

**Peace Agreement Access Tool PA-X** <https://pax.peaceagreements.org/>

<b>Country/ entity</b>	Kosovo Serbia Yugoslavia (former)
<b>Region</b>	Europe and Eurasia Europe and Eurasia Europe and Eurasia
<b>Agreement name</b>	Justice
<b>Date</b>	9 Feb 2015
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/ conflict level</b>	Interstate/intrastate conflict(s) ( Balkan Conflicts (1991 - 1995) (1998 - 2001) )
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Kosovo-Serbia Normalisation Process
<b>Parties</b>	Copy of agreement unsigned, believed to have been initialled by Prime Minister of Serbia Aleksander Vucic and Prime Minister of Kosovo Isa Mustafa. Hashim Thaci (Kosovo) and Ivica Dacic (Serbia) were also in attendance.
<b>Third parties</b>	Copy of agreement unsigned, believed to have been initialled by High Representative of the EU for Foreign Affairs and Security Policy, Federica Mogherini.
<b>Description</b>	The agreement in its entirety provides for revising the judicial system four Serb-majority municipalities in northern Kosovo (Mitrovica North, Zubin Potok, Leposavic and Zvecan) and the Albanian majority municipality Mitrovica South. It stipulates the ethnic composition of judges and the responsibilities of particular courts and departments.

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**Agreement document** [KV\\_150209\\_Justice.pdf](#)  | [Download PDF](#)

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## Groups

Children/ youth	Groups→Children/youth→Substantive Page 1, 12. The second premises of the Mitrovica Basic Court in the Mitrovica south will comprise of: - The department for minors for the entire Mitrovica region,
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	Groups→Racial/ethnic/national group→Substantive Summary: The agreement in its entirety provides for revising the judicial system in Serb-majority municipalities in northern Kosovo, in order to dismantle parallel structures and integrate the Serbian community. This includes proportionality of Kosovo Serb judges, and designations that a Kosovo Serb must be the president of the Mitrovica Basic Court. For full provisions see Judiciary and courts category.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.
Social class	No specific mention.

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## Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

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## State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.

Cross-border provision      No specific mention.

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## **Governance**

Political institutions (new or reformed)      No specific mention.

Elections      No specific mention.

Electoral commission      No specific mention.

Political parties reform      No specific mention.

Civil society      No specific mention.

Traditional/religious leaders      No specific mention.

Public administration      No specific mention.

Constitution      No specific mention.

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## Power sharing

Political power sharing	Power sharing→Political power sharing→Other proportionality Sub-state level Page 1, 11. The Mitrovica Basic Court premises in Mitrovica north will comprise of: - The division of the Court of Appeals in Mitrovica, which will be composed of 5 Kosovo Serbs and 2 Kosovo Albanian Judges, - The department for serious crimes for the entire Mitrovica region, which will be composed of 4 Kosovo Serbs and 4 Kosovo Albanian Judges, - The part of the general department adjudicating over all criminal offences for Mitrovica north, Mitrovica south and Zvečan.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

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## Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.

Socio-economic rights	No specific mention.
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## **Rights related issues**

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/access	No specific mention.
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Protection measures	No specific mention.
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Other	No specific mention.
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## **Rights institutions**

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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## Justice sector reform

Criminal justice and emergency law      No specific mention.

State of emergency provisions      No specific mention.

Judiciary and courts      Summary: the agreement in its entirety reforms the judiciary in Serb-majority municipalities in the north of Kosovo.

Page 1, 1. Kosovo laws will apply to judicial institutions in accordance with the First Agreement.

Page 1, 2. There will be one Basic Court and one Basic Prosecution Office for Mitrovica region.

Page 1, 3. There will be multiple premises for the Mitrovica Basic Court.

Page 1, 4. There are four existing branches to the Mitrovica Basic Court in the Mitrovica region (Zubin Potok, Leposavić, Srbica, Vučitrn).

Page 1, 5. The vast majority of cases coming from the municipalities where the branches are located are adjudicated in the branches, in accordance with the law.

Page 1, 6. In Kosovo, the President of a Basic Court decides on the allocation of cases.

Page 1, 7. The allocation of cases to prosecutors is based on expertise, specialization, personal background and local area knowledge, in accordance with Kosovo law.

Page 1, 8. The vast majority of cases in a Basic Court are decided by single judge, in accordance with Kosovo law.

Page 1, 9. Both sides will be represented in all premises of the Mitrovica Basic Court, the Basic Prosecution Office and the division of the Court of Appeals in Mitrovica.

Page 1, 10. The Mitrovica Basic Court premises in Mitrovica north will host a majority of Kosovo Serbs.

Page 1, 11. The Mitrovica Basic Court premises in Mitrovica north will comprise of:

- The division of the Court of Appeals in Mitrovica, which will be composed of 5 Kosovo Serbs and 2 Kosovo Albanian Judges,
- The department for serious crimes for the entire Mitrovica region, which will be composed of 4 Kosovo Serbs and 4 Kosovo Albanian Judges,
- The part of the general department adjudicating over all criminal offences for Mitrovica north, Mitrovica south and Zvečan.

Page 1, 12. The second premises of the Mitrovica Basic Court in the Mitrovica south will comprise of:

- The department for minors for the entire Mitrovica region,
- The part of the general department adjudicating over civil matters, uncontested claims, minor offenses for Mitrovica north, Mitrovica south and Zvečan,

The second premises will be located in Mitrovica south, in the so-called "YugoBanka" building, or another building to be agreed by both sides.

Page 1, 13. The President of the Mitrovica Basic Court is a Kosovo Serb from



Prisons and detention No specific mention.

Traditional Laws No specific mention.

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## **Socio-economic reconstruction**

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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## **Land, property and environment**

Land reform/ rights No specific mention.

Pastoralist/  
nomadism  
rights

No specific mention.

Cultural  
heritage

No specific mention.

Environment

No specific mention.

Water or  
riparian  
rights or  
access

No specific mention.

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## Security sector

Security  
Guarantees

No specific mention.

Ceasefire

No specific mention.

Police

No specific mention.

Armed  
forces

No specific mention.

DDR

No specific mention.

Intelligence  
services

No specific mention.

Parastatal/  
rebel and  
opposition  
group  
forces

No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

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## **Transitional justice**

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

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## Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source Government of the Republic of Serbia, Negotiation process with Pristina  
<http://www.kim.gov.rs/eng/pregovaracki-proces.php>

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