

ECMI KOSOVO/A: CITIZENS' SUPPORT INITIATIVE

**KOSOVO/A
STANDING TECHNICAL
WORKING GROUP:
THIRTEENTH MEETING
INTEGRATION & RETURNS**

Robert Curis

Grand Hotel, Pristina, 6 June 2003

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European Centre for Minority Issues (ECMI)

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I. Expert Recommendations: ECMI's Expert Committee for Integration and Returns

THE INTERNATIONAL PERSPECTIVE

To the International Community (Missions/Donors/NGOs):

- 1. The International Community should concentrate its efforts on the process of returns rather than looking to the numbers of individual returnees.*
- 2. The present authorities (Provisional Institutions of Self Government – PISG – and United Nations Mission In Kosovo) should be assisted in promoting the right of all Internally Displaced Persons to return to their homes or remain in their present domicile, through ensuring the necessary social, institutional and legal preconditions for minorities to remain in Kosovo. This will help in promoting confidence building and dialogue that work toward reconciliation and tolerance between communities.*
- 3. Financial assistance should be given towards organizing a proper education system for young people – if the process of returns targets only older people the effectiveness of the process is at stake.*
- 4. Financial support for returns should continue to be provided.*
- 5. Financial and technical assistance should be provided to finish projects begun in the last few years (reconstruction of houses, etc.)*

To UNMIK-Office of Returns and Communities (ORC):

- 1. New, return-related multiethnic structures or bodies should be established at the grass roots level, and a more comprehensive and effective returns policy instigated, in order to establish a framework and structures at the central level that will further the development of the process.*

2. *Returnee assistance must be distributed to all communities – Albanian, Serb, Ashkali, Egyptian and Bosniac – according to need, rather than according to ethnicity.*
3. *ORC should improve its support and cooperation with regional and municipal offices and structures.*
4. *Measures should be taken to ensure that the transfer of competencies from internationals to locals will not leave returnees in a vulnerable position.*
5. *Municipalities should be provided with additional financial benefits where the return process is possible and has been successful.*
6. *Public officials should be supported in promoting the right to return and those who obstruct the process should be monitored.*
7. *UNMIK should pressure host countries to modify their timelines and expectations for the process of repatriation of Kosovar refugees until the basic conditions for return are created. UNMIK must play a particularly active role in making host states aware of the impact on the ground of their returns policies. Kosovar minorities are a category with continuing protection needs, they should therefore not be included in the Memorandum of Understanding between UNMIK and several European host countries for returning Kosovar refugees.*
8. *The processing of claims at the Housing and Property Directorate should be made more effective and expeditious.*
9. *The group recommends that Municipal political leaders should be thoroughly involved in all phases of return-related projects, and should be given a chance to take the lead in the returns process. Projects for returns should be incorporated into the conceptual development plans of municipalities.*
10. *The elaborate system of Regional Working Groups, regional coordination groups, regional offices on return, etc., is entirely dependent and built around the UNMIK*

system rather than PISG. UNMIK and the ORC should improve its cooperation with the PISG in relation to returns, sharing the competencies and responsibilities for protection of minorities and ensuring the right to return of all IDPs.

- 11. The increasing transfer of authority to the PISG should mean a larger role in matters that directly or indirectly affect returnees, including the responsibility of the PISG's local and central institutions for the success and failure of the return process. Municipal Working Groups should inform the Municipal Assembly of their activities on a regular basis and should prioritize and implement projects that benefit all communities. The ORC should analyze the successes and failures of the strategy used for the process of returns, develop new strategies, and restructure more appropriate methods of coordinating projects.*

To the UNHCR in Kosovo:

- 1. Efforts must continue to communicate the successes and failures of the returns process to the wider population, thus creating realistic expectations and more transparent measurements of the process*
- 2. Funds must be distributed equally between all communities that return.*
- 3. The UNHCR's activities in Serbia proper or wherever IDPs are located should be increased.*
- 4. The current situation of IDPs and returns should be widely made known, so that donors will continue to provide financial aid.*

THE REGIONAL PERSPECTIVE

To the Provisional Institutions of Self Government:

- 1. PISG should take more responsibility and play a more active role in the reconciliation, return and 'sustainability of return' process, and especially at a local level the PISG should ensure minorities (Serbs in this case) equal access to*

public services, and opportunities for participating more actively in the political life of Kosovo.

- 2. PISG should work harder on improving the political climate of returns, meaning the organization of proper public information campaigns, thus improving the majority population's perception of and attitude toward returns.*
- 3. PISG should continue its existing practice of providing equality of employment for all communities.*

To the Municipalities:

- 1. Municipal assemblies should deal with and be informed of developments in the return process on a regular basis. They should also endorse actual projects and be involved in dialogue and confidence building between the communities.*
- 2. Municipal Departments of Economic Development or Reconstruction or any other relevant department should also be engaged in incorporating the return project into wider plans of economic reconstruction and development. The departments should also be involved in monitoring project implementation.*

To the Serbs (Serbs of Kosovo and the Government in Belgrade):

- 1. The return process should not be politicized, and displaced Serbs should be prepared for coexistence and integration in Kosovo's political and social life.*
- 2. The Serb community should be helped to be integrated more into Kosovar society (e.g. the Serb authorities should recommend that Serb returnees use public services – registering cars means more freedom of movement).*
- 3. The Coordination Working Group on returns should consist of active Kosovar Serbs who will represent the situation on the ground in the most realistic way.*

To the Majority Community in Kosovo:

- 1. All communities of Kosovo should be integrated, in order to achieve internationally established standards and build a democratic, multiethnic society as a way of promoting integration into European structures.*
- 2. The Justice system should be allowed to pass judgments upon war crimes and criminal acts rather than pass statements without a legal basis which create ethnic incidents and disrupt the return process.*

To the Kosovo Assembly:

- 1. A working group or committee should be formed to deal exclusively with the return of all IDPs regardless of their ethnic background.*
- 2. This committee should liaise with other groups that are already dealing with the returns issue within the political parties that are represented in the Kosovo Assembly.*
- 3. This committee should also coordinate the work concerning returnees with UNMIK and the Kosovo Assembly.*

II. 13th Meeting of the Standing Technical Working Group: Expert Committee on Integration and Returns

The ECMI Expert Committee for Integration and Return hosted the 13th meeting of the Standing Technical Working Group on 4 June 2003 in Pristina, to discuss the Recommendations proposed by the Committee. The meeting consisted of two sessions, one each on the International and Regional Perspectives, each commencing with presentations of progress made, present challenges and future plans in the area of Returns. After a preliminary reading of the Recommendations, participants were given the opportunity to make comments and raise issues for discussion.

A. International Perspective – General Comments

In relation to the first session's topic, the following issues were discussed. Although Serbs constitute the most numerous minority yet to return, the participants felt that this should not obscure the fact that other ethnic groups – Ashkali, Egyptians, Bosniacs and Roma – have not come back in large numbers either. The specific ethnicity of any group should not be in view, rather the need for all groups to return. There is inevitably a political dimension to the topic of return. People have to be allowed to return to where they want to live, not under compulsion.

There needs to be a certain minimum standard of conditions for returnees immediately after their return, rather than expecting them to wait for housing after being registered on their return. It is unreasonable to expect people who return to live on handouts of food, or to live in tents. Nevertheless, it was pointed out that the swift return of the Albanian majority immediately after the war in 1999, when living conditions for many were very difficult, shows that with much sacrifice many obstacles can be overcome.

The absence of any mention of economic development in the Recommendations was criticized. It was stressed by many as essential that without economic improvement even the majority population would leave. Economic conditions must be created that will make return to Kosovo attractive. It was noted that there are currently over 600,000 unemployed people in Kosovo, the majority Albanian, but this is a problem that affects all

ethnic groups. It would not be right to assist people to return to places where they would not be able to secure themselves a living. Furthermore, if host countries where significant numbers of former residents of Kosovo now reside and work decide to expel them they will face great economic difficulties on their return to Kosovo, unless measures are taken to secure jobs.

The whole process of returns needs to be regulated. The problem, it was felt, does not lie with specific ethnic groups, but rather with the approach to the problem, which continues to be disproportionately influenced by the interests of outside actors. For example, many people would see the return of Serb Internally Displaced Persons (IDPs) as implying the return of Serbian police and other structures, and the return to the failed policies of the last 100 years, which would be entirely erroneous.

Other comments on the International Perspective focused particularly on two areas, the International Community, and the United Nations Interim Administration in Kosovo Office of Returns and Communities (UNMIK ORC).

International Community

Great responsibility lies with the international community, to organize safe, sustainable returns of refugees and IDPs and to care for them after their return. Refugees are not the problem of the country where they currently live, e.g. Serbia and Montenegro, or Macedonia, but the responsibility of the international community. It was felt to be unfair that the majority population is often blamed for difficulties in the return process. The view was expressed that the frequently given impression that the biggest problem in Kosovo is the return of Serbian refugees is the work of Serbian propaganda, which has managed to give the impression that the Serb minority is being mistreated.

Although the process of people returning, and not merely statistics, are of course the goal of the 'Returns' process, it is cause for concern that by June of this year (2003) only a handful of people have returned. The slowness of organizing returns is the greatest barrier to achieving more. Active steps need to be taken to organize informative talks with potential returnees and all IDPs, wherever they are currently to be found. The other

category of return, the spontaneous, could also go faster with assistance from the international community.

UNMIK ORC

It was agreed that it is clearly in the interests of everyone that all refugees return to Kosovo, not only with regard to the individuals concerned, but also because of the repercussions for the future of the region. Freedom of movement and human rights for all are essential prerequisites for Kosovo's future prosperity. The as yet unresolved status of Kosovo presents many difficulties in the process of returns. In what is perceived as the Serbs' desire to return to the *status quo ante*, they are unwilling to cooperate with UNMIK. The harsh language used in the Serbian media with regard to Kosovo has a detrimental effect on Serbs living there. Much misleading information is given to displaced persons in Serbia and Montenegro. The international community should request that the Serbian government not politicize this issue, but instead assist people to return.

The view was expressed that the establishment of UNMIK ORC and other agencies has only added to the complication of the current situation, and the issue of returns is in fact better addressed within the framework of the transfer of competencies from international structures to local ones. In many ways, it sends a mixed signal to say that host countries should continue to look after IDPs, while at the same time official policy is that people should return.

The security of minorities remains an issue in their willingness to return to Kosovo/a. Concern was expressed at the lack of responsibility being taken for law and order, the UNMIK police affirming that the Kosovo Police Service (KPS) has responsibility for solving crimes, while the KPS asserts that the UNMIK police could be more active, and meanwhile a very low percentage of crimes is actually solved. Yet it was pointed out that ethnically-related crimes have dropped drastically over the last four years, and similarly, much progress has been made in securing freedom of movement since 1999. Progress on these two fronts should be welcomed.

B. Regional Perspective – General Comments

Parallel structures should not be allowed to continue to operate in such places as Shtërpçë/Štrpce and Graçanicë/Gracanica, as people will lose confidence in the ability of the local government structures to represent everyone fairly and equally. If the international community creates or allows the continued existence of parallel structures, the result will not be full integration.

The cooperation of the majority population is essential in securing the return of refugees to their original homes. In fact, reality on the ground dictates rather that people should be allowed to return to Kosovo and live where they choose, which may often mean going to where they are in the majority, rather than being obliged to go to their original place of residence.

Wisdom needs to be exercised in offering financial assistance to returnees: it is unreasonable for people who have sold properties in Kosovo for good sums of money before or after moving away, to expect government funding to pay for a new house on their return. There should not, however, be any restriction on someone who has sold a house in one part of Kosovo from buying another property elsewhere in the area.

IDPs actually living in Kosovo should be included in all planning concerning returns, and temporary housing provided for such people until they can be permanently housed.

The adoption of a common language was the subject of one comment. As Albanian is the language of the majority of inhabitants of Kosovo, members of minorities in Kosovo should be able to speak Albanian in addition to their own language. An employee from the Education Ministry stated that the ministry attempts to cater for the needs of minority languages, including Roma, and will continue to do so in the future.

A number of approving comments were made with reference to Gjilan/Gnjilane and Kamenicë/Kamenica, regarding the ‘green’ markets held there, and the staffing of their municipal offices, where different ethnic groups mix freely, although some felt this to be more to the credit of the local American KFOR troops, rather than local people.

Within the discussions on the recommendations with a regional perspective, some specific comments and proposals were made. It was commented that the responsibility to be taken by the Provisional Institutions of Self Government (PISG) needs to be stressed. On the subject of public services, it was felt that even where these were in existence, they are not used as well as they could.

III. Appendix:

A. Programme

TIME	ACTIVITY
09.00-09.15	Participant Registration
09.15- 09.30	Introductory Remarks Robert Curis, ECMI
09.30-11.30	First Session: The International Perspective Chair: Adrian Zeqiri, Integration and Return Committee <ul style="list-style-type: none">• Bashkim Ibishi, Returns Officer, Office of Returns and Communities• Birame Sarr, Deputy Director, American Refugee Committee• ECMI Recommendations• Discussion and Debate
11.30-12.00	Coffee Break
12.00-13.45	Second Session: The Regional Perspective Chair: Radica Berisha, Integration and Return Committee <ul style="list-style-type: none">• Milorad Todorovic, Inter-ministerial Coordinator for Returns• Halit Berani, Director of Human Rights Centre, Mitrovica• ECMI Recommendations• Discussion and Debate
13.45-14.00	Concluding Remarks

B. 2003 Membership of ECMI's Standing Technical Working Group

Name	Place of work	Position
Ilir Salihu	Kosova Trust Agency (KTA)	Privatization Officer
Besnik Osmani	Ministry of Economy and Finance, Central Fiscal Authority	Director of Common Services
Fedzat Sagdati	OSCE Prizren	Human Rights Promotion and Training Officer
Ymer Shatri	HandiKOS, NGO	Financial Manager
Myrvete Pantina	University of Pristina, Faculty of Economy	Assistant Professor in Macro-economy
Diamant Kastrati	OSCE Peja	Human Rights Promotion and Training Officer
Ruzhdi Hamza	Central Fiscal Authority, Kosovo Customs Officer	PDK Representative
Adrian Jashari	Ministry of Finance and Economy, and EDA- NGO	Programme Manager, (Consultant) for Treasury Ledger Programme, Management Consultant at EDA
Sebahate Grajqevci	AAK	Member of Assembly
Boban Nacic	Local Community Office Lipjan	Head of the Office
Mujo Dacic	Bosniac representative	
Fahredin Tahiri	Bosniac representative	
Senad Adrovic	Bosniac representative	
Hysni Bajrami	Ministry of Public Services Department of Local Administration	Director
Nexhmedin Sejdiu	Trupat mbrojtese te Kosoves (TMK) (Kosovo Protection Corps)	Political Advisor
Gjyljeta Mushkolaj	Kosovar Institution for the rights of the NGO's (IKDO), University of Pristina	Director of the Institute, University Teacher-Law Faculty
Dragan Velic	Serb National Council	
Mehmed Ceman	Municipal Assembly Istog	Coordinator for translation (Albanian/Bosniak /Serbian)
Suzana Arni	Fondacioni Kosovar per Shoqeri Civile	Director of the programme and coordinator for minority project – NGO Capacity-Building
Ibrahim Makolli	KMDLNJ	Director of the Human Rights Center
Bekim Sejdiu	University of Pristina, Law	Master of Arts for

	Faculty	Democracy and Human Rights, Assistant at the Law Faculty in Pristina
Enver Hasani	University of Pristina, Law Faculty	
Ali Bajgora	Professional Center of Human Rights and Legal Initiative, Kosovo's Police Academy	Doctor of Law, Executive Director, Lecturer at the Police Academy
Blerim Buriani	Ministry of Labour and Social Welfare	Ministry's Political Advisor
Xhangyle Iljazi	Kosovo Trust Agency KTA Gjilan region	Privatization Officer
Sevdie Ahmeti	NGO-Center for the Defense of Children and Women	Executive Director
Remzie Istefi	OSCE Pristina	LLM Legium Magister – International Human Rights Law – Human Rights Trainer
Skender Kandic	Center for mental health	Director
Adrian Zeqiri	OSCE Gjilan	National Democratization Officer
Nazmi Mustafaj	Ministry of Education Science and Technology – Law Department	Jurist
Petar Jeknic		Journalist
Teuta Beselica	UNHCR Office of the Chief of Mission	Programme Assistant and Manager of the Lead Agency Programmes throughout Kosovo/a
Laura Kryeziu	American Albanian National Council, Hope Fellowship Programe	Country Coordinator
Haxhi Thaci	OSCE Peja	Human Rights Officer, Head of Promotion and Training Section
Shendije Geci	OSCE Gjilan	Human Rights Officer, Head of Promotion and Training Section
Enesa Kadic	Ministry of Education Science and Technology	Head of Devision for Communities and Gender
Radica Berishaj	Ministry of Education Science and Technology	Division for Vocational Education and Life Long Learning
Bogoljub Staletovic	Ministry of Education Science and Technology	Finance
Dragoslava Maculja	Ministry of Education Science and Technology	Clerk for special education and curriculum

Dusica Cirkovic	KEK	Accountant
Milijana Staletovic	Health Clinic-Gracanica	Nurse
Halit Ferizi	HandiKOS	Head of the organization, member of the election working group of the OSCE
Izet Sadiku	University Clinical Center of Kosova, LDK general Council	Member of the municipal assembly
Fahri Beqa	Youth Center – Shtime PDK	Coordinator of the Center and the member of the leading council of the Democratic Youth of Kosova,
Adem Limani	University Clinical Center of Kosova,	Specialist physician, professor at the Medical Faculty, member of the national council of the AAK
Bersant Disha	Kosova Initiative for Democratic Society	Program Portfolio Manager
Luan Jaha	University Clinical Center of Kosova, Kosovar Center for Human Rights-Peja	Doctor of Medicine, head of the Council for Human Rights
Avdullah Qafani	Regional Hospital Gjakova	Doctor
Idriz Mumci	Main Health Center	Pneumophtiziologist , Member of the municipal Assembly
Naim Korca	HandiKOS	Organizational Development Adviser
Lindita Ajazaj	University Clinical Center of Kosova,	Doctor at the Infectious Clinic
Azijada Jamini	Main Health Clinic of General Practice	General Practitioner
Valon Murati	Logo – KIDS, and Agency for Management and Marketing	Economist, Management of the AMM,
Gani Toska	Directorate for interethnic relation Gorazhdec	Head of the Citizens Roma Initiative of Kosova
Fakir Spahiu	Political Party AAK	Head of the Alliance of the Youth of Kosova
Abdullah Bektashi	Turkish NGO “Gunes”	Linguist
Alberta Troni	University of Pristina, Faculty of Arts	Pianist – Assistant at the Faculty of Arts
Mevludin Krasniqi	PDK	Member of the coordinating council of the PDK, vice president of the Democratic Youth of Kosova
Serafetin Omer	Prime Ministers office for public information	Publication Office

Arbnor Pula	FID-Forum for Democratic Initiatives	Executive Director
Nazmi Halimi	Students Center of Kosova , Party member PSHDK	Director of the Students Center, Vice-President of the PSHDK-se
Gafurr Podvorica	PLK Party, and Social enterprise “Staklopan”	Director of the enterprise
Veton Berisha	NGO “Rrjeta Rinore Piramida’	NGO Coordinator
Fisnik Halimi	Kosova Action for Civic Initiatives	Deputy Executive Director
Mejreme Berisha	Shkolla e mesme Xhevdet Doda, AAK	Member of the Alliance for the Future of Kosova
Vedat Bajrami	Ministry of Education Science and Technology	Dialectologists
Salie Gajtani	Koha Ditore,	Journalist
Besim Zeqiri	Kosova Trust Agency (KTA)	Privatization Officer

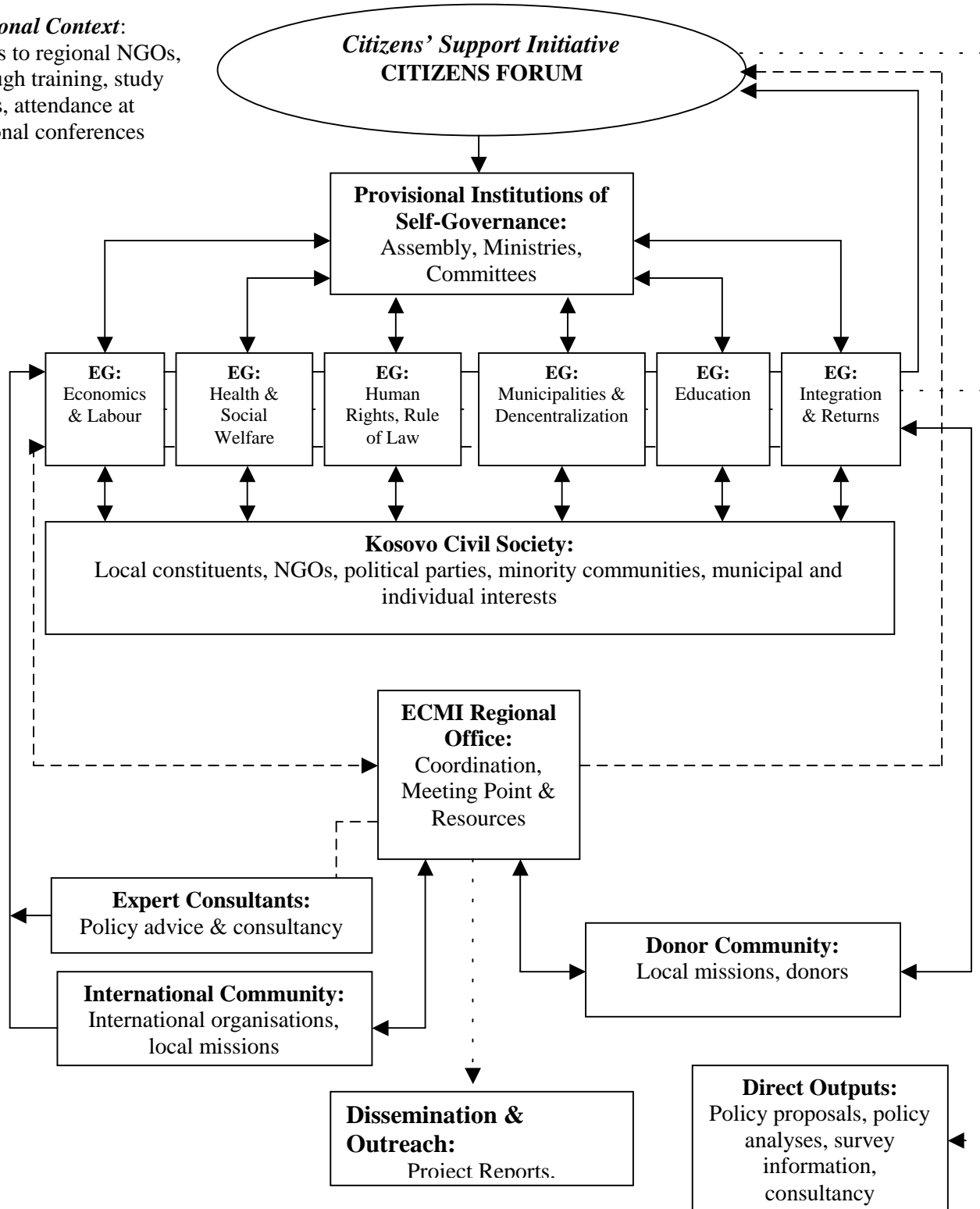
C. ECMI Citizens' Support Initiative

ECMI's Citizens' Support Initiative is a unique institution in Kosovo. It is the only permanent interethnic forum where public policy is evaluated and debated and where recommendations for alternative policies are devised. Through regular Civic Fora prepared by expert working groups, the project has established channels for effective civil society impact on the evolving policy-making bodies in Kosovo and the training of a new elite of decision-makers. It achieves this through three aims:

- 1) Enhancing the capacity of civil society organizations and political representatives to address issues of public policy at an advanced level and in line with common European standards;
- 2) Fostering policy dialogue among civil society practitioners and government representatives, and diversifying the sources of information available to the wider society, and
- 3) Supporting the establishment of routine interethnic dialogue on issues of common interest and assuring a culture of inclusive participation in decision-making.

The project therefore supports the consolidation of practices of good governance, accountability and transparency in the evolving structures of governance in Kosovo, and supports Kosovo on the path towards European integration.

Regional Context:
Links to regional NGOs, through training, study visits, attendance at regional conferences



Key:
 _____ Consultation & Policy Dialogue
 - - - - - Coordination
 Outputs