



14 December 2012
Provisional version

Committee on Political Affairs and Democracy

The situation in Kosovo¹ and the role of the Council of Europe

Rapporteur: Mr Björn VON SYDOW (Sweden, Socialist group)

Draft Recommendation

1. Referring to its Resolution ... (2012) on the situation in Kosovo and the role of the Council of Europe, the Parliamentary Assembly reiterates its stance that, irrespective of the status of Kosovo, the people living in Kosovo should enjoy good governance, democracy, rule of law and the same legal and human rights standards as other people in Europe.
2. The Assembly notes that in its Reply to Recommendation 1923 (2010), adopted on 12 January 2011, the Committee of Ministers affirmed its own commitment to the European perspective of all people living in Kosovo, acknowledging that “the Council of Europe monitoring process would only be truly meaningful if the relevant and competent authorities in Kosovo are directly involved in the monitoring process and responsible for following up the recommendations”.
3. The Assembly also welcomes the greater engagement of the Council of Europe in Kosovo through programmes to strengthen democracy, human rights and the rule of law in Kosovo and through the activities of the Council of Europe Office in Pristina, which has been reinforced as requested by the Assembly.
4. However, the Assembly regrets that the Organisation has not been in a position to implement “other Council of Europe monitoring mechanisms” in Kosovo, as stressed by the Committee of Ministers in its Reply. At the same time, it welcomes the recent proposal by the Secretary General to introduce the possibility of direct interaction between Council of Europe officials and the relevant and competent authorities in Kosovo on the basis of the functional responsibilities exercised by them.
5. Considering that the main challenge lies in the implementation of human rights and rule of law standards in Kosovo, the Assembly recommends that the Committee of Ministers:
 - 5.1. further enhance its action to promote human rights and rule of law standards in Kosovo and expand Council of Europe programmes, including through the work of key Council of Europe bodies and the Council of Europe Development Bank, in particular in the following areas:
 - 5.1.1. implementation of anti-discrimination legislation;
 - 5.1.2. independence and efficiency of the judiciary;
 - 5.1.3. action against corruption and evaluation of anti-money laundering measures and the financing of terrorism;
 - 5.1.4. action against trafficking in human beings;

¹ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

- 5.1.5. action to promote gender equality, and prevent and combat violence against women and domestic violence;
- 5.2. ask the Council of Europe member States to:
 - 5.2.1. put an end to the forced return of Roma to Kosovo until such return can be shown to be safe and sustainable, in compliance with Resolution 1768 (2010) and with the recommendations of the Council of Europe Commissioner for Human Rights;
 - 5.2.2. continue to provide financial assistance so that existing action plans aimed at finding a sustainable solution for refugees and internally displaced persons are followed up by concrete action;
 - 5.2.3. contribute to the relevant cooperation programmes, according to the priorities set out by the Organisation;
- 5.3. support the proposal by the Secretary General to ensure that Council of Europe officials are able to interact and have direct working contacts with the Kosovo authorities with a view to facilitating the implementation of Council of Europe activities and programmes, without prejudice to the status neutral approach of the Organisation;
- 5.4. strengthen the relevant work done by the Council of Europe in conflict and post-conflict regions on the revision and development of textbooks and teacher manuals, the organisation of teacher seminars and source material identification, as also stressed in [Recommendation 1954 \(2011\)](#) on Reconciliation and political dialogue between the countries of the former Yugoslavia;
- 5.5. continue to cooperate closely with other international actors, in particular the European Union, the OSCE as well United Nations agencies, to improve coordination, enhance impact and avoid duplication of efforts.