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There was no significant improvement in human rights protection in Kosovo in 2012. Tensions in the divided north sometimes flared into violence. Roma, Ashkali, and Egyptian (an Albanian speaking group that claims roots in Egypt) continue to be marginalized and vulnerable to discrimination. The justice system remains poor with large case backlogs. Mechanisms for human rights protection remain weak.

On September 10, the countries comprising the International Steering Group, which oversaw Kosovo after it unilaterally declared independence from Serbia in 2008, proclaimed an end to its supervision of Kosovo's self-governance. The decision signals a downgrading of international engagement.

Protection of Minorities

Roma, Ashkali, and Egyptians (RAE) remained among the most vulnerable groups in Kosovo. They continued to face discrimination in areas such as housing, education, and access to public services. A June 2012 United Nations Development Programme (UNDP) report found that around three-quarters of RAE lack formal employment, compared to around 45 percent of the general population. Many are displaced and unable to rebuild or return to their original homes.

Tensions between the Serb minority and the Albanian majority remained high in 2012, particularly in the divided city of Mitrovica in northern Kosovo. In April, an explosion in the majority Serb "Three Towers" neighborhood in the city killed an ethnic Albanian man and wounded two of his children. Police were investigating at this writing. In July, a Serb community activist, Milovan Jevtic, and his wife were shot dead in their home south of Pristina, the capital. Jevtic worked for the return of Kosovo Serb families and peaceful coexistence with Kosovo Albanians, raising concerns that the deaths may have been intended to discourage such returns. European Union Rule of Law Mission (EULEX) and local authorities were conducting a joint investigation at this writing.

Following confrontations in June between members of the Kosovo Police Service (KPS) and ethnic Serbs at four border crossings, unknown perpetrators in Pristina pelted two buses carrying

Serb children aged between 8 and 16 with Molotov cocktails and stones. Sixteen children sustained light injuries. Police were still investigating at this writing.

Despite these events, the KPS recorded only 16 inter-ethnic incidents during the first eight months of the year, a reported decline from 2011, when 60 inter-ethnic incidents were recorded. They comprised two attacks resulting in serious injuries and five in light injuries, seven other unspecified physical attacks, and two cases of property damage. There were concerns among international observers that many inter-ethnic incidents are unreported, unregistered, and misclassified.

Return of Refugees and Internally Displaced Persons

During the first 10 months of the year, the Office of the United Nations High Commissioner for Refugees (UNHCR) registered 785 voluntary returns, including those outside Kosovo and internally displaced persons (IDPs), compared to 989 returns during the same period in 2011.

Deportations to Kosovo from Western Europe continued, with limited assistance provided upon return. Between January and September, the UNHCR registered 1,717 forced returns to Kosovo, including 546 deportations of minorities, mostly from Sweden (235) and Germany (196): 327 Roma, 105 Ashkali, 2 Egyptians, 21 Serbs, 8 Albanians, 32 Bosniaks, 44 Gorani, 7 Turks, and 8 Albanians to Serb majority areas.

Roma, Ashkali, and Egyptian forced returnees continued to face particular hardships upon return, including difficulties accessing public services. A United Nations Children Fund (UNICEF) report in March stated that three out of four children deported from Germany drop out of school due to language barriers.

There was little progress in implementing two national strategies designed to facilitate the integration of returnees (the Strategy for Reintegration of Repatriated Persons) and for Roma generally (the Roma, Ashkali, Egyptian Integration Strategy), with central and local authorities failing to allocate needed resources, and local authorities often unaware of their responsibilities.

At this writing, the lead-contaminated Osterode camp outside Mitrovica was still open, with five remaining Romani families waiting to be resettled. Work had begun to construct apartments in the north to house the families.

Impunity, Accountability, and Access to Justice

On November 29, the International Criminal Tribunal for the former Yugoslavia (ICTY) acquitted Ramush Haradinaj, the former prime minister of Kosovo, and his two co-defendants, Lahi Brahimaj and Idriz Balaj, former Kosovo Liberation Army (KLA) commanders, after their retrial for crimes against humanity against Serb Roma and Albanian civilians in the Jablanica detention camp in 1998.

The EULEX special investigation team continued its investigation into allegations that some KLA members, including senior officials in Kosovo, had participated in post-war abductions, enforced disappearances, killing of Serbs, and organ trafficking.

In the first nine months of 2012, EULEX judges handed down three war crimes judgments, including in May sentencing Zoran Kolic to 14 years' imprisonment for war crimes against prisoners in Lipjan prison in May 1999, and confirmed one new war crimes indictment in October. During January and September, local judges handed down 20 other verdicts. As of October 78 war crimes cases were under investigation and in November, EULEX police arrested three former KLA members suspected of war crimes against civilians during 1998-1999. At this writing the case was being investigated by the Special Prosecutorial Office, which did not render details about the charges.

In November, the Supreme Court of Kosovo ordered the retrial of Fatmir Limaj and three other former KLA members on charges of war crimes against Serb and Albanian civilians and prisoners of war held in a detention center in the village of Klecka in 1999. The four were acquitted in May by a Pristina district court, including a EULEX judge. In March, the same court acquitted six other defendants in the case.

Freedom of Media

The Kosovo National Assembly adopted a new criminal code in April containing provisions that criminalized defamation and force journalists to reveal sources, raising media freedom concerns. In light of those concerns, Kosovo President Atifeta Jahjaga in May sent the code back to the National Assembly for reconsideration. But in June, the assembly adopted the criminal code without revising the controversial provisions. In September, it finally approved government amendments abrogating the controversial provisions, which will be removed from the criminal code once it enters into force on January 1, 2013.

Threats against journalists continued to be a serious problem. In March, journalists at the Express newspaper received threatening phone calls following an article on corruption in the fuel industry. Halil Matoshi, an outspoken journalist reporting on corruption, was assaulted in Pristina in July by three unidentified men, one of them armed with a knife. Matoshi escaped with minor injuries and the police were investigating at this writing.

In May, a EULEX judge at the Pristina municipal court confirmed indictments against Rexhep Hoti and four other staff at Kosovo daily *Infopress* and Skenderaj Mayor Sami Lushtaku for threats made against Balkan Investigate Reporting Network (a regional news group) Kosovo Director Jeta Xharra in 2009. In October, the Kosovo Special Prosecution Office launched a separate investigation against Lushtaku for threats made in March, May, August, and September against Adem Meti, a correspondent for the leading daily newspaper Koha Ditore, due to his reporting on corruption.

Key International Actors

The end of supervised independence of Kosovo on September 10 resulted in the closure of the International Civilian Office. EULEX's mandate was extended until 2014.

UN Secretary-General Ban Ki-moon in July expressed concern over escalating ethnic tensions in northern Kosovo and stressed that the basic needs and rights of affected communities in the north must be democratically represented.

An October report from the European Commission recommended opening negotiations with Kosovo on a Stabilization and Association Agreement (SAA), a framework for closer relations seen as a prelude to candidate status for EU membership, subject to progress on rule of law, including cooperation with the EULEX task force, and respect for minority rights. The commission's assessment made clear that signing the agreement would require tackling impunity and access to justice, improving media freedom, implementing programs to secure the rights of Roma, and taking steps to facilitate the return of displaced Serbs.

Following a July meeting with Kosovo President Atifete Jahjaga, European Council President Herman Van Rompuy stressed the need for progress on the rule of law, public administration reform, electoral reform, and outreach to minority communities.

In October, German Defense Minister Thomas de Maiziere said that the EULEX was "on the wrong track" and that its failure – together with that of the KPS – to deal with ethnic violence was placing an unreasonable burden on NATO forces. An OSCE report in October said authorities need to take concrete action to implement laws on anti-discrimination and protection against domestic violence, among others.

In October, Council of Europe (CoE) Secretary General Thorbjorn Jagland emphasized the importance of an effective investigation into allegations contained in the 2010 CoE report by Swiss Senator Dick Marty alleging that some KLA members, including senior officials in post-war Kosovo, had participated in the postwar abductions, enforced disappearances, and killing of Serbs, as well as alleged organ trafficking and organized crime, including weapons and drug smuggling.

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