

COMPREHENSIVE AGREEMENT

between

REPUBLIC OF KOSOVO

and

REPUBLIC OF SERBIA

December 2018

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Preamble

The Republic of Kosovo and the Republic of Serbia (hereinafter “*Parties*”)

- *Recognizing* the will of the peoples of both States that there should be a comprehensive, permanent and binding agreement between the Parties that secures peace, prosperity and harmonious relations between the two States;
- *Recognizing* the responsibility of the Parties to resolve outstanding issues in the interests of the security and prosperity of the region and the international community generally;
- *Recognizing* that the Agreement on Succession Issues (2001) concluded by the successor states to the former Socialist Federal Republic of Yugoslavia provides a framework for assisting in the resolution of certain analogous issues for the Parties;
- *Reaffirming* the aspirations of the Parties for membership of the European Union and the North Atlantic Treaty Organization, as well as other international organisations including in the case of Kosovo the United Nations;
- *Mindful* of the need to promote and implement an inclusive and gender sensitive process of reconciliation and reparation for dealing with the past;
- *Mindful* of the legitimate right of the Republic of Serbia to advocate for the rights of the Serbian community living in Republic of Kosovo;
- *Recognizing* that the right to self-determination in situations where a distinct people is oppressed or where the previous state’s government does not legitimately represent that people’s interests, is clearly enshrined in international law;
- *Recognizing* that it is a principle of international law that newly formed sovereign states should have the same borders as the preceding dependent area before independence;
- *Recognizing* that the 2007 Comprehensive Proposal for the Kosovo Status Settlement concluded that Kosovo should be established as a multi-ethnic society with respect for human rights and fundamental freedoms;
- *Recognizing* the International Court of Justice’s advisory opinion that Kosovo’s unilateral declaration of independence is in compliance with international law;

- *Reaffirming* the obligations arising from the agreements facilitated by the European Union on normalization of relations;
- *Acknowledging* the legitimate interests of the international community in ensuring implementation of and compliance with this Agreement;
- *Reaffirming* the commitments that the Parties have made pursuant to their respective Stabilization and Association Agreements with the European Union

Hereby agree to be bound by the terms of this Agreement.

Chapter 1: The Political Agreement

The Parties enter into this Agreement solemnly confirming that they will abide by, support and give full effect to the following understandings and principles:

- 1.1 The normalisation of relations between Republic of Kosovo and Republic of Serbia requires a *sui generis* approach and structures that reflect their shared interests as well as the cultural identities of their citizens.
- 1.2 Each Party has a special responsibility to respect, serve and protect the interests of persons who reside in their State but identify with the other State on grounds of religion, political affiliation or ethnicity.

It is therefore agreed as follows:

- 1.3 The Parties agree that each of them is a sovereign and lawfully constituted State.
- 1.4 The Parties agree that they will support each other in furthering their respective interests as members of international and supranational organisations, including in the case of Kosovo in the United Nations.
- 1.5 The Parties commit to political, economic and social cooperation, through governmental and non-governmental structures, to protect and promote the interests of all of the people of both States
- 1.6 The Parties shall be guided in their policy and practice by the need to promote a spirit of peace, tolerance and intercultural and inter-religious respect and dialogue among all Communities and their members, within their jurisdiction.
- 1.7 The Parties reaffirm their commitment to international partnership and cooperation.
- 1.8 The Parties shall provide effective mechanisms to ensure respect for the human rights of all citizens of both States.
- 1.9 The Parties commit to creating shared structures for the resolution of all outstanding issues deriving from the war of 1998-1999 including reparations, missing persons, crimes of sexual violence and war crimes.
- 1.10 The Parties agree that the principle of *Parity of Esteem* shall govern their future relations.

- 1.11 The Parties agree that permanent non-executive inter-governmental structures will be put in place that seek to address the totality of relationships between the two States.
- 1.12 The Parties agree that they will implement whatever legal provisions are required to give full statutory and constitutional effect to this Agreement.
- 1.13 The Parties agree that in resolving certain issues of succession they will refer to and be guided by the principles of the Agreement on Succession Issues (2001) concluded by the successor states to the former Socialist Federal Republic of Yugoslavia except insofar as such principles are superseded by the Brussels Agreements or other agreed arrangements.

Chapter 2: Confidence Building Measures

1. Parties commit to provide legal, institutional, financial and programmatic support in building confidence and trust between communities in the respective States.
2. Parties commit to establish a joint fund to provide opportunity for academic scholars, researchers, and youth to participate in cross-border educational, cultural, arts and sports exchange.
3. Parties commit to establish joint university degree programs and offer scholarship and fellowship opportunities to enable students of one State to study in the universities of the other in the field of their interest.
4. Parties agree that in the public education institutions in the Republic of Kosovo there shall be language courses in *Albanian* and *Serbian*, including in the education institutions that operate with the Serbian education curriculum in the Republic of Kosovo.
5. Parties agree to establish the *Kosovo-Serbia Business Association* to enable public and private enterprises to address common concerns and reduce barriers to doing business across borders.
6. Parties agree to establish cross-border cooperation programs within the framework of existing Western Balkan programs supported by the European Union.
7. Parties agree to establish inter-municipal cooperation programs and twinning projects to enable municipalities to promote inter-municipal tourism, support local economic development, and strengthen cooperation in the area of agriculture.

Chapter 3: Human Rights Guarantees and Protections

General commitments

1. Parties recognize that all persons are equal before the law and are entitled, without any discrimination, to equal protection of the law.
2. Parties commit that the principles of non-discrimination and equal protection under the law shall be applied and respected with particular regard to employment in public administration and public enterprises, and access to public services and public financing.
3. Parties agree that they shall promote peace, tolerance, religious and inter-ethnic harmony among all communities and their members.
4. Parties agree to fully support refugees and internally displaced persons in exercising their rights to return and reclaim property and personal possessions in accordance with the law.
5. Parties agree that members of communities shall have the right to freely express, foster and develop their identity and community attributes. The exercise of these rights shall carry with it duties and responsibilities to act in accordance with the laws of the State in which they reside and shall not violate the rights of others.

Legal guarantees

1. Parties agree that the Serbian community in the Republic of Kosovo shall continue to have specific rights guaranteed in the constitutional and legal framework applicable in Kosovo at the time of signing of this Agreement.
2. Parties agree that in the Republic of Kosovo the legislation on vital interests for the Serbian community shall require for its amendment or repeal both the majority of the Assembly deputies present and voting and the majority of the Assembly deputies present and voting holding seats guaranteed for representatives of communities that are not in the majority.

Security

1. Parties recognize and agree that, each Party shall exercise total and complete authority over law enforcement, security, justice, public safety, intelligence, civil emergency response and border control on its territory.

2. The law enforcement authorities of the Parties shall cooperate directly, exchange information, engage in joint operations and investigations, joint trainings, exchange of liaison officers and other forms of police cooperation.
3. Parties will refrain from acts that hinder or are intended to hinder contacts among members of same community within one State and will take affirmative measures to establish and maintain free and peaceful contacts with persons of same community to the other State, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage, in accordance with the law and international standards.
4. The Republic of Kosovo commits to maintain a police force that reflects the multi-ethnic character of its society and the principles of gender equality and human rights enshrined in the Constitution. The ethnic composition of the police within a municipality shall, to the extent possible, reflect the ethnic composition of the population within that municipality.
5. In municipalities where Serbian community is the largest ethnic community in the Republic of Kosovo, Commanders of Police Stations and Commanders of substations shall be appointed by the Ministry of Internal Affairs on the proposal of the Municipal Assembly and the General Director.
6. Kosovo agrees that Local Station Commanders shall be informed in advance of operations by central or special police forces within the perimeters of local police stations unless operational considerations require otherwise.
7. Parties agree that in the Republic of Kosovo there shall be a Safety Council as an advisory body chaired by the Municipal mayor, municipal and police representatives including the Station Commanders and with membership representing all communities within the municipality.

Religious and Cultural Rights and Protections

1. The Republic of Kosovo shall ensure the autonomy and protection of all religious denominations and their sites within its territory.
2. Parties recognize the right of communities to use and display their symbols, in accordance with the law and international standards.
3. The Republic of Kosovo agrees to promote and support the cultural and religious heritage of all communities, as an integral part of the heritage of the Republic of Kosovo. The Republic

of Kosovo shall have a special duty to ensure the effective protection of sites and monuments of cultural and religious significance to the Serbian community.

4. The Republic of Kosovo agrees that The Serbian Orthodox Church in Kosovo, including its clergy and their affiliates, activities and property shall be afforded additional security and other protections for the full enjoyment of its rights, privileges and immunities, as set forth by law.

Participation of Serb community in the public life in Republic of Kosovo

1. The Republic of Kosovo supports the right of the Serbian community to have personal names registered in their original form and in the script of their language as well as right to revert to original names that have been changed against their will.
2. The Republic of Kosovo supports the right of the Serbian minority to use local names, street names and other topographical indications which reflect and are sensitive to the multi-ethnic and multi-linguistic character of that area.
3. The Republic of Kosovo agrees to refrain from any action that will interfere in the enjoyment by the Serbian community of contacts with, and participation in the activities of local, regional and international non-governmental organizations.
4. The Kosovo Serb Community and its members shall be entitled to equitable representation in employment in public bodies and publicly owned enterprises at all levels, including in particular the police service in areas inhabited by such community, while respecting the rules concerning competence and integrity that govern public administration.
5. The Kosovo Serb Community shall have the right to maintain and use its own media, including the right to provide information in its language, and the use of a reserved number of frequencies for electronic media in accordance with the law and international standards.

Participation of Serb community at central level

1. Kosovo agrees that political parties, coalitions, citizens' initiatives and independent candidates having declared themselves to represent the Kosovo Serb Community shall continue to have the total number of seats won through the open election, with a minimum ten (10) seats guaranteed if the number of seats won is less than ten (10).
2. The Republic of Kosovo agrees that at the Assembly of the Republic of Kosovo One (1) Deputy President shall belong to the deputies of the Assembly holding seats guaranteed for

the Serb community.

3. The Republic of Kosovo shall maintain The Committee on Rights and Interests of Communities as a permanent committee of the Assembly to ensure that community rights and interests are adequately addressed during the legislative process.
4. The Republic of Kosovo agrees to maintain the Consultative Council for Communities which acts under the authority of the President of the Republic of Kosovo in which all Communities shall be represented.
5. There shall be at least one (1) Minister from the Kosovo Serb Community in the Government of the Republic of Kosovo.
6. There shall be at least two (2) Deputy Ministers from the Kosovo Serb Community in the Government of the Republic of Kosovo. If there are more than twelve (12) Ministers, there shall be a third Deputy Minister representing the Kosovo Serb Community.
7. The Republic of Kosovo agrees that decisions on proposal of two (2) judges to the Constitutional Court shall require the majority vote of the deputies of the Assembly present and voting, but only upon the consent of the majority of the deputies of the Assembly holding seats guaranteed for representatives of the Communities not in the majority in Kosovo.
8. The Republic of Kosovo agrees that two (2) members of the Kosovo Judicial Council shall be elected by the deputies of the Assembly holding guaranteed seats for the Kosovo Serb community and that at least one of the two must be a judge.
9. The Republic of Kosovo agrees that at least fifteen percent (15%) of the judges of the Supreme Court, but not fewer than three (3) judges, shall be from Communities that are not in the majority in the Republic of Kosovo.
10. The Republic of Kosovo agrees that at least (15%) of the total seats on the Court of Appeals, but in no case fewer than two (2) shall be guaranteed to judges from communities that are not in the majority in the Republic of Kosovo.
11. Republic of Kosovo agrees that candidates for judicial positions within basic courts, the jurisdiction of which exclusively includes the territory of one or more municipalities in which the majority of the population belongs to the Kosovo Serb community, may only be recommended for appointment by the two members of the Council elected by Assembly deputies holding seats guaranteed for the Serb Community in the Republic of Kosovo acting

jointly and unanimously.

12. Republic of Kosovo agrees that One (1) member of the Central Election Committee shall be appointed by the Assembly deputies holding seats reserved or guaranteed for the Kosovo Serb Community.

Participation at local level

1. Republic of Kosovo agrees that in municipalities where at least ten per cent (10%) of the residents belong to Communities not in the majority in those municipalities, a post of Vice President of the Municipal Assembly for Communities shall be reserved for a representative of those communities.
2. Republic of Kosovo agrees that at local level, The Vice President for Communities shall promote inter-Community dialogue and serve as formal focal point for addressing non-majority Communities' concerns and interests in meetings of the Assembly in its work. The Vice President shall also be responsible for reviewing claims by Communities or their members that the acts or decisions of the Municipal Assembly violate their constitutionally guaranteed rights. The Vice President shall refer such matters to the Municipal Assembly for its reconsideration of the act or decision.
3. In the event the Municipal Assembly chooses not to reconsider its act or decision, or the Vice President deems the result, upon reconsideration, to still present a violation of a constitutionally guaranteed right, the Vice President may submit the matter directly to the Constitutional Court, which may decide whether or not to accept the matter for review.
4. Republic of Kosovo agrees that in municipalities where at least ten per cent (10%) of the residents belong to Communities not in the majority, representation for non-majority Communities in the municipal executive body is guaranteed.

Chapter 4: Economy

Free movement of People, Goods, Services and Capital

1. Parties acknowledge that the commitment for free movement of people, goods, services and capital constitutes a key factor in the development of relations and cooperation between the Parties, thus contributing to regional stability and European integration.
2. Parties commit to cooperate and maintain good neighborly relations concerning the movement of persons, goods, capital and services as well as the development of projects of common interest in a wide range of areas.
3. Each Party agrees that citizens of its state shall have the right to seek employment in the others labor market.
4. Parties commit to provide the same assistance from the national employment office and treat the nationals of one another as nationals of the host State, without any discrimination on grounds of citizenship or nationality.
5. Each party agrees to simplify procedures for residence permits and work permits in accordance with applicable standards of each party.

Trade

1. Parties commit to free trade, in line with the European Union Integration Process and consistent with the relevant principles of the World Trade Organization (“WTO”) which are to be applied in a transparent and non-discriminatory manner.
2. Parties commit to promote harmonious economic relations with the intention of fostering cooperation in all areas of trade that are of mutual interest.
3. Parties commit to the removal of all barriers to the free movement of goods, services, people and capital, and in particular to:
 - 3.1 Remove different national regulations on product standards that do not represent a health threat and that have the effect of blocking imports.
 - 3.2 Amend rules on establishment which require companies to go through lengthy and expensive application procedures to set up operations.
 - 3.3 Eliminate government procurement programs whereby governments discriminate in favor of national companies.

- 3.4 Eliminate governmental regulations that place companies from one State at a competitive disadvantage vis-a-vis companies from the other State.
- 3.5 Eliminate regulations and practices that have the effect of granting state export subsidies.
- 3.6 Introduce legislation to provide property protection (adequate patent, copyright, and trademark regimes and enforcement of intellectual property rights).
- 3.7 Eliminate services barriers offered by financial institutions of one State in the territory of the other.
- 3.8 Adopt all necessary legislation to protect and to prevent discriminatory treatment of investments made by nationals of one State in the other.
- 3.9 Enforce the relevant legal framework outlawing government anticompetitive conduct of state-owned or private firms that restrict the sale or purchase of goods or services in the respective markets of the Parties.

Foreign Debts

1. Parties shall establish a Joint Commission to negotiate Kosovo's share of the international debt inherited from the former Socialist Federal Republic of Yugoslavia.
2. Parties agree that Republic of Kosovo's share of international debt to be apportioned include *inter alia* debt to the World Bank, Paris Club and London Club creditors.
3. Parties shall determine the allocation of foreign debt in agreement with relevant creditors referring to principles contained in the Agreement on Succession Issues (2001) concluded by the successor states to the former Socialist Federal Republic of Yugoslavia for the allocation of sovereign debt inherited from the Socialist Federal Republic of Yugoslavia.

Outstanding Financial Damages, Pensions and Savings

1. Parties shall establish a Joint Commission to assess:
 - 1.1 Financial contribution of Kosovo citizens in the Former Socialist Federal Republic of Yugoslavia Pension Schemes;
 - 1.2 Compensation of Kosovo Citizens Savings in the Banking System of the Former Socialist Federal Republic of Yugoslavia;
 - 1.3 Compensation of Kosovo Citizens' Foreign Currency Damages in the Banking System of the Former Socialist Federal Republic of Yugoslavia.
2. Parties agree that the Joint Commission shall conduct the assessment of Kosovo citizens' pension contribution and the assessment of damages in the Banking System of the Socialist Federal Republic of Yugoslavia in accordance with principles contained in the Agreement on Succession Issues (2001) concluded by the successor states to the former Socialist Federal Republic of Yugoslavia and applicable international standards.

3. The Joint Commission supported by teams of experts shall establish procedural mechanism to implement the compensation process laid out in paragraph 1 (1.1 to 1.3) of this heading.
4. Parties agree to establish joint groups of experts to address the following outstanding issues from the period of 1989 through 1999 in Kosovo:
 - 1.1. Fall in the domestic output and in the level of economic development;
 - 1.2. Reduction of economic activities;
 - 1.3. Reduction of investments;
 - 1.4. Damages and losses incurred by the Socially Owned Enterprises (SOEs);
 - 1.5. Lost markets, especially export markets;
 - 1.6. Collapse of financial system;
 - 1.7. Worsening of the social situation and increase in the poverty of due to the dismissal of workers, usurpation and mismanagement of pension fund and children allowances;
 - 1.8. Damages in other social activities including education, health, science, culture and sport.

Chapter 5: Transitional Justice and Reconciliation

General provisions

1. Parties acknowledge the importance of addressing the suffering of victims of war as a necessary precondition for reconciliation.
2. Parties agree to establish a joint 'War Archive' that will gather evidence-based facts on human losses, victims of war, prisoners of war, victims of sexual violence, and other societal and material damage. Parties agree to involve civil society organizations, families of victims, existing and newly established commissions in the process.
3. Parties undertake to provide legal and institutional support and social services for victims of war, and support for community based organizations and local self-help support groups.
4. Parties pledge to continue support to civil society organizations to promote a culture of tolerance at every level of society, including initiatives to encourage integrated education.
5. Parties shall establish a comprehensive and gender sensitive approach for dealing with the past, which shall include a broad range of transitional justice initiatives for victims of sexual violence.
6. Parties will allocate space in each capital to build a memorial, remembering victims of war.

War crimes

1. The Republic of Serbia agrees to strengthen efforts to investigate, prosecute and adjudicate cases of war crimes against Kosovo Albanian and other communities. The Republic of Kosovo undertakes to implement the obligations arising from the constitutional and legal provisions of the Kosovo Specialist Chambers.
2. Parties commit to reach Bilateral Agreements on Mutual Legal Assistance, Extradition and Transfer of Legal Proceedings to facilitate legal cooperation among respective law enforcement agencies to improve exchange of and case transfer related to current judicial proceedings, and initiate new cases as necessary based on availability of information.
3. Parties agree to establish Joint Investigation Teams of Prosecutors and Police Investigators based on the agreement on mutual legal assistance to facilitate exchange of information on suspects of war crimes.

Missing Persons

1. The Parties, in accordance with domestic laws and international human rights and humanitarian law and norms, agree in good faith to take all measures necessary to determine and exchange information regarding identities, whereabouts, and fates of missing persons from each Party.
2. Parties agree that government commissions on missing persons and forensic authorities will establish direct communication in the exercise of their mandate related to the fate of missing persons.
3. Parties shall strengthen their respective governmental and rule of law institutions mandated on the issue of missing persons with authority and resources necessary to maintain and intensify this dialogue, and ensure the active cooperation.
4. Parties agree to work closely with international humanitarian organizations clarifying the fate of missing persons and providing social services for families of the missing.
5. Parties accept to implement the commitments deriving from the Joint Declaration on Missing Persons in the Framework of the Berlin Process at the Western Balkan Summit 2018.

War reparations

1. Each of the Parties agrees to engage in the design and establishment of compensation schemes for crimes committed against the citizens of the other Party during the war, including victims of war and material damage.
2. Parties undertake to establish a joint commission for assessing the material damage and establishing criteria and procedures for financial compensation schemes.
3. Serbia will engage in good faith with Kosovo initiatives on recognition of the suffering of victims of sexual violence.
4. Parties will cooperate to provide appropriate redress and compensation for the victims of war, with specific emphasis for victims of sexual violence and families of missing persons.

Chapter 6: Education and Youth Affairs

1. Parties agree that the Serbian public education curricula will be integrated formally into the Kosovo education curricula. Parties agree to establish joint working groups that will make any necessary revisions and adjustment of the textbooks and curriculum required for the implementation of this agreement.
2. Schools that teach in the Serbian language may apply curricula or textbooks developed by the Ministry of Education of the Republic of Serbia upon notification to the Kosovo Ministry of Education, Science and Technology.
3. In the event of an objection by the Kosovo Ministry of Education, Science and Technology to the application of a particular curriculum or textbook, the matter shall be referred to an independent commission to review the said curriculum or textbook to ensure conformity with the Constitution of Kosovo and legislation.
4. Parties agree that the University of North Mitrovica shall be an autonomous public institution of higher education. The university shall enact a statute to specify its internal organization and governance, and procedures and interaction with public authorities, in accordance with central framework legislation of the Republic of Kosovo, which shall be examined by an independent commission. Funding for the university from the government of the Republic of Serbia must be transparent and made public, in accordance with the laws of Kosovo.
5. All municipalities in which the Kosovo Serb Community is in the majority shall have authority to exercise responsibility for cultural affairs, including, protection and promotion of Serbian cultural heritage within the municipal territory as well as support for local cultural communities.
6. Parties agree that youth shall have unhindered contacts with, and participate without discrimination in academic, cultural, sports, and professional exchanges in local, regional and international level.
7. Parties agree to create favourable conditions and support programs, initiatives and other activities to encourage development and exchange of artists, educators, athletes, students, youth, and rising leaders.
8. Parties agree to establish funding schemes to support the establishment of joint schools in which Kosovo Albanian and Kosovo Serb pupils and students will learn together.
9. Parties agree to recognize within their territory the use, by the minority/community, of their language and alphabet freely in private and in public.

Chapter 7: National Symbols

1. Parties agree to respect the other party's flag, seal, anthem, emblem and other state and national symbols. Parties agree to allow the use of state symbols in regional and international events without hindrance.
2. Municipalities in which the Kosovo Serb Community is in the majority may use their own symbols including coats of arms, seals and emblems, provided that such symbols do not resemble symbols of other states or municipalities within or outside Republic of Kosovo.
3. Nothing in this chapter precludes Republic of Kosovo authorities from using state symbols in any part of its territory.

Chapter 8: Association of Serb-Majority Municipalities

1. The Republic of Kosovo shall, subject to procedures and conditions established in this Chapter, establish the Association of Serb-Majority Municipalities.
2. The Association of Serb Majority Municipalities will be established in accordance with the Constitution of the Republic of Kosovo, First Agreement of Principles Governing the Normalization of Relations signed between Kosovo and Serbia on 19.04.2013, judgment of the Kosovo Constitutional Court Case No. KO130/15, and European Charter of Local Self-Government.
3. The Association shall have its statute which shall define its objectives, structure and sources of funding.
4. The Association of Serb Majority Municipalities will be established within the meaning of Article 44 (Freedom of Association) of the Constitution of Kosovo, and applicable legislation on freedom of association.
5. The statute of Association shall, before entry into force, be referred to the Kosovo Constitutional Court for review.
6. Parties acknowledge that the Kosovo competent court may prohibit any function or activity of the Association of Serb Majority Municipalities if such functions and/or activities infringe on the constitutional order, violate human rights and freedoms or encourage racial, national, ethnic or religious hatred.

Chapter 9: Transportation

General Transportation

1. Parties agree to accept the identification documents issued to the citizens of both parties including passport, identification document and driver's license.
2. Parties agree to permit travel of citizens in own vehicles with the national symbols of each party.
3. Parties agree to establish direct communication and exchange of information between border police and customs to reduce travel barriers for citizens.
4. The Republic of Serbia agrees to allow third-country vehicles to travel from and to Kosovo through Serbia without hindrance.

Railway

1. Parties accept that railway infrastructure within the territory of Republic of Kosovo shall be managed by Republic of Kosovo's railway regulatory institutions. Parties acknowledge the legitimate right of Kosovo to become member of European and international railway organizations.
2. Parties agree to invest in railway infrastructure and design new lines to allow goods and citizens of the countries to move freely.
3. Parties undertake to integrate the railway system within the regional network for Western Balkans and to establish connections with the European Union.

Chapter 10: Energy

1. Parties acknowledge and recognize that each is a separate party to the Treaty establishing the Energy Community in South East Europe, and that each shall be equally and independently represented in proceedings, bodies and forums of the Energy Community Treaty and other international bodies and organizations without limitation. Each of the Parties agree that they shall not attempt to limit or prevent the exercise by the other Party of rights and obligations thereunder.
2. Parties recognize that each aims and works towards implementation of EU *acquis communautaire*.
3. Parties agree that each will separately under its own jurisdictions undertake and cause to be undertaken all necessary measures and actions to implement the Energy Agreement (2013) and Conclusions of the EU facilitator on the implementation of the 2013 Energy Agreement (2015).
 - 3.1. Kosovo Transmission System, and Market Operator (KOSTT) will operate as independent Control Area/Block within Continental Europe. Republic of Serbia agrees to undertake all necessary measures and actions in order for KOSTT to operate as independent Control Area/Block within Continental Europe, and will remove and waive all administrative, legal and other means, instruments, barriers within ENTSO-E and other European mechanisms and bodies.
4. Parties acknowledge that there is an open energy transmission dispute between Republic of Kosovo (KOSTT) and Republic of Serbia (EMS). Parties agree that monies and revenues collected by EMS as of year 2007, that are attributable to transmission interconnection lines between Republic of Kosovo and neighbouring countries (Albania, Macedonia, Montenegro) as designated and confirmed by Agency for Cooperation of Energy Regulators (ACER) and/or ENTSO-E, will be immediately upon signing of this Agreement transferred to KOSTT. All revenues and monies from Inter TSO compensation Mechanism attributable to KOSTT that were collected by EMS as of year 2004 shall be transferred to KOSTT as designated and confirmed by ACER and/or ENTSO-E.

Chapter 11: Implementation of Brussels Agreements

General provisions

1. Parties reaffirm the following agreements reached between Republic of Kosovo and Republic of Serbia in the technical dialogue and dialogue for normalization of relations facilitated by the European Union:

Dialogue for normalization of relations

- 1.1 First Agreement on Principles Governing the Normalization of Relations, signed on April 19, 2013
- 1.2 Agreement on Justice, signed on February 9, 2015
- 1.3 Freedom of Movement / Bridge Conclusions, signed on August 25, 2015
- 1.4 Conclusions of the EU facilitator on the implementation of the 2013 Energy Agreement, signed on August 25, 2015
- 1.5 EU Implementation Plan of the Agreement on the Mitrovica Bridge, signed on August 5, 2016.

Technical dialogue

- 1.1 Civil Registers, signed on July 2, 2011
 - 1.2 Freedom of Movement, signed on July 2, 2011
 - 1.3 Customs Seals, signed on September 2, 2011
 - 1.4 Recognition of University Diplomas, signed on July 2, 2011
 - 1.5 Integrated Border Management, signed on December 2, 2011
 - 1.6 Technical Protocol for Implementation of IBM, signed on February 23, 2011
 - 1.7 Regional Representation and Cooperation, signed on February 24, 2011
 - 1.8 Customs Revenue Collection, signed on December 14, 2012
 - 1.9 Liaison Agreements, signed on May, 2013
 - 1.10 Arrangements on Energy, signed on September 8, 2013
 - 1.11 Arrangements on Telecommunications, signed on September 8, 2013
 - 1.12 Agreement on dissolution of civil protection, signed on March 26, 2015
 - 1.13 Mutual recognition of ADR certificates, signed on April 19, 2016
2. Parties reaffirm their commitment to fully implement the obligations arising from these agreements, unless otherwise provided in this agreement.
 3. In case of inconsistencies between the above-listed agreements and this Agreement, the provisions of this Agreement shall prevail.

Elections

1. Parties agree that elections in the northern municipalities are organized by the Republic of Kosovo's election authorities in accordance with Kosovo election laws and regulations.
2. Parties agree to strengthen their effort in ensuring that elections in the Serb community meet applicable international standards for free, fair and competitive elections.

Representation of Kosovo in International Fora

Upon entry into force of this Agreement, parties accept the abrogation of the Agreement on Regional Representation and Cooperation (2011).

Kosovo Police

Parties reaffirm their commitment to continue implementing obligations arising from the agreement on Kosovo Police.

Civil Protection

Parties reaffirm their commitment to continue implementing obligations arising from the agreement on Civil Protection.

Establishment of Permanent Diplomatic Missions

1. Parties agree to establish permanent diplomatic missions in the other parties' state. Parties agree to ensuring compliance with international norms establishing diplomatic relations.
2. Upon entry into force of this Agreement, parties accept the abrogation of the agreement on liaison arrangements.

Telecommunications

1. Parties accept that the Republic of Kosovo will become member of the International Telecommunications Union (ITU) with recognition of all country credentials including radio call signals, regional frequency allotments, international issues number for telecoms and other relevant services.
2. Parties acknowledge that the Republic of Kosovo will become member of the Universal Postal Union (UPU) and obtain internationally recognized postcode for Kosovo.

3. Parties acknowledge that Kosovo will be listed in the UN statistical division, which would allow listing of Republic of Kosovo in the ISO standard 3166 as a prerequisite for obtaining internet top level domain (internet country code) by ICANN and obtaining directly internet IP addresses by RIPE. Listing in this ISO standard (3166) would automatically solve Kosovo's digital presence as an independent state in the internet.
4. Parties agree to coordinate regarding cross border radio frequencies for all the frequency bands based in the relevant international standards.
5. Upon entry into force of this agreement, the unauthorized operations of the Post of Serbia in Kosovo are disbanded.

Customs

1. Parties reaffirm their commitment to continue implementing obligations arising from the agreement on customs.
2. Parties agree that custom stamps shall be arranged in accordance with the agreed Conclusions on Customs Stamps/Free Trade (September 02, 2011).
3. Parties agree that the customs duties collection by the Kosovo Customs in the northern municipalities of Serb majority will be conducted in accordance with the Agreement on Customs Revenue Collection (17 January 2013).

Integrated Border Management

Parties reaffirm their commitment to continue implementing obligations arising from the agreement on Integrated Border Management.

Chapter 12: Implementing and Monitoring Mechanisms

1. *Parties agree that the Guarantors of the implementation of this Agreement shall be The United States of America, The United Kingdom, Germany, France and Italy and the European Union.*
2. *The guarantors of this agreement, upon entry into force of this Agreement, will make continuous substantive effort on the rapprochement of non-recognizing states with Kosovo.*
3. *Parties accept that in order to facilitate the monitoring and implementation of this Agreement, a Joint Monitoring Commission comprised of representatives of the guarantors of this Agreement shall be established.*
4. *The Joint Monitoring Commission for monitoring and fact-gathering purposes shall have presence in Republic of Kosovo and Republic of Serbia.*
5. *Parties recognize that the guarantors may establish such Rules and Procedures in accordance with international law.*
6. *The Joint Monitoring Commission shall produce every three months a report assessing the implementation of the Agreement by the Parties.*
7. *Parties agree that the advancement of the EU integration process shall be conditioned with the satisfactory evaluation of the implementation of the Agreement as specified in count 4 of this chapter.*
8. *Parties agree that the findings of the Joint Monitoring Commission reports may be reflected in the respective European Union Country Reports.*
9. *Parties shall refrain from blocking one another in their respective efforts towards the EU integration process.*

Chapter 13: Changes in Legal Framework

1. Parties will ensure to make necessary arrangements in respective legal frameworks to accommodate this Agreement.
2. Changes in each Party's legal framework shall be consistent with this agreement and, if any, potential decisions deriving from the dispute resolution processes.

Chapter 14: Resolution of Dispute under this Agreement

1. If any dispute arises between the parties as to the interpretation, application or performance of this Agreement, either party may submit the dispute to final and binding arbitration in accordance with the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two States, as in effect on the date of this Agreement.
2. The number of arbitrators shall be five.
3. The language to be used in the arbitral proceedings shall be English.
4. The appointing authority shall be the Secretary-General of the Permanent Court of Arbitration.
5. The place of arbitration shall be The Hague, Netherlands.

Chapter 15: Recognition and Membership in International Organizations

1. *Upon entry into force of this Agreement, Parties and Guarantors agree to initiate the procedure for adoption of a United Nations Security Council Resolution recognizing this Agreement and admitting Kosovo to be a full member of the United Nations.*
2. Parties agree that they will not block or encourage others to block membership of Republic of Kosovo in international organizations including without limitation the European Union, Council of Europe, Organization for Security and Cooperation in Europe.

Chapter 16: Entry into Force

1. This Agreement shall enter into force upon successful fulfilment of the conditions in the specific order as set below:
 - 1.1 Ratification by the Parliaments of both Parties.
 - 1.2 Deposition of instruments of ratification in the United Nations Office of Legal Affairs Treaty Section pursuant to Article 102 of the Charter of the United Nations.