) shall be withdrawn from Kosovo to other locations in Serbia.

2. VJ Border Guard Forces

a. VJ Border Guard forces shall be permitted but limited to a structure of 1500 members at pre- February 1998 Border Guard Battalion facilities located in Djakovica, Prizren, and Urosevac and subordinate facilities within the 5 kilometer Border Zone, or at a limited number of existing facilities in the immediate proximity of the

Border Zone subject to the prior approval of COMKFOR, with that number to be reached by K-Day + 14 days. An additional number of VJ personnel -- totaling no more than 1000 C2 and logistics forces -- will be permitted to remain in the approved cantonment sites listed at Appendix A to fulfill brigade-level functions related only to

border security. After an initial 90 day period from K-Day, COMKFOR may at any time review the deployments of VJ personnel and may require further adjustments to force levels, with the objective of reaching the minimum force structure required for legitimate border security, as the security situation and the conduct of the Parties warrant.

b. VJ elements in Kosovo shall be limited to weapons of 82mm and below. They shall possess neither armored vehicles (other than wheeled vehicles mounting weapons of 12.7mm or less) nor air defense weapons.

c. VJ Border Guard units shall be permitted to patrol in Kosovo only within the Border Zone and solely for the purpose of defending the border against external attack and maintaining its integrity by preventing illicit border crossings. Geographic terrain considerations may require Border Guard maneuver inward of the Border Zone; any such maneuver shall be coordinated with and approved by COMKFOR.

d. With the exception of the Border Zone, VJ units may travel through Kosovo only to reach duty stations and garrisons in the Border Zone or approved cantonment sites. Such travel may only be along routes and in accordance with procedures that have been determined by COMKFOR after consultation with the CIM, VJ unit commanders, communal government authorities, and police commanders. These routes and procedures will be

determined by K-Day + 14 days, subject to re-determination by COMKFOR at any time. VJ forces in Kosovo but outside the Border Zone shall be permitted to act only in self-defense in response to a hostile act pursuant to Rules of Engagement (ROE) which will be approved by COMKFOR in consultation with the CIM. When deployed in the Border Zone, they will act in accordance with ROE established under control of COMKFOR.

e. VJ Border Guard forces may conduct training activities only within the S kilometer Border Zone, and only with the prior express approval of COMKFOR.

3. Yugoslav Air and Air Defense Forces (YAADF) All aircraft, radars, surface-to-air missiles (including man-portable air defense systems @MANPADS@) and anti-aircraft artillery in Kosovo shall immediately upon

EIF begin withdrawing from Kosovo to other locations in Serbia outside the 25 kilometer Mutual Safety Zone as

defined in Article X. This withdrawal shall be completed and reported by the senior VJ commander in Kosovo to the appropriate NATO commander not more than 10 days after EIF. The appropriate NATO commander shall control and coordinate use of airspace over Kosovo commencing at EIF as further specified in Article X. No air defense systems, target tracking radars, or anti-aircraft artillery shall be positioned or operated within Kosovo or the 25 kilometer Mutual Safety Zone without the prior express approval of the appropriate NATO commander.

Article V: Other Forces

1. The actions of Forces in Kosovo other than KFOR, VJ, MUP, or local police forces provided for in Chapter 2

(hereinafter referred to as "Other Forces") shall be in accordance with this Article. Upon EIF, all Other Forces

in Kosovo must immediately observe the provisions of Article I, paragraph 2, Article II, paragraph 1, and

Article III and "in addition refrain from all hostile intent, military training and formations, organization of

demonstrations, and any movement in either direction or smuggling across international borders or the boundary

between Kosovo and other parts of the FRY. Furthermore, upon EIF, all Other Forces in Kosovo must publicly commit themselves to demilitarize on terms to be determined by COMKFOR, renounce violence, guarantee security of

international personnel, and respect the international borders of the FRY and all terms of this Chapter.

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

a. within 1 kilometer of VJ and MUP cantonments listed at Appendix A;

b. within 1 kilometer of the main roads as follows:

- 1) Pec - Lapusnik - Pristina
- 2) border - Djakovica - Klina
- 3) border - Prizren - Suva Rika - Pristina
- 4) Djakovica - Orahovac - Lapusnik - Pristina
- 5) Pec-Djakovica - Prizren - Urosevac - border
- 6) border - Urosevac - Pristina - Podujevo - border
- 7) Pristina - Kosovska Mitrovica - border
- 8) Kosovka Mitrovica - (Rakos) - Pec
- 9) Pec - Border with Montenegro (through Pozaj)
- 10) Pristina - Lisica - border with Serbia
- 11) Pristina - Gnjilane - Urosevac
- 12) Gnjilane - Veliki Trnovac - border with Serbia;
- 13) Prizren - Doganovic

c. within 1 kilometer of the Border Zone;

d. in any other areas designated by COMKFOR.

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

4. By K-Day + 5 days, all Other Forces' commanders designated by COMKFOR shall report completion of the

above requirements in the format at Article VII to COMKFOR and continue to provide weekly detailed status

reports until demilitarization is complete.

5. COMKFOR will establish procedures for demilitarization and monitoring of Other Forces in Kosovo and for the

further regulation-of their activities. These procedures will be established to facilitate a phased demilitarization program as follows:

a. By K-Day + 5 days, all Other Forces shall establish secure weapons storage sites, which shall be registered with and verified by the KFOR;

b. By K-Day + 30 days, all other Forces shall store all prohibited weapons (any weapon 12.7mm or larger, any anti-tank or anti-aircraft weapons, grenades, mines or explosives) and

automatic weapons in the registered weapons storage sites. Other Forces commanders shall confirm completion of weapons storage to COMKFOR no later than K-Day + 30 days;

c. By K-Day + 30 days, all Other Forces shall cease wearing military uniforms and insignia, and cease carrying prohibited weapons and automatic weapons;

d. By K-Day + 90 days, authority for storage sites shall pass to the KFOR. After this date, it shall be illegal for Other Forces to possess prohibited weapons and automatic weapons, and such weapons shall be subject to confiscation by the KFOR;

e. By K-Day + 120 days, demilitarization of all Other Forces shall be completed.

6. By EIF + 30 days, subject to arrangements by COMKFOR if necessary, all Other Forces personnel who are not of local origin, whether or not they are legally within Kosovo, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other States, shall be withdrawn from Kosovo.

Article VI: MUP

1. Ministry of Interior Police (MUP) is defined as all police and public security units and personnel under the

control of Federal or Republic authorities except for the border police referred to in Chapter 2 and police academy students and personnel at the training school in Vucitrn referred to in Chapter 2. The CIM, in consultation with COMKFOR, shall have the discretion to exempt any public security units from this definition if he determines that it is in the public interest (e.g. firefighters).

a. By K-Day + 5 days, all MUP units in Kosovo (with the exception of the border police referred to in Chapter 2) shall have completed redeployment to the approved cantonment sites listed at Appendix A to this Chapter or to garrisons outside Kosovo. The senior MUP commander in Kosovo or his representative shall confirm in writing by K-Day + 5 days to COMKFOR and the CIM that the MUP is in compliance and update the information required in Article VII to take account of withdrawals or other changes made during the redeployment. This

information shall be updated weekly. Resumption of normal communal police patrolling will be permitted under the supervision and control of the IM and as specifically approved by the CIM in consultation with COMKFOR, and will be contingent on compliance with the terms of this Agreement.

b. Immediately upon EIF, the following withdrawals shall begin:

1) By K-Day + 5 days, those MUP units not assigned to Kosovo prior to 1 February 1998 shall withdraw all personnel and equipment from Kosovo to other locations in Serbia.

2) By K-Day + 20 days, all Special Police, including PJP, SAJ, and JSO forces, and their equipment shall be withdrawn from their cantonment sites out of Kosovo to other locations in Serbia. Additionally, all MUP

offensive assets (designated as armored vehicles mounting weapons 12.7mm or larger, and all heavy weapons (vehicle mounted or not) of over 82mm) shall be withdrawn.

c. By K-Day + 30 days, the senior MUP commander shall provide for approval by COMKFOR, in consultation

with the CIM, a detailed plan for the phased drawdown of the remainder of MUP forces. In the event that COMKFOR, in consultation with the CIM, does not approve the plan, he has the authority to issue his own binding plan for further MUP drawdowns. The CIM will decide

at the same time when the remaining MUP units will wear new insignia. In any case, the following time-table must be met:

1) by K-Day + 60 days, 50% drawdown of the remaining MUP units including reservists. The CIM after consultations with COMKFOR shall have the discretion to extend this deadline for up to K-Day + 90 days if he

judges there to be a risk of a law enforcement vacuum;

2) by K-Day + 120 days, further drawdown to 2500 MUP. The CIM after consultations with COMKFOR shall have the discretion to extend this deadline for up to K-Day + 180 days to meet operational needs;

3) transition to communal police force shall begin as Kosovar police are trained and able to assume their duties. The CIM shall organize this transition between MUP and communal police;

4) in any event, by EIF + one year, all Ministry of Interior Civil Police shall be drawn down to zero. The CIM shall have the discretion to extend this deadline for up to an additional 12 months to meet operational needs.

d. The 2500 MUP allowed by this Chapter and referred to in Article V.1(a) of Chapter 2 shall have authority only for civil police functions and be under the supervision and control of the CIM.

Article VII: Notifications

1. By K-Day + 5 days, the Parties shall furnish the following specific information regarding the status of all conventional military; all police, including military police, Department of Public Security Police, special police; paramilitary; and all Other Forces in Kosovo, and shall update the COMKFOR weekly on changes in this information:

a. location, disposition, and strengths of all military and special police units referred to above;

b. quantity and type of weaponry of 12.7 mm and above, and ammunition for such weaponry, including location of cantonments and supply depots and storage sites;

c. positions and descriptions of any surface-to-air missiles/launchers, including mobile systems, anti-aircraft artillery, supporting radars, and associated command and control systems;

d. positions and descriptions of all mines, unexploded ordnance, explosive devices, demolitions, obstacles, booby traps, wire entanglements, physical or military hazards to the safe movement of any personnel in Kosovo,

weapons systems, vehicles, or any other military equipment; and

e. any further information of a military or security nature requested by the COMKFOR.

Article VIII: Operations and Authority of the KFOR

1. Consistent with the general obligations of Article I the Parties understand and agree that the KFOR will

deploy and operate without hindrance and with the authority to take all necessary action to help ensure compliance with this Chapter.

2. The Parties understand and agree that the KFOR shall have the right:

a. to monitor and help ensure compliance by all Parties with this Chapter and to respond promptly to any violations and restore compliance, using military force if required. This includes necessary action to:

- 1) enforce VJ and MUP reductions;
- 2) enforce demilitarization of Other Forces;
- 3) enforce restrictions on all VJ, MUP and Other Forces' activities, movement and training in Kosovo;

b. to establish liaison arrangements with IM, and support IM as appropriate;

c. to establish liaison arrangements with local Kosovo authorities, with Other Forces, and with FRY and Serbian civil and military authorities;

d. to observe, monitor, and inspect any and all facilities or activities in Kosovo, including within the Border Zone, that the COMKFOR believes has or may have military capability, or are or may be associated with the employment of military or police capabilities, or are otherwise relevant to compliance with this Chapter;

e. to require the Parties to mark and clear minefields and obstacles and to monitor their performance;

f. to require the Parties to participate in the Joint Military Commission and its subordinate military commissions as described in Article XI.

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

a. to help create secure conditions for the conduct by others of other tasks associated with this Agreement, including free and fair elections;

b. to assist the movement of organizations in the accomplishment of humanitarian missions; c. to assist international agencies in fulfilling their responsibilities in Kosovo;

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

4. The Parties understand and agree that further directives from the NAC may establish additional duties and

responsibilities for the KFOR in implementing this Chapter.

5. KFOR operations shall be governed by the following provisions:

a. KFOR and its personnel shall have the legal status, rights, and obligations specified in Appendix 13 to this Chapter;

b. The KFOR shall have the right to use all necessary means to ensure its full ability to communicate and shall have the right to the unrestricted use of the entire electromagnetic spectrum. In implementing this right, the KFOR shall make reasonable efforts to coordinate with the appropriate authorities of the Parties;

c. The KFOR shall have the right to control and regulate surface traffic throughout Kosovo including the movement of the Forces of the Parties. All military training activities and movements in Kosovo must be authorized in advance by COMKFOR;

d. The KFOR shall have complete and unimpeded freedom of movement by ground, air, and water into and throughout Kosovo. It shall in Kosovo have the right to bivouac, maneu-

ver, billet, and utilize any areas or facilities to carry out its responsibilities as required for its support, training, and operations, with such advance

notice as may be practicable. Neither the KFOR nor any of its personnel shall be liable for any damages to public or private property that they may cause in the course of duties related to the implementation of this Chapter. Roadblocks, checkpoints, or other impediments to KFOR freedom of movement shall constitute a breach of this

Chapter and the violating Party shall be subject to military action by the KFOR, including the use of necessary force to ensure compliance with this Chapter.

6. The Parties understand and agree that COMKFOR shall have the authority, without interference or permission of any Party, to do all that he judges necessary and proper, including the use of military force, to protect the KFOR and the IM, and to carry out the responsibilities listed in this Chapter. The Parties shall comply in all

respects with KFOR instructions and requirements. 7. Notwithstanding any other provisions of this Chapter, the

Parties understand and agree that COMKFOR has the right and is authorized to compel the removal, withdrawal, or relocation of specific Forces and weapons, and to order the cessation of any activities whenever the COMKFOR determines such Forces, weapons, or activities to constitute a threat or potential threat to either the

KFOR or its mission, or to another Party. Forces failing to redeploy, withdraw, relocate, or to cease threatening

or potentially threatening activities following such a demand by the KFOR shall be subject to military action by

the KFOR, including the use of necessary force, to ensure compliance, consistent with the terms set forth in

Article I, paragraph 3.

Article IX: Border Control

The Parties understand and agree that, until other arrangements are established, and subject to provisions of

this Chapter and Chapter 2, controls along the international border of the FRY that is also the border of Kosovo will be maintained by the existing institutions normally assigned to such tasks, subject to supervision by

the KFOR and the IM, which shall have the right to review and approve all personnel and units, to monitor their

performance, and to remove and replace any personnel for behavior inconsistent with this Chapter.

Article X: Control of Air Movements

The appropriate NATO commander shall have sole authority to establish rules and procedures governing command and control of the airspace over Kosovo as well as within a 25 kilometer Mutual Safety Zone (MSZ). This MSZ shall consist of FRY airspace within 25 kilometers outward from the boundary of Kosovo with other parts of the FRY. This Chapter supersedes the NATO Kosovo Verification Mission Agreement of October 12, 1998 on any matter or area in which they may contradict each other. No military air traffic, fixed or rotary wing, of any Party shall be permitted to fly over Kosovo or in the MSZ without the prior express approval of the appropriate NATO commander. violations of any of the provisions

above, including the appropriate NATO commander's rules and procedures governing the airspace over Kosovo, as well as unauthorized flight or activation of FRY Integrated Air Defense (IADS) within the MSZ, shall be subject to military action by the KFOR, including the use of necessary force. The KFOR shall have a liaison team at the FRY Air Force HQ and a YAADF liaison shall be established with the KFOR. The Parties understand and agree that the appropriate NATO commander may delegate control of normal civilian air activities to appropriate FRY institutions to monitor operations, deconflict KFOR air traffic movements, and ensure smooth and safe operation of

the air traffic system.

Article XI: Establishment of a Joint Military Commission

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

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

- a. the senior Yugoslav military commander of the Forces of the FRY or his representative;
- b. the Ministers of Interior of the FRY and Republic of Serbia or their representatives;
- c. a senior military representative of all other Forces;
- d. a representative of the IM;

e. other persons as COMKFOR shall determine, including one or more representatives of the Kosovo civilian leadership.

1. The JMC shall:

a. serve as the central body for all Parties to address any military complaints, questions, or problems that require resolution by the COMKFOR, such as allegations of cease-fire violations or other allegations of non-compliance with this Chapter;

b. receive reports and make recommendations for specific actions to COMKFOR to ensure compliance by the Parties with the provisions of this Chapter;

c. assist COMKFOR in determining and implementing local transparency measures between the Parties.

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

Yugoslavia.

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

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

7. The JMC shall establish subordinate military commissions for the purpose of providing assistance in carrying out

the functions described above. Such commissions shall be at an appropriate level, as COMKFOR shall direct.

Composition of such commissions shall be determined by COMKFOR.

Article XII: Prisoner Release

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

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

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

2. The Parties shall provide information, through the tracing mechanisms of the ICRC, to the families of all

persons who are unaccounted for. The Parties shall cooperate fully with the ICRC in its efforts to determine

the identity, whereabouts, and fate of those unaccounted for.

Article XIII: Cooperation

The Parties shall cooperate fully with all entities involved in implementation of this settlement, as described in the Framework Agreement, or which are otherwise authorized by the United Nations Security Council,

including the International Criminal Tribunal for the former Yugoslavia.

Article XIV: Notification to Military Commands

Each Party shall ensure that the terms of this Chapter and written orders requiring compliance are immediately

communicated to all of its Forces.

Article XV: Final Authority to Interpret

1. Subject to paragraph 2, the KFOR Commander is the final authority in theater regarding interpretation of this Chapter and his determinations are binding on all Parties and persons.

2. The CIM is the final authority in theater regarding interpretation of the references in this Chapter to his functions (directing the VJ Border Guards under Article II, paragraph 3; his functions concerning the MUP under

Article VI) and his determinations are binding on all Parties and persons.

Article XVI: K-Day

The date of activation of KFOR -- to be known as K-Day -- shall be determined by NATO.

Appendices:

A. Approved VJ/MUP Cantonment Sites

B. Status of Multi-National Military Implementation Force

Appendix A: Approved VJ/MUP Cantonment Sites

1. There are 13 approved cantonment sites in Kosovo for all VJ units, weapons, equipment, and ammunition. Movement to cantonment sites, and subsequent withdrawal from Kosovo, will occur in accordance with this Chapter. As the phased withdrawal of VJ units progresses along the timeline as specified in this Chapter, COMKFOR will close selected cantonment sites.

2. Initial approved VJ cantonment sites:

- a) Pristina SW 423913NO210819E
- b) Pristina Airfield 423412NO210040E
- c) Vucitrin North 424936NO20575SE
- d) Kosovska Mitrovica 425315NO20S227E
- e) Gnjilane NE 422807NO21284SE
- f) Urosevac 422233NO2107S3E
- g) Prizren 421315NO204SO4E
- h) Djakovica SW 422212NO202530E
- i) Pec 4239ION020172SE
- j) Pristina Explosive Storage Fac 423636NO211225E
- k) Pristina Ammo Depot SW 423518NO205923E
- l) Pristina Ammo Depot 510 424211NO211056E
- m) Pristina Headquarters facility 423938NO210934E

3. Within each cantonment site, VJ units are required to canton all heavy weapons and vehicles outside of storage facilities.

4. After EIF + 180 days, the remaining 2500 VJ forces dedicated to border security functions provided for in

this Agreement will be garrisoned and cantoned at the following locations: Djakovica, Prizren, and Ursoevac;

subordinate border posts within the Border Zone; a limited number of existing facilities in the immediate proximity of the Border zone subject to the prior approval of COMKFOR; and headquarters/C2 and logistic

support facilities in Pristina.

5. There are 37 approved cantonment sites for all MUP and Special Police force units in Kosovo. There are seven (7) approved regional SUPS. Each of the 37 approved cantonment sites will fall under the administrative

control of one of the regional SUPS. Movement to cantonment sites, and subsequent withdrawal of MUP from

Kosovo, will occur in accordance with this Chapter.

6. Approved MUP regional SUPs and cantonment sites:

- a) Kosovska Mitrovica SUP 42530ON0205200E

- 1) Kosovska Mitrovica (2 locations)
- 2) Leposavic
- 3) Srbica
- 4) Vucitrn
- 5) Zubin Potok
- b) Pristina SUP 42400ON0211000E
 - 1) Pristina (6 locations)
 - 2) Glogovac
 - 3) Kosovo Polje
 - 4) Lipjan
 - 5) Obilic
 - 6) Podujevo
- c) Pec SUP 42390ON0201600E
 - 1) Pec (2 locations)
 - 2) Klina
 - 3) Istok
 - 4) Malisevo
- d) Djakovica SUP 42230ON0202600E
 - 1) Djakovica (2 locations)
 - 2) Decani
- e) Urosevac SUP 42220ON0211000E
 - 1) Urosevac (2 locations)
 - 2) Stimlje
 - 3) Strpce
 - 4) Kacanik
- f) Gnjilane SUP 42280ON0212900E
 - 1) Gnjilane (2 locations)
 - 2) Kamenica
 - 3) Vitina
 - 4) Kosovska
 - 5) Novo Brdo
- g) Prizren SUP 42130ON0204500E
 - 1) Prizren (2 locations)
 - 2) Orahovac
 - 3) Suva Reka
 - 4) Gora

7. Within each cantonment site, MUP units are required to canton all vehicles above 6 tons, including APCs and

BOVs, and all heavy weapons outside of storage facilities.

8. KFOR will have the exclusive right to inspect any cantonment site or any other location, at any time, without interference from any Party.

Appendix B: Status of Multi-National Military

Implementation Force

1. For the purposes of this Appendix, the following expressions shall have the meanings hereunder assigned

to them:

a. "NATO" means the North Atlantic Treaty Organization (NATO), its subsidiary bodies, its military Headquarters, the NATO-led KFOR, and any elements/units forming any part of KFOR or supporting KFOR, whether or not they are from a NATO member country and whether or not they are under NATO or national command and control, when acting in furtherance of this Agreement.

b. "Authorities in the FRY" means appropriate authorities, whether Federal, Republic, Kosovo or other.

c. "NATO personnel" means the military, civilian, and contractor personnel assigned or attached to or employed by NATO, including the military, civilian, and contractor personnel from non-NATO states participating in the Operation, with the exception of personnel locally hired.

d. "the Operation" means the support, implementation, preparation, and participation by NATO and NATO

personnel in furtherance of this Chapter.

e. "Military Headquarters" means any entity, whatever its denomination, consisting of or constituted in part by NATO military personnel established in order to fulfill the Operation.

f. "Authorities" means the appropriate responsible individual, agency, or organization of the Parties.

g. "Contractor personnel" means the technical experts or functional specialists whose services are required by NATO and who are in the territory of the FRY exclusively to serve NATO either in an advisory capacity in technical matters, or for the setting up, operation, or maintenance of equipment, unless they are:

(1) nationals of the FRY; or

(2) persons ordinarily resident in the FRY.

h. "Official use" means any use of goods purchased, or of the services received and intended for the performance of any function as required by the operation of the Headquarters.

i. "Facilities" means all buildings, structures, premises, and land required for conducting the operational, training, and administrative activities by NATO for the Operation as well as for accommodation-of NATO personnel.

2. Without prejudice to their privileges and immunities under this Appendix, all NATO personnel shall respect

the laws applicable in the FRY, whether Federal, Republic, Kosovo, or other, insofar as compliance with

those laws is compatible with the entrusted tasks/mandate and shall refrain from activities not compatible with the nature of the Operation.

3. The Parties recognize the need for expeditious departure and entry procedures for NATO personnel. Such

personnel shall be exempt from passport and visa regulations and the registration requirements applicable

to aliens. At all entry and exit points to/from the FRY, NATO personnel shall be permitted to enter/exit the

FRY on production of a national identification (ID) card. NATO personnel shall carry identification which

they may be requested to produce for the authorities in the FRY, but operations, training, and movement shall

not be allowed to be impeded or delayed by such requests.

4. NATO military personnel shall normally wear uniforms, and NATO personnel may possess and carry arms if

authorized to do so by their orders. The Parties shall accept as valid, without tax or fee, drivers, licenses

and permits issued to NATO personnel by their respective national authorities.

5. NATO shall be permitted to display the NATO flag and/or national flags of its constituent national

elements/units on any NATO uniform, means of transport, or facility.

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

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

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

7. NATO personnel shall be immune from any form of arrest, investigation, or detention by the authorities in the

FRY. NATO personnel erroneously arrested or detained shall immediately be turned over to NATO authorities.

8. NATO personnel shall enjoy, together with their vehicles, vessels, aircraft, and equipment, free and unrestricted passage and unimpeded access throughout the FRY including associated airspace and territorial

waters. This shall include, but not be limited to, the right of bivouac, maneuver, billet, and utilization of

any areas or facilities as required for support, training, and operations.

9. NATO shall be exempt from duties, taxes, and other charges and inspections and custom regulations including

providing inventories or other routine customs documentation, for personnel, vehicles, vessels, aircraft, equipment, supplies, and provisions entering, exiting, or transiting the territory of the FRY in support of the Operation.

10. The authorities in the FRY shall facilitate, on a priority basis and with all appropriate means, all movement of personnel, vehicles, vessels, aircraft, equipment, or supplies, through or in the airspace, ports, airports, or roads used. No charges may be assessed against NATO for air navigation, landing, or takeoff of aircraft, whether government-owned or chartered. Similarly, no duties, dues, tolls or charges may be assessed against NATO ships, whether government-owned or chartered, for the mere entry and exit of ports. Vehicles, vessels, and aircraft used in support of the operation shall not be subject to licensing or registration requirements, nor commercial insurance.

11. NATO is granted the use of airports, roads, rails, and ports without payment of fees, duties, dues, tolls, or

charges occasioned by mere use. NATO shall not, however, claim exemption from reasonable charges for specific services requested and received, but operations/movement and access shall not be allowed to

be impeded pending payment for such services.

12. NATO personnel shall be exempt from taxation by the Parties on the salaries and emoluments received from

NATO and on any income received from outside the FRY.

13. NATO personnel and their tangible moveable property imported into, acquired in, or exported from the FRY

shall be exempt from all duties, taxes, and other charges and inspections and custom regulations.

14. NATO shall be allowed to import and to export, free of duty, taxes and other charges, such equipment,

provisions, and supplies as NATO shall require for the operation, provided such goods are for the official

use of NATO or for sale to NATO personnel. Goods sold shall be solely for the use of NATO personnel and not

transferable to unauthorized persons.

15. The Parties recognize that the use of communications channels is necessary for the Operation. NATO shall

be allowed to operate its own internal mail services. The Parties shall, upon simple request, grant all telecommunications services, including broadcast services, needed for the Operation, as determined by

NATO. This shall include the right to utilize such means and services as required to assure full ability

to communicate, and the right to use all of the electromagnetic spectrum for this purpose, free of cost. In implementing this right, NATO shall make every reasonable effort to coordinate with and take into account the needs and requirements of appropriate authorities in the FRY.

16. The Parties shall provide, free of cost, such public facilities as NATO shall require to prepare for and

execute the Operation. The Parties shall assist NATO in obtaining, at the lowest rate, the necessary utilities, such as electricity, water, gas and other resources, as NATO shall require for the Operation.

17. NATO and NATO personnel shall be immune from claims of any sort which arise out of activities in pursuance of the operation; however, NATO will entertain claims on an ex gratia basis.

18. NATO shall be allowed to contract directly for the acquisition of goods, services, and construction from

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

19. Commercial undertakings operating in the FRY only in the service of NATO shall be exempt from local laws

and regulations with respect to the terms and conditions of their employment and licensing and registration of employees, businesses, and corporations.

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

a. be immune from legal process in respect of words spoken or written and all acts performed by them in

their official capacity;

b. be immune from national services and/or national military service obligations;

c. be subject only to employment terms and conditions established by NATO; and

d. be exempt from taxation on the salaries and emoluments paid to them by NATO.

21. In carrying out its authorities under this Chapter, NATO is authorized to detain individuals and, as quickly as possible, turn them over to appropriate officials.

22. NATO may, in the conduct of the Operation, have need to make improvements or modifications to certain

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

23. Failing any prior settlement, disputes with the regard to the interpretation or application of this Appendix

shall be settled between NATO and the appropriate authorities in the FRY.

24. Supplementary arrangements with any of the Parties may be concluded to facilitate any details connected with the Operation.

25. The provisions of this Appendix shall remain in force until completion of the Operation or as the Parties

and NATO otherwise agree.

Chapter 8

Amendment, Comprehensive Assessment, and Final Clauses

Article I: Amendment and Comprehensive Assessment

1. Amendments to this Agreement shall be adopted by agreement of all the Parties, except as otherwise provided by Article X of Chapter 1.
2. Each Party may propose amendments at any time and will consider and consult with the other Parties with regard to proposed amendments.
3. Three years after the entry into force of this Agreement, an international meeting shall be convened to determine a mechanism for a final settlement for Kosovo, on the basis of the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of this Agreement, and the Helsinki Final Act, and to undertake a comprehensive assessment of the implementation of this Agreement and to consider proposals by any Party for additional measures.

Article II: Final Clauses

1. This Agreement is signed in the English language. After signature of this Agreement, translations will be made into Serbian, Albanian, and other languages of the national communities of Kosovo, and attached to the

English text.

2. This Agreement shall enter into force upon signature. [signature lines]

For the Federal Republic of Yugoslavia

For the Republic of Serbia

For Kosovo

Witnessed by:

For the European Union

For the Russian Federation

For the United States of America

Text des "Militärtechnischen Übereinkommens" zwischen der NATO und der BR Jugoslawien bzw. der Republik Serbien vom 9. Juni 1999

The following is the full text of the Military Technical Agreement signed on 9 June 1999 by General Sir Michael Jackson, on behalf of NATO, and by representatives of the Federal Republic of Yugoslavia and the Republic of Serbia:

Article I: General Obligations

1. The Parties to this Agreement reaffirm the document presented by President Ahtisaari [of Finland] to President Milosevic and approved by the Serb parliament and the Federal Government on June 3, 1999, to include deployment in Kosovo under UN auspices of effective international civil and security presences.

The Parties further note that the UN Security Council is prepared to adopt a resolution, which has been introduced, regarding these presences.

2. The State Governmental authorities of the Federal Republic of Yugoslavia and the Republic of Serbia understand and agree that the international security force (K-For) will deploy following the adoption of the UN Security Council (UNSC) resolution referred to in Paragraph 1 and operate without hindrance within Kosovo and with the authority to take all necessary action to establish and maintain a secure environment for all citizens of Kosovo and otherwise carry out its mission.

They further agree to comply with all of the obligations of this Agreement and to facilitate the deployment and operation of this force.

3. For purposes of the agreement, the following expressions shall have the meanings as described below:

a. "The Parties" are those signatories to the Agreement.

b. "Authorities" means the appropriate responsible individual, agency, or organisation of the Parties.

c. "FRY Forces" includes all of the Federal Republic of Yugoslavia and Republic of Serbia personnel and organisations with a military capability. This includes regular army and naval forces, armed civilian groups, associated paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, federal and Serbian Ministry of Internal Affairs local, special, riot and anti-terrorist police, and any other groups or individuals so designated by the international security force (K-For) commander.

d. The Air Safety Zone (ASZ) is defined as a 25-kilometre zone that extends beyond the Kosovo province border into the rest of FRY territory. It includes the airspace above that 25-kilometre zone.

e. The Ground Safety Zone (GSZ) is defined as a 5-kilometre zone that extends beyond the Kosovo province border into the rest of FRY territory. It includes the terrain within that 5-kilometre zone.

f. Entry into Force Day (EIF Day) is defined as the day this Agreement is signed.

4. The purposes of these obligations are as follows:

a. To establish a durable cessation of hostilities, under no circumstances shall any Forces of the FRY and the Republic of Serbia enter into, reenter, or remain within the territory of Kosovo or the Ground Safety Zone (GSZ) and the Air Safety Zone (ASZ) described in paragraph 3. Article 1 without the prior express consent of the international security force (K-For) commander. Local police will be allowed to remain in the GSZ.

The above paragraph is without prejudice to the agreed return of FRY and Serbian personnel which will be the subject of a subsequent separate agreement as provided for in paragraph 6 of the document mentioned in paragraph 1 of this Article.

b. To provide for the support and authorisation of the international security force (K-For) and in particular to authorise the international security force (K-For) to take such actions as are required, including the use of necessary force, to ensure compliance with this Agreement and protection of the international security force

(K-For), and to contribute to a secure environment for the international civil implementation presence, and other international organisations, agencies, and non-governmental organisations (details in Appendix B).

Article II: Cessation of Hostilities

1. The FRY Forces shall immediately, upon entry into force (EIF) of this Agreement, refrain from committing any hostile or provocative acts of any type against any person in Kosovo and will order armed forces to cease all such activities. They shall not encourage, organise or support hostile or provocative demonstrations.

2. Phased Withdrawal of FRY Forces (ground): The FRY agrees to a phased withdrawal of all FRY Forces from Kosovo to locations in Serbia outside Kosovo. FRY Forces will mark and clear minefields, booby traps and obstacles. As they withdraw, FRY Forces will clear all lines of communication by removing all mines, demolitions, booby traps, obstacles and charges. They will also mark all sides of all minefields. International security forces' (K-For) entry and deployment into Kosovo will be synchronized. The phased withdrawal of FRY Forces from Kosovo will be in accordance with the sequence outlined below:

a. By EIF + 1 day, FRY Forces located in Zone 3 will have vacated, via designated routes, that Zone to demonstrate compliance (depicted on the map at Appendix A to the Agreement). Once it is verified that FRY forces have complied with this subparagraph and with paragraph 1 of this Article, NATO air strikes will be suspended. The suspension will continue provided that the obligations of this agreement are fully complied with, and provided that the UNSC adopts a resolution concerning the deployment of the international security force (K-For) so rapidly that a security gap can be avoided.

b. By EIF + 6 days, all FRY Forces in Kosovo will have vacated Zone 1 (depicted on the map at Appendix A to the Agreement). Establish liaison teams with the K-For commander in Pristina.

c. By EIF + 9 days, all FRY Forces in Kosovo will have vacated Zone 2 (depicted on the map at Appendix A to the Agreement).

d. By EIF + 11 days, all FRY Forces in Kosovo will have vacated Zone 3 (depicted on the map at Appendix A to the Agreement).

e. By EIF +11 days, all FRY Forces in Kosovo will have completed their withdrawal from Kosovo (depicted on map at Appendix A to the Agreement) to locations in Serbia outside Kosovo, and not within the 5 km GSZ.

At the end of the sequence (EIF + 11), the senior FRY Forces commanders responsible for the withdrawing forces shall confirm in writing to the international security force (K-For) commander that the FRY Forces have complied and completed the phased withdrawal. The international security force (K-For) commander may approve specific requests for exceptions to the phased withdrawal. The bombing campaign will terminate on complete withdrawal of

FRY Forces as provided under Article II. The international security force (K-For) shall retain, as necessary, authority to enforce compliance with this Agreement.

f. The authorities of the FRY and the Republic of Serbia will co-operate fully with international security force (K-For) in its verification of the withdrawal of forces from Kosovo and beyond the ASZ/GSZ.

g. FRY armed forces withdrawing in accordance with Appendix A, i.e. in designated assembly areas or withdrawing on designated routes, will not be subject to air attack.

h. The international security force (K-For) will provide appropriate control of the borders of FRY in Kosovo with Albania and the former Yugoslav Republic of Macedonia (FYROM) until the arrival of the civilian mission of the UN.

3. Phased Withdrawal of Yugoslavia Air and Air Defence Forces (YAADF)

a. At EIF + 1 day, no FRY aircraft, fixed wing and rotary, will fly in Kosovo airspace or over the ASZ without prior approval by the international security force (K-For) commander. All air defence systems, radar, surface-to-air missile and aircraft of the Parties will refrain from acquisition, target tracking or otherwise illuminating international security (K-For) air platforms operating in the Kosovo airspace or over the ASZ.

b. By EIF + 3 days, all aircraft, radars, surface-to-air missiles (including man-portable air defence systems (MANPADS)) and anti-aircraft artillery in Kosovo will withdraw to other locations in Serbia outside the 25 kilometre ASZ.

c. The international security force (K-For) commander will control and coordinate use of airspace over Kosovo and the ASZ commencing at EIF.

Violation of any of the provisions above, including the international security force (K-For) commander's rules and procedures governing the airspace over Kosovo, as well as unauthorised flight or activation of FRY Integrated Air Defence (IADS) within the ASZ, are subject to military action by the international security force (K-For), including the use of necessary force. The international security force (K-For) commander may delegate control of normal civilian air activities to appropriate FRY institutions to monitor operations, deconflict international security force (K-For) air traffic movements, and ensure smooth and safe operations of the air traffic system. It is envisioned that control of civil air traffic will be returned to civilian authorities as soon as practicable.

Article III: Notifications

1. This agreement and written orders requiring compliance will be immediately communicated to all FRY forces.

2. By EIF +2 days, the State governmental authorities of the FRY and the Republic of Serbia shall furnish the following specific information regarding the status of all FRY Forces:

a. Detailed records, positions and descriptions of all mines, unexploded ordnance, explosive devices, demolitions, obstacles, booby traps, wire entanglement, physical or military hazards to the safe movement of any personnel in Kosovo laid by FRY Forces.

b. Any further information of a military or security nature about FRY Forces in the territory of Kosovo and the GSZ and ASZ requested by the international security force (K-For) commander.

Article IV: Establishment of a Joint Implementation Commission (JIC)

A JIC shall be established with the deployment of the international security force (K-For) to Kosovo as directed by the international security force (K-For) commander.

Article V: Final Authority to Interpret

The international security force (K-For) commander is the final authority regarding interpretation of this Agreement and the security aspects of the peace settlement it supports. His determinations are binding on all Parties and persons. Return to top

Article VI: Entry Into Force

This agreement shall enter into force upon signature.

Appendices:

A. Phased withdrawal of FRY Forces from Kosovo

[Maps of designated routes for Serb withdrawal.]

B. International security force (K-For) operations

1. Consistent with the general obligations of the Military Technical Agreement, the State Governmental authorities of the FRY and the Republic of Serbia understand and agree that the international security force (K-For) will deploy and operate without hindrance within Kosovo and with the authority to take all necessary action to establish and maintain a secure environment for all citizens of Kosovo.

2. The international security force (K-For) commander shall have the authority, without interference or permission, to do all he judges necessary and proper, including the use of military force, to protect the international security force (K-For), the international civil implementation presence, and to carry out the responsibilities inherent in this Military Technical Agreement and the Peace Settlement which it supports.

3. The international security force (K-For) nor any of its personnel or staff shall be liable for any damages to public or private property that they may cause in the course of duties related to the implementation of this Agreement. The parties will agree a Status of Forces Agreement (SOFA) as soon as possible.

4. The international security force (K-For) shall have the right:

a. To monitor and ensure compliance with this Agreement and to respond promptly to any violations and restore compliance, using military force if required.

This includes necessary actions to:

(1) Enforce withdrawals of FRY forces.

(2) Enforce compliance following the return of selected FRY personnel to Kosovo

(3) Provide assistance to other international entities involved in the implementation or otherwise authorised by the UNSC.

b. To establish liaison arrangements with local Kosovo authorities, and with FRY/Serbian civil and military authorities.

c. To observe, monitor and inspect any and all facilities or activities in Kosovo that the international security force (K-For) commander believes has or may have military or police capability, or may be associated with the employment of military or police capabilities, or are otherwise relevant to compliance with this Agreement.

5. Notwithstanding any other provision of this Agreement, the Parties understand and agree that the international security force (K-For) commander has the right and is authorised to compel the removal, withdrawal, or relocation of specific Forces and weapons, and to order the cessation of any activities whenever the international security force (K-For) commander

determines a potential threat to either the international security force (K-For) or its mission, or to another Party. Forces failing to redeploy, withdraw, relocate, or to cease threatening or potentially threatening activities following such a demand by the international security force (K-For) shall be subject to military action by the international security force (K-For), including the use of necessary force, to ensure compliance.