

1. Kosovo

1.1 Introduction

The Balkan region and in particular the countries of the former Republic of Yugoslavia are known as a synonym of ethnic diversity, conflicts and wars. After the death of Tito in 1980 and the end of the Soviet Union, the Balkan region had to face many ethnic confrontations during the 1990s. Because of the expulsion of the Albanian community in Kosovo in 1999, accompanied by rapes, lootings and massacres, the NATO forces started bombardments on Serbia and Montenegro and expelled the Serbian military from the Kosovo region. Since then an Interim Directorate of the UN, the UNMIK, exerts power over Kosovo and now successively transfers competences to the newly elected Provisional Institutions of Self Government (PISG). The PISG negotiates with the UNMIK on the status of Kosovo. To achieve a take-up of negotiation about this question it has to meet a set of standards including ensuring the minority rights.

Undoubtedly the legacy of ethnic conflict is a high burden in Kosovo: Although the UNMIK brought many changes, ethnic tensions are still high and there are many attacks, harassments and discriminations reported. The March riots of 2004 emphasised that these tensions may still break out. Ethnic conflicts are supported by the undeclared political status of Kosovo, the unsatisfactory economic situation alongside with a high rate of unemployment.

Back in 2003 there was a general agreement that freedom of movement, like the overall security situation, is improving for ethnic minorities in Kosovo. The UNMIK ORC (Office of Returns and Communities) presented a Strategy for Sustainable Returns to the “Donor Coordination Meeting for Kosovo” in Brussels in November 2002, stating that 2003 could represent a turning point with regard to returns. Building upon the fact that in 2002, while the number of returns remained at a very modest level the readiness of minority community members was positive for the first time since 1999. There were encouraging trends in the security situation, freedom of movement, minority participation in political processes, and accelerated resolution of housing claims as factors to support cautious optimism for increased returns.

While repatriation of “conventional” refugees was realised continuously by European countries throughout the last years the return of minorities was and since the riots in march 2004 still is critical.

1.2 Definition of a minority in Kosovo

The Constitutional Framework of Kosovo’s Provisional Self-Government (PISG) declares extensive rights to all Communities in Kosovo. Persons belonging to a Community are declared as “inhabitants belonging to the same ethnic or religious or linguistic group”¹. Each group with a specific ethnic, religious or linguistic characteristic can proclaim rights as an (ethnic) minority community. The interim constitution provides a wide range of legal and political rights to all ethnic communities in a minority situation in Kosovo. This means that Serbs, Bosniaks, Gorani, Roma, Egyptians and Ashkali are recognised as minority groups, but also Albanians may be in a minority situation in a certain region.

The fate of ethnic minorities is a well recognized and broadly discussed political issue in Kosovo.

To protect rights of the minority communities in Kosovo, UNMIK released a set of different regulations. These can be differentiated into constitutional rights, like minority representation

¹ UNMIK Regulation 2001/9: “On the Constitutional Framework of the Provisional Self-Government in Kosovo”, Section 4.

at the level of municipal and national assemblies and employment rights. For example an equitable representation of minority communities should be implemented by quota in the respective assemblies at different levels.

UNMIK Regulation 2000/45 states that municipal assemblies shall establish Communities and Mediation Committees. Municipal assemblies have to appoint the members of the committees and have to ensure that all communities in the municipality are fairly represented and that the majority community does not constitute more than half of the Committee. The Mediation Committees one half each consists of members of the municipal assembly and of representatives of minority communities in the municipality.

UNMIK Regulation 2001/36 stipulates that “recruitment at all levels in the Civil Service shall reflect the multi-ethnic character of Kosovo and the need for equitable representation of all communities in Kosovo”². To ensure the implementation of these affirmative actions, it is planned to establish panels with an equitable representation of all communities.

1.3 The situation of minorities in Kosovo

There are no actual systematic registered data on the population and its ethnic composition in Kosovo. The last data trace back to the census of 1991.³ Since 1991 many changes have taken place in the Kosovar population so this data can only be used as estimated values for orientation, especially numbers of Roma and Ashkali are supposed to be too low. Referred to this census the majority population in quantity are Albanians with 88 % of the nearly 2 million inhabitants. This group is followed by about 7 % of Serbs while 5 % of the population consists of Roma, Ashkali and Egyptians, Gorani, Bosniaks, Turks, Croats among others.

The situation of minority groups in Kosovo is well reported by a large variety of organisations due to the latest conflicts within the different ethnic communities. Although there is a variety of minority rights provided by UNMIK regulations, the enforcement of these laws remains to be a serious problem in Kosovo. Since 1999 living conditions for the minority population in Kosovo are reportedly improving, both, in mono- and multi-ethnic areas. But the economic, social and political situation of most minority groups is still precarious. Major problems are limited freedom of movement and access to relevant public services as well as a lack of employment opportunities.⁴ The unemployment rate is up to 50 % regarding the majority population – it is supposed to be much higher among ethnic minorities.

The living conditions of minority communities vary enormously: Egyptians and Ashkali for example seem to be more accepted by majority populations than Serbs and Roma, perhaps because they are usually able to speak Albanian and almost certainly because of the limited role they and their leaders played in the conflict.

Especially in areas where minority communities are living separated from majority communities in enclaves, their access to civil services, freedom of movement and the economic situation is estimated worse than in areas where a more multi-ethnic population is living together. This seems to be valid for all the different ethnic groups in Kosovo. There are obviously certain cleavages between these groups. The most striking attributes for those cleavages are ethnic identification, religion, language, social status and involvement in crimes of civil war.

A high burden for political efforts to strengthen Kosovo’s institutions are the still operating parallel structures in many Serbian settlements. The Special Representative of the Secretary

² UNMIK Regulation 2001/36, Section 2.1(h).

³ Following refers to Statistical Offices of Kosovo (SOK): “Kosovo and its Population”, p. 2.

⁴ See OSCE/UNHCR: “Tenth Assessment of the Situation of Ethnic Minorities in Kosovo”, p. 26.

General in Kosovo stated to this issue in a report, that these parallel structures “take orders from Belgrade and contribute to the alienation of the Kosovo Serbs from mainstream politics and the public administration. This is particularly true of the health and education sectors”⁵. These parallel structures contribute to the unwillingness of the Serbian minority to integrate in Kosovo’s society, increasing mistrust on both sides and impede the establishment of well functioning institutions for all ethnic communities.

1.4 The national institutional framework and its responsibilities

The Constitutional Framework for Provisional Self Government (Regulation 2001/9) shall ensure the establishment of the PISG, while authority from UNMIK is gradually given to the PISG. In this process PISG established a new Ministry for Returns and Communities for which the Kosovo Assembly appointed Slavisa Petkovic as Minister, who belongs to the Serbian community in Kosovo.

The whole interim international protectorate UNMIK bases on four pillars, all led by different agencies from UNO, OSCE or EU. All four pillars are organised in different working groups to coordinate reconstruction and government efforts. Dealing with the issues of return such overlapping working groups are the Regional Working Groups (RWG) for all five regions in Kosovo. These RWG coordinate the different aspects of return and provide policy guidance on returns and communities. On the municipal level there are Municipal Working Groups (MWG) in each region responsible for the coordination of the return process in each municipality chaired by the local municipal administrator. Beyond these Working Groups an Office of Return and Community (ORC) was set up which shall provide sustainable and secure return of refugees. It is responsible for the functioning of the RWGs and MWGs and guides the overall return structure. Recently, Municipal Return Officers (MRO) were announced to coordinate the return process in each municipality.

While a more or less appropriate representation of minority delegates in the assemblies is reported, the community committees still suffers from unwillingness of the local authorities, misuse of mandate or missing professional candidates of minority groups.⁶ Although there are regulations for an equal representation of ethnic communities in the civil service employment, minority members are still underrepresented in public administration.

UNMIK enacted numerous regulations to fulfil European minority standards in Kosovo’s public administration, though the implementation of institutions like the municipal Communities Committee and the Roma representatives in municipal assemblies has not yet been successful. Employment of minority community members in the public sector ranges about less than one percent.⁷ The lack of representation of minority members in public administration is a problem for a successful integration of minority communities into municipal structures. In awareness of this, UNMIK authorities planned to implement a regulation for affirmative action, which is reported to have failed to being successful until now.

UNMIK’s ORC, UNHCR and UNDP are providing the Rapid Response Return Facility (RRRF) programme which supports return of refugees and IDPs. The programme is divided into three sections, first includes housing assistance to provide accommodations for returnees, second includes socio-economic assistance for setting up businesses or training to gain employment, finally the third section supports community development efforts to integrate ethnic minorities.

⁵ “Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo” , S/2004/907, paragraph 9.

⁶ See OSCE/PISG/UNMIK: “Assessment of Municipal Communities Committees”.

⁷ See UNHCR: “Tenth Assessment of the Situation of ethnic minorities”, p. 38.

A similar but more comprehensive designed programme is the Government Assistance to Return (GAR) programme financed by the Kosovo government. This programme is focused on reconciliation of multiethnic communities and socio-economic integration of returning displaced families. Within this programme the MWG and the Ministry of Return and Communities have been established.

In response to the March riots in 2004 the PISG provides a so called “Support for Crisis Response Following the events of 17–18 March 2004” programme that addresses particularly the newly displaced people affected by the March riots.

There seems to be a certain willingness to facilitate multi-ethnic harmony in the cities and towns by the municipal officials. Nevertheless, minorities still experience difficulties accessing municipal services and infrastructure. In a report of USAID it is said that only five municipalities approached most of the targets in financing “fair share” budget allocations for minorities, and moreover minorities seem to be greatly underrepresented in all municipal bodies.

In general, there seems to be little interaction between the minority communities and local institutions. Few Municipal Assemblies hold meetings with citizen to inform them about the working agenda or plans of the municipality. According to the UNMIK regulations minorities should be given far more opportunity to participate in local affairs.

1.5 National and international NGOs facilitating the return of minorities

There is a large amount of programmes promoting the return process, though only few are concentrated on members of minority communities: Since 2003 the Italian Consortium of Solidarity (ICS) implements a programme supporting the return of Gorani families to the region of Dragash. This programme for “Sustainable Return and Reintegration of Minority Groups in Dragash Municipality” is comprehensively designed and coordinated in cooperation with the regional administration, UNMIK and international organisations. It provides assistance in the reconstruction of accommodations and infrastructure as well as training and education programmes. Furthermore ICS supported reconciliation and interethnic dialogue in villages of return. Most villages Gorani return to are multicultural.

Moreover, ICS provides education in the economic use of the micro-finance credits given to the returnees. This shall ensure a more productive work in the agricultural sector. The courses in Computer, Sewing, English and child animation are offered for the ethnic minorities and the reconstruction work are structured in a way that people from all ethnic groups work together. For Interethnic dialogue and reconciliation two community centers were founded.

The Danish Refugee Council (DRC), an umbrella organization supported by a variety of NGOs working in the field of development cooperation, minority rights and refugees, has been active in Kosovo since 1998 providing aid and support for IDPs and refugees. In the host countries the DRC provides legal counseling and advisory for return. Since 1998 the DRC has implemented many projects on return linked with additional provisions like assistance for building housing accommodations, water supply, support for start-up businesses and support for inter-ethnic dialogue.

On behalf of USAID the NGO Mercy Corps implemented the so called Municipal Infrastructure and Support Initiative (MISI) to build up local institutions in Kosovo’s municipalities to improve self-reliant structures for coordination of the return process. Furthermore Mercy Corps supported activities of municipalities by supporting local infrastructure with special regard to communication between municipal officers, minority and majority groups. Within this programme Mercy Corps supported the training of Municipal Return Officers (MRO) which are supposed to improve the return prospects by addressing the main obstacles for return in each municipality.

The German NGO AGEF aims at the social and economic integration of minorities living in Kosovo e. g. Roma, Serbs, Ashkali, Gorani and Bosniaks. AGEF implements employment promotion and business start-up programmes for minorities as a component of their Employment Promotion Agency Kosovo (APPK) in Prishtina. In the context of the business start-up programmes a start-up investment is paid to the beneficiaries and they are supervised in the initial phase of their business.

Furthermore they provided assistance to minorities in form of a training on the job measure during the creation of a Roma meeting center in Prizren with the aim to offer qualification trainings also for other ethnic groups.

Furthermore, AGEF is committed to developing and examining models to eliminate the danger of social conflicts as well as to initiate and intensify a collaboration between the different ethnic groups. In cooperation with the communities and their representatives suitable candidates are chosen in four Municipalities to work as minority advisors.

1.6 Perceptions and expectations among the minority groups

There are clear differences between each individual minority group. Undoubtedly for some of them reintegration in the place of origin is less problematic than for others.

It is obviously that reintegration is easier for those who were socially and economically integrated in their country of origin before they had to flee. They possess certain prerequisites like vocational education, work experience or a high social status.

Those members of minority groups who had to face problems during their whole life because of limited access to education, employment or housing will have much more problems to integrate in the society of their country of origin.

The examples of Serbian and Roma minorities in Kosovo highlight this problem. While many Serbs are able to integrate in the society of the region they return to, members of the Roma community in Kosovo generally have much more problems to integrate because they were not integrated at all before they had to flee.

Major worries of minority members concerned poverty as a consequence of unemployment, low salaries and the bad situation of the economy, security concerns due to the high rate of crime and still occurring harassments and attacks against minority members.

The economic situation of minority like majority members in Kosovo is still bad and there is little hope that this will change in time.

As it can be inferred from different interviews with returnees, especially young members of minority communities stated to be concerned about their future in Kosovo. They often see no other perspective than emigrating to European states.

However, members of minority groups stressed that life in general and above all the political situation has improved a lot since 1999. Serious problems for members of minority groups who are not able to speak the Albanian language are difficulties in finding a job and in communicating with the public administration. Many returnees, especially those who are living in traditional multiethnic areas asserted the opinion that Albanians and Serbs can live together, although the language is reported to be a high hurdle for interaction. For example a Serb from Gjilan returning shortly after the end of war, reported that in his opinion Serbs and Albanians can live together, although the different languages are a big obstacle in daily life.

Most returnees want to return to their place of origin. Criteria for this is, as mostly reported, the ability to find a job and the feeling of being at home. The knowledge about the situation of the place of return is an important determinant for the decision to return or not. A supportive factor is also whether contacts to relatives and friends who remained in Kosovo during the war were maintained and could inform about the situation and the latest developments.

Most physical risks of life and property are feared by the Serbian communities. In the north of Kosovo there are many Serbian communities living in isolated villages that were affected by the riots in March 2004. However, interviews have shown that their willingness to return to these villages is very high, even though a variety of attacks and harassments have occurred in this community. Moreover, this region is in a better economical situation than other regions due to the financial and political support of the Belgrade administration.

Although there are parallel structures supported by the Belgrade government providing social benefits, the Serbian minority suffers most from the transformation of the economy because they were predominantly employed in public administration and in the industrial sector. They had to face high unemployment in mostly rural regions after the invasion of the NATO. The agricultural sector, aligned to produce only for subsistence, failed to satisfy the demand of the large number of newly unemployed population. Those who were able to remain in the public administration, like an interviewed Serb in Gjiljan working for the local authorities for tax inspection, reported that they have less problems to integrate in society.

Gorani representatives in Dragash stated that the Albanian leadership does not assist the Gorani minority with adequate measures to keep them there, such as education measures, employment opportunities, and access to the local administration. The language used in public is Albanian and older Gorani citizen often lack appropriate language skills. Goranis said that they are afraid to speak Gorani for fear that they will be mistaken for Serbs.

The Roma community living in Serbian majority areas is also suffering from poverty, low education and social marginalization from the Serbian and the Albanian community alike. When asked about their situation they stated that if they are able to work these jobs are mainly in the sectors of traditional handicraft or agriculture produced for their own subsistence.

Communities of Ashkali and Egyptians often speak Albanian, but also suffer to a great extent from poverty and their low social status, even though their physical risk of live and property is not so much endangered due to their Albanian language skills.

The Bosniak community in Kosovo is suffering from the economic situation and in some cases feels discriminated against by the majority group in their region. However, physical attacks were rather unusual and in comparison to other minority groups they felt to be able to move without problems.

In Vushtrri it was also reported that many children of Ashkali returnees have no or few skills in speaking the Albanian language. Because of this lack of language skills and the fear of discrimination, many children refuse to go to school. Their parents reported that they have attended school regularly in Germany and that they were socially integrated there. They also said that they are not able to find work in Kosovo and that they have to live from a rather small amount of social benefits.

In the refugee camp Plementina, near Vushtrri, most inhabitants are members of the Roma community in Kosovo. Accommodations in this camp are in a bad situation. Most families inhabit accommodations consisting of two or three rooms and a bathroom. Inhabitants reported that there is also a kindergarten and a school. However, many children are not able to go to school due to the lack of equipment. Attendance of secondary school is also impossible for many families because of their poor financial situation. Many deplored that there is no work for them.

1.7 Perceptions and expectations among officials

According to an officer the vast majority of the people affected by the riots in march did not leave Kosovo and instead stayed as close to their homes as possible within the same municipality.

An officer noted that many of the people stayed with relatives and friends. Many of them seem to have returned. So people still have a high commitment to live in Kosovo and are still willing to go home despite of the incidents in march.

Kosovar officials reported that the political leadership of the Kosovo Albanians condemned the riots and promised to readmit the expelled minorities and to find an acceptable modus for all ethnic groups to ensure a peaceful life together. In order to emphasise their commitment they provide measures for reconstruction of destroyed houses in addition to the assistance provided by UNHCR.

However, many officials do not see the urgent need to reintegrate minorities. Minority groups are rather seen as a factor disturbing the unity of the Kosovar Albanian society. Discussions with officials have shown limited awareness that this problem has to be solved and less readiness to lay the ground for a multiethnic future. The problem appears especially during the March riots when many Albanian officials failed to condemn or calm down the riots.⁸

One official emphasised that the most striking challenge is the high rate of unemployment (nearly 70 %) in Kosovo. In order to combat unemployment it is planned to establish a system for vocational training to provide better job opportunities to the young generation. Since the war, Kosovo had not been able to achieve the former high living standard. The majority of the inhabitants of Kosovo receive social benefits of about 34 € for single persons and 64 € for families.

Another official stressed that there is widespread disappointment among Kosovar officials with international efforts to stimulate the economy and to create conditions to create jobs as a basis for sustainable return. Nearly all of them deplored the disastrous economic climate and the failure to privatize business quickly, the availability of electricity and water as well as a missing legal framework as a prerequisite for foreign companies to invest. The absence of economic growth and the high unemployment rates were seen as the biggest obstacle to sustainable return.

It was generally agreed that returning minority members would face far higher hurdles over the medium term in comparison to members of the majority community.

UNHCR's position after the riots in March remains that members of all minority groups, particularly Serbs, Roma, Ashkali, Egyptians as well as Bosniaks and Gorani should continue to be internationally protected in the respective countries of asylum. Induced or forced return could disturb the ethnic balance and may contribute to increasing the potential for new outbreaks of inter-ethnic riots. From the UNHCR perspective, as far as individuals from Kosovo are concerned who have applied for voluntary repatriation, it is very important that refugees' decisions are taken in full knowledge of the security conditions in general and the situation of minorities in particular.

1.8 Perceptions and expectations among NGOs

All in all the return of minorities from European countries is limited. In 2003 a project should be realised by AGEF with financial support of the Swiss DEZA. The DEZA estimated that a huge amount of refugees belonging to an ethnic minority will return to Kosovo from Switzerland. However, return remained limited. As a consequence the project was adapted accordingly and local minorities were subsidised instead.

An officer in Dragash stated that in the traditional multiethnic municipalities of Dragash life with minority communities is still possible without a new breakout of conflicts, although members of minority groups in general are in a more serious situation than the majority community. According to her the differences between the ethnic groups appear mostly in social issues, not in religious or language questions. In general, tensions between different

⁸ See "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo", S/2004/308, paragraph 11.

ethnic groups in Kosovo are more prominent in regions where minority and majority communities are living in isolated villages without significant contacts with each other. The officer also recommended Go and See Visits in order to confront returning people with the real situation in Dragash, where the economic perspective is poor and most people earn their living in the agricultural sector. Farming appears to be the most viable option for returning minorities as well, but this would on the other hand limit these people to rural areas and more or less condemning them to a life of poverty with little opportunity for improvement.

According to the German NGO AGEF the Serbian minority suffers most from the transformation of the economy in Gracanica because they were predominantly employed in public administration and in the industrial sector. They had to face high unemployment in mostly rural regions after the invasion of the NATO. The agricultural sector, aligned to produce only for subsistence, failed to satisfy the demand of the large number of newly unemployed population. With regard to the large share of Serbs in the population of this region it is highly recommended to adjust the existing potentials of manpower to the new situation of labour market in order to sustain the stability of the region.

Another NGO officer stated that he is concerned especially about the high unemployment rate of the young generation in Kosovo. This is indicated by crowded cafés and pubs with young people already in the morning and a large number of young people hanging around on the street. This leads to a lack of prospects among many young Kosovars and promotes crime and social tensions.

Worries among NGOs dealing with the return of minorities have intensified since the incidents of March 2004. It was highlighted as important to make sure that the majority community accepts returnees of the minority community. This is why it is recommended to implement projects to build confidence between majority and minority groups.

An example of this harsh backlash in March was found in the municipality of Vushtrri, where families of minority groups have returned from Germany. While their houses were rebuild they stayed in a refugee camp. These new houses were destroyed during the riots in March and the families again had to refer to their shelter in displacement.

The families in this region reported severe problems for the children at school because of their lack of Albanian language skills. For the same reason the returnees face problems in finding a job, making them more dependent on welfare aid.

A positive project linking reconstruction with a training-on-the-job as well as confidence building measure was the construction of a Roma meeting centre and reconstruction of four Roma apartment houses for Roma families in Prizren. The action took place in the context of a training on the job measure for unemployed Roma and Albanians, implemented by the German NGO AGEF.

The project aimed at establishing a construction site for vocational training in which Roma and Albanians worked together to build up the Roma meeting centre and to reconstruct houses for Roma families. Many trainees were trained practice-oriented at the construction site (learning by doing) for three months. In this time frame they received subsidies in order to make their own living. Because of the training in different branches they gained improved chances to be employed in the construction sector after the training phase.

Furthermore, the project aimed at establishing a basis to carry on the Roma meeting centre. The centre shall be available for the Roma Community in Prizren as a centre for training and recreation and also for meetings with other ethnic groups. In the first time it is managed by the Roma community under monitoring of the project implementing organisation and a

project advisor. After a period of two years it will be handed over to the Roma community in Prizren, represented by the Roma Union.

An additional objective of the project was to remove the damages from Roma houses in the quarter Podrimo in Prizren. Some neighbouring houses had to be completely rebuilt because of severe damages. Families were selected considering an urgent need for action.

Now, the Roma community in Prizren possesses the first meeting centre as a meeting place, for vocational training and for celebrations. The Roma centre was handed over to the Roma community after a period of monitoring structured by the principals of “aid for self-help”. The whole project can be regarded as a model for the support of minority groups in Kosovo and in neighbouring countries.

1.9 Recommendations and Conclusions drawn from the findings

The kosovar government and UNMIK attempted to implement a large variety of legal measures to ensure minority rights and support their integration. Yet, these top down measures have not been very successful to integrate minority communities in Kosovo.

With regard to the minorities whether they belong to the Serbian community or to others, it requires stronger efforts to integrate these minorities socially and economically in the society of Kosovo to ensure a peaceful life of a multicultural Kosovo.

The disruption of Kosovo’s society seems to have many reasons, like involvement in the crimes against ethnic groups before or after 1999 (the former applies to the Serbian community in minority situation while the latter may apply to Albanian communities in a minority situation), language, social status and maybe even different cultures. To overcome these disruption there is a need of multi-track efforts on the level of society and economy to integrate minority groups into society and break down hate and mistrust as both are connected closely together.

As a matter of fact the severe economic situation and the lack of jobs is one of the main reasons for instability and dissatisfaction in the population and the biggest obstacle to overcome for an overall improvement of the situation in Kosovo.