

(b) Any person arrested within Kosovo, in accordance with the law and with this Agreement, by the Border Police or Customs Police shall be subject to the jurisdiction of the FRY courts. If there is no applicable court of the FRY to hear the case, the Kosovo courts shall have jurisdiction.

2. Prosecution of Crimes.

(a) The CJA shall, in consultation with the CIM, appoint and have the authority to remove the Chief Prosecutor.

(b) The IM shall have the authority to monitor, observe, inspect, and when necessary, direct the operations of the office of the Prosecutor and any and all related staff.

Article IX: Final Authority to Interpret

The CIM is the final authority regarding interpretation of this Chapter and his determinations are binding on all Parties and persons.

Chapter 3

Conduct and Supervision of Elections

Article I: Conditions for Elections

1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:

- a) freedom of movement for all citizens;
- b) an open and free political environment;
- c) an environment conducive to the return of displaced persons;
- d) a safe and secure environment that ensures freedom of assembly, association, and expression;
- e) an electoral legal framework of rules and regulations complying with OSCE commitments, which will be implemented by a Central Election Commission, as set forth in Article III, which is representative of the population of Kosovo in terms of national communities and political parties; and
- f) free media, effectively accessible to registered political parties and candidates, and available to voters throughout Kosovo.

2. The Parties request the OSCE to certify when elections will be effective under current conditions in Kosovo, and to provide assistance to the Parties to create conditions for free and fair elections.

3. The Parties shall comply fully with Paragraphs 7 and 8 of the OSCE Copenhagen Document, which are attached to this Chapter.

Article II: Role of the OSCE

1. The Parties request the OSCE to adopt and put in place an elections program for Kosovo and supervise elections as set forth in this Agreement.

2. The Parties request the OSCE to supervise, in a manner to be determined by the OSCE and in cooperation with other international organizations the OSCE deems necessary, the preparation and conduct of elections for:

- a) Members of the Kosovo Assembly;
- b) Members of Communal Assemblies;