



REPUBLIKA E KOSOVËS - PRESIDENTI
REPUBLIC OF KOSOVO - THE PRESIDENT
REPUBLIKA KOSOVA - PRESEDNIK

No. 61/2018

The President of the Republic of Kosovo,

Pursuant to Article 84 of the Constitution of the Republic of Kosovo, Article 6 of Law No. 03/L-094 on the President of the Republic of Kosovo (Official Gazette, No. 47, January 25, 2009), and pursuant to Article 3 (4) of Regulation (P) No. 02/2016 on the Organizational Structure of the Presidency (08.09.2016), and Decision no. 51/2017 of the President on the appointment of a preparatory team for the establishment of the commission for truth and reconciliation (Protocol No. 892-01.11.2017), issues the following:

DECISION

**ON THE APPOINTMENT OF THE PREPARATORY TEAM FOR THE
ESTABLISHMENT OF THE COMMISSION FOR TRUTH AND RECONCILIATION¹**

1. The preparatory team for the establishment of the Commission for Truth and Reconciliation (Hereinafter: Team) consists of a total of 9 (nine) members in the following composition

- 1) Ardian Arifaj - Presidency – Chairman;
- 2) Besim M. Kajtazi - Presidency – Member;
- 3) Nora Ahmetaj – Civil Society – Member;
- 4) Rron Gjinovci - Civil Society – Member;
- 5) Jovana Radosavljević - Civil Society – Member;
- 6) Kushtrim Koliqi - Civil Society – Member;
- 7) Abdullah Ferizi - Civil Society – Member; TBC
- 8) Arben Loshi – Directorate for Research, Library and Archive – Assembly - Member;
- 9) Baki Svirca - Institute for War Crimes Research -Government – Member.

2. The participation of each member cannot be delegated

3. The team has the following duties and responsibilities:

¹ Point 5 of this Decision has been changed and amended by a President's decision No. 44 /2019 (01.03.2019) and these changes are included in this Decision.

- 3.1. Drafts the relevant normative act on the establishment of the Commission for Truth and Reconciliation (the Commission);
 - 3.2. Drafts the relevant documents that regulate the internal functioning, the decision-making and administration of the Commission;
 - 3.3. Prepares the draft Organogram of the Commission;
 - 3.4. Proposes the criteria and the process to be followed for the selection of the members of the Commission and the staff who will assist the Commission;
 - 3.5. Compiles the plan to engage staff who will assist the Commission;
 - 3.6. Compiles the plan to train the team members of the Commission and the staff who will assist the Commission;
 - 3.7. Identifies the threats and dangers for participants in the Commission, how to facilitate them, and what kind of resources will be made available;
 - 3.8. Proposes the necessary logistical infrastructure for the functioning of the Commission;
 - 3.9. Prepares the budget plan and the planning for providing funds from local and international sources;
 - 3.10. Compiles the information campaign plan for the Commission, and
 - 3.11. Other issues that the team deems necessary for the functionality of the Commission.
4. The team may have at least two advisory experts who will provide consultancy and expertise services and will not have the right to vote.
5. The team issues the work regulation and sets a work plan (including the schedule of the team meetings) and the deadlines to be respected for the completion of the responsibilities set out in this decision.
6. In carrying out its duties and responsibilities, the Team organizes the necessary public consultations with all relevant stakeholders, including, but not limited to:
- 6.1. natural and legal persons dealing with transitional justice in Kosovo, and outside of Kosovo, with a view to incorporating into the work of the Commission the positive outcomes that have been achieved now and/or to learn from the confrontation of the challenges they have faced;
 - 6.2. dialogue with stakeholders to be informed/to inform about the Commission;
 - 6.3. cooperation with similar regional initiatives;
 - 6.4. the review and proposal, in consultation with interested parties, on how the Commission will interact with other processes of transitional justice, including, but not limited to, court proceedings.
7. According to the work needs and for the realization of the responsibilities defined by this Decision, the Team can engage external and internal consultancy as well as representatives of other institutions and representatives of various local and international organizations to contribute to the work of the Team.
8. The Team may, where appropriate, establish Working Groups to deal with specific issues requiring special treatment and expertise.
9. The Secretary of the Office of the President:

- 9.1. shall appoint a Secretariat to assist and support the Team in achieving the responsibilities and administrative support of the Team;
 - 9.2. takes care to provide the budget needed to support the Team in carrying out its duties and responsibilities;
 - 9.3. issues a decision on the payment of the Team members;
 - 9.4. ensures the necessary budget for the engagement of external consultancy, in line with the needs of the Team, in accordance with the legislation in force;
 - 9.5. takes care for and collaborates with the Chairperson of the Team to ensure the necessary budget for the work, engagement, participation in meetings, and the overall functioning of the Team and the Secretariat.
10. The Secretariat shall directly respond to the Chairperson of the Team and shall perform the duties and responsibilities defined by the Team, in accordance with the Rules of Procedure of the Team
11. The Team members are independent in their work and perform the duties and responsibilities in accordance with Kosovo legislation.
12. The Chairperson of the Team, on a monthly basis, shall report to the President on the performance of the Team's work.
13. The team is obliged that at the latest, within the eighteen (18) months period, from the entry into force of this decision, to complete the work defined in this decision.
14. The findings shall be provided to the Office of the President of the Republic of Kosovo and are made public by the team to ensure full transparency.
15. The decision shall enter into force on May 01, 2018.

Hashim THAÇI

President of the Republic of Kosovo

Prishtina, April 27, 2018

Decision to be sent to:

- *The Secretary of the Office of the President;*
- *The Team members;*
- *a/a.*