

Findings of the Assessment of Communities and Returns 2009-2013

24 October 2013

Working Towards a
Stable Multi-Ethnic Kosovo



Acknowledgments

ECMI Kosovo would like to thank the Royal Norwegian and British Embassies for their support for the development of this publication, in the framework of the project 'Support to the Ministry of Communities and Returns in the Development of the MCR 2014-2018 Strategy for Communities and Returns'. Moreover, ECMI Kosovo would like to thank all stakeholders who helped make this publication possible, particularly the Ministry for Communities and Returns.

Research Team

Lars Burema, Xhevdet Gegollaj, Lura Pollozhani, Emin Redžepagić, Jeton Rexha

Contributors

Naida Hadžiomerović, Zihnie Gurmani, Gazmend Salijević, Sanja Lazarević

ECMI Kosovo www.ecmikosovo.org

ECMI Kosovo is the principal non-governmental organisation engaged with minority issues in Kosovo, with the overarching aim to develop inclusive, representative, community-sensitive institutions that support a stable multi-ethnic Kosovo.

ECMI Kosovo contributes to the developing, strengthening and implementation of relevant legislation, supports the institutionalisation of communities-related governmental bodies, and enhances the capacity of civil society actors and the government to engage with one another in a constructive and sustainable way.

Str. Nëna Terezë Nr. 41, Apt. 29,
10000 Prishtinë/Priština, Kosovo,
Tel. +381 (0) 38 224 473

Str. Cika Jovina Nr. 3, 1st Fl,
38220 Mitrovica/Mitrovicë North, Kosovo,
Tel. +381 (0) 64 00 55 488

Disclaimer

This publication has been produced with the financial assistance of the Royal Norwegian and British Embassies. The contents of this publication are the sole responsibility of ECMI Kosovo and can in no way be taken to reflect the views of the of the Royal Norwegian and British Embassies.

Copyright

© European Centre for Minority Issues (ECMI) Kosovo, October 2013. All rights reserved. No part of this publication may be reproduced, stored in retrieval system or transmitted in any form or by any means, electronic, mechanical, photo-copying, recording or otherwise, without the prior permission of the ECMI Kosovo.

TABLE OF CONTENTS

LIST OF ACRONYMS AND ABBREVIATIONS	5
I INTRODUCTION	6
II NUMBERS ON VOLUNTARY RETURNS AND KOSOVO IPDS	9
1. Numbers of voluntary returns	9
2. Houses Built and inhabited in the 2009-2013 period	10
3. Collective Centres	12
4. Funding allocation to Returns	13
5. Main activities/projects and their outputs implemented by the MCR in the 2009 – 2013 period	14
6. Projects by implemented by other governmental agencies	17
III THE 2009-2013 STRATEGY	19
1. Key issues concerning the design of the 2009-2013 Strategy	20
2. Monitoring and evaluation activities undertaken by the MCR and other relevant institutions in the 2009-2013 period	21
3. Institutional Cooperation	22
IV MINORITY COMMUNITIES IN KOSOVO – KEY ISSUES	23
1. Legislative protective regime for communities	23
2. Legislation governing the area of return	24
3. Law on the Use of Languages	24
4. Education	25
5. Security Situation	25
6. Access to health services	27
7. Inter-ethnic Relations	27
8. Legal Security: access to personal documents and courts	28
9. Employment	29
10. Perceptions on economic development	30
11. Property Issues	31
V RECOMMENDATIONS	33
ANNEX 1 - HOUSING SUPPORT IN THE 2009-2013 PERIOD (REPORTED BY MCR)	35

ANNEX 2 – NUMBER OF HOUSES BUILT AND CURRENTLY INHABITED, AS REPORTED BY MOCRS IN AUGUST 2013, DISAGGREGATED BY YEAR OF CONSTRUCTION AND MUNICIPALITY.....	37
ANNEX 3 – FGD DESCRIPTIVE GRAPHS.....	40
ANNEX 4 – LITERATURE OVERVIEW	44

LIST OF ACRONYMS AND ABBREVIATIONS

CCC	Consultative Council for Communities
CRICR	Committee on the Rights and Interests of Communities and Returns
CSO	Civil Society Organisations
ECMI Kosovo	European Centre for Minority Issues Kosovo
EU	European Union
FGDs	Focus Group Discussions
IDPs	Internally Displaced Persons
IOM	International Organization for Migration
MCR	Ministry for Communities and Return
MEST	Ministry of Education, Science and Technology
MHRU	Municipal Human Rights Unit
MOCR	Municipal Office for Communities and Returns
NGO	Non Governmental Organisation
OLC	Office of the Language Commissioner
OSCE	Organization for Security and Co-operation in Europe
POE	Publicly Owned Enterprise
RTK	Radio Television of Kosovo
SSIs	Semi Structured Interviews
UNDP	United Nations Development Program
UNHCR	The Office of the United Nations High Commissioner for Refugees
UNMIK	United Nations Interim Administration Mission in Kosovo

I INTRODUCTION

This report presents the findings of the assessment of the current level of implementation of the 2009-2013 Strategy for Communities and Returns (hereinafter the Strategy, unless indicated otherwise), as well as the situation of communities and returns in general. The assessment was conducted by the European Centre for Minority Issues (ECMI) Kosovo in cooperation with the Ministry for Communities and Returns (MCR) and supported by the Royal Norwegian and British Embassies.

This study aims to enable an evidence-based policy formulation, notably the development of the new 2014-2018 Strategy for Communities and Returns will use the findings of the baseline study to identify the strategic objectives for the next five years. The baseline study is framed in line with the terms of reference of the working group for Action to Assist the Ministry of Communities and Returns in Drafting of the MCR 2014-2018 Strategy for Communities and Returns.

The report consists of four main sections. The first section presents the most important statistics in relation to voluntary returns and Kosovo IDPs. The second section provides an analysis of the 2009-2013 strategy, and the third section provides an overview of key issues affecting communities in Kosovo. Finally, the last section provides forward looking recommendations for the 2014-2018 Strategy

The report follows the methodology developed in a participatory manner in early August 2013 and the preliminary findings are based on a literature review, 23 stakeholder interviews, questionnaires filled out by 35 Municipal Offices for Communities and Returns (MOCRs) and 21 focus group discussions, with 187 participants.

Consultative process

This study has been developed through a consultative process. The methodology for the study was developed following in-depth discussions with key stakeholders, a draft was then presented in a workshop on 30 July, after which the comments raised were incorporated. A draft version of this report was presented to the Working Group at a workshop on 13 September organised in Lipjan/Lipljan. the comments from that workshop have led to the current and final version of this report.

Interviews

23 interviews were held with relevant stakeholders from governmental institutions, international organisations and Non-governmental organisations (NGOs). Table 1 provides the full list of all stakeholders interviewed. In most cases, the interviews were held in person, with a questionnaire sent to the relevant stakeholder beforehand. In some cases, the interviewee provided a written response.

Desk review

ECMI Kosovo has reviewed a large number of public reports and legal documents related to communities and return (see annex 4), as well as administrative data provided by numerous Kosovo institutions and project documents provided by international organisations.

Table 1 – List of Interviews

	Institution/Organisation	Date
1	Ministry for Communities and Returns	8/30/2013
2	Agency for Civil Registration	8/21/2013
3	Ministry of Economic Development	8/26/2013
4	Office for Communities Affairs	8/23/2013
5	Community Consultative Council	8/9/2013
6	Ministry of Local Government Administration	8/9/2013
7	Ministry of Internal Affairs	8/29/2013
8	Kosovo Police	8/19/2013
9	Ministry of Trade and Industry	8/26/2013
10	Ministry of Labour and Social Welfare	8/28/2013
11	Kosovo Properties Agency	8/19/2013
12	Ministry of Education, Science and Technology	8/9/2013
13	Ministry of Health	8/29/2013
14	Return Support and Coordination Unit (OPM)	9/3/2013
15	UNHCR	8/29/2013
16	IOM	8/28/2013
17	OSCE	5/9/2013
18	UNDP	9/6/2013
19	Danish Refugee Council	8/21/2013
20	Community Development Fund	8/29/2013
21	UNIA	8/9/2013
22	The Ideas Partnership	8/9/2013
23	British Embassy	8/27/2013

covered more intensely than others (e.g. there were more FGDs with the Serb community than with Turkish or Bosniak communities), these divisions were not based on the total number of members of those communities residing in Kosovo, but on the total number of people from those communities affected by the returns process (i.e. Kosovo IDPs and returnees). Lastly, the FGDs were sampled in a way as to ensure a wide geographical coverage, in order to identify variations between municipalities and in turn to provide an analysis that will support with evidence future targeted interventions from the government or donors in the new Strategy 2014-2018. For a breakdown of the FGDs, please consult Annex 3.

Survey among MOCRs

MOCRs in all 37 municipalities of Kosovo were contacted by the MCR and asked to fill out a survey. This survey consisted out of five questions:

Focus Group Discussions

Focus group discussions (FGDs), 21 in total, were used to gather less common information specific to communities and returnees, as well as to clarify complex issues highlighted during the desk review and expert interviews. FGDs generally had around 10 persons per session and lasted maximum of an hour and an half. All FGDs were recorded, put into transcript, prepared for analysis and archived systematically.

FGDs included all distinct community groups in Kosovo (Serbs, Albanians, Bosniaks, Turks, Gorani, Roma, Ashkali and Egyptians), including the majority community, but excluding the Croatian and the Montenegrin communities, due to their statistically insignificant demographics. FGDs were held with each community separately, and to the best extend possible efforts were made to ensure representative groups of participants (particularly in relation to age and gender). FGDs were organised by *status as well as by community*, notably people internally displaced in Kosovo (K-IDPs), and returnees (i.e. voluntary spontaneous or organised returns from the region; not repatriated people from thirds countries). To provide in-depth insights and to strengthen the analysis of the assessment, the FGDs also included local community members that have never left Kosovo as a result of the conflict. Some communities were

1. How many people returned in your municipality in the 2009-2013 period (disaggregated by year and community)?
2. If there are collective centres remaining in your municipality, please specify name, location, number of residents and ethnicity of residents.
3. Please note how many houses were built in the 2009-2013 period in your municipality, specify the location, donor and what the current condition of the houses is and whether the houses are still inhabited.
4. How many returnees remain in your municipalities today?
5. How many IDPs live in your municipality?

Out of 37 municipalities 35 responded (Junik and Malishevë/ Mališevo did not respond). Most municipalities indicated that they did not have accurate numbers in relation to question four and question five, while the first three questions were generally answered in full.

II NUMBERS ON VOLUNTARY RETURNS AND KOSOVO IPDS

1. Numbers of voluntary returns

The tables below represent the number of voluntary returns as reported by the MOCRs and UNHCR. In table 3, the figures also include voluntary returns from third-countries. Both sources of information seem to indicate that there has been a gradual decrease in the number of voluntary returns since 2003 in annual terms. There are two exceptions to this trend, the sharp decline in the number of returns from 2007 to 2008, probably due to Kosovo's declaration of independence, and a sharp increase from 2009 to 2010 in the number of returns, most likely in compensation of the low numbers in the two previous years. Although the general trends reflected in both MOCR and UNHCR data are similar, there exist considerable differences in the numbers reported by both sources of information. Although, further disaggregated data is necessary to establish exactly what causes the differences between the MOCRs and the UNHCR information, it is estimated that at least part of the difference is due to the unclear definitions of what constitutes a returnee by the MOCRs, for example sometimes repatriated persons are included and at other times they are excluded. Most stakeholders agree that the UNHCR data provides the most accurate picture of the returns process. For more data on the number of returns to Kosovo, it is recommended to consult UNHCR's regularly updated statistical overviews.

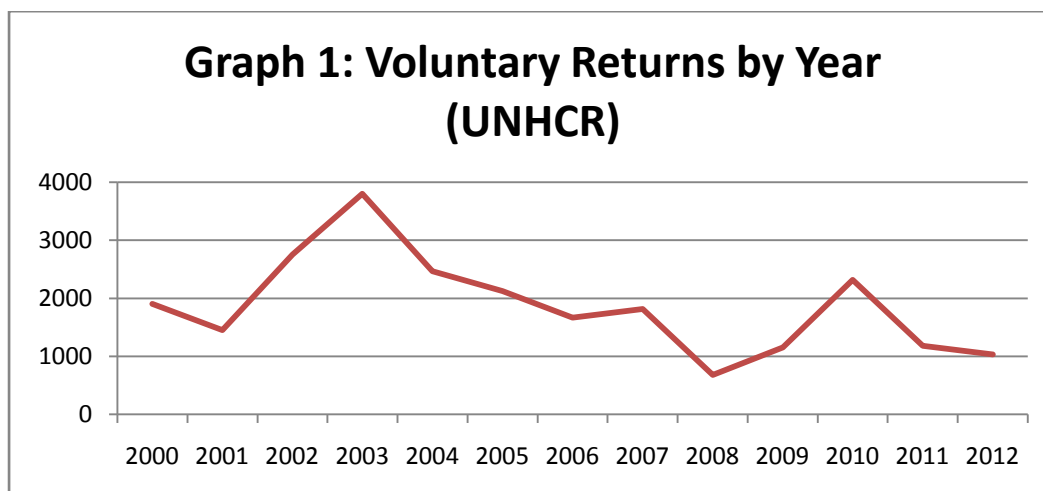
Table 2: Returnees in the 2009-2013 Period (Reported by MOCRs in August 2013)

	2009	2010	2011	2012	2013	Total
Albanian	148	534	524	247	377	1830
Serb	249	394	392	567	353	1955
Bosniak	44	56	53	67	20	240
Turk	2	4	1	4	3	14
Gorani	65	200	132	104	2	503
Roma	174	308	140	107	11	740
Ashkali	42	370	145	117	14	688
Egyptian	71	114	60	62	0	307
Other	54	57	96	100	31	338
Total	849	2037	1543	1375	811	6615

Table 3: Voluntary Minority Repatriation from Within and Outside the Region, by June 2013 (Reported by UNHCR)

	2009	2010	2011	2012	2013	Total
Serb	439	895	464	359	69	2226
Roma	214	371	120	127	5	837
Ashkali/Egyptian	281	718	395	305	44	1743
Bosniak	43	49	60	84	8	244
Gorani	90	182	106	89	0	467
Albanian	86	99	27	67	49	328
Turk	0	1	1	0	1	3

Croat	0	1	0	2	0	3
Montenegrin	0	2	9	1	0	12
Total	1153	2318	1182	1034	176	5863



FGDs revealed several findings on this topic. Kosovo IDPs and returnees raised a number of issues related to the returns process: long decision-making periods, perceptions of nepotism and corruption in relation to the selection processes, inadequate infrastructure at the place of return, limited socio-economic support of the institutions. Security issues and rule of law are also stressed depending on the location of return, with a stronger emphasis on communities residing in the North Kosovo.

Additionally, the willingness to return is conditioned by: lack of employment opportunities, occupied property, lack of compliance with the Law on the Use of Languages and security concerns. Numerous Kosovo IDPs and returnees stressed their willingness to return to locations other than the place of origin, particularly to locations where larger numbers of community members are already residing; however, the age and the level of integration of the prospective returnee in the area of displacement are all important factors that influence the willingness to return.

Semi-Structured Interviews (SSIs) revealed that certain changes to the process of returns have taken place in the past five years. Notably, it has become an accepted practice that considerable numbers of IDPs and returnees are willingly being integrated at the location of displacement or return, not to their location of origin, but to a place of their preference.

2. Houses Built and inhabited in the 2009-2013 period

The MCR reports building 148 apartments, 557 houses (funded by the MCR) and 400 houses (funded by external stakeholders, mainly EU, UNHCR and the British Embassy) in the 2009-2013. For a full breakdown of the number of houses and apartments built, as reported by the MCR, please consult Annex 1. There is no centralised database containing all information (e.g. funds allocated, location, ethnicity of inhabitants, etc.) regarding housing assistance; most information is available through separate project documents, which are not always available in the MCR when it concerns projects funded and implemented by external stakeholders (e.g. UNHCR).

The 35 MOCRs that responded to the survey reported , reported a total of 962 houses built in their municipalities in the 2009-2013 period, confirming the data provided by the MCR (the 0.5% or 5 houses difference can be considered insignificant).

The main indicator in the 2009-2013 MCR Strategy for measuring sustainable return, is the percentage of people remaining in Kosovo, three years after their return. Although, there are no records whatsoever of the number of returnees remaining in Kosovo, an approximation of this indicator can be reached through estimates provided by the MOCRs on the number of houses (disaggregated by year of construction) currently (August 2013) inhabited. This data has resulted in the table below, showing the declining rate of inhabitation over time. For the full overview, disaggregated by municipality, please consult Annex 2.

Table 4: Number of houses built and inhabited (reported by MOCRs, August 2013)

Year of construction	2009	2010	2011	2012	2013	Total
Total houses built	229	238	265	247	120	972
Total houses inhabited	118	134	191	203	90	651
Percentage of houses currently inhabited	52%	56%	72%	91%	75%	67%

FGDs informed this assessment that older age-groups of the Kosovo IDPs and returnees are more willing to stay in Kosovo. On the other hand, the younger generations of all communities often do not see a future in Kosovo. The willingness to stay in Kosovo varies across the age-groups and communities, however, some could be aggregated and presented below:

- Employment prospects play a crucial role (especially for younger generations);
- Resolution of housing issue (Kosovo IDPs and Roma, Ashkali and Egyptian communities). There are more Roma, Ashkali and Egyptian families willing to return and stay but the issues surrounding land allocation has brought the process to a stalemate.
- Infrastructural investments in minority areas (street lightening, sewage systems, water supply);
- The IG grants that are provided to returnees are considered as inadequate. Additionally, a considerable number of returnees expressed dissatisfaction with the quality of the constructed houses;
- Visits by the municipal officials and other stakeholders was crucial for return. Food and non food items provided by various stakeholders as assistance was welcomed.

SSIs with most interviewees present a consensus that the Brussels brokered Normalisation Agreement between Kosovo and Serbian governments and the continuing Pristina-Belgrade dialogue, will bring about a positive change in the process of returns with the following results:

- It would facilitate access to Kosovo institutions to the North thus allowing for the return of families that are waiting to return to Mitrovica/ Mitrovicë North.

- It would increase trust among the Serb community and they would feel more secure in returning.

SSIs also reveal that budget allocation and funding in general is incrementally moving away from the general returns process towards supporting Kosovo IDPs. Additionally, it was noted that due to the lack of funding, there are instances when the returned families have been left without food assistance and without houses although they constituted a priority area.

3. Collective Centres

The 2009-2013 MCR strategy set as an objective 'The closure of some collective centers by 2012'. Although some successes were achieved, notably the closure of the lead contaminated Česmin Lug/Česmin Lug camp, as well as the closure of the Osterode camp, according to both UNHCR and MOCR data a considerable number collective centres remain functional. UNHCR reports that 930 individual IDPs and refugees or 359 families remain living in 37 collective centres throughout Kosovo (see table below). The reports from the 35 MOCRs, indicate a different figure, notably 1207 Kosovo IDPs and refugees in 25 collective centres, pointing out a serious discrepancies. Some of the discrepancies in number are probably due to differences in definition of 'collective centres' by UNHCR and MOCRs.

Table 6: Collective Centres in Kosovo (UNHCR)

Municipality	Collective Centre Name	Totals per CC	
		Fam	Ind
Mitrovica/ Mitrovicë north	Samacki blok 1	23	31
	Samacki blok 2	5	10
Zvečan/ Zvečan	Hotel No.3	10	39
	Samacki Block	3	8
Leposavić/ Leposaviq	Lesak Barracks-Geosonda	3	3
	Lesak Old Police Station	4	7
	Lesak Samacki dom	4	9
	Sport centre/ town	3	7
	Barrack Serbs/town	1	1
	Dom Zdravlja/town	7	12
	Socanica - TSC Restaurant	1	2
	Building YU prog/town	5	13
	Hrast/Sorbona/town	6	12
	Flotacija/town	5	10
	Warehouse/town - RAE	32	126
	Socanica - Post office	2	5
Zubin Potok	Gazivode	6	15
	Velji Breg	11	29
	Donje Varage	8	14
TOTAL Region North:		139	353

Mitrovicë/ Mitrovica	DP DES Factory	1	6
	Orphanage/Annex**	6	31
	Bankhouse III SiV	2	8
	Restaurant SiV	2	8
Vushtrri/ Vučitrn	Old health house	1	6
TOTAL Region South:		12	59
Total in Mitrovicë/ Mitrovica Region		151	412
Štrpce/ Shtërpçë	Tresnja/Tresna	6	21
	Elektrokosovo	11	33
	Weekend houses Brezovica (part of Elektrokosovo above)	18	86
	Lahor	52	120
	Junior	34	82
Gjilan/ Gnjilane	'Stara Srbija' Partesh/Partes	3	15
	Hladnjaca	9	28
TOTAL in Gjilan/Gnjilane Region		133	385
Obiliq/ Obilić	Plemetine/a containers	6	12
	Obiliq/c school centre	2	2
Gračanica/ Graçanicë	Ugljare containers	8	13
	Bergen	17	21
	Padaliste containers	16	24
	Gracanice/a containers	26	61
TOTAL in Prishtinë/Priština Region		75	133
TOTAL Kosovo 37 CCs		359	930

SSIs confirmed the assumption that the collective centres are still an issue in Kosovo. The reasons as to why collective centres are not closed are many, among which:

- *Cost*: the closing of collective centres would be a costly affair as other provisions must be made for the persons living in those centres. Many of collective centres residents are unemployed social welfare beneficiaries with no personal property, and thus have very little means to provide for themselves.
- *Lack of commitment*: to date there has been a lack of commitment in closing down of the collective centres.

4. Funding allocation to Returns

Funding from the Kosovo Government for returns (within the region) is decreasing, on the other hand the funding from the external stakeholders (see table below) has remained somewhat stable. In 2009-2013 period, the MCR budget decreased by € 1,528,012.00 or around 18%. Many stakeholders expressed expectations that in the next few years there will be a further reduction in funding availability, compounded with a shift in funding priority towards the Kosovo IDPs and the collective centres.

Table 5: MCR Budget over time

2009	2010	2011	2012	2013
8.707.057	8.652.046	7.160.317	7.179.045	7.179.045

Table 6: External funding allocation for Returns

	2009	2010	2011	2012	2013
UNHCR	Unknown				Jul 2013- Dec 2015 (on-going) Return of Roma, Ashkali and Egyptians from MNG and FYROM EU: 1.8 mil; MCR: 0.2 mil
Mercy Corps		EU Mitrovica RAE Support Initiative (EU-MRSI I – closure of Cesmin Lug and Osterode camps)) Feb 2010-Dec 2012 EU: € 5 mil; MCR ~€ 0.1 mil			EU Mitrovica RAE Support Initiative (EU-MRSI II – closure of Leposavic camp)) May 2013 – Jan 2015 (on-going) EU: €1.53 mil; MCR € 0.17mil
EU – RRK	RRK I: - June 2008 –Oct. 2010 EU: €3.3 mil; MCR € 1.1 mil; UNDP: € 0.4 mil	RRK II: Aug. 2009-Jul. 2011; EU: € 4 mil; MCR € 1.1 mil; DRC: € 0.2 mil		RRK III: 1 November 2011 – April 2014; EU: € 4 mil; MCR € 1.1 mil; IOM € 0.2mil	
EU Community Stabilization		CSP I: May 2010 – May 2012 EU: € 2 mil; MCR € 0.1 mil		CSP II: Jul 2012 – Dec 2014 (on-going) EU: € 3 mil; MCR: € 1 mil	
British Embassy	2009-2010: € 164,127	2010-2011: € 353,000	2011-2012: € 511,330	2012-2013: €563,922	2013-2014: €214,372

5. Main activities/projects and their outputs implemented by the MCR in the 2009 – 2013 period

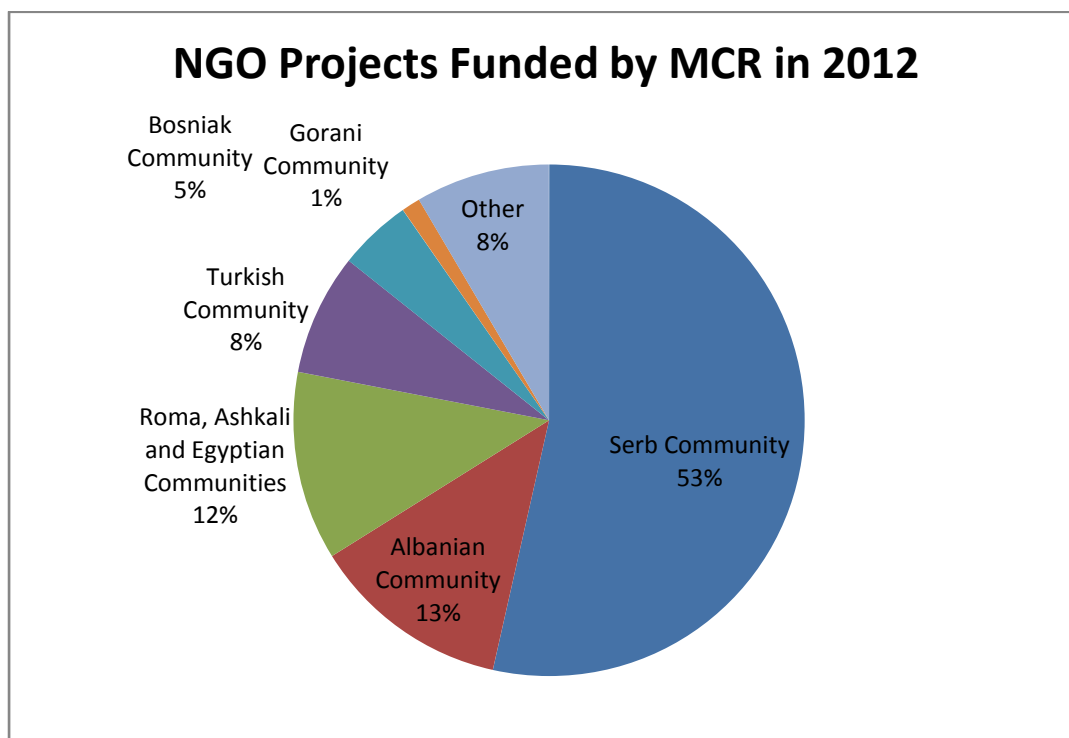
Below is an overview of the main projects implemented by the MCR, as reported by the MCR. These concern activities other than the (re)construction of houses and apartments.

Table 6: Projects implemented by MCR by type of activity and outputs

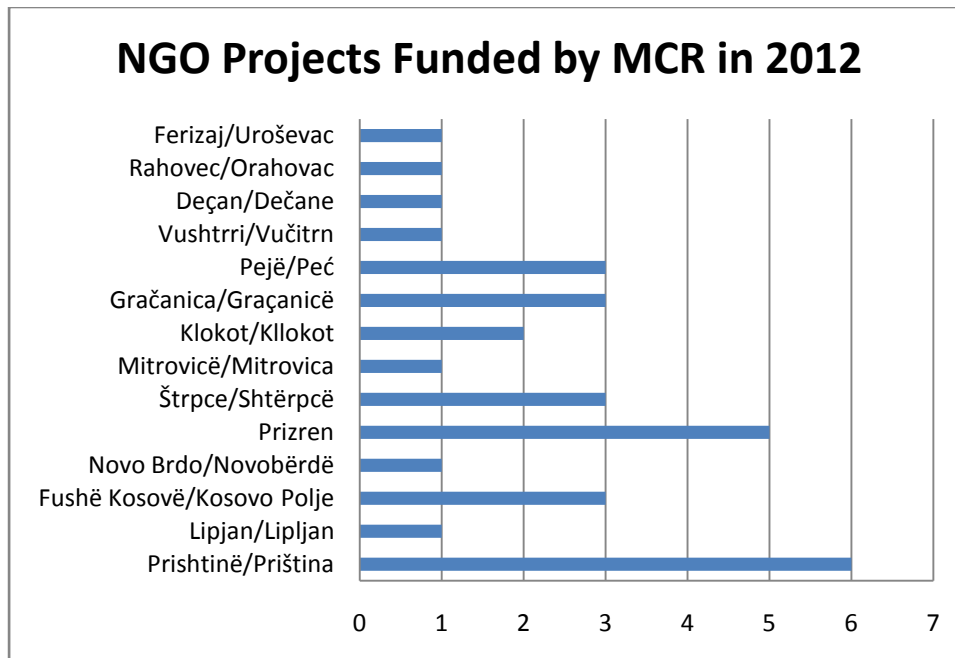
Projects Implemented by MCR	
Type of activity	Outputs
Wood for heating in winter	200 families have been supported with the furniture upon their return, after their houses have been reconstructed.
Infrastructure projects	Rehabilitation of the roads, sewage system, electrification, reconstruction of bridges, building of community centres are among the activities conducted
Furniture	200 families have been supported with the furniture upon their return, after their houses were reconstructed.
Socio-economic packages	900 families have been supported the socio-economic assistance upon their return, after their houses have been reconstructed.
Community Stabilization Project I (CSP)	Reintegration and Community Development projects; 240 families have been supported with start up businesses (EU: 2 mil)
Community Stabilization Project II (CSP)	Reintegration and Community Development projects; 143 have been identified, 40% implemented; (start up businesses) (EU:2 mil; MCR 1 mil)

The MCR has provided data on the NGO projects funded by the MCR in 2012. According to this data, the MCR funded NGOs for a total of € 210 722,70. These funds were spread over 33 separate projects of which four had a value of less than €1000, eight had a value between €1000 and €5000, and 21 had a value between €5000 and €10 000. No projects of more than €10 000 were funded. Graph 2 below shows the percentage of funding allocated by ethnicity. The Roma, Ashkali and Egyptian communities are considered together, since the data provided by the MCR does not disaggregate these three communities. The 'other' projects, mostly refer to project covering more than one ethnicity. Graph 3, shows the number of projects allocated by location (i.e. where the projects were implemented).

Graph 2: NGO projects funding allocation in 2012 by ethnicity



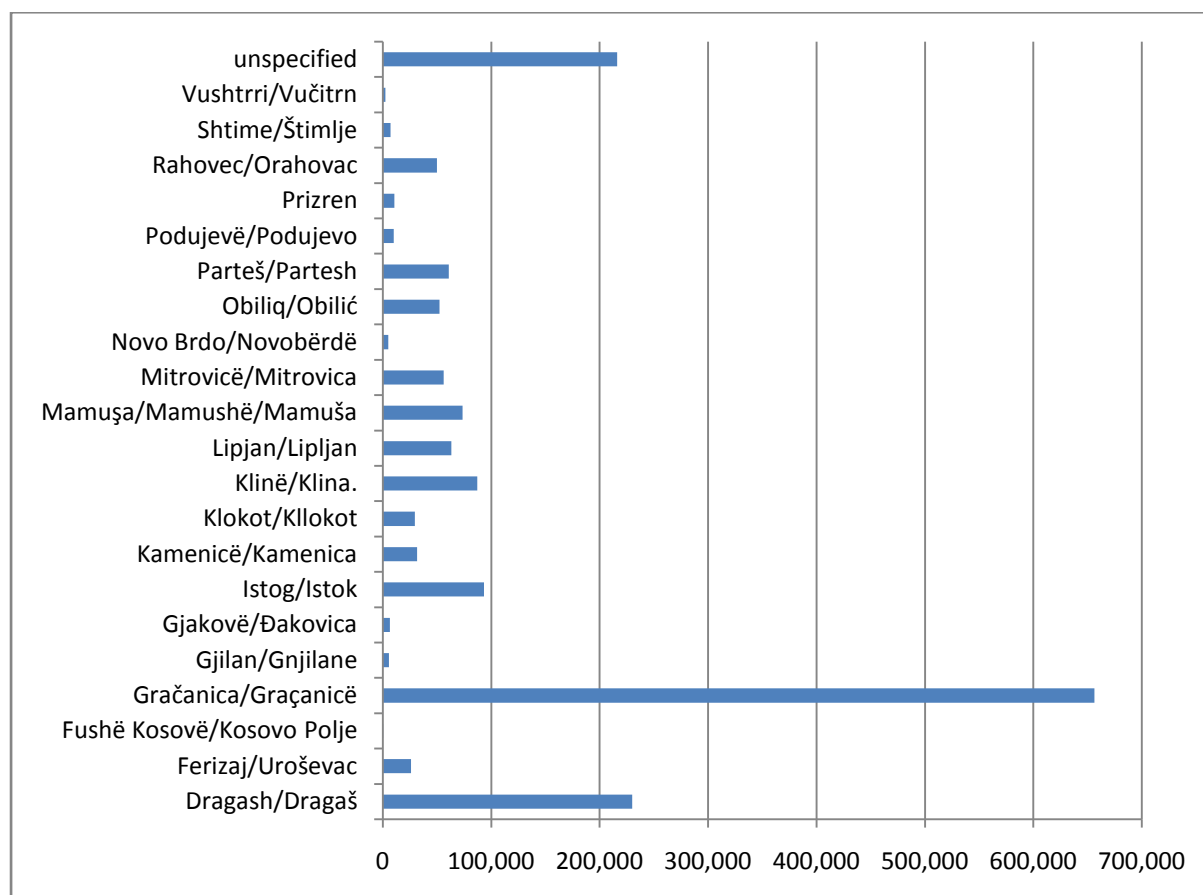
Graph 3: NGO projects funded by MCR in 2012 by municipality



The MCR also provided data regarding infrastructure projects in the 2010-2013 period. According to this data, the MCR has funded infrastructure projects of over 5 million Euro in value during the 2010-2013 period. Of this amount, the majority of funding was allocated to activities related to the construction of houses, with the remaining 1.8 million Euro invested in projects not related to the construction of houses, such as the asphaltting of roads, the construction of sports facilities and the

fixing of sewage systems. This 1.8 million was spread over 91 projects. Of these projects, 35 have a value of less than €10 000, 49 projects ranging between 10 and 50 thousand Euros, 6 projects ranging between 50 and 100 thousand Euros, and project of almost 200 thousand Euros. Graph 4 provides an overview of the municipalities these funds were invested in.

Graph 4: Geographical spread of MCR infrastructure projects (not-construction related) 2010-2013



6. Projects by implemented by other governmental agencies

The following projects were reported by other governmental agencies specifically aimed at minority communities. Due to the lack of central coordination and monitoring of Kosovo government activities aimed at minority communities, this list is not exhaustive:

- The **Office for Community Affairs (OCA)** has invested over € 4 503 032.41 on projects in relation to infrastructure, education, civil society support and individual projects in the 2009-2013 period. See below for a breakdown of investments:
 - o € 2,982,701.04 in infrastructure projects for minority communities in the 2009 - 2013 period, sometimes implemented by the OCA, at other times implemented in cooperation with other institutions;
 - o €350,000 distributed over three phases for the 'Ali Ibra' (infrastructure) project, which also received funding from other donors;

- o € 1,053,583.37 on support for NGO projects in the 2009-2013 period;
 - o €86,050 to provide nine students of the American University of Kosovo with scholarships;
 - o €30,000 for support to individuals.
- The **Ministry for Local Government Administration** supported the promotion of Community Rights in Northern Kosovo in 2012 with € 86,550.

III THE 2009-2013 STRATEGY

This section will provide an analysis of the 2009-2013 Strategy for Communities and Returns, looking specifically at the internal logic of the strategy. Before going in the analysis a short overview is provided of the goals and objectives of the Strategy.

The Strategy in its logical framework defines one **goal/vision**:

To contribute towards the development of a multi-ethnic, prosperous and democratic society with equal rights

The Strategy also defines three **main strategic directions**:

1. Provide conditions for sustainable return through a simplified system.
2. To improve opportunities related to education, use of language, access to social and health services and safety for community groups that provide stabilization, strengthening and community development.
3. Improve the economic condition and integration of communities, including returnees, promoting a stable, democratic, prosperous multi-ethnic Kosovo.

These strategic directions are reflected through three main **objectives** in the logical framework:

1. To ensure that the conditions for sustainable return exist and enable integration of persons in Kosovo society
2. Improving opportunities in the following areas:
 - a. Appropriate education for minority community groups
 - b. Improving respect to the use of language for all community groups
 - c. Improved access to social and health services for minority communities (including returnees)
 - d. Improved security situation for minority groups
 - e. High quality implementation of Community law in everyday life to ensure stabilization, strengthening and community development
3. Improving economic conditions and integration of communities, including returnees that promotes a stable, democratic, prosperous and multi-ethnic Kosovo

For each objective results and corresponding activities are identified. The logical framework also includes 'objectively verifiable indicators', 'sources of verification', and 'risks and assumptions'. Moreover, the Strategy includes background information and analysis, a section on monitoring and evaluation, on partners and on funding.

The section below analyses the main problems with the 2009-2013 strategy, in order to identify lessons learnt and ensure improvement in the new Strategy. This analysis makes reference to the guidelines developed by the Kosovo Government for the content and form of its strategic documents.¹

¹ ADMINISTRATIVE INSTRUCTION NO. 02/2012 ON THE PROCEDURES, CRITERIA AND METHODOLOGY FOR THE PREPARATION AND APPROVAL OF STRATEGY DOCUMENTS AND PLANS FOR THEIR IMPLEMENTATION, Article 9

1. Key issues concerning the design of the 2009-2013 Strategy

Definition of the scope of the Strategy: the Strategy lacks a clear formulation of the main problem and its root-causes that the Strategy as a whole attempts to address. While the strategy goes some way in identifying three separate problems related to each of the three objectives, it does not link them together, leaving it unclear what the overall direction and scope of the Strategy is. Specifically, the introduction of the Strategy states the intention to deal both with the returns process and the conditions of communities in general (referred to as 'stabilisation of communities'). However, it is unclear whether the specific objective of the strategy is to improve the situation of communities in Kosovo, of which the return process is one important aspect or the other way around; to improve the sustainable return of communities to Kosovo, of which community stabilisation is an important part.

Details of who will carry out the key actions and when: All activities described in the Strategy are reported to be under the responsibility of the MCR. The responsibilities of other governmental agencies (including line ministries and municipalities) are not defined. Again, this raises the question whether the Strategy was meant to function purely as the strategic document of the MCR or as a strategic document on communities and returns of the Kosovo government as a whole.

Approximate cost of implementing each recommendation: The Strategy contains a section on funding, which outlines some of the budget restraints faced by the MCR and some of the action that are foreseen to have significant costs. However, this section does not provide any concrete cost estimates (i.e. numbers) related to the implementation of the Strategy.

Is the Strategy logically coherent and realistically achievable: The overall logic of the strategy in relation to the returns process is relatively clear; the sustainable return of communities to Kosovo will be improved by strengthening the process of returns, by improving implementation of community rights and by improving economic opportunities. Although, the link between objectives, results and activities in relation to objective 1 is relatively clear, there are considerable problems in relation to objective 2 and 3. Objective 2 has concrete goals, such as 'improving the security situation for minority communities', however the results and activities mainly refer to actions such as awareness raising, capacity building and coordination, which affect the situation of communities only indirectly. The objectives thus establish unrealistic expectations, since the proposed results and activities are unlikely to achieve the objective.

Indicators: Indicators are a key tool for monitoring an evaluation; they define what should be measured to monitor progress. The Strategy's indicators are of uneven quality. The indicators under objective 1 (sustainable return) are relatively clearly formulated, although there remains considerable room for improvement. However, the indicators under objective 2 (legal measures) are inadequate for any monitoring and evaluation activities. For the most part they fail to clarify what should be measured. Examples of such vague indicators are: 'indicators of a stable community' and 'International statistics'. Most concerning is that the activities under objective 3 lack any indicators.

Sources of verification: Although, with the exception of the activities under objective 3, the Strategy's logical framework does define sources of verification, almost all are too vague to be of

practical use. Examples include 'Reports' and 'statistics', without specifying what reports or statistics they are referring to.

Monitoring an Evaluation system: Although the strategy does contain a section on 'monitoring and evaluation', this section does not specify which institution is responsible for collecting what data. This section of the Strategy does refer to a 'unit for the monitoring of the returns process', which would receive reports from municipalities and monitor the implementation of projects. However, it is not specified that this unit would also carry more general responsibility for monitoring the implementation of the strategy.

Also, it does not clearly set out how often data should be collected, or how it will be analysed and reported. There is reference made to a annual report on the 'situation of communities', to be produced in collaboration with the Office for Community Affairs in the Prime Minister's Office. However, it is unclear whether this report was supposed to include an assessment of the Strategy. Moreover, the monitoring and evaluation section does not make any clear reference to evaluation procedures, but mostly refers to monitoring exercises.

Action Plan: The action plan of the MCR does not fully reflect the 2009-2013 Strategy. It refers mostly to the internal organisation of the Ministry and does not reflect the activities foreseen in the Strategy.

2. Monitoring and evaluation activities undertaken by the MCR and other relevant institutions in the 2009-2013 period

The MCR has conducted monitoring activities in the 2009-2013 period, these activities have mostly concerned the monitoring of the implementation of specific activities (e.g. the construction of houses or implementation of projects). The most important reporting mechanism of the MCR has been its annual report. However, no comprehensive or regular monitoring of the strategy has taken place. Almost no data has been collected by the MCR on the indicators established in the Strategy and the progress towards achieving the objectives and results has not been evaluated. Below are outlined some of the most important deficiencies in the monitoring and evaluation of the 2009-2013 Strategy.

- The annual report on the 'situation of communities' (referred to in the Strategy) was never developed;
- Data management is weak. Data concerning different activities of the MCR are saved in different departments with no standardised system and are not systematically compiled and analysed centrally, except for the annual report of the MCR.
- No systematic data collection on the implementation of the Strategy has taken place:
 - a. MCR has not reported any data on the number of returns or Kosovo IDPs – all data on the numbers of returns are collected and processed by UNHCR, and no official data are available on Kosovo IDPs, although UNCHR has estimates.
 - b. One of the main indicators of the strategy – the ratio of returnees remaining in Kosovo after three years – no data is collected

- c. No data is available within the MCR on Collective Centres, while the MOCRs do have information available.
- MOCRs do not systematically report to the MCR;
- Data is collected on MCR activities, but data management/sharing is weak;
- No monitoring and evaluation reports have been produced on the strategy;
- Annual reports are produced by the MCR, but these solely report on the activities implemented by the MCR and make no concrete reference to the objectives and results foreseen in the strategy.

3. Institutional Cooperation

Stakeholders have generally indicated that they are satisfied with the coordination and cooperation on returns and the SSI indicate that coordination has improved over the last five years, with the establishment of a number of coordination mechanisms. Below are outlined the main formal coordination mechanisms currently existing:

- Project Steering Committee
- Task Force on Durable Solutions
- Regional Coordination Meetings (MCR, MOCRs, MLGA & MIA) – organized by the Office of the Prime Minister, Return Support and Coordination Unit
- Task Forces at the municipal level and/or Working Group at the municipal level
- Field visit teams

Although, considerable caution should be exercised in establishing new and possibly superfluous coordination mechanisms, there remains a need for improvement. Below are outlined some of the main areas where improvement can be achieved.

- Coordination and cooperation was evaluated as good, but more formal coordination mechanisms are required – particularly between MCR and other Ministries and governmental agencies who deal with communities. The establishment of a inter-ministerial working group, as proposed by Minister Jevtić, could be a potential solution.
- Although the regional coordination meetings have improved coordination, the MCR-MOCRs coordination remains limited, with most MOCRs not reporting to the MCR on a regular basis. Therefore, the existing MOCR-MCR reporting procedures should be strengthened.
- Regardless of potential political obstacles, Kosovo institutions need to look into strengthening the regional cooperation with the bordering countries for the facilitation of the returns process. The recently established liaison offices could potentially play a role in this process.
- At this point in time, it is not yet clear what the role of the Association of Serb Municipalities will be. However, it can be expected that this association will become an important player in relation to communities in Kosovo, and the need for coordination and cooperation with this association should be anticipated.

IV MINORITY COMMUNITIES IN KOSOVO – KEY ISSUES

This chapter will outline some of the key issues faced by communities in Kosovo, primarily based on ECMI Kosovo expertise, a extensive literature review and the perceptions report through the FGDs.

1. Legislative protective regime for communities

Kosovo has a state-of-the-art legal framework for the protection of community rights, in line with international standards. Below are outlined some of the main domestic legislative acts of relevance to communities:

- Constitution of the Republic of Kosovo
- Law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo (03/L-047)
- Amendment to the Law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo (04/L-020)
- Law on Anti-Discrimination (2004/3) (currently being amended)
- Law on Local Self Government (2008/03-L040)
- Law on the Use of Languages (2006/02-L37)
- Law on Historic Centre of Prizren (2011/04-L-066)
- Law on Special Protective Zones (2008/03-L039)
- Law on Radio Television of Kosovo (2011/04-L-046)
- Law on the Independent Media Commission (04/L-044)
- Law on Education in the Municipalities of the Republic of Kosovo (03/L-068)
- Law on Pre-university Education in the Republic of Kosovo (2011/04-L-032)

Although Kosovo is not recognised by a number of international organisations (such as the United Nations, the Council of Europe and the European Union) it has nonetheless in its constitution (Article 22) committed itself to directly applying a number of key international treaties relevant to community rights, including:

- Universal Declaration of Human Rights;
- International Covenant on Civil and Political Rights and its Protocols;
- European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols - It should be noted that due to Kosovo's lack of membership in the Council of Europe, Kosovo citizens cannot appeal to the European Court of Human Rights;
- Council of Europe Framework Convention for the Protection of National Minorities;
- Convention on the Elimination of All Forms of Racial Discrimination.

Moreover, through article 58 of its Constitution, Kosovo has also committed itself to respecting the standards set forth in the European Charter for Regional or Minority Languages.

However, Kosovo's main deficiencies in the protection and promotion of community rights lies in the implementation of its legal framework, which will be explained in detail on an issue by issue basis in the sections below.

2. Legislation governing the area of return

Kosovo remains one of the few countries in the region with no primary law on returns. The main legal basis for the return process therefore remains Article 156 of the Kosovo Constitution, which states that: "The Republic of Kosovo shall promote and facilitate the safe and dignified return of refugees and internally displaced persons and assist them in recovering their property and possession". Besides this article the returns process is regulated through a number of other documents:

- The returns process continues to largely functions under the 2006 Revised Manual for Sustainable Return (not legally binding), which, according to the 2009-2013 strategy, was planned to be updated by early 2010.
- The MCR's 2012 'Guidelines for the Implementation of Return Support' (also, not legally binding) provide important guidelines mechanisms and procedures for returns support.
- The main legislative change that has taken place since the adoption of the 2009-2013 strategy was the 2010 'Regulation for the Municipal Offices for Communities and Return';

There remains a need, already identified in the 2009-2013 strategy and confirmed through SSIs, to update the legal framework covering the area of returns, including Kosovo IDPs, and develop a comprehensive formalized policy on returns.

3. Law on the Use of Languages

The legislative framework on community languages complies with international standard and largely incorporates the principles of the European Charter for Regional and Minority Languages. The Office of the Language Commissioner plays an important role in the protection of language rights. Significantly, in 2012 the Kosovo government adopted the Government Regulation Nr 07/2012 on the Office of the Language Commissioner, which reformed and strengthened the Office of the Language Commissioner. Regardless of this positive change, key problems in implementation of these standards, remains due to:

- Poor quality of translation (no quality control) – this is particularly concerning in relation to legislation;
- Uneven provision of public services in both languages – highly dependent on the goodwill of institutions and individuals;
- Lack of translation of official documents at the municipal level, including websites and municipal statutes;
- Poor training of translators/interpreters - currently, no official university level training program for Albanian-Serbian translators/interpreters exists;

- lack of knowledge among especially young Kosovars of both official languages - currently neither Serbs nor Albanians have the opportunity to learn the other official language, resulting in a bigger and bigger language divide.

4. Education

Access to quality education in community languages is a key issue for the sustainable return of communities. The situation regarding education in Kosovo faces considerable complications due the functioning of two parallel systems of education; on one hand the official Kosovo system of education attended by the majority community, as well as most Turks, Bosniaks, Ashkali and Egyptian children. On the other hand the education system financed and managed by the government of Serbia and attended by most Serb, Roma and Gorani children. The existence of this parallel Serbian system of education is currently guaranteeing Serbian language education in Kosovo. However, it is not a sustainable solution, creates further divides between communities and will most likely face changes through the Pristina-Belgrade dialogue.

There are a number of other factors affecting access to quality education in community languages:

- No Serbian language curriculum exists in Kosovo;
- The Bosniak community voiced complaints regarding the poor quality of translated textbooks, and the Bosniak and Turkish communities complain regarding the lack of access to textbooks for upper-secondary education;
- All communities report that quotas at the Pristina University are being filled by people not from the communities those quotas were meant for;
- Roma, Ashkali and Egyptian communities face the most problems in relation to education, including:
 - High dropout rates, especially among girls, related to child labour and early marriages;
 - Continued presence of discrimination in schools;
 - Low socio-economic status of many Roma, Ashkali and Egyptian families;
 - Lack of awareness among parents on the importance of education.
- All communities expressed concerns regarding the quality of education.

5. Security Situation

Overall, the security situation over the past five years is perceived to have improved, but perceptions of insecurity persist and it remains a major concern for the returns process. Mitrovicë/Mitrovica remains a major flashpoint of inter-ethnic violence and security incidents continue to affect return sites.

No data is available on freedom of movement, nevertheless incidental evidence suggest real improvements in the last five years, with communities feeling substantially safer to travel to and through majority-Albanian areas in Kosovo. However, there continues to exist feelings of fear among communities to travel to certain regions (e.g. Mitrovicë/Mitrovica north for Albanians or

Skënderaj/Srbica for Serbs). FGDs reveal that communities generally feel safe in their living environment; except in the North for the Albanian community.

Worth noting, security was highlighted as core issue for the North as well as Dragash/Dragaš municipality. Lack of rule of law and effective law enforcement was brought into question.

According to Kosovo Police data (see table below) the number of incidents with a suspected ethnic motive are quite low. However, other sources clearly indicate that security incidents do still occur with regular frequency. The OSCE Kosovo in its October 2012 report "An Assessment of the Voluntary Returns Process in Kosovo" reports a deteriorating security situation in return sites and provides a detailed overview of security incidents occurring at return sites (see table 8 below). These incidents can be expected to have a considerable negative influence on security perceptions of returnees. The UPDP Pulse Report (August 2013) reports that less than 20% of Serbs are satisfied with Kosovo security institutions also indicating a continuing lack of satisfaction with the security situation in Kosovo (see graph 5 below).

Table 7: Number of cases with a suspected ethnic motive (Kosovo Police)

2009		2010		2011		2012	
Municipality	No. Cases	Municipality	No. Cases	Municipality	No. Cases	Municipality	No. Cases
Mitrovicë/Mitrovica	16	Mitrovicë/Mitrovica	21	Mitrovicë/Mitrovica	7	Mitrovicë/Mitrovica	18
Kamenicë/Kamenica	2	Vushtrri/Vučitrn	2	Zubin Potok	1	Prishtinë/Prishtina	2
Viti/Vitina	1	Skënderaj/Srbica	1	Vushtrri/Vučitrn	1	Vushtrri/Vučitrn	1
Štrpce/Shtërpçë	1	Zvečan/Zvečan	2			Zvečan/Zvečan	1
Gjilan/Gnjilane	1					Kamenicë/Kamenica	1
Total	21	Total	26	Total	9	Total	23

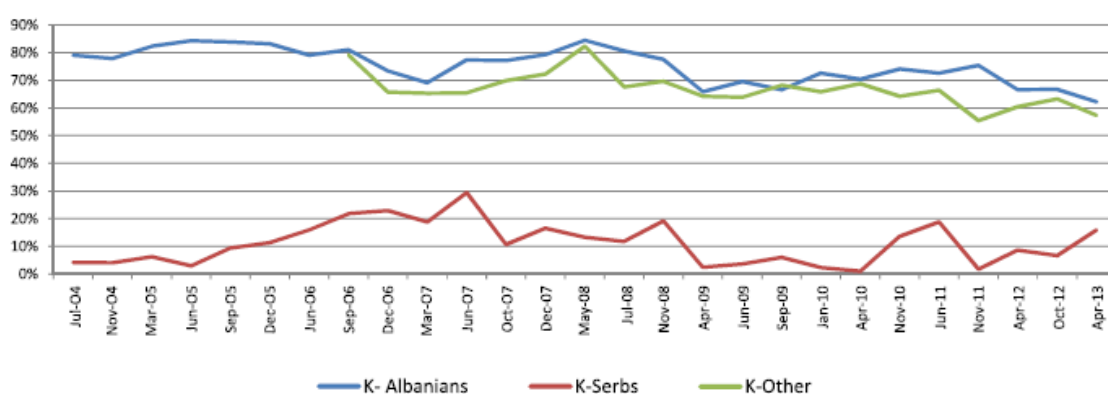
Table 8: OSCE (October 2012) Report: "An Assessment of the Voluntary Returns Process in Kosovo"

Region	Location of security incidents
Gjilan/Gnjilane	concentrated in the municipality of Ferizaj/Uroševac, notably in the returns sites of Bablljak/Bablak, Doganaj/Doganovic, Muhaxher Talinovic/Muhadžer Talinovic and Srpski Babuš/Srpski Babush. There were also a series of incidents targeting a Kosovo Serb property in Gjilan/Gnjilane town.
Mitrovicë/Mitrovica	security incidents were reported in Dolak/Doljak and Shtitaricë/Štitarica, Novosellë Magjun/Novo Selo Mađunsko and Banjskë/Banjska returns sites in Vushtrri/Vučitrn municipality; and in Frashër/Svinjare returns site in southern Mitrovicë/Mitrovica.

Pejë/Peć	security incidents were reported in the villages of Dobrushë/Dobruša, Oprashkë/Opraške and Zallq/Žaç in Istog/Istok municipality; and Babiq/Babiće, Bellopole/Belo Polje, Brestovik/Brestovik, Goraždevac/Gorazhdevc, Lazović/Lazović, Ljevoša/Lëvoshë, Siga/Sigë and Vragovc/Vragovac in Pejë/Peć municipality.
Prishtinë/Priština	Security incidents were reported in returns sites in Fushë Kosovë/Kosovo Polje, notably Dobër Dub/Dobri Dub and Miradi e Epërme/Gornje Dobrovo
Prizren	Security incidents were concentrated in the potential returns sites of Sërbica e Ultë/Donja Srbica (Prizren municipality) and Mushitishtë/Mušutište (Suharekë/Suva Reka municipality).

Graph 5: Satisfaction with security institutions (UNDP Pulse, Report August 2013)

Figure 4.1. Satisfaction with Security Institutions, by ethnicity



6. Access to health services

Regarding the health issues, in FGDs almost all communities and groups stressed adequate access to health institutions. The Serbian community makes use of the Serbian funded an managed parallel health system (especially in enclaves). However, some challenges were identified:

- The lack of medicines and out of pocket expenditures (all communities), it was suggested in FGD that the “health service in Kosovo is a commercial service”;
- Bosniak community members stressed dissatisfaction with access to the health services as there are language barriers in treatments;
- Lack of transparency is also emphasized with health services;
- All communities stressed frequent use of private hospitals for treatment;

7. Inter-ethnic Relations

Both findings from the FGDs and the UNDP Public Pulse survey (see below) indicate that although tensions are decreasing and an increasing number of community members adopt a more open

approach to inter-ethnic relations, considerable distrust between communities continues to exist and inter-ethnic relations are fragile and easily influenced by incidents.

Graph 6: Inter-ethnic relations indicators, as measured through the UNDP Public Pulse, August 2013

Figure 3.2. K-Serbs willing to live and work with K-Albanians

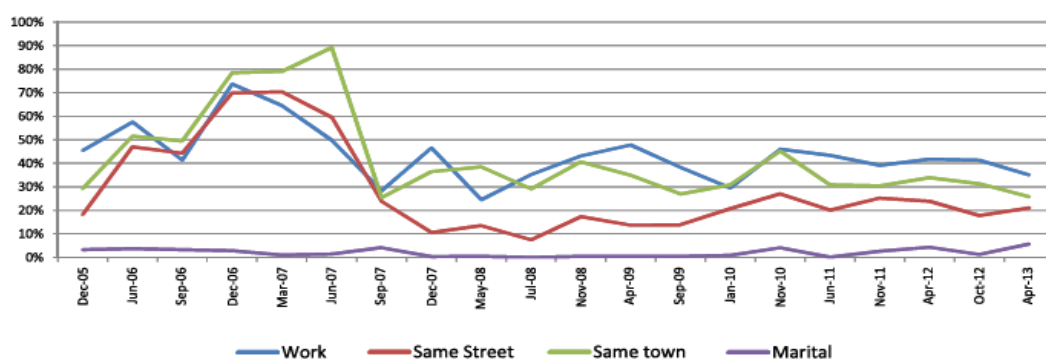
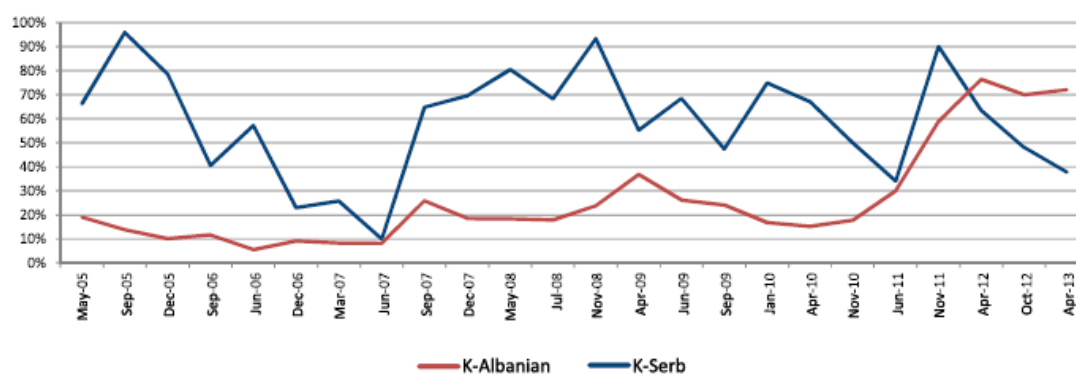


Figure 3.3. K-Albanians willing to live and work with K-Serbs



Figure 3.1. Trend of percentage of respondents who think that interethnic relations continue to be tense and not improving



8. Legal Security: access to personal documents and courts

With the exception of property cases, only a small number of cases relating to community rights has reached Kosovo court system, reflecting the low level of trust in the court system among community members. Kosovo continues to face a considerable backlog of cases, resulting in long waiting times for court procedures to finish. Moreover, community members report facing issues with the respect of language rights in court procedures; court decisions are not always translated and translations can be of poor quality.

Access to personal documents is primarily a problem among Roma, Ashkali and Egyptian communities which affects their access to a wide range of services and rights. Positive work has been done, but problems remain.

9. Employment

The UNDP Mosaic Report (2012) provides the following data, showing that although the Serb community has an unemployment rate at the same level as the Kosovo Albanian community and a significantly higher workforce participation, other minority communities have higher unemployment rates and lower workforce participation rates:

Table 9: Employment data by ethnicity (UNDP, Mosaic 2012)

	All respondents	K-Albanians	K-Serbs	K-other ethnicities
Employed	28.70%	28.30%	42.80%	20.80%
Unemployed (looking for work)	25.60%	25.70%	25.40%	24.70%
Unemployed (not looking for work)	7.40%	7.60%	4.30%	8.20%
Other (students, housewives, pensioners, disabled)	38.30%	38.50%	27.50%	46.30%
Total	100%	100%	100%	100%

	All respondents	K-Albanian	K-Serbs	K-other ethnicities
Labour Force	54.00%	54.00%	68.20%	45.50%
Unemployment Rate	47.10%	47.50%	37.30%	54.20%

In relation to the employment of minority communities in the civil service, a recent OCA (2013) study finds that: “7.7% of civil servants in central and local-level institutions (excluding POEs) are from non-majority communities, that Ashkali, Egyptian, Gorani and Roma are relatively underrepresented compared to their share of the population, and that Bosniak, Serbian and Turkish communities are close to their respective census marks”.

FGDs inform that communities would like to see more community members employed in public institutions, primarily because they believe that the presence of community members in public institutions will contribute to improving communication between communities and institutions. All communities report a lack of lack of transparency in recruitment and employment procedures.

In any case, all communities (including the majority community) stressed the lack of employment as one of the most urgent issues, a major threat to their sustainable existence in Kosovo and one the most important reasons for community members to leave Kosovo.

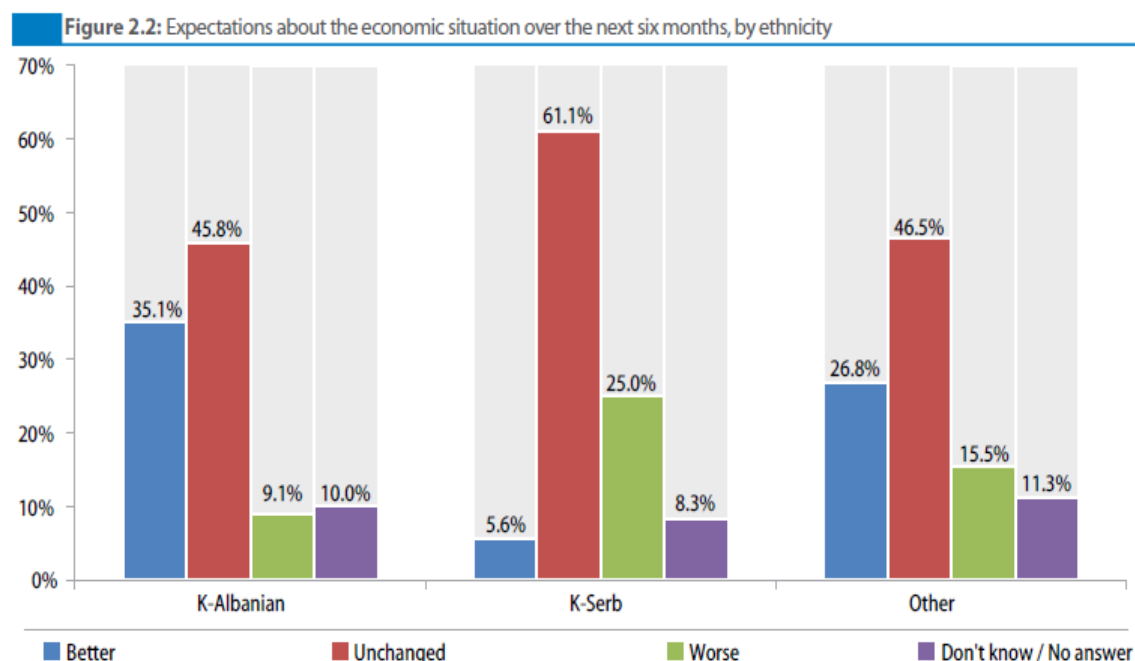
10. Perceptions on economic development

The economic situation is invariably seen by most community members as one of the biggest obstacle to a sustainable existence in Kosovo, as well as that of the return. This is, of course, a concern shared also by the Albanian majority community. However, UNDP research (see tables below) shows that satisfaction among the Serb community with Kosovo's economic direction and expectations about the economic situation are worse than among other communities. These extremely negative perception in relation to the economic situation in Kosovo are troubling signs and can have a considerable negative impact on the sustainable return of communities.

Table 10: Satisfaction with Kosovo's economic direction by ethnicity (UNDP Pulse Report, August 2013)

	Aug. 2013			Feb. 2013			Aug. 2012		
	K-Albanian	K-Serb	Other	K-Albanian	K-Serb	Other	K-Albanian	K-Serb	Other
Satisfied	6.00%	0.90%	5.80%	6.30%	1.70%	7.00%	3.60%	1.30%	6.49%
Dissatisfied	73.90%	82.10%	72.40%	75.10%	90.00%	62.20%	78.40%	84.30%	75.00%

Graph 7: Expectations about the economic situation by ethnicity (UNDP Pulse Report, March 2011)



FGDs indicate that there is considerable demand among all community members for improved access to capital for the development of income generating activities, particularly in the field of agriculture and the start-up of small and medium enterprises.

11. Property Issues

Property issues continue to be highlighted as one of the obstacles to sustainable return. There are two main issues facing the return process. First, the issue concerns land allocation. To enable the return of community members without property, particularly Roma, Ashkali and Egyptian community members, municipalities need to allocate land. However, the SSIs have shown that a number of municipalities have indicated that they cannot allocate the required land. Moreover, although the Prime Minister's Office has issued a letter encourage municipalities to allocate the required land, since this is a municipal competency, the central government cannot force any municipality to take such measures. This situation presents a serious obstacle to the return of a considerable number of returnees and Kosovo IDPs without property.

The second issue concerns the resolution of property disputes caused by the 1999 conflict and the 2004 riots. The Kosovo Property Agency (KPA) has closed the majority of its cases, but a considerable number of difficult cases remain (see table below). In these cases, often involving multiple claimants and/or fraudulent documents, the lack of access to the cadastral books is a serious obstacle.

Table 10: Up to date property claims received and decided by KPA by municipality

KPA website

http://www.kpaonline.org/ClaimsTotalDecided_caseload.asp

(last visited 10.09.2013)

	Claims received	Claims decided
Kosovo Wide	42527	38451
% of decisions filed	100	90.4
MITROVICË/MITROVICA	4658	4266
Leposaviq/Leposavic	75	70
Mitrovicë/Mitrovica	619	510
Skenderaj/Srbica	1775	1729
Vushtrri/Vucitrn	1753	1527
Zubin Potok	331	328
Zvecan	105	102
GJILAN/GNJILANE	9317	8631
Gjilan/Gnjilane	1706	1576
Kamenicë/Kamenica	1509	1462

Kacanik	245	225
Novorberde/Novo Brdo	881	863
Shterpce/Strpce	126	121
Ferizaj/Urosevac	3140	2837
Viti/Vitina	1710	1547

PEJË/PEC	14636	13303
Gjakovë/Dakovica	770	599
Deçan/Decane	722	593
Klinë/Klina	3639	3405
Istog/Istok	5934	5688
Pejë/Pec	3571	3018

PRISHTINË/PRISTINA	7278	6128
Glogofc/Glogovac	59	41
Fushë Kosovë/Kosovo Polje	394	269
Lipjan/Lipljan	1573	1385
Obiliq/Obilic	459	341
Podujevë/Podujevo	2156	1958
Prishtinë/Pristina	2388	1917
Shtime/Stimlje	249	217

PRIZREN	6638	6123
Dragash/Drigas	6	2
Malishevë/Malisevo	586	560
Rahovec/Orahovac	613	543
Prizren	3587	3246
Suharekë/Suva Reka	1846	1772

V RECOMMENDATIONS

Key elements of the new Strategy

The new strategy should be user friendly and the key guiding document for the MCR and all stakeholders working on communities and returns in the next five years, as such it requires:

- A clear operational action plan (including measurable targets and concrete objectives)
- Clearly defined division of responsibilities
- Budget commitments
- A clearly defined and realistic scope
- Logically interlinked and achievable goals, objectives, results and activities
- Clear and measurable indicators and targets
- A well defined monitoring and evaluation plan, including data collection mechanisms

Monitoring and Evaluation

Systematic data collection and management mechanisms need to be established in relation to the indicators developed in the new strategy:

- The MCR needs to take over many of the data management functions currently managed by UNHCR – to achieve this a simple user-friendly database is required;
- The MIA can provide valuable lessons learnt in data management on reintegration;
- The data stream from MOCRs to the MCR needs to be improved – standardized and regular reporting mechanisms are required;
- The MCR will need support to develop and implement such a data management system;
- Monitoring and evaluation reports need to be published with regular frequency.

Priority Areas

A number of priority areas have been identified through stakeholder interviews and focus group discussions:

- **Economic development:** the lack of economic perspectives is perceived as one of the most important obstacles by all parties involved and the development of employment opportunities and access to capital for income generating activities will be key to a sustainable returns process. Specific approach for youth and women is required.
- **Kosovo IDPs and collective centres:** Many of the stakeholders interviewed have stressed that more attention needs to be given to Kosovo IDPs and to the closing of collective centres. Already a shift in both funding and policy priorities is visible and this should be reflected in the strategy.
 - The current lack of legal status of IDPs needs to be resolved and an approach needs to be developed at the central level to close all collective centres, with corresponding strategies and action plans at the local level.
- **Update of legal framework:** Currently the returns process still largely functions under the Revised Manual for Sustainable Return, which, according to the 2009-2013 strategy,

was planned to be updated by early 2010. The adoption of the 2010 Regulation for the Municipal Offices for Communities and Return was an important step forward. However, the need for standardized procedures for return and a clear legal framework on returns (already identified in the 2009-2013 strategy) remains imperative.

- **Land allocation:** Was highlighted as a major obstacle to the returns process, particularly for the Roma, Ashkali and Egyptian communities. This requires urgent central level political, financial and policy commitments (i.e. the development of a comprehensive policy on land allocation).
- **Coordination:** Formal coordination mechanisms need to be established for the management of the new strategy, involving all relevant stakeholders, possibly through the establishment of an inter-ministerial working group – linked to the scope of the strategy and the assignment of clear roles and responsibilities. The new role of the Association of Serb Municipalities should be anticipated. Moreover, efforts need to be initiated to establish coordination mechanisms with regional countries, as a regional approach is the most effective approach to the management of the returns process. The newly established liaison offices could potentially play a role in this process.
- **Development of fundraising capacities:** Numerous stakeholders identified the lack of funding for the returns process as a major constraint. Moreover, a general perception existed that the funding opportunities are likely to decrease. As mitigating strategy it is recommended that the MCR takes a more proactive approach to fundraising and needs to strengthen project development and management skill set.
- **Approach:** careful selection of beneficiaries with a strong commitment to return; continuation of the return process based on the location of preference; community-driven returns process involving both the returning and receiving communities (bottom-up approach); open and clear communication regarding selection criteria for institutional assistance.
- **Vulnerable groups:** Ensure that particular attention is paid to vulnerable groups, in particular youth, women, people with disabilities and Roma, Ashkali and Egyptian communities.
- **Data management system:** MCR should develop a data management system, inclusive of a database and claim ownership over community and returns data.
- **Profiling of IDPs:** develop and update critical IDP data and solutions, tailored to meet the specific needs of youth and women.

ANNEX 1 - HOUSING SUPPORT IN THE 2009-2013 PERIOD (REPORTED BY MCR)

Name Project	Donor	Implementing Agency	Total budget (EUR)	Year of Construction	# of Houses (MCR)	# of Houses (Other)	Number of Apartments (MCR)
SPARK	MCR	UNDP Kosovo		2009	85		
Laplaselle/Gracanica	MCR	CONEX-GROUP ShPK	1821113,2	2009			60
Sinaje/Istog	MCR	CONEX-GROUP ShPK	324008,28	2009	18		
Serbica e U./Prizren	MCR	EURO PROJECT ShPK	223651,85	2009	15		
RRK I	ECLO/MCR/UNDP	UNDP Kosovo	ECLO: 3.3 mil; MCR 1.1 mil; UNDP: 0.4 mil	2009-2010	51	130	
Doljak/Shtitarice-Vushtrri	MCR	Developing Together (DT) (DRC) ??	229,989,65 €	2010	15		
Pogragje/Klina	MCR	ShPK Albaniku	213115,12	2010	15		
MOU#1 (MKK+UNHCR)	MCR	UNHCR		2010	20		
MOU#2 (MKK+UNHCR)	MCR	UNHCR		2010	15		
MOU#3 (MKK+UNHCR)	MCR	UNHCR		2010	77		
RRK II	ECLO/MCR/DRC	Danish Refugee Council (DRC)	ECLO: 4 mil €; MCR 1.1 mil €; DRC: 0.2 mil €	2010-2011	50	166	
Gracanica/Ljapla Sele II	MCR	MCR	1378745	2010			48
Zallc/Istog 2	MCR	Bashkimi	153386,24	2010	17		
Dragolec/Istog	MCR	Bashkimi	159972,86	2010	13		
Prishtina and Gjilan Region	MCR	NDERTIMTARI	297616,47	2010	35		

Prizren Region	MCR	Bashkimi	126386,67	2010	16		
Istog Municipality	MCR	MENTI	153071	2010	10		
Peja Region	MCR	MAGHOLDING	159911,56	2010	15		
Gracanica/Padaliste	MCR	AL TRADE	1450000	2011			40
MOU#4 (MKK+UNHCR)	MCR	AL TRADE		2011	51		
Prizren	British Embassy	Danish Refugee Council (DRC)		2011	10		
RRK III	ECLO/MCR/IOM	International Organization for Migration	ECLO: 4 mil; MCR 1.1 mil; IOM: 0.2 mil	2012	30	104	

Overview of the housing support provided in the period 2009-2013

Year	No. of houses	No. of direct beneficiaries
2009	298 houses Kosovo wide and 60 Apartments in Lapasele/Gracanica	832
2010	238 houses Kosovo wide and 48 Apartments in Lapasele/Gracanica	1217
2011	277 houses Kosovo wide and 40 Apartments in Padalishte/Gracanica	319
2012 - 2013	134 houses - RRK III	363 + 72 - RRK III (only in 2012)
PERIOD 2009-2013	947 houses Kosovo wide and 148 Apartments	2803

ANNEX 2 – NUMBER OF HOUSES BUILT AND CURRENTLY INHABITED, AS REPORTED BY MOCRS IN AUGUST 2013, DISAGGREGATED BY YEAR OF CONSTRUCTION AND MUNICIPALITY

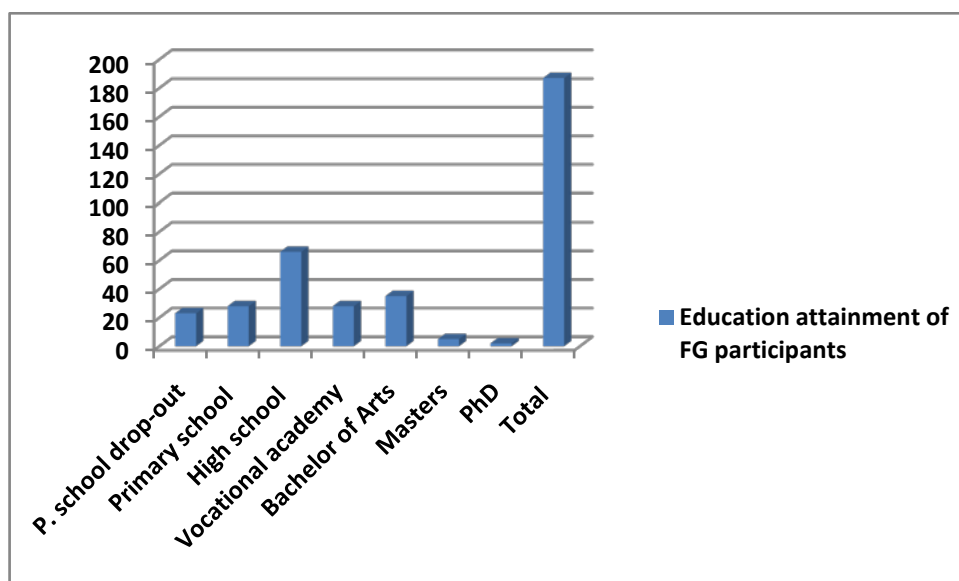
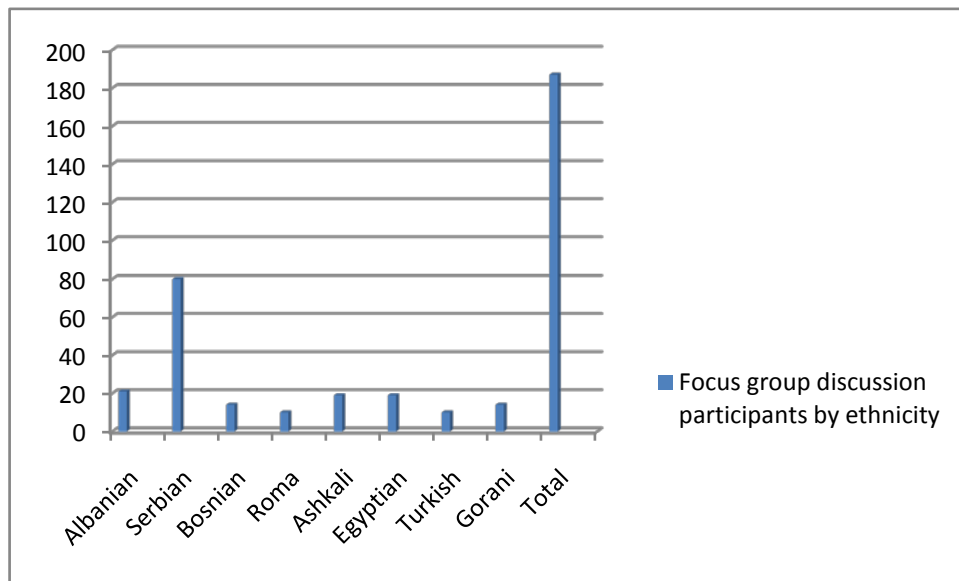
Year of construction	2009	2010	2011	2012	2013	Total
1 Shterpce/Strpce						
Returned		3	15	41	36	95
Inhabited		3	15	41	22	81
2 Zvečan/Zveçan						
Returned		2				
Inhabited		2				
3 Parteš/Partesh						
Returned				22	22	44
Inhabited				22	22	44
4 Lipjan/Lipljan						
Returned	4	8		4		16
Inhabited	4	7		4		15
5 Kamenicë/Kamenica						
Returned			2	3		5
Inhabited			1	3		4
6 Dragash/Dragaš						
Returned	8	12	7			27
Inhabited	7	8	5			20
7 Novo Brdo/Novobërdë						
Returned				19	14	33
Inhabited				19	14	33
8 Prizren						
Returned	34	20	95	98	26	273
Inhabited	18	20	95	95	26	254
9 Rahovec/Orahovac						
Returned	8	10	10	4		32
Inhabited	6	4	4	3		17
10 Viti/Vitina						
Returned	2		2			4
Inhabited	0		0			0
11 Leposavić/Leposaviq						
Returned		1				1
Inhabited		1				1
12 Gjilan/Gnjilane						
Returned	1	9	1	1	1	13
Inhabited	1	9	1	1	1	13
13 Shtime/Štimlje						
Returned						0
Inhabited						0

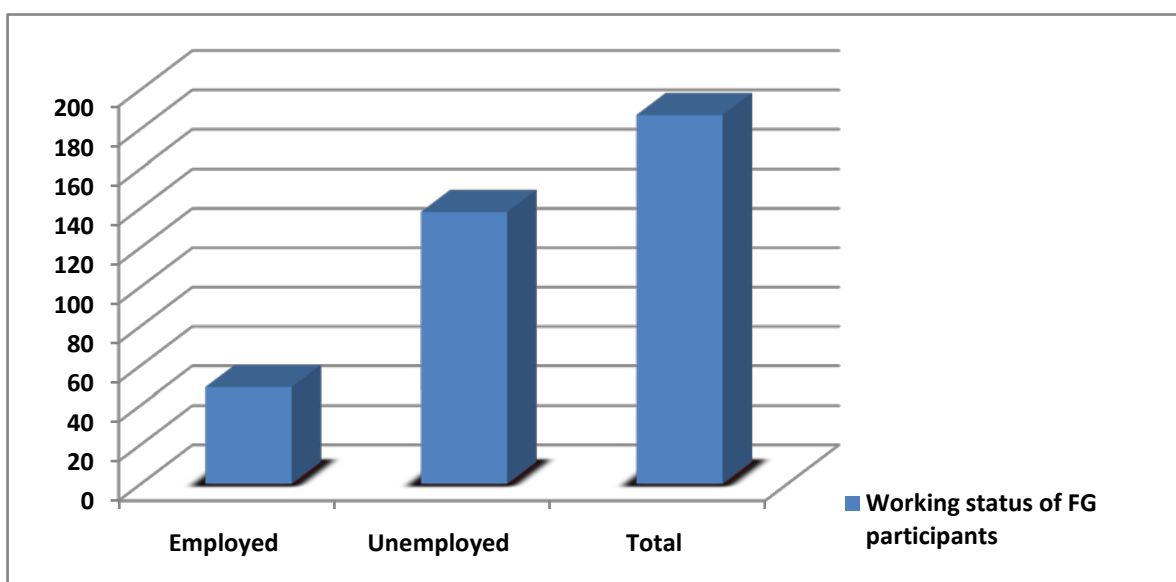
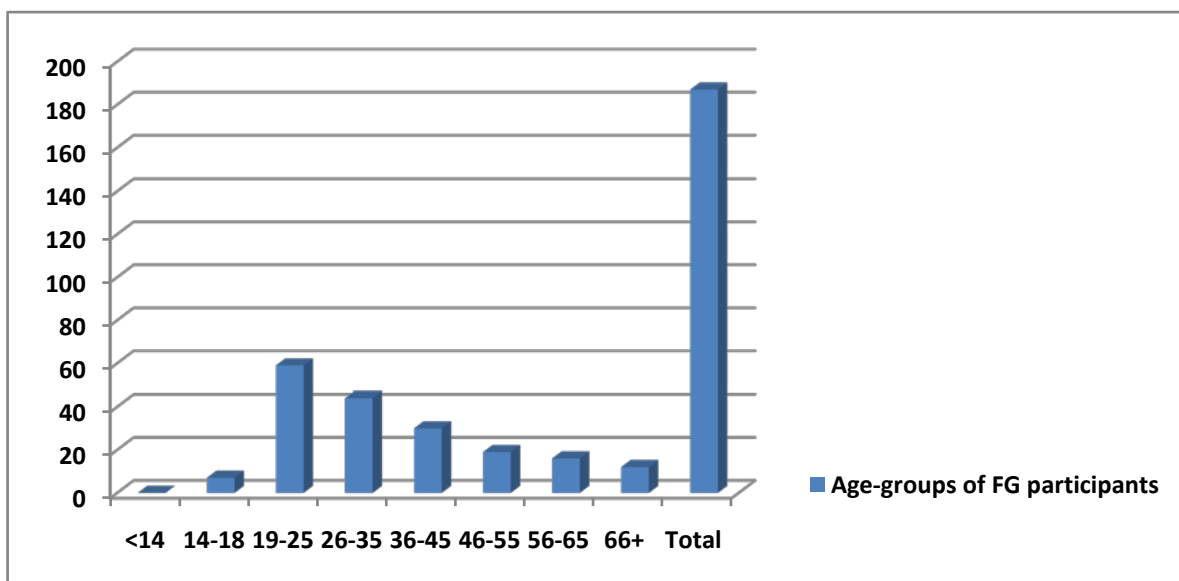
14	Skënderaj/Srbica					
	Returned	2	3	1	2	8
	Inhabited	1	3	1	2	7
15	Pejë/Peć					
	Returned	56		4		60
	Inhabited	5		0		5
16	Deçan/Dečane					
	Returned		1	1	1	4
	Inhabited		1	1	1	4
17	Vushtrri/Vučitrn					
	Returned	6	21	1	2	30
	Inhabited	1	1	1	2	5
18	Glogovac/Gllogoc					
	Returned				1	1
	Inhabited				0	0
19	Fushë Kosovë/Kosovo Polje					
	Returned		39	19	13	87
	Inhabited		0	0	0	0
20	Klinë/Klina					
	Returned	45	30	63	12	151
	Inhabited	26	17	29	9	82
21	Gjakovë/Đakovica					
	Returned	6	5	1	1	13
	Inhabited	6	5	1	1	13
22	Ferizaj/Uroševac					
	Returned	6	17			23
	Inhabited	0	8			8
23	Obiliq/Obilić					
	Returned	8	16	23	1	49
	Inhabited	8	12	20	1	42
24	Suharekë/Suva Reka					
	Returned					0
	Inhabited					0
25	Mamuša/Mamushë/ Mamuša					
	Returned					0
	Inhabited					0
26	Gračanica/Gračanicë					
	Returned					0
	Inhabited					0
27	Zubin Potok					
	Returned					0
	Inhabited					0
28	Kaçanik/Kaçanik					
	Returned					0
	Inhabited					0

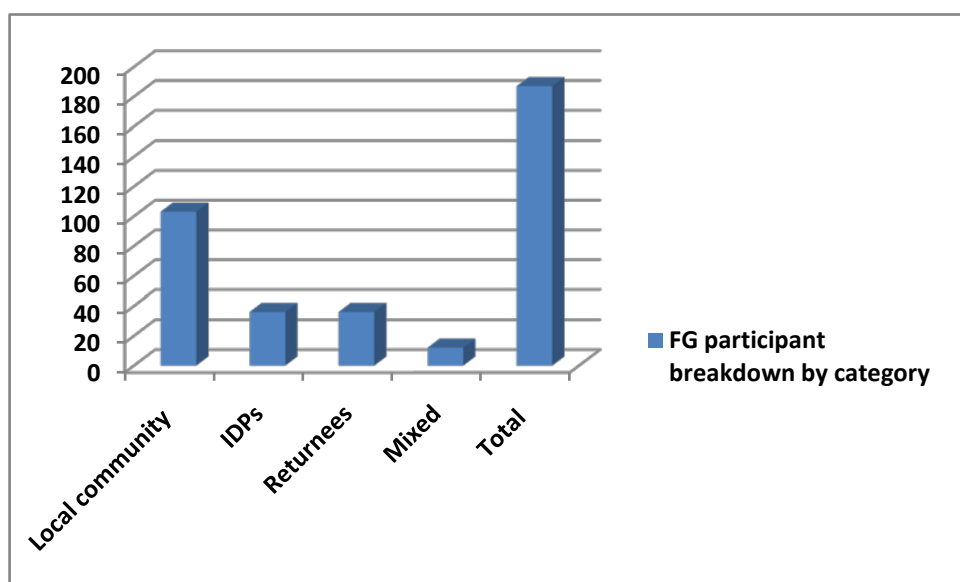
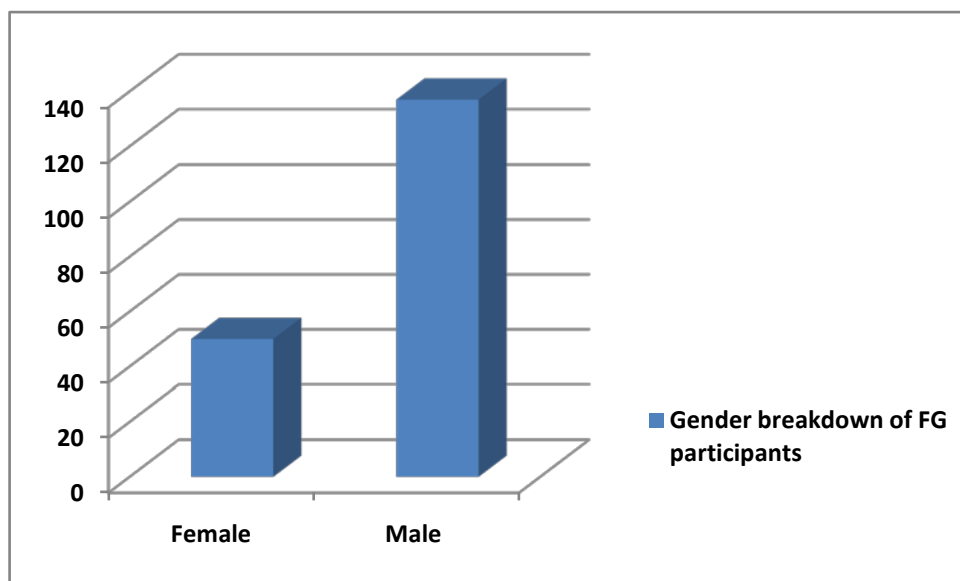
29 Klokot/Kllokot						
Returned						0
Inhabited						0
30 Ranilug/Ranillug						
Returned		2	1			3
Inhabited		2	1			3
31 Mitrovicë/Mitrovica						
Returned						0
Inhabited						0
32 Podujevë/Podujevo						
Returned						0
Inhabited						0
33 Istog/Istok						
Returned	40	38	18	23 unknown		119
Inhabited	32	30	15			77
34 Hani i Elezit/Elez Han						
Returned						0
Inhabited						0
35 Prishtinë/Priština						
Returned	3	3				6
Inhabited	3	3				6
Total houses built	229	238	265	247	120	972
Total houses inhabited	118	134	191	203	90	651
rate of inhabitation	52%	56%	72%	91%	75%	67%

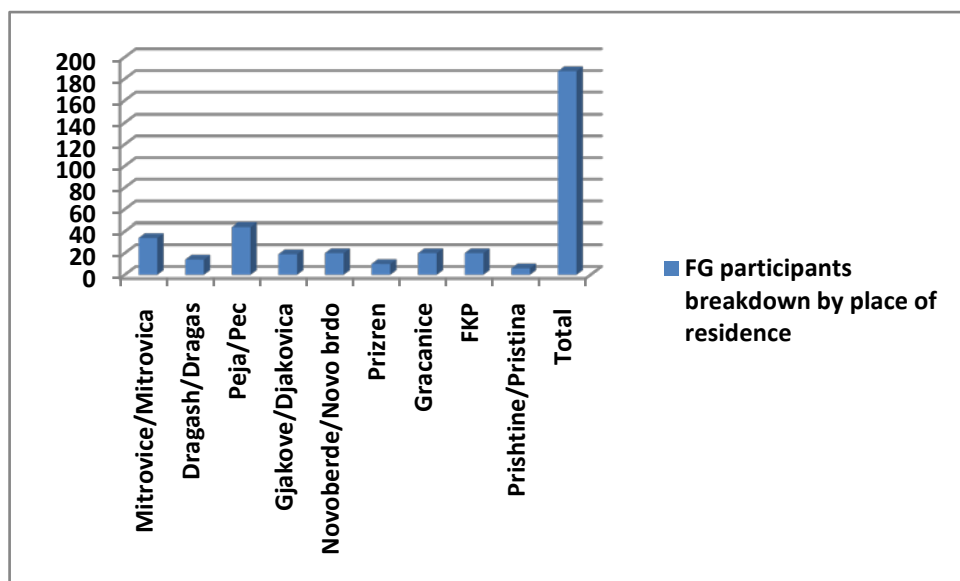
Please note that in the calculation of the percentage for 2012, the municipality of Istog/Istok was excluded, due to the fact that ECMI Kosovo was unable to obtain information on the number of houses built in 2012 current inhabited

ANNEX 3 – FGD DESCRIPTIVE GRAPHS









ANNEX 4 – LITERATURE OVERVIEW

Secondary Literature	
UNDP Mosaic reports	2009 & 2012 editions
UNDP Kosovo Remittance Study	2010, 2011 & 2012 editions
UNDP Public Pulse	published every 6 months
UNHSTF Community Vulnerability Study	Obiliq & F. Kosova
UNDP Mitrovica Opinion Poll	2010, 2011 & 2013 editions
UNDP Human Development Report	2009, 2011 & 2012 editions
Strategy for the Integration of Roma, Ashkali and Egyptian Communities in Kosovo	2009-2015
Protocol on Voluntary and sustainable return, UNMIK/Provisional Kosovo Institutions/Serbia Government	2006
Eight years after minority returns and housing property reinstitution in Kosovo	OSCE, 2007
Planning and implementation of the municipal return strategy in Kosovo Municipalities	OSCE, 2007
Return and Reintegration in Kosovo	MCR & UNDP, 2008-2010
Country of Return Information Project	EC, 2009
IDPs from and within Kosovo	DRC, 2009
Protection and Promotion of HHRR and Communities Kosovo local level, OSCE	OSCE, 2009
The position of Roma, Ashkali and Egyptian communities in Kosovo	KFOS, 2009
Weekly Report on Communities and Returns	UNMIK, 2009
Not welcome anywhere. Stop the forced return of Roma In Kosovo	Amnesty International, 2010
Rights Displaced. Forced returns of Roma, Ashkali and Egyptians from Western Europe to Kosovo	Human Rights Watch, 2010
Kosovo Communities Profiles	OSCE, 2010
Municipal Responses to displacement and returns in Kosovo	OSCE, 2011
ToR for MOCR	2011
Implementation Action Plan on the strategy for the Integration of the RAE communities in Kosovo	OSCE, 2011
Action Plan, Program of Cooperation between Kosovo Institutions and UNDP	2011-2015
An assessment of the voluntary Return process in Kosovo	OSCE, 2012
Community Rights Assessment Report	OSCE, 2012
Guidelines for Implementation of Return Support	Ministry for Communities and Return, 2012
IDPs Durable solution still elusive 13 years after conflict	Internal Displacement Monitoring Centre, 2012
Statistical Overview	UNHCR, 2013
Representation of Communities in Civil Services in Kosovo	OSCE, 2013
The Implementation of Civil Service Legislation in Kosovo	OSCE, 2013

ECMI Kosovo

Str. Nëna Terezë Nr. 41, Apt. 29
10000 Prishtinë/Priština, Kosovo
Tel. +381 (0) 38 224 473

Email: info@ecmikosovo.org

Web: www.ecmikosovo.org

Str. Cika Jovina Nr. 3, 1st Fl
38220 Mitrovica/Mitrovicë North, Kosovo
Tel. +381 (0) 64 00 55 488

