

## **International documents on the situation of Serbian cultural heritage in Kosovo**

### **1. Reports of the UN Secretary-General on the United Nations Interim Administration Mission in Kosovo**

#### **S/2014/305 of 29 April 2014**

During the reporting period, 18 incidents targeting property of the Serbian Orthodox Church were recorded. On 7 February, two graves were desecrated in the Serbian Orthodox cemetery in the village of Berivojcë/Berivojce, Kamenicë/Kamenica municipality. A tombstone in the Serbian Orthodox cemetery in the village of Binçë/Binaç, Viti/Vitina municipality, and three tombstones in Gjakovë/Đakovica town were damaged, on 15 February and 9 April respectively. The mayors of Kamenicë/Kamenica and Viti/Vitina municipalities issued strong public condemnations in each of those incidents and demanded swift investigations. Two gravestones and the door of the Serbian Orthodox cemetery in Fushë Kosovo/Kosovo Polje were also damaged, on 12 April. On 22 February, offensive graffiti was sprayed on the front of the perimeter wall of the Holy Virgin Serbian Orthodox Church in Gjakovë/Đakovica town. Municipal authorities condemned the incident. (para. 35)

#### **S/2014/558 of 1 August 2014**

During the reporting period, 15 incidents targeting religious and cultural heritage sites were recorded. Of those sites, 12 Serbian were Orthodox, one was Islamic and two were Roman Catholic. The incidents included an offensive graffiti painted on a gate of the Visoki Deçani monastery in Deçan/Deçani municipality on 25 April. Security measures at the monastery were further enhanced, including through the installation of a closed circuit video system. On 25 June, the Kosovo police opened a case of “usurpation of property” in relation to illegal construction in the special protective zone of the Visoki Deçani monastery. Enforcement of a demolition order was still pending at the end of the reporting period, and remained in question. (para. 34)

#### **S/2014/773 of 31 October 2014**

On 12 October, the Abbot of Visoki Deçani Monastery reported to KFOR and Kosovo police that offensive graffiti had been painted on several buildings in the vicinity of the Monastery. The Kosovo police station commander, relevant police units, KFOR and the Deputy Special Representative of the Secretary-General attended the scene. The graffiti read: “Islamic State”, “ISIS”, “Caliphate is coming”, “UÇK” (the Albanian language acronym for the Kosovo Liberation Army) and “AKSH” (the Albanian language acronym for the Albanian National Army). During the ensuing investigation, Kosovo police detained three Kosovo Albanian youths for shouting “UÇK” outside the fence of the Monastery. The following day, similar provocative messages were sprayed on two service entrances to the Monastery. (para. 37)

Inadequate responses to illegal construction in the special protective zone in the Deçan/Deçani municipality remained a matter of wide concern. Enforcement of a demolition order from 3 July for two illegal constructions within the special protective zone is still

pending. On 17 September, the Implementation and Monitoring Council discussed the matter further and recommended, with consent from the Serbian Orthodox Church, that one of the structures be allowed to remain, provided no additional construction takes place. On 9 October, the Municipality of Dečan/Dečani requested support from KFOR for dismantling the other structure. In early October, another illegal construction (a small warehouse) also appeared in the special protective zone. (para. 38)

In total, 18 criminal incidents occurred at religious sites in Kosovo, including 11 at Orthodox sites, 6 at Islamic sites and 1 at a Catholic site. Five of the incidents were assessed as being economically motivated. (para.40)

#### **S/2015/74 of 30 January 2015**

The Implementation and Monitoring Council, which includes the Kosovo authorities, representatives of the Serbian Orthodox Church and other denominations, as well as the European Union and OSCE, convened one meeting during the reporting period. Discussions focused mainly on institutional responses to several hate graffiti incidents at the Visoki Dečani Monastery. At the request of the municipality, KFOR engineers demolished an illegal structure in the special protective zone near the Visoki Dečani Monastery in late October. However, on 17 December, a new illegal construction was observed in the special protective zone around the monastery, at the previously established illegal fish farm. On 6 January, President Jahjaga and Prime Minister Mustafa visited the monastery to participate in the Orthodox Christmas celebrations. (para. 39)

#### **S/2015/303 of 27 April 2015**

On the basis of a joint inspection and recommendation by members of the Implementation Monitoring Council on 27 February, the Church of Christ the Saviour, adjacent to the University of Pristina campus, was again sealed off in order to prevent dwelling by squatters and further abuse by others. (para. 38)

The number of incidents affecting religious sites increased slightly during the reporting period, with a total of 23 incidents. Serbian Orthodox Church and Islamic religious and cultural heritage sites were targeted in 14 and 2 incidents respectively, while such sites of other religions were targeted in the remaining seven incidents. (para. 39)

#### **S/2015/579 of 30 July 2015**

On 31 May, the Kosovo police discovered and defused an explosive device some three kilometres from the ruins of the Holy Trinity Monastery in Mushitishtë/Mušutište village, Suharekë/Suva Reka municipality. The incident occurred immediately before a visit to the site by a group of some 100 Kosovo Serb internally displaced persons to mark the feast of the Holy Trinity at the ruins of the monastery. The Deputy Prime Minister, Branimir Stojanović, and the Minister for Communities and Return also attended the liturgy. (para. 26)

The number of incidents affecting religious sites decreased slightly compared with the previous reporting period. A total of 22 incidents affected religious sites, of which nine

affected Serbian Orthodox sites, four Islamic sites and four Roman Catholic sites as well as five other cultural heritage sites. (para. 27)

## **2. State of conservation of properties on the List of World Heritage in Danger Medieval Monuments in Kosovo (Serbia)**

### **WHC-12/36.COM/7A.Add of 1 June 2012**

*Decani Monastery:* Protective archaeological investigations have taken place in view of the reconstruction of the dormitory-lodge in the Monastery yard, in compliance with the project which was approved by the Institute for the Protection of Cultural Monuments of Serbia and the Culture Commission for Cultural Goods of Outstanding Value. These investigations were fully completed in 2010. In 2011, the reconstruction works on the dormitory-lodge continued and the first phase of rough construction was completed by December 2011. On 10 April 2012 the Permanent Delegation of Serbia to UNESCO reported to the World Heritage Centre that graffiti in red had appeared on the wall on 31 March 2012, followed by new black graffiti a few days later, on 2 April 2012. In a letter of 13 April 2012, the World Heritage Centre requested UNMIK to undertake the necessary investigations, provide further details and liaise with the respective authorities to increase security. In a letter of 19 April UNMIK provided information that it maintains contacts with all agencies engaged in providing security around the components of the property. It has therefore contacted the Kosovo Stabilisation Force (KFOR) which, as a consequence, increased patrolling and general visibility around Decani. Further to the request of the World Heritage Centre for details concerning a planned construction of a road close to Decani, UNMIK responded that, to its knowledge, this local initiative does not have any funding, due to the lack of sustainability. (p.77)

*Holy Virgin of Ljevisa Church in Prizren:* Further to an incident concerning the theft of 20 sq.m. of the roof of the *Church of the Virgin of Ljevisa* which was reported to the World Heritage Centre in April 2011, the damages were inspected by the Institute for the Protection of Cultural Monuments. Due to several months of soaking, the mortar layer in the interior of the church had deteriorated and caused considerable fissures and cracks around the frescoes and it was possible that further detachment of the painted layer, as well as flaking and bubbling would occur in the future. Urgent interventions, identified as necessary by the Institute for the Protection of Cultural Monuments, were undertaken to repair the roof, including change of mortar and placing hydro-isolation as in other sections of the vault. The replacement of the roof was funded by the UNESCO Venice Office, and the works were completed in August 2011. A first phase of conservation and restoration works was carried out in 2011 for 30 sq.m. of the frescoes, further to a UNESCO tender. On 10 April 2012, the Permanent Delegation of Serbia to UNESCO provided information that an explosive device had been found in the church yard and that the Kosovo police had been notified immediately. The device, a signal flare according to information received by UNMIK, was promptly removed by the Kosovo Police together with KFOR. In its letter of 13 April 2012, the World Heritage Centre requested UNMIK to ensure that all respective authorities take the necessary measures to provide the highest level of security to the property, particularly drawing attention to the second phase of restoration works which international experts were scheduled to commence in the end of April 2012. UNMIK's reply of 19 April 2012 informs that the security responsibility for Ljevisa has been transferred to the Kosovo police, which maintains a fixed checkpoint. In addition, KFOR continues to patrol and to provide overall security.

UNMIK has also informed the local authorities and EULEX, which monitors and advises Kosovo Police. (pp.77-78)

### **WHC-13/37.COM/7A of 3 May 2013**

In February 2013, the World Heritage Centre was informed of incidents at the Decani Monastery, in protest against a real estate-related court decision in favour of the Decani Monastery. Concerned about the safety, security and overall protection of the property, the World Heritage Centre liaised with the United Nations Interim Administration Mission in Kosovo (UNMIK), which gave assurances that it was working closely with all organizations mandated to maintain security, including the NATO-led Kosovo Force (KFOR), the European Union Rule of Law Mission (EULEX), the Kosovo Police and local authorities, and specifically monitoring all developments which may potentially compromise the security of the property.

As advised by UNMIK and considering that the on-going protection by KFOR of the Decani Monastery and the Patriarchate of Pec is essential for ensuring an adequate level of protection of the World Heritage property, the Director-General of UNESCO requested in April 2013 the Secretary-General of the North Atlantic Treaty Organization (NATO) to re-examine the timeline for “unfixing” processes in the Decani Monastery and the Patriarchate of Pec in the light of the reported incidents. (p.80)

### **WHC-14/38.COM/7A of 30 April 2014**

Concerning the security situation at the property, it should be noted that three components of the property are currently under the protection of Kosovo Police: the Gračanica Monastery, the Virgin of Ljevisa Church and Patriarchate of Pec, the latter having been “unfixed” in August 2013 (the “unfixing” process is the handover of security responsibility from the NATO-led Kosovo Force, KFOR, to the specific unit of Kosovo Police dealing with cultural heritage monuments). The fourth component of the property, Decani Monastery, still remains under KFOR protection.

WHC received assurances from the United Nations Interim Administration Mission in Kosovo (UNMIK) that the latter is working closely with all organizations mandated to maintain security, and is specifically monitoring all developments which may potentially compromise the security of the property. (p.31)

### **WHC-15/39.COM/7A of 15 May 2015**

Concerning the security situation at the property, it should be noted that three components of the property are currently under the protection of Kosovo Police: the Gračanica Monastery, the Virgin of Ljevisa Church and Patriarchate of Pec, the latter having been “unfixed” in August 2013 (the “unfixing” process is the handover of security responsibility from the NATO-led Kosovo Force, KFOR, to the specific unit of Kosovo Police dealing with cultural heritage monuments). The fourth component of the property, Decani Monastery, still remains under KFOR protection.

In April 2013, the Director-General of UNESCO requested the Secretary-General of the North Atlantic Treaty Organization (NATO) to re-examine the timeline for “unfixing” processes in the Decani Monastery and the Patriarchate of Pec. In April and October 2014, graffiti

incidents occurred again at the Decani Monastery. Consequently, in October 2014, the Director-General of UNESCO renewed its appeal to the Secretary-General of the North Atlantic Treaty Organization (NATO) to continue the protection by KFOR of this component of the World Heritage property. A verbal reply was received from NATO, assuring that the “unfixing” of the Decani Monastery was not envisaged.

The World Heritage Centre is continuously receiving assurances from the United Nations Interim Administration Mission in Kosovo (UNMIK) that the latter is working closely with all entities mandated to maintain security, and is specifically monitoring all developments which may potentially compromise the security of the property. (p.81)

### **3. OSCE Mission in Kosovo – Challenges in the Protection of Immovable Tangible Cultural Heritage in Kosovo (March 2014)**

According to the Kosovo Police, there was an increase in security-related incidents at cultural heritage sites in 2011, 2012 and 2013, compared to previous years when a decreasing trend of incidents had been noted (see Graph 1). The increase in security-related incidents affects in particular the Serbian Orthodox Church heritage sites. (p.21)

In relation to enforcement, the number of arrests/ prosecutions in response to security incidents by the Kosovo Police/judiciary is low. In 2012 for example, only 9 arrests were made by the Kosovo Police out of a total of 36 incidents. In addition, the OSCE has observed through its monitoring that the perpetrators of most incidents affecting religious and cultural heritage sites are unknown and therefore no trials were held for those cases in the courts. Although prosecutors have the obligation to follow up regularly on developments of the investigation into the damage to the cultural heritage site, they often fail in this duty. (p.23)

Aside from instances of theft and vandalism, cultural heritage in Kosovo – especially of the Serbian Orthodox Church – is also under threat by several municipal decisions which fail to comply with the legal framework which protects cultural heritage. (p.24)

### **4. EU Kosovo\* Progress Report (October 2014)**

In general, frequent breaches of legislation across Kosovo negatively affecting religious and cultural heritage sites have continued. Implementation of the general legislative framework governing the protection of cultural heritage remains weak. Illegal construction is a major concern, particularly within Special Protective Zones. Punitive measures against those in breach of laws need to be applied consistently, and illegal construction which has already taken place should be dealt with in accordance with the law. Kosovo authorities, particularly at the local level, need to demonstrate a stronger commitment to protecting cultural heritage. The new government needs to engage actively in this process. (p.22)