Governance of Roma, Ashkali and Egyptian Rights in Kosovo

An overview on the present institutional structures and the legal arrangements for the facilitation of their integration in Kosovo society
Foreword

Following its support to the Government of Kosovo in drafting the Strategy for the Integration of the Roma, Ashkali and Egyptian (RAE) communities, the Kosovo Foundation for Open Society (KFOS) has extended its assistance to creating the necessary conditions for the strategy’s efficient implementation. KFOS continues to support the Strategy by assisting the Government in drafting the Action Plan and conducting two basic studies: (1) ‘Roma, Ashkali and Egyptians in Kosovo’, and (2) ‘The Kosovo Administration’s potential to implement the RAE strategy’. The first study, ‘Roma, Ashkali and Egyptians in Kosovo’ was published in February 2010. This report presents the second study, which was conducted by the Humanitarian Law Center in Kosovo in 2009.

The Strategy was drafted with the full participation of RAE communities in multiple interactive workshops in 2007 and 2008. The information gathered from this process then served as a basis for developing measures that the Government needs to implement in order to improve the lives of these communities, to protect their position and interests and to create the conditions necessary for their full integration in Kosovar society. Although RAE participants provided a great deal of information, raised concerns and highlighted the development challenges facing their communities, it was also necessary to undertake a thorough study of their current socio-economic situation. The analysis and conclusions of this study are presented in ‘Roma, Ashkali and Egyptians in Kosovo’. It will support numerous organizations in the field, whether governmental, international or local NGOs, as well as many other donors that focus on this issue.

One of the most emphatic challenges after drafting the Strategy and Action Plan (which was endorsed by the Government of Kosovo on 23 December 2009), was to evaluate the readiness of respective government resources to implement the recommendations suggested in the Strategy and the Action Plan. For this reason, a special questionnaire was prepared to collect the necessary information needed to analyze the Kosovo Government’s preparedness, capacities and expertise to successfully implement the Action Plan, both at the local and central levels. The fund-raising capacities of the respective administrative units were also assessed.

The results of the research, which you will find below, are highly informative and raise some interesting issues. The study initially outlines the structure of the institutions that should participate in the implementation of the Strategy and their potential to do so effectively. Further, one can see how informed these institutions are about the role they need to assume in the implementation of the Strategy, and their perception of this role.

By closely observing the situation on the ground regarding the socio-economic position of Roma, Ashkali and Egyptian citizens, and the readiness of the Kosovar Administration to implement the strategic documents it has already endorsed in order to advance the position of these communities, KFOS will strive to help all those that will work towards helping our fellow citizens in the coming period, in order to integrate them as quickly as possible in our society and to guarantee them equal opportunities.
Strategic for Integration of Roma, Ashkali and Egyptian Communities in the Republic of Kosovo

PART I - Protection and Promotion of Minority Rights (in particular those addressing Roma, Ashkali and Egyptian minorities) on the local level

In 2008, seven years after the establishment of local self-government in Kosovo, UNMIK issued the regulation on Municipal Elections in Kosovo\(^1\) establishing the legal basis for direct election of municipal mayors and municipal assemblies which had a direct impact in further amendments of legislation in the area of local governance. UNMIK Regulation 2007/30\(^2\) amended UNMIK Regulation 2000/45 on Self-Government of Municipalities in Kosovo, which had served as a legal basis for organizing and functioning of local government since 2000. After Kosovo’s declaration of independence, and following the entry into force of the Constitution, in June 2008, a considerable number of laws, aiming at developing the legal infrastructure in Kosovo, have been enacted in accordance with the Ahtisaari document.

The Law on Local Self-Government defines the legal status and competences of municipalities, general principles of municipal finances, organization and functioning of the municipal bodies, inter-municipal relations and cooperation; including cross border cooperation and relations between municipalities and the central level.\(^3\) According to this law, municipal bodies are the municipal assembly and the mayor.\(^4\) The municipal assembly and the mayor shall have the right to enact acts and take any implementation measure within their areas of competence. All municipal acts shall comply with the constitutional and legal system of the Republic of Kosovo.\(^5\)

1.2 Protection and Promotion of Minority Rights (in particular those addressing Roma, Ashkali and Egyptian minorities) on the local level

1.2.1 Peja/Peć municipality

The municipality of Peja/Peć is situated 90 km west of Prishtina/Priština, and encompasses a territory of 603 square kilometres. According to the data provided by the municipal assembly, Peja/Peć has more than 150,000 inhabitants, the vast majority of whom or 93.62% are Albanians, followed by Roma Ashkali and Egyptian communities comprising 4.47% of inhabitants, Bosniaks (1.69%) and Serbs (0.22%). There are twenty one (21) members of minority communities employed in Peja municipal assembly, out of whom fifteen (15) are Bosniaks, three (3) Serbs, one (1) Montenegrin, one (1) Egyptian and one (1) Ashkali.

On September 28th 2008, the municipal assembly of Peja/Peć adopted the statute of Peja/Peć municipality which guarantees the use of the native language in communication with municipal bodies, in line with the requirements deriving from the Law on the Use of Languages. Assembly meetings, committee meetings as well as all other meetings shall be held in Albanian, Serbian and Bosnian language. All the official municipality documents shall be translated into Albanian,

---

\(^1\) UNMIK regulation no 2007/27 on Municipal Elections in Kosovo.
\(^4\) Article 10 of the Law on Local Self Government.
\(^5\) Article 11 of the Law on Local Self Government.
Serbian and Bosnian language. The statute foresees the establishment of permanent committees and other committees.

Community Committee (CC) - is one of the permanent committees of this municipality. The Community Committee is comprised of seven (7) members (which includes assembly members and community representatives). Each community in this municipality shall be represented with at least one representative. There are seven members appointed to the Community Committee in Peja/Peć municipality: three (3) Albanians, one (1) Bosniak, one (1) Serb, one (1) Egyptian, and one (1) member of Roma community.

According to the MALG report, this committee did not report on any meeting during 2008, while it held three (3) meetings between January and March 2009. Among other tasks assigned to this committee is the monitoring of the implementation of legislation, sub legal acts and other policy documents pertaining to minority rights in Peja/Peć municipality. The Community Committee also reviews requests and complaints submitted by citizens of minority communities and presents them to respective municipal directorates and other municipal institutions. In the majority of cases, these requests and complaints relate to the reconstruction of houses, road infrastructure, electricity and education.

The municipal Community Committee convenes monthly meetings to discuss the status of minority communities in Peja/Peć municipality and to address their needs. The Community Committee is responsible for monitoring the implementation of all municipal regulations and other strategic documents that affect minority rights in our municipality.

S. C. Head of municipal Office of Communities in Peja/Peć HLC-Kosovo Interview, May 18th 2009.

Municipal Office of Communities (MCO) – is another permanent body of the municipality foreseen with the municipality statute. This office is responsible for the promotion and protection of minority rights, ensuring equal access of minorities to the public services at municipal level and other duties with the view to improving the status of the minority communities. This office has drafted a three year action plan covering the area of education and awareness campaign aiming at inclusion of children from Roma, Ashkali and Egyptian communities in the education process. MCO is also involved in projects to improve road infrastructure and water supply and sewage system. The MCO in Peja/Peć currently has nine (9) employees, three (3) Bosniaks, two (2) Serbs, one (1) Albanian, one (1) Egyptian, one (1) Roma and one (1) Montenegrin. The mandate of this office is the promotion and protection of minority rights through various activities. The MCO in Peja/Peć in collaboration with the municipal

---

6 Article 7 of the Statute- Peja/Peć municipality.
7 Article 47 of the Statute- Peja/Peć municipality.
8 Article 55 of the Statute -Peja/Peć municipality.
9 Riza Lluka (AAK), Agime Lajći (LDK), Gazmend Agusholli (ORA), Rrustem Nurkovic (Bosniak community representative), Momcilo Savic (Serbian community representative), Shaip Gavrani (Egyptian community representative) and Gani Toska (Roma Community representative).
10 Ministry of Administration of Local Governance.
13 Article 87 of the Statute- Peja/Peć municipality.
14 Article 97 of the Statute - Peja/Peć municipality.
directorate for education and OSCE is engaged in an educational programme called “Catch up education” - a timely educational training programme for children who have dropped out of school in the past two or three years. This programme made it possible for them to complete two classes within one academic year and continue further education along with their peers. The MCO claims these as its biggest achievements of MCO. During 2008 they managed to bring 130 children of Roma Ashkali and Egyptian communities in pre-school system. Later on, all these children began primary education in the primary schools of Peja/ Peć municipality, during the 2008/2009 academic year. In order to achieve its goals, MCO in Peja/ Peć conducted an intensive awareness campaign informing parents and families of the importance of education for children.

We managed to register 130 children from Roma, Ashkali, and Egyptian communities in primary schools for the academic year 2008/2009. We consider this to be a great achievement of our office. Prior to launching our programme, we conducted a very intense awareness campaign with parents and families on the importance of education for children. It is a known fact that children from these communities don’t attend school and do different types of work, selling cigarettes in the streets or as loaders etc. I believe this will also support their better integration in society at a later stage.

S. C. Head of municipal Office of Communities in Peja/Peć
HLC-Kosovo Interview, May 18th 2009

Budget and projects – The municipal assembly adopts the municipal budget annually. A total of 154,026 euros or 11% of the total budget of Peja/ Peć municipality is allocated to the MCO and projects for minority communities. In this sum are included expenditures for salaries of the employees, goods and services, municipal services and capital investments. This money is also used for road reconstruction, other infrastructure projects and utilities under the capital investment component.

Money from the municipal budget that is allocated for minorities goes in infrastructure-reconstruction of a road in the “7 Shtatori” neighbourhood in Peja/ Peć that is inhabited by members of Roma, Ashkali and Egyptian community. The road was reconstructed; water supply and sewage system was installed. This project began in 2008 but has not finished yet. The municipality has allocated a budget of 50,000 euros for this particular project.

In 2009, we are working hard to improve the living conditions for Roma, Ashkali and Egyptian communities in villages Bllagojë/ Blagoje, Trebovic/ Trbovic, Zlopek/ Zlopek and Vitomiricë/ Vitomirica, reconstructing their houses, roads and installing a water supply and sewage systems for these villages.

S. C. Head of municipal Office of Communities in Peja/Peć
HLC-Kosovo Interview, May 18th 2009.

At the time of writing this report, the municipality of Peja/Peć had not allocated a special budget for the needs of Roma Egyptian and Ashkali communities. Upon their requests, special attention

---

15 Annual expenditures for salaries of the staff (9) persons is 27,766 euro, goods and services 25,250 euro, municipal services 1,010 euro and capital investments 100,000 euro. - G.G. head of budget and finances department in Peja/ Peć, HLC-Kosovo Interview, May 18th 2009.
is paid to cases of persons in need of food and clothes. In such cases, MCO usually provides help on an *ad hoc* basis by giving them up to 100 euros.

**Property rights and informal settlements** – The municipality of Peja/Peć does not have any programme or action plan for the registration of unregistered people who used to live elsewhere after the war and have recently returned to Kosovo. In 2008, the municipal office for communities had information that 15 Roma, Ashkali, and Egyptian families had returned from Serbia and Montenegro or western countries to live in Kosovo.

For the moment, there are four (4) informal multiethnic settlements in Peja/Peć municipality. One (1) is located in “Zastra”, two (2) in “7 Shtatori” and one (1) in “Kristal” neighbourhood. Approximately 150 members of Roma Ashkali and Egyptian communities are living in these informal settlements. Albanians and Bosniaks also inhabit these settlements. The municipality has not taken any step to either legalize or dismantle these four (4) informal settlements.

Lack of documentation over their previous property presents the biggest problem that members of Roma, Ashkali, and Egyptian community are facing.

*We don’t have any plan to legalize informal settlements in our municipality. Besides, some members of Roma, Ashkali and Egyptian communities cannot prove that they have been in possession of a property because they lack documentation. The municipality cannot help them and cannot take responsibility for resolving ownership issues.*

A.G. municipal officer for property issues and urbanism in Peja/Peć

HLC-Kosovo Interview, May 18th 2009.

**Information and Awareness** – Municipal officials are not informed about the Strategy for the Integration of Roma, Ashkali and Egyptian communities in Kosovo in the 2009 - 2015 period. They learned about this document after they received the strategy via email. The Municipal Office of Communities is where members of communities ask for assistance and receive support for solving their problems. The Office of Communities in Peja/Peć has good cooperation with the civil society sector. They work together on the implementation of various projects in the area of education, infrastructure and health.

**1.2.2 Municipality of Gjakova/Đakovica**

The municipality of Gjakova/Đakovica covers a territory of 521 square kilometres. According to OSCE data, Gjakova/Đakovica has a population of 150,000 inhabitants, 90,000 of whom live in the city and 60,000 in the villages. Albanians constitute the overwhelming majority - up to 95.30%, 0.04% are Bosniaks, and the remaining 4.66% comprise members of Roma Ashkali and Egyptian communities. RAE communities, numbering a total of 8,600 inhabitants, represent the biggest minority in the municipality. Fifteen (15) families which form these communities have returned from Macedonia, Montenegro and Serbia, whereas twenty nine (29) other families were involuntarily returned from western countries. They have no security related problems. The municipal leadership claims it has played a crucial role in their return by supporting and

---

16 OSCE-Municipal profiles-Gjakova/Đakovica.
facilitating this process. However, in order to fully integrate them at all levels of society, a lot more remains to be done especially in terms of employment and education. The Gjakova/Đakovica municipal assembly employs four (4) members from minority communities. All of them are Egyptian.

On December 26th 2008, the Municipal Assembly of Gjakova/Đakovica adopted the statute of the municipality. This statute guarantees the use of official language in communication with municipal bodies in line with the Law on the Use of Languages. The statute foresees the establishment of permanent committees and other committees.

The Community Committee (CC) – is one of the permanent committees of the municipality. The CC is comprised of assembly members and community representatives. Each community living in the municipality are represented with at least one representative. Appointed members of the CC in Gjakova/Đakovica municipality are as follows one (1) Serb, one (1) Roma, one (1) Egyptian, and one (1) member of Bosniak community. This committee holds its meetings every month.

According to the MALG report, during 2008 this committee held seven (7) meetings, whereas three meetings were held between January and March 2009. This committee is in charge of monitoring the implementation of legislation, sub legal acts and other policy documents regulating minority rights in Gjakova/Đakovica municipality. Community Committee also reviews requests and complaints submitted by citizens of minority communities and presents them to respective municipal directorates and other municipal institutions. In addition to this, the committee provides recommendations to the assembly on the measures that should be undertaken in order to implement applicable legislation and improve the status of minorities in Gjakova/Đakovica. In the majority of cases, requests and complaints made by citizens relate to reconstruction of houses, road infrastructure, electricity and education.

The mandate of the Municipal Community Committee is to monitor the respect of minority rights and review the requests and complaints coming from minority communities. This body meets once in a month and aside from abovementioned duties it gives recommendations to the assembly on how to solve different problems of minorities and how to implement regulations concerning minority rights.

N. Q. Head of municipal Office of Communities in Gjakova/Đakovica
HLC-Kosovo Interview, May 21st 2009.

Municipal Office of Communities (MCO) – The statute of municipality regulates the MCO’s mandate and function. By statute, this office is responsible for promotion and protection of minority rights, equal access of minorities to the public services at municipal level, promoting

---

17 Article 7 of the Statute- Gjakova/Đakovica municipality.
18 Article 35 of the Statute- Gjakova/Đakovica municipality.
19 Ibid.
20 HLC-Kosovo Interview with Nexhip Qehaja- head of municipal office for Communities in Gjakova/Đakovica, May 21st 2009.
23 Article 48 of the Statute-Gjakova/Đakovica municipality.
There are four (4) employees working at the MCO. Three (3) of them are Egyptians and one (1) is Albanian. The mandate of the office is to cooperate with all directorates of municipality in order to protect and promote minority rights through different activities. This office drafts its action plan every year covering the area of education and awareness campaigns aiming at the inclusion of Roma, Ashkali, and Egyptian children in schools. The MCO in Gjakova/Đakovica was also engaged in preparing information leaflets with practical instructions for members of Roma, Ashkali and Egyptian communities on how to receive official documents from the municipality. The MCO has worked with UNDP to facilitate construction of seven (7) houses for members of Roma Ashkali and Egyptian communities in village Brekoc/Brekoc.

The Gjakova/Dakovica MCO considers the sustainable return of minorities to their homes and facilitating the return process to be its key priority. Altogether fifteen (15) families from Roma, Ashkali and Egyptian community have returned to Gjakova/Đakovica. This office was also deeply involved in the area of education. Working in close cooperation with the municipal education directorate they have launched an awareness campaign aiming at informing parents and children about the importance of inclusion of children in the education system. As a result of their tireless work, 66 children from RAE communities have enrolled in the first class of primary education for the 2008/2009 academic year.

The priority of our office is the process of return of displaced persons and refugees. One of the biggest achievements is the return of fifteen (15) families belonging to Roma, Ashkali and Egyptian community in Gjakova/Dakovica. Inclusion of their children in obligatory education process is another challenge and we are working hard to fight illiteracy among members of these communities. We work very closely with the municipal education directorate on these issues.

B.K. officer for development of communities - MCO in Gjakova/Đakovica
HLC-Kosovo Interview, May 21st 2009.

**Budget and projects** – The municipal assembly adopts a municipal budget annually. The amount of money allocated to the MCO depends on its needs and the number of inhabitants. A total of 31,696 euros or 4.3% of the total budget of the Gjakova/Đakovica municipality is allocated to the MCO. Expenditures for salaries of workers and goods and services are included in this figure. This budget allocation also pays for road reconstruction and other infrastructure projects and utilities under the capital investment component.

During 2008 and 2009, the municipality of Gjakova/Đakovica funded the reconstruction of roads in the following villages: Gropish/Gropiste, Shishman/Shishman and part of the road in the village of Janosh/Janos, These are neighbourhoods inhabited by members of Roma, Ashkali and Egyptian communities. We have also supported the reconstruction of houses for returnees. We have facilitated the enrolment of returned children, primarily enrolment of members of Egyptian community, in primary schools.

---

24 Ibid.
25 A total of eighteen (18) children from Kolonia/Korlonia, twenty eight (28) from Brekoc/Brekoc and 20 children from Sef/Sef neighborhood were registered in primary schools. -N.Q. head of- MCO in Gjakova/Dakovica.
27 Annual expenditures for salaries of the staff (4) persons present 11,496 euro, goods and services 20,200 euro. - Annual approved budget for 2009.
At the time of writing this report municipality of Gjakova/Đakovica had not allocated a specific budget for the needs of Roma Egyptian and Ashkali community groups.

**Property rights and informal settlements** – The municipality of Gjakova/Đakovica has no programme for registration of unregistered people who have fled and lived elsewhere after the war and have returned to Kosovo recently. MCO has prepared an information leaflet with instructions on how to register.

There are currently three (3) multi-ethnic informal settlements in the Gjakova/Đakovica municipality. Koloni/Koloni has one (1) informal settlement with seven hundred (700) inhabitants, Dardania/Dardani has also one (1) informal settlement with seven (7) families with fifty (50) members living in it, and another such settlement with 700 inhabitants living in 115 houses is located in Brekoc/Breko. Members of Roma Ashkali and Egyptian communities make the majority of people in informal settlements though there are also members of other communities living there, including Albanians. Living conditions in these places are very poor. The municipality is preparing to legalize these settlements. In this regard it has allocated four (4) hectares of land for building houses for all inhabitants living in the informal settlements.

Many returnees of the RAE communities in Gjakova/Đakovica, like those in Peja/Peć, lack property deeds which prevents them from enjoying their own possessions. While the municipal administration has shown a readiness to assist members of these communities in all possible ways it says that it can do nothing in terms of documentation showing ownership of a property.

We are working to legalize informal settlements in our municipality. Municipality has allocated four (4) hectare of land to build houses for citizens that live in informal settlements and hopefully we will soon begin construction of houses. The living conditions in these settlements are unbearable. On the other hand, members of Roma, Ashkali and Egyptian communities lack original property documentation.

N. Q. head of municipal Office of Communities in Gjakova/Đakovica
HLC-Kosovo Interview, 21 may 2009.

**Information and Awareness** – The MCO in Gjakova/Đakovica is well informed about the Strategy for the Integration of Roma, Ashkali and Egyptian community for the 2009-2015 period. An officer for development of communities in the area of education from the MCO participated in drafting the strategy. This office is open for all the citizens to address their problems and issues. The staff provide instructions and advice on where to go or how to proceed. The MCO in Gjakova/Đakovica collaborates closely with local and international NGOs, mostly with IOM, UNDP, ESCE and CARITAS on return projects, awareness campaigns and education initiatives.

**1.2.3 Municipality of Klina/Klina**
The Klina/Klina municipality is located in western Kosovo and covers an area of 308 square kilometres. The municipality includes 54 villages and its regional centre Klina/Klina. The exact number of people living in this municipality is unknown due to the large displacement of population during the last conflict. The municipal directorate of general administration estimates the population at 60,000. Minority communities are Kosovo Serbs, Roma, Ashkali and Egyptians (around 2,000 people). A total of 334 children from the Kosovo Roma, Ashkali and Egyptian communities are attending primary and secondary schools throughout the municipality, whereas seven Serb children who have returned to Kosovo attend school in the villages of Bica/Binxhë and Videjë/Vidanje, which operate as a part of Serbia’s education system.

During 2008, three (3) Roma, Ashkali and Egyptian families returned to Klina from Macedonia, Montenegro and Serbia, while in 2009 the municipality is working on the return of some more families. Four members of minority communities are employed in the Klina/ Klina municipal assembly: two (2) Serbs, one (1) Egyptian and one (1) member of the Roma community.

On September 22nd 2008, the municipal assembly of Klina/ Klina adopted the statute of the municipality. The statute guarantees the use of official language in communication with municipal bodies, in line with the Law on the Use of Languages. The statute foresees the establishment of permanent committees and other committees.

Community Committee (CC) - is one of the permanent committees of the municipality. The Community Committee is comprised of assembly members and community representatives. Each community living in the municipality is represented with at least one representative. According to the statute, at least five (5) and at most nine (9) members should be appointed to this committee. The Community Committee in Klina/ Klina is currently comprised of one (1) Serb, one (1) Roma and two (2) members of Egyptian community. All of them are appointed to this Committee. It holds its meetings every month.

According to the MALG report, the municipality of Klina/ Klina did not present the number of meetings held during 2008, while during the period January - March 2009 this committee held three (3) meetings. The committee’s task is to monitor implementation of legislation, sub legal acts and other policy documents that regulate minority rights in Klina/ Klina municipality. The Community Committee also addresses the concerns of communities to respective directorates of municipality. Requests and complaints filed by members of minority communities usually have to do with the reconstruction of houses, return process, road infrastructure, electricity and education.

The Community Committee meets every month; its mandate is to supervise the observance of minority rights and to review requests and complaints made by citizens coming from minority communities.

---

28 OSCE-municipal profiles- Klina/Klina
29 Article 37 of the Statute- Klina/Klina municipality.
30 Article 34 of the Statute- Klina/Klina municipality.
31 Ibid
communities, focusing especially in the concerns related to the return process. They refer their concerns to the relevant municipal directorates and ask them to answer these concerns.

A. G. deputy head of municipal Office of Communities in Klina/Klina
HLC-Kosovo Interview, May 25th 2009.

**Municipal Office of Communities (MCO)** - The municipality statute regulates the mandate and functioning of this office. By statute, this office is responsible for the promotion and protection of minority rights, equal access of minorities to public services at municipal level, and directly promoting anti discrimination principles. It is required by statute that the Head of the MCO present the report to the assembly for each CC meeting, describing issues discussed, decisions taken and achievements of the body. Currently, the MCO in Klina/Klina has a staff of four (4) members, one (1) Roma, one (1) Egyptian and two (2) Serbs. Its mandate is to cooperate with other municipal directorates with a view to promoting and protecting minority rights through various activities. This office regularly participates in the CC and assembly meetings. In addition to this, it gives its opinion while determining the budget for minorities in Klina/Klina.

Every year this office drafts its action plan regarding the return process and education of minority children, with a focus on education of children from Roma Ashkali and Egyptian communities. MCO in Klina/Klina has facilitated the return of three (3) Roma, Ashkali and Egyptian families from Montenegro to Klina/Klina.

The sustainable return of minorities into their homes and their integration into society is a priority for the MCO in Klina/Klina. The last time Roma, Ashkali and Egyptian families returned to this municipality was in 2008. Currently this office is preparing for the next round of returnees.

*Integration of minority communities into society, the return process, provision of assistance for sustainable return of all people who decide to come back and live at their homes, is the priority of our office. Education of children from minority groups is another objective of ours and we are fighting illiteracy among members of Roma, Ashkali and Egyptian communities. For this purpose we have worked very closely with UNOPS and have organized catch up classes and included kids in these programmes.*

A. G. deputy head of municipal Office of Communities in Klina/Klina
HLC-Kosovo Interview, May 25th 2009.

**Budget and projects** – The municipal assembly adopts a municipal budget annually. A total of 49,969 euros or 3.5% of the total municipal budget is allocated to the MCO, which includes expenditures for salaries of the workers and goods and services. The allocated budget is also used for road maintenance and reconstruction, improving electricity system and utilities. For two consecutive years (2008 and 2009), the municipality has supported the reconstruction of roads in villages Binça/Binca, Grabovc/Grabovc, Vida/Vida and the main road of Roma Mahalla in Klina/Klina itself.

---

35 Article 72 of the Statute-Klina/Klina municipality.
36 Ibid.
At the time of writing this report, the municipality of Klina/Klina has not allocated a special budget for the needs of the RAE community.

**Property rights and informal settlements** – The municipality of Klina/Klina does not have any special programme for the registration of unregistered people. According to MCO officials, Civil Rights Programme Kosovo (CRPK)\(^\text{38}\) has supported the registration of Roma, Ashkali and Egyptian community members. The MCO has no data regarding the number of people that the CRPK helped to register nor has it the number of requests for registration.

There are no informal settlements in the Klina/Klina municipality.

The lack of property deeds presents the greatest problem for members of the RAE community. The municipal administration claims that it is not its responsibility to solve such issues, but says it is committed to supporting members of these communities in any way possible.

**Information and Awareness** – The MCO in Klina/Klina is not informed about the Strategy for the Integration of Roma, Ashkali, and Egyptian Community during the 2009-2015 period. The municipality has undertaken steps and measures in accordance with the legislation framework and policy documents. The Klina/Klina municipality is well known for the successful and sustainable return of internally displaced persons from Kosovo.\(^\text{39}\) In this regard, there has been a fruitful cooperation with different international and local organizations that deal with the return process. This office is open for all the citizens to present their problems and concerns. The MCO staff instructs and advises citizens where to go or how to proceed further. The MCO in Klina/Klina cooperates closely with IOM, UNDP, OSCE, UNHCR and the International Red Cross on return projects, and in awareness raising and education.

**1.2.4 Municipality of Prishtina/Prishtina**

The municipality of Prishtina/Priština is situated in the central part of Kosovo encompassing an area of 572 km\(^2\). It is the administrative, political, economic and cultural centre of Kosovo. It is also the largest municipality by population. Gračanica/Gračanica, the cultural centre of Kosovo Serbs living in the central part of Kosovo, is also part of the municipality of Prishtina/Priština. Both the Prishtina/Priština municipality and the Serbian parallel structures carry out administrative functions in Gračanica/Gračanica. Serbian parallel structures are in place in the following sectors: education, health, administration and court system.\(^\text{40}\) This municipality has a population of approximately 500,000. According to UNMIK, Kosovo Albanians make the overwhelming majority (approx. 475,000); the estimated number of minority communities in 2005 was as follows: 12,510 Kosovo Serbs, 4,550 Ashkali and Roma, and 450 Bosniaks and Gorani.\(^\text{41}\) Other minorities, including Turks, do not exceed 3,950.\(^\text{42}\) According to UNHCR 1,150

\(^{38}\) Kosovar NGO that is involved in supporting the registration of the IDP’s in Kosovo including members of Roma, Egyptian and Ashkali community members.

\(^{39}\) UNDP report, February 2009- Return Process in Klina/Klina “With more such municipalities, the return process would have been for more successful”

\(^{40}\) OSCE report- Municipal profile- Prishtina/Pristina.

\(^{41}\) Ibid.

\(^{42}\) 2007 Municipal Returns Strategy of Prishtina/ Priština Municipality.
internally displaced Kosovo Serb, 292 Roma and 296 Ashkali have returned to the municipality since 2000. Most of them returned spontaneously. There are currently two collective centres inhabited by internally displaced Kosovo Serb in Gračanica/ Graçanicë. During 2008-2009 seven (7) Serb, two (2) Ashkali and one (1) Roma family returned to live in Prishtina/ Priština municipality. Most members of Serb and Roma community usually receive medical care at hospitals which are part of parallel structures. In case of a more serious illness they use the hospital in North Mitrovicë/ Mitrovica. Access to primary healthcare services is still difficult in rural areas.

Three members of minority communities are employed in the Prishtina/Priština municipal assembly: one (1) Serb, one (1) Turk and one (1) Ashkali. On March 3rd 2008, the Municipal Assembly of Prishtina/ Priština adopted the statute of the municipality. The statute guarantees the use of native languages in communication with municipal bodies, in line with the Law on the Use of Languages. In addition, on February 12th 2009, the municipal assembly adopted a regulation on the use of languages establishing terms and procedures for obtaining documentation in official languages and setting up a municipal translation unit. The statute foresees the establishment of permanent and other committees.

The Community Committee (CC) – is one of the permanent committees of the municipality. The CC is comprised of assembly advisors and community representatives. Each community that lives in the municipality is represented with a representative. According to its statute the CC should consist of nine (9) appointed members. Presently there are three (3) Serbs, one (1) Roma, one (1) Turk, one (1) Ashkali, one (1) Bosniak, and two (2) Albanians appointed to this Committee. The mandate of the CC is to promote respect for minority rights, non-discriminatory policies regarding access to municipal services and employment. The CC also monitors the work of the municipal Office of Communities, prepares recommendations on issues pertaining to minority rights for the municipal assembly and the mayor. This committee holds meetings every month. Meetings are monitored by the OSCE municipal representative. The municipality has not adopted any special policy paper or document to address the needs of the RAE communities.

The MALG report has no data about the number of the meetings held by the community because it did not present any meetings in 2008, while during January - March 2009 the committee met four times. The committee’s duty is to monitor the implementation of legislation, sub legal acts and other policy documents that regulate minority rights in the Prishtina/ Priština municipality. The CC also addresses the concerns of communities to respective directorates of the municipality. Citizen’s requests and complaints in the majority of cases relate to reconstruction of houses, the return process, road infrastructure, electricity and education.

43 P.V. director of municipal community office in Prishtina/ Priština, HLC-Kosovo interview, May 12th 2009.
44 Ibid.
45 Article 14.5 and 14.6 of the Statute-Prishtina/ Priština municipality.
46 Article 42 of the Statute- Prishtina/ Priština municipality.
47 Article 44 of the Statute- Prishtina/ Priština municipality.
48 Article 5 (b) of the municipal regulation on the composition and competences of the permanent committees, issued in July 2008 and HLC-Kosovo Interview with Faton Marolli- municipal official -office for Communities in Prishtina/Priština, 12 May 2009.
The Community Committee meets every month; its meetings are monitored by OSCE municipal monitors. The mandate of this office is to supervise activities of the municipal Office of Communities, to promote the respect of minority rights in a municipal level and, to give recommendations and advise municipal assembly and the mayor on different policies dealing with the rights of minorities. This office also reviews requests and complaints coming from minority communities.

F. M. municipal official of municipal Office of Communities in Prishtina/ Priština
HLC-Kosovo Interview, May 12th 2009.

Municipal Office of Communities (MCO) - the mandate and functioning of this office as an integral part of municipality is regulated with the statute of the municipality.\textsuperscript{51} According to the statute, this office is responsible for the promotion and protection of minority rights, equal access of minorities to public services at municipal level, and directly promoting anti-discrimination principles.\textsuperscript{52} The statute stipulates that the head of the MCO is also a member of the board of directors. The Head of the MCO participates in the meetings of the CC and reports regularly about the work and activities carried out. The statute also foresees the establishment of sub-offices for communities. There are four (4) members of the staff currently working in the MCO in Prishtina/ Priština: one (1) Ashkali, one (1) Serb, one (1) Turk, and one (1) Albanian. The mandate of this office is to cooperate with all municipal directorates and facilitate activities aiming at promotion and protection of minority rights in the area of security, freedom of movement, use of language and improvement of living conditions. The MCO has supported several projects which aim at improving road infrastructure, healthcare, education, cultural activities and reconstruction of houses. The MCO in Prishtina/ Priština has helped greatly in the return of seven (7) Serb, two (2) Ashkali and one (1) Roma family. Its priority for 2009/2010 is to step up an awareness campaign among parents and children of Roma community in order to reach a higher enrolment of the Roma children in the education system.

The central and local government finds the work of the MCO in Prishtina/ Priština very important and indispensable. According to them, our duty is to contribute in the promotion of minority rights, improving security, freedom of movement, use of language and other activities that impact directly the living conditions of the minority groups in Prishtina/ Priština. We have done so in the past and we plan to continue our engagement in the future.

P.V. director of municipal Office of Communities in Prishtina/Priština
HLC-Kosovo Interview, May 12th 2009.

Budget and projects – The municipal assembly adopts a municipal budget annually and allocates funds for the MCO and its activities. The municipality also prepares annual action plans and allocates the budget for implementation of these plans. It has prepared an annual action plan in the area of education, infrastructure and cultural-sport activities. A total of 4.1% of the municipality budget was allocated to the MCO, including salaries, goods and services. This budget supports projects related to road reconstruction; housing and different cultural events for minorities. Until now the municipality of Prishtina/ Priština has not allocated a special budget for the needs of Roma, Egyptian, and Ashkali community groups.

\textsuperscript{51} Article 47 of the Statute-Prishtina/Priština municipality.
\textsuperscript{52} Ibid.
**Property rights and informal settlements** - The municipality of Prishtina/Priština does not have a special programme or policy for registration of citizens from minority communities who could not register at the civil registry.

There is no informal settlement in the Prishtina/Priština municipality. Property issues are a constant problem for members of the RAE community. They lack documentation to prove that they own property. The municipality does not get involved in solving property disputes on behalf of the citizens.

**Information and Awareness** – Both the municipality and MCO in Prishtina/Priština are well informed about the Strategy for Integration of the Roma, Ashkali, and Egyptian community during 2009-2015 period. The MCO cooperates closely with civil society, primarily in the area of education. This office used to have more successful cooperation with NGOs in the past. This office is open every day for all citizens who want to raise a problem or a concern. Municipal staff provide instructions and advice for them on how to solve their problems.

*We used to have better cooperation with civil society in the past. We successfully accomplished different projects related to the return and education process. I must admit that current cooperation with the civil society is unsatisfactory. NGOs are no longer interested in cooperation. The MCO is currently working only with local NGO’s addressing problems and issues related to education of Roma, Ashkali and Egyptian children.*

P.V. director of municipal Office of Communities in Prishtina/ Priština

HLC-Kosovo Interview, May 12th 2009.

1.2.5 Gračanica/Graçanicë

Gračanica/Graçanicë is the largest Serbian and Roma enclave within the Prishtina/Priština municipality. The village lies 13 km south of Prishtina/ Priština. There are no accurate statistics on the population of Gračanica/ Graçanicë available. Before the 1999 conflict, Prishtina/Priština used to be a multi-ethnic city. After the conflict, members of Roma and Serb community fled the city and most of them settled in Gračanica/Graçanicë, which was once a small town but has now grown into the biggest Serbian settlement outside the north of Kosovo. There are also small Roma and Serb communities in the surroundings of Gračanica/Graçanicë, such as Laplja Sellë/Llapje Selo, Preoqe/Preoce. Both the Kosovo state and the Serbian parallel educational system offer pre-school, primary, secondary and university education. But communities have encountered many difficulties and challenges with regard to education. The biggest problem of all is the poor educational infrastructure (lack of primary and secondary school facilities; there are cases where the same building serves for primary, secondary and college education), lack of equipment (school books, computers, etc.). Students have problems travelling from the nearby villages to attend school at Gračanica/Graçanicë because there are not enough school-buses. Most of the Serb and Roma community use the Serbian parallel health-care services in Laplje Selo/Llapje Sello and Gračanica/Graçanicë to get medical treatment and attention. Other communities receive medical care and treatment at official health-care system. All patients

---

53 ECMI- [http://www.ecmi-map.com](http://www.ecmi-map.com).
regardless of their background have access to medical healthcare. However, there have been reports that some members of Serb and Roma community living in the rural parts of the municipality have experienced problems accessing healthcare institutions due to lack of public transport.\textsuperscript{54}

Gračanica/Graçanicë sub municipal office employs twenty one (21) officials, nineteen (19) Serbs, one (1) Albanian and one (1) Ashkali.\textsuperscript{55}

According to the statute of Prishtina/Priština municipality, the municipal office for communities in Gračanica/ Graçanicë is established and functions as a sub office\textsuperscript{56} for communities.

\textbf{Community Committee} (CC) of the Prishtina/ Priština municipality covers Gračanica/Graçanicë. The sub municipal Office of Communities of Gračanica/ Graçanicë conveys the concerns and issues related to the promotion of minority rights and improvement of their status to this body. The CC of the Prishtina/Priština municipal assembly plays a special role in addressing the needs of the minorities from this area. The CC in close cooperation with the sub municipal office for communities in Gračanica/Graçanicë has facilitated numerous projects with a view to improving the status of Roma, Ashkali, and Egyptian communities through improvements in the road infrastructure, education projects and different cultural initiatives. The municipality has supported reconstruction of the roads, instalments of water supply and sewage systems in the Roma Mahala/Romska Mahala neighbourhood. Two teachers were hired at preschool level in Gračanica/Graçanicë.

\textit{The Prishtina/Priština CC is the only body that deals with the rules, regulations and policy documents regarding the rights of minorities in the municipal level. This body is responsible for making recommendations when these regulations are drafted and monitoring their implementation afterwards.}

P.V. director of sub municipal Office of Communities of Gračanica/ Graçanicë HLC-Kosovo Interview, June 3rd 2009.

\textbf{Sub-Municipal Office of Communities (MCO)} – the municipality statute\textsuperscript{57} regulates the establishment, mandate and functioning of this office as an integral part of the municipality. This office is supported by the municipality budget. According to the statute, the office is responsible for the promotion and protection of minority rights, ensuring equal access of minorities to public services at municipal level, directly promoting anti-discrimination principles.\textsuperscript{58} It plays a large role in handling issues related to minority rights in Gračanica/ Graçanicë in the Prishtina/ Priština community committee and municipal assembly. The sub MCO in Gračanica/ Graçanicë has three (3) employees, one (1) Albanian and two (2) Serbs. Its mandate is to collaborate with the CC and municipal directorates, and to assist in finding solutions for problems concerning the promotion and protection of minority rights in the areas of security, freedom of movement, use of language and improvement of living conditions in Gračanica/Graçanicë. This office has facilitated implementation of different projects which have improved living conditions and the overall

\begin{itemize}
  \item \textsuperscript{54} Ibid.
  \item \textsuperscript{55} P.V. director of sub municipal community office in Gracanica/Gracanica , HLC-Kosovo interview, June 3rd 2009.
  \item \textsuperscript{56} Article 47.5 of the statute- Prishtina/ Priština municipality.
  \item \textsuperscript{57} Article 47.5 of the Statute- Prishtina/ Priština municipality.
  \item \textsuperscript{58} Ibid.
\end{itemize}
status of minorities. The biggest achievement of this office is the foundation of the Cultural Center with a view to bring together people of different backgrounds and cultures, especially young people, and foster inter-ethnic cooperation through organizing cultural events. This office also helps in obtaining official documentation necessary for retirement, social assistance and healthcare.

*The achievements of our office are notable and tangible in the Roma Mahala where we have supported reconstruction of the roads as well as instalment of electricity and water supply system. The establishment of the Cultural Center in Gračanica/Graçanicë was a project of special importance not only for us but also for all citizens. We are very happy we managed to finish this project. Now the youth of this region can participate in cultural and sport activities.*

P.V. director of sub municipal Office of Communities of Gracanica/Graçanicë
HLC-Kosovo Interview, June 3rd 2009.

**Budget and projects** – The Prishtina/Priština municipal assembly made a budget allocation for the sub municipal Office of Communities as well as all other projects related to minorities in Gračanica/Graçanicë. The budget of the sub MCO in Gračanica/Graçanicë receives 0.4% of the Prishtina/Priština municipality budget. This budget is allocated for the needs of all minorities. This year, the MCO in Gračanica/Graçanicë plans to spend 20% of their budget to address the concerns and improve the status of RAE communities.

**Property rights and informal settlements** - The municipal authorities of Gračanica/Graçanicë are not involved in any special programme or policy for registration of citizens that are not registered in the civil registry.

There are currently two collective centres inhabited by Kosovo Serb (IDPs) in Gračanica/Graçanicë. The Office of Communities and municipal authorities are working to legalize these centres. There are also roughly another 200-300 small informal settlements.

Like elsewhere in Kosovo, unemployment and lack of property deeds are the biggest problems which Roma, Ashkali, and Egyptian communities face. Municipal authorities are not involved in resolving property disputes.

**Information and Awareness** – The municipal authorities of Gračanica/Graçanicë are not informed about the Strategy for the Integration of Roma Ashkali and Egyptian Community in the period 2009 - 2015. The sub MCO in Gračanica/Graçanicë organises regular monthly meetings with citizens of this region. The sub MCO conveys problems, concerns and conclusions from these meeting to the CC and municipal assembly. This office also cooperates closely with the civil society, primarily with local NGO’s. This office is open every day for all citizens to address their problems and concerns.

*Regular meetings with citizens are very important for our work. These meetings present a source of first hand information for us; it is where we find out about the news, problems and achievements of the citizens of Gračanica/Graçanicë. We always try to address their needs and concerns by referring them to the respective institutions. These meetings have drawn the attention of a considerable number of citizens which is a good reason for us to continue with this practice in the future.*
1.2.6 Municipality of Obiliq/Obilić

The municipality of Obiliq/Obilić is situated to the northwest of Prishtina/Priština, on the main road to Mitrovica/ Mitrovica. The Municipality was established in 1989. Prior to this, Obiliq/Obilić used to be part of Prishtina/Priština municipality. It consists of 19 villages and the town of Obiliq/Obilić. The number of inhabitants is estimated at 30,000. Kosovo Albanians comprise the majority of the population (approximately 25,000), the rest are Kosovo Serbs with some 3,400, Roma 550, Ashkali 300, Bosniaks 70 and others. Most non-Kosovo Albanian communities live in the villages of Babin Most/Babimoc, Milloshevë/Miloševo, Plemetin/Plemetina, Caravodicë/Crkvena Vodica and the town of Obiliq/Obilić. While there are still a lot of unpaved roads, especially in the rural areas, the overall road infrastructure has improved. As to the water supply, small or remote villages are not yet connected to the main network. Many villages including Plemetin/Plemetina also suffer from a lack of adequate sewage system.

The main primary family health centre of Obiliq/Obilić caters for all of the municipality’s population; however, Kosovo Serbs usually receive medical treatment at the health centres in Babin Most/Babimoc and Plemetin/Plemetina, as well as other parallel health institutions. Schools in the municipality are ethnically separated, with the exception of the elementary school in Caravodicë/Crkvena Vodica, where Kosovo Albanian and Kosovo Serb pupils use the same facility in different shifts. There are nine primary schools and one secondary school in the municipality, with a total number of 5,512 students, including two integrated secondary school classes of economy and medicine in Plemetin/Plemetina for Kosovo Serb students. There are some 485 Kosovo Serb pupils, 45 Roma and 98 Ashkali.

There are seventeen (17) members of minority communities employed at the Obiliq/Obilić municipal assembly. Fourteen (14) of them are Serbs, one (1) Bosniak, one (1) Albanian and one (1) member of Roma community. During 2008 and 2009 three (3) Serb, two (2) Roma and two (2) Ashkali families have returned to live in Obiliq/Obilić from Macedonia, Montenegro and Serbia.

On September 2008, the Municipal Assembly of Obiliq/Obilić adopted the statute of the municipality. The use of official language in communication with municipal bodies is regulated by this statute in line with the Law on the Use of Languages. The statute foresees the establishment of permanent committees and other committees.

Community Committee (CC) - is one of the permanent committees of the municipality. The CC is comprised of assembly members and community representatives. Each community that lives in the municipality is represented with at least one representative. According to the statute, at least five (5) and at most nine (9) members should be appointed at the CC. There are two (2)

59 OSCE—municipal profiles- Obiliq/Obilić.
60 Municipal department of health and social welfare.
61 Source: Department of Education, Sport and Culture.
62 Article 40 of the Statute- Obiliq/Obilić municipality.
63 Ibid.
Serbs, one (1) Roma, one (1) Bosniak and one (1) Albanian member appointed to the CC. This committee meets on a monthly basis.

According to the MALG report the CC of Obiliq/Obilić held two (2) meetings during 2008, while during January - March 2009 the committee did not report any meeting. This committee is in charge of monitoring the implementation of legislation, sub legal acts and other policy documents regulating minority rights in Obiliq/Obilić municipality. The CC also addresses the concerns of communities to respective directorates of the municipality. Citizen’s requests and complaints in the majority of the cases relate to the reconstruction of houses, the return process, road infrastructure, electricity and education. The mandate of the CC is to advise and give recommendations on different issues. This body is not entitled to decide on the issues related to minority rights or other issues.

*The Community Committee meets every month; its mandate is to monitor the status of minority rights and review requests and complaints coming from minority communities. The CC cannot take any decision but it addresses concerns of the minority communities in front of responsible municipal directorates.*

M.P.M. officer of municipal Office of Communities in Obiliq/Obilić
HLC-Kosovo Interview, May 27th 2009.

**Municipal Office of Communities (MCO) –** the foundation, mandate and functioning of this office as an integral part of the municipality is regulated with the statute of the municipality. According to the statute, this office is responsible for promotion and protection of minority rights, ensuring equal access of minorities to the public services at municipal level. There is a staff of four members currently working in the MCO of Obiliq/Obilić, two (2) members of Serbian community, one (1) Roma, and one (1) Bosniak. The mandate of this office is to cooperate with all directorates of the municipality and to promote and protect minority rights through various activities. This office regularly participates in the CC and assembly meetings. The head of MCO in Obiliq/Obilić is also a member of municipal board of directors, in accordance with legal requirements of the statute of municipality.

The office prepares every year its action plan covering areas of education, culture and issues related to reconstruction and infrastructure. Along with action plans, MCO proposes to the assembly necessary budget for implementation of its action plans and functioning of the MCO. The priority of the MCO in Obiliq/Obilić was to build and furnish the two (2) high-rise blocks in the Plemetin/Plemitin neighbourhood. A total of 59 Roma, Egyptian, and Ashkali families have been accommodated in these two buildings. MCO has also helped the return process.

*Accommodation of fifty nine (59) Roma, Ashkali and Egyptian families in the two skyscrapers has directly improved living conditions for these lucky citizens. All of them are grateful to the municipality authorities. We are aware that it does not solve all problems, but we think that this is one of the greatest achievements of MCO and municipality of Obiliq/Obilić.*

M.P.M. officer of municipal Office of Communities in Obiliq/Obilić

---

67 Article 60.1 of the Statute-Obiliq/Obilić municipality.
MCO always prepares the draft budget for the needs of the MCO and implementation of the various projects aiming at improving the status of minorities in the municipality. Until now, the proposed budget has been always accepted by the municipal assembly.

E.D. director of Budget and finances in Obiliq/Obilić
HLC-Kosovo Interview, May 27th 2009

**Budget and projects**- Municipal assembly adopts the municipal budget annually. A total of 214,328 euros or 19% of the Obiliq/Obilić budget is allocated to the functioning of the MCO. It also includes staff salaries, goods and services. The above mentioned budget is also used for road reconstruction, electricity reparations and utilities. During 2008/2009, the municipality has supported reconstruction of roads, the installation of electricity, water supply and sewage systems in villages inhabited by members of Roma, Ashkali and Egyptian communities. These villages are Palaj/Palaj, Janina/Janina, Banjofc/Banjofc, Millosheve/Milosevo and Mazgit/Mazgit.

The municipality of Obiliq/Obilić has not allocated a special budget for the needs of Roma, Egyptian and Ashkali community groups. However, status of these communities appeared to be a priority for the municipal authorities.

**Property rights and informal settlements** – The municipality of Obiliq/Obilić has no special programme for the registration of unregistered people. There are several informal settlements in Obiliq/Obilić municipality. All of them are multi-ethnic settlements inhabited by Albanians, Roma, Ashkali, Serbs and Bosniaks.

Municipal authorities of Obiliq/Obilić are working towards identifying the accurate number of informal settlements and at the same time they are drafting a plan to speed up the process of legalisation of these settlements.

High level of unemployment and lack of property deeds are the biggest problems for members of the RAE community. The municipal administration claims that it’s not their duty to solve ownership problems.

**Information and Awareness** – The MCO and municipal authorities in Obiliq/Obilić are familiar with the Strategy for the Integration of Roma, Ashkali, and Egyptian Community, 2009-2015. The municipality has undertaken steps and measures in accordance with the legislation framework and action plans. The office is open every day for all citizens to raise their problems and grievances. The staff helps them by instructing and advising on how to solve their problems. The MCO in Obiliq/Obilić collaborates closely with civil society. They have worked together on different projects in the area of education, healthcare, and supporting the return process, etc. This office cooperates with UNDP, Mercy Corp, OSCE and UNHCR.

### 1.2.7 Municipality of Fushë Kosovë/Kosovo Polje

68 42,728 euro- expenditures for salaries of the staff (17 staff members), 18,100 euro goods and services, 1,500 euro - municipal expenditures, 152 euro- capital investments- Municipal budget of Obiliq/Obilić for the year 2009.

The municipality of Fushë Kosovë/Kosovo Polje is located 8 km southwest of Prishtina/ Priština. It consists of 17 villages and the town of Fushë Kosovë/Kosovo Polje itself. Three villages are populated by Kosovo Serbs (Ugljare/Uglar, Kuzmin/Kuzmin and Batuše/Batushë), whereas the village of Bresje/Bresje and Fushë Kosovë/Kosovo Polje town are multiethnic. This municipality has 50,000 inhabitants. Besides Albanians who make up the overwhelming majority of population (85%), there is a substantial number of minority communities living in this municipality: 3,800 Ashkali, 2,800 Kosovo Serbs, 600 Roma, 200 Egyptians, 40 Bosniaks and 30 Gorani. Prior to the 1999 conflict, Kosovo Serbs comprised 25% of the population. However, their number is now estimated at 8%. According to UNHCR, 1452 internally displaced persons (IDPs) have returned to the municipality since 2000 (888 Ashkali and Egyptians, 382 Kosovo Serbs and 182 Roma). According to information from municipal Office of Communities two (2) Roma and four (4) Ashkali families have returned to live in the municipality of Fushë Kosovë/Kosovo Polje, during 2009.

Despite the efforts made by the municipality to unify the healthcare system, health facilities remain divided. Kosovo Albanians, Ashkali and Egyptians seek medical attention and treatment at the Family Health Centre in Fushë Kosovë/Kosovo Polje and 11 health centers in the surrounding villages. Kosovo Serbs and Roma receive medical treatment at the Health Center in the village of Ugljare/ Uglar, as well as other centers of primary healthcare in Kuzmin/Kuzmin and Batuse/ Batushë. There are ongoing discussions between the municipality, the Kosovo Serb community and UNMIK about setting up another health centre in the village of Bresje/ Bresje.

The education system in the municipality is also divided. There is one pre-primary school, six primary schools and three secondary schools where Kosovo Albanian, Ashkali and Egyptian children learn. The Serb-run parallel system consists of one pre-primary school and five primary schools, which are financed by the Serbian Government. Kosovo Serb and Roma children learn in these schools. The only multi-ethnic school, which was destroyed during the riots on March, 2004, but latter reconstructed, gathers children from all communities.71

There are six (6) members of minority communities employed in Fushë Kosovë/Kosovo Polje municipal assembly: three (3) Serbs, two (2) Ashkali and one (1) Roma.

The Municipal Assembly of Fushë Kosovë/Kosovo Polje adopted its statute on October 15th 2008. It guarantees the use of official languages in oral and written communication with municipal bodies, in line with requirements of the Law on the Use of Languages.72 The statute foresees the establishment of permanent committees73 and directorate for communities, which have replaced the municipal Office of Communities.74

The **Community Committee** (CC) – is one of the permanent committees of the municipality. The CC consists of assembly members and community representatives living in Fushë Kosovë/

---

70 Director of Health, Municipal Assembly President, and Municipal Community Officer.
71 Director of Education and Municipal Community Officer.
72 Article 8 of the Statute- Fushë Kosovë/Kosovo Polje municipality.
73 Article 37 of the Statute- Fushë Kosovë/Kosovo Polje municipality.
74 Article 73 of the Statute- Fushë Kosovë/Kosovo Polje municipality.
Kosovo Polje. Each community living in the municipality is represented by at least one representative.\textsuperscript{75} The municipality statute does not set the number of CC members. There are seven (7) members appointed to the Community Committee in Fushë Kosovë/Kosovo Polje municipality: three (3) Albanians, two (2) Serbs, one (1) Roma and one (1) member from the Egyptian community.\textsuperscript{76} This committee holds its meetings depending on the events and needs of the communities. According to the municipal Office of Communities officer, this committee does not convene regular meetings.\textsuperscript{77}

According to the MALG report\textsuperscript{78} the CC of Fushë Kosovë/Kosovo Polje municipality held only one (1) meeting during 2008, while during the period January - March 2009, it held two (2) meetings.\textsuperscript{79}

Its mandate is to protect and promote minority rights in the municipality level. The CC’s main duty is to ensure that all municipal policies and decisions regulating the area of minority rights are in line with applicable legislation and best interests of minorities living in this area. The CC also recommends measures to be undertaken by the municipality with a view to promoting ethnic, cultural, religious and language identity of all communities.\textsuperscript{80} The citizen’s requests and complaints are generally related to the reconstruction of houses, the return process, road infrastructure, electricity and education.

*The Community Committee meets in no particular order. Their duty is to monitor minority rights. They also review requests and complaints coming from minority communities, the majority of which relate to unemployment, electricity, the return process, education etc. Further in the process these issues are discussed with responsible municipal directorates.*

H.Q. deputy head of municipal Office of Communities in Fushë Kosovë/Kosovo Polje
HLC-Kosovo Interview, May 29th 2009.

**Directorate for Communities - ex - Municipal Office of Communities (MCO) -** even though, according to the statute of the municipality, its name has been changed from Municipal Office of Communities into the Municipal Directorate for Communities, the municipal administration and public still regards it as MCO. Its mandate and function is regulated with the statute of the municipality.\textsuperscript{81} This office supports and facilitates integration of minorities into society and helps in the implementation of the minority rights legislation, cooperates with all directorates of the municipality in implementation of various projects aiming at improving the status of minority rights, establishes priorities of the municipality on minority rights affairs. There are currently five (5) employees in the MCO of Fushë Kosovë/Kosovo Polje, three (3) Serbs, one (1) Roma, and one (1) member of Ashkali community.

\textsuperscript{75} Article 39.1 of the Statute - Fushë Kosovë/Kosovo Polje municipality.
\textsuperscript{76} H.Q. municipal officer -Municipal Community Office in Fushë Kosovë/Kosovo Polje -HLC-Kosovo Interview, May 29th 2009.
\textsuperscript{77} Ibid.
\textsuperscript{80} Article 39.2 of the Statute- Fushë Kosovë/Kosovo Polje municipality.
\textsuperscript{81} Article 73 of the Statute- Fushë Kosovë/ Kosovo Polje municipality.
The mandate of this office is to cooperate with all directorates of the municipality and to contribute to the promotion and protection of minority rights through different activities. It encourages citizens to forward and raise their problems and concerns.

H.Q. deputy head of municipal Office of Communities in Fushë Kosovë/Kosovo Polje
HLC-Kosovo Interview, May 29th 2009.

This office drafts its action plan every year which is mainly focused on the area of education, infrastructure, healthcare and culture. During previous years, the majority of projects were dedicated to the improvement of road infrastructure and instalment of water-sewage systems. Our priorities are now focused on the area of education, more specifically the inclusion of Roma children in schools. Until now the municipality has not prepared any special policy to tackle the status and integration of Roma, Ashkali and Egyptian communities into Kosovo society.

In the previous years we have put up a lot of efforts and have spent large sums of money in road reconstruction, instalment of water-sewage systems and electricity. Projects in support of Roma, Ashkali, and Egyptian communities are now focused on area of education. We have organised different cultural events for young people, such are theatre presentations- dramas. We have established very good cooperation with OSCE and UNICEF in implementing educational programmes aiming at fighting illiteracy among members of Roma, Ashkali and Egyptian communities.

M. B. municipal officer in municipal Office of Communities in Fushë Kosovë/Kosovo Polje
HLC-Kosovo Interview, May 29th 2009.

**Budget and projects** – The municipal assembly adopts a municipal budget annually. 19% of the municipality budget is allocated to meet the needs of minority communities. The allocated budget is used for road reconstruction, electricity reparations and utilities. A budget allocation of 19,982 euros has been earmarked solely for the functioning of the MCO, including expenditures for salaries of the workers and goods/services. Capital investments are not included in this budget. During 2008 and 2009, the municipality has supported the reconstruction of roads in the “Roma Mahalla 07” neighbourhood. Water and sewage systems were fixed and the electrical system was renovated in “Street 29”. Both neighbourhoods are inhabited by members of the Roma, Ashkali and Egyptian communities. The MCO officers in Fushë Kosovë/Kosovo Polje have been engaged in awareness raising campaigns on healthcare and hygiene targeting Roma, Ashkali and Egyptian girls and women as well as campaigns for family planning and against domestic violence.

During 2008 and 2009, we have launched two campaigns. The first one was organized in cooperation with UNICEF and was about the rights of the children and their access to education, striving to enrol more children in the school. The target groups of this campaign were parents and children of minority communities. The second campaign was launched and implemented in collaboration with “Balkan Sun-Flowers” aiming at educating women and girls from minority communities on gynaecological healthcare, personal hygiene issues and family planning and education.

M. B. municipal officer in municipal Office of Communities in Fushë Kosovë/Kosovo Polje

---

82 R.J. director of the directorate for budget, finances and economy in Fushë Kosovë/Kosovo Polje -HLC-Kosovo Interview, May 29th 2009.
The municipality of Fushë Kosovë/Kosovo Polje has not allocated a special budget for the needs of Roma, Egyptian, and Ashkali communities.

**Property rights and informal settlements** – The municipality of Fushë Kosovë/Kosovo Polje has no special programme for the registration of unregistered members of minority communities. There are no informal settlements in this municipality.

High unemployment rates and lack of property deeds are also a problem for members of the RAE community. The municipal administration has neither the obligation nor the desire to get involved in ownership disputes, though they have made it clear that they are ready to support members of these communities in all issues related to the municipality.

**Information and Awareness** – The MCO staff in Fushë Kosovë/Kosovo Polje were involved in the drafting of the Strategy for Integration of Roma, Ashkali, and Egyptian Community for the 2009 - 2015 period. The CC is also well informed on the standards and priorities of this strategy. The MCO officials believe that it is very important to organise debates and inform communities on what the strategy is about. This office is open for all the citizens to address their problems and concerns. The MCO officials instruct and advise them on how to proceed with their complaints. The MCO in Fushë Kosovë/ Kosovo Polje cooperates closely with civil society as well as international and local organisations. They have worked with OSCE, UNICEF, Cultural-Youth Center and Balkan Sun-Flower on various projects and awareness campaigns.

### 1.2.8 Municipality of Lipjan/ Lipljan

The municipality of Lipjan/Lipljan is situated in the central part of Kosovo, encompassing an area of 422 square kilometres. The municipality includes the town of Lipjan/Lipljan and 71 villages; 52 villages are populated exclusively by Kosovo Albanians, six by Kosovo Serbs and 13 villages and the town of Lipjan/Lipljan have a mixed population. This municipality has a population of 76,000, the majority of whom are Kosovo Albanians (83% - 64,600) whereas minorities make up 17 % of the population; there are approximately 9,500 Kosovo Serbs, 1,500 Ashkali, 360 Croats, 330 Roma and others. There have been few spontaneous/individual returns of Kosovo Serbs and more organized returns of Roma, Ashkali and Egyptian refugees which yield concrete results.83

There are two healthcare systems in Lipjan/Lipljan. Kosovo Albanians receive medical treatment at the Family Health Center in Lipjan/Lipljan while Kosovo Serbs use the services provided by Serbian health centers. These health centers provide limited services and treatment therefore in case of medical emergencies Kosovo Albanians and Ashkali are referred to the University Clinical Center of Kosovo in Prishtina/Priština, whereas Kosovo Serbs and Roma are treated at Laplje Selo/Llapje Sello or Mitrovicë/Mitrovica hospital. The municipality has two kindergartens (one used by Kosovo Albanian and the other by Kosovo Serb), 20 primary schools for Kosovo Albanians, three for Kosovo Serbs, and one for the Croat community in Janjevë/Janjevo. There are also three secondary schools: Gymnasium and Professional Secondary School for Kosovo Albanians in the town with two branches and one secondary school for Kosovo Serbs with one branch. Ten (10) Serbs and forty three (43)

---

83 OSCE Report-Municipal profiles- Lipjan/ Lipljan.
Egyptians and Ashkalis returned from Macedonia, Montenegro and Serbia in Lipjan/Lipljan during 2008 - 2009.

On September 26th 2008, the municipal assembly of Lipjan/ Lipljan adopted its statute. The statute guarantees antidiscrimination principles and the use of official languages in communication with municipal bodies, in compliance with the Anti-Discrimination Law and the Law on the Use of Languages. The municipal administration of Lipjan/ Lipljan has also issued a municipal regulation regulating in detail the use of languages in municipal level. The statute foresees the establishment of permanent committees and other committees. Seventeen (17) Serbs, four (4) Roma, five (5) members of Ashkali and Egyptian community and one (1) Bosniak are employed in the Lipjan/Lipljan municipal assembly

**Community Committee** (CC) - is one of the permanent committees of the municipality. The CC consists of assembly members and community representatives. Each community living in the municipality is represented with at least one representative. Three (3) Serbs, three (3) Albanians, one (1) Roma, one (1) Ashkali and one (1) Croat are current members of the CC in Lipjan/Lipljan. This committee meets every month as well as on an ad hoc basis when needed.

According to the MALG report, the CC of Lipjan/Lipljan municipality held two (2) meetings during 2008, whereas during the period January - March 2009, it met five (5) times.

This committee is in charge of monitoring the implementation of legislation and other policy documents ensuring respect of minority rights in the Lipjan/Lipljan municipality. Its main duty is to ensure that all municipal policies and decisions regulating the area of minority rights are in line with applicable legislation and the best interests of the minorities living in the area. The CC also recommends the necessary measures that the municipality should undertake in order to promote ethnic, cultural, religious and linguistic identity of different communities. In addition to this, the CC in Lipjan/ Lipljan is involved in the preparation of the budgetary needs for the functioning of the MCO and its projects related to the status and rights of minority communities in the municipality.

This Committee addresses the concerns raised by communities to respective directorates of the municipality. In general, the citizen’s requests and complaints have to do with reconstruction of the houses, the return process, road infrastructure, electricity and education.

*The Community Committee meets regularly every month or often. Its mandate is to ensure that all activities of the municipality are in line with human rights standards and applicable*

---

84 Ibid.  
85 Article 3 and 12 of the Statute- Lipjan/Lipljan municipality.  
86 Internal Regulation on the Use of Languages in Municipality- May 29th 2009.  
87 Article 33 and 35 of the Statute- Lipjan/Lipljan municipality.  
88 Ibid.  
89 Interview with L.J, head of municipal office for Communities in Lipjan/Lipljan, HLC-Kosovo Interview May 25th 2009.  
92 Article 35 of the Statute- Lipjan/ Lipljan municipality.
legislation. The goal of this committee is to improve the status of minorities in our municipality and contribute to promotion and protection of minority rights. The return process was a big burden not only for the work of this body but also for the municipal government in general. The CC also helps members of communities by advising or instructing them how and where to address their problems and concerns.

L.J. head of municipal office for Communities in Lipjan/Lipljan
HLC-Kosovo Interview June 4th 2009.

Municipal Office of Communities (MCO) - According to the statute, MCO has a special status and functions within the office of the mayor of municipality without determining its structure and mandate. According to the MCO officials, this office is responsible for monitoring all projects related to minority affairs, promoting protection of minority rights, and ensuring equal access of minorities to the public services at the municipal level in education, healthcare and employment opportunities. There are fourteen people working in the MCO in Lipjan/Lipljan: thirteen (13) Serbs and one (1) member of Ashkali community. The mandate of this office is to monitor the implementation of projects aiming at improving minority situation and promotion of minority rights in the municipality. This office has been engaged in the return process by supporting municipal authorities and other stakeholders in their efforts to achieve a sustainable return of refugees or internally displaced persons by reconstructing houses and stimulating micro businesses. This office drafts its action plan every year prioritising annual activities. The office has been actively involved in infrastructure, healthcare and education. This office is currently drafting a strategy for sustainable return process, which pays more attention to securing a friendly environment and creating pre-conditions for the normal life of returnees such as access to institutions, employment opportunities and qualitative public services.

Budget and projects – The municipal assembly decides on the allocation of the municipal budget annually. It has allocated 16% of the total budget to cover the expenditures of all municipal activities related to minority rights. This budget covers the expenditures for salaries of the workers and goods and services. The allocated budget is also used for improving road infrastructure, repairing the electrical network, healthcare and education. According to the municipal authorities in Lipjan/Lipljan, during the period 2002-2007, more than one hundred (100) houses belonging to Roma, Ashkali and Egyptian community members have been built or renovated with the support of and in cooperation with external donor. The municipality has supported road reconstruction, instalment of electricity and renovation of water supply and sewage systems.

Our activities until now have been focused on reconstruction and improvement of the infrastructure. In 2009, we have built a Roma school in the village of Dubraja/ Dubrajë. During 2008 and 2009 we have fixed the roads in the village Hallaq/ Hallaq and Roma Mahala/ Mahalla e Romëve in Lipjan/ Lipljan. We have renovated the medical clinic in Gadime/ Gadime. These are projects that directly improve the wellbeing of minority communities in our municipality.

F. G. Municipal officer in municipal Office of Communities in Lipjan/Lipljan
HLC-Kosovo Interview, June 4th 2009.

---

93 Article 46 of the Statute- Lipjan/Lipljan municipality.
94 F. G. Municipal officer in municipal community office in Lipjan/Lipljan, HLC-Kosovo Interview, June 4th 2009.
The municipality of Lipjan/ Lipljan has not allocated special budget for the needs of Roma Egyptian and Ashkali communities.

**Property rights and informal settlements** - The municipality of Lipjan/Lipljan has no programme for registration of unregistered population. According to the MCO officials, the Civil Rights Programme Kosovo (CRPK)\(^95\) has supported the registration of Roma, Ashkali and Egyptian community members. The MCO has no data regarding the number of people that the CRPK helped to register nor has it the number of requests for registration. In their opinion this process is going very slowly.

There are two (2) informal multiethnic settlements in the municipality of Lipjan/Lipljan. The first one is located in the entrance of the Magura/Magurë village whereas the second settlement is inside the town, in the Mostima/Mostima neighbourhood. Inhabitants of these settlements are members of the RAE and Albanian communities. The municipality has not taken any step to either legalize or dismantle these informal settlements. The municipality has no plans to legalize these settlements nor do they have the budget for it.\(^96\)

Lack of property deeds is the biggest problem for Roma, Ashkali, and Egyptian communities.

*We don’t have any plan nor do we have the budget to legalize informal settlements in our municipality. Besides, some members of Roma, Ashkali and Egyptian communities cannot prove that they have been in possession of a property because they lack documentation. The municipality cannot help them and cannot take the responsibility to resolve ownership issues.*

L.J. head of municipal office for Communities in Lipjan/Lipljan HLC-Kosovo Interview June 4th 2009.

**Information and Awareness** – The MCO in Lipjan/Lipljan is not informed about the Strategy for Integration of Roma, Ashkali and Egyptian communities for the period 2009 - 2015. The municipality has worked hard toward the promotion and improvement of the status of minority communities based in legislation framework and its priorities.

The municipality of Lipjan/Lipljan is a good example of successful return of internally displaced people. There is close collaboration with various international and local organizations that deal with the return process. This office is open every day for all citizens to submit their concerns. MCO in Lipjan/Lipljan cooperates closely with IOM, UNDP, OSCE, UNHCR, DRC, CRPK on the projects related to the return process, awareness campaign and education.

**1.2.9 Municipality of Ferizaj/Uroševac**

The municipality of Ferizaj/Uroševac is located in the southern part of Kosovo. The municipality covers an area of 345 square kilometres and consists of the city and 44 villages. It is largely an agricultural plain. Ferizaj/ Uroševac has a population of approximately 170,000. The majority of them, about 160,000, are Kosovo Albanians. Other communities residing in the municipality include Kosovo Ashkali (3,758), Roma (260), Gorani (230), Bosniak (68), Serbs (70), Turks (40)

\(^95\) Kosovar NGO that is involved in supporting the registration of the IDP’s in Kosovo including members of Roma, Egyptian and Ashkali community members.

\(^96\) F.G. Municipal officer in municipal community office in Lipjan/ Lipljan, HLC-Kosovo Interview, June 4th 2009.
as well as some Kosovo Egyptian families. Most Kosovo Serbs have returned to Kosovo after spending years as refugees or displaced persons and are now living in the villages of Bablak/Babljak, Srpski Babuš/Babushi Serb and Talinoc i Muhaxherëve/Muhadžer Talinovac, while Kosovo Roma, Ashkali and Egyptians typically live in the village of Dubravë/Dubrava and the settlements of Halit Ibishi/Halit Ibiši, Sallahane/Salahane and Koçi Xoxe/Koçe Zoze.  

As of December 2007, an estimated 211 Kosovo Serbs and 178 members of Kosovo Roma, Ashkali and Egyptian communities have returned to the municipality, while approximately 150 Kosovo Serbs left again after a short stay. In addition, 125 members of Kosovo Roma, Ashkali and Egyptian communities have been forcibly returned to the municipality since 2001.

The municipality of Ferizaj/Uroševac has a network of primary healthcare consisting of the Main Center of Family Medicine and three smaller clinics. The villagers receive medical services at nine Health Stations, including mobile teams. There are 31 primary schools in the municipality. The school attendance of Kosovo Ashkali, Roma and Gorani children is lower than for Kosovo Albanians, but improvements have been notable during the new academic year 2007-2008 (904 out of 30,431 pupils are members of minority communities). There is also one kindergarten with 258 children. The Municipal Department of Education and Science comprises of 1,770 professional and support staff, including nine members of minority communities.

On November 26th 2008, the Municipal Assembly of Ferizaj/Uroševac adopted the statute of the municipality. Anti-discrimination principles and the use of official language in communication with municipal bodies is guaranteed by this statute in line with Anti-Discrimination Law and the Law on the Use of Languages. The statute foresees the establishment of permanent committees and other committees. There are twelve (18) minority members working in the municipal assembly of Ferizaj/Uroševac: twelve (12) Ashkali, three (3) Roma, one (1) Serb, one (1) Goran and one (1) Turk.

Community Committee (CC) – is one of the permanent committees of the municipality. The CC is comprised of assembly members and community representatives. Each community that lives in the municipality is represented with at least one representative. Currently members of the CC in Ferizaj/ Uroševac include two (2) Albanians, one (1) Serb and one (1) member of Roma community. This committee meets every month but also meets on special occasions or when the need arises.

According to the MALG report the CC of Ferizaj/Uroševac municipality met twice during 2008, while during January - March 2009 the committee did not report holding any meeting.

---

97 Department of Administration and Personnel and Municipal Communities Office- OSCE Report-Municipal profiles.
99 Municipal Department of Education and Science and Municipal Community Office.
100 Article 10 and 12 of the Statute- Ferizaj/Uroševac municipality.
101 Article 48 and 49 of the Statute- Ferizaj/Uroševac municipality.
102 Ibid.
103 Interview with H.H. head of municipal office for Communities in Ferizaj/Uroševac, HLC-Kosovo Interview May 14th 2009.
This committee is responsible for ensuring that persons holding public positions in the municipality do not discriminate on the basis of ethnicity and language. The main duty of this committee is to ensure that all municipal policies and decisions regulating the area of minority rights are in line with applicable legislation and best interests of the minorities living in this area. The CC may also review any alleged violation of minority rights and report that issue at the municipal assembly. The CC in Ferizaj/Uroševac was involved in municipal projects related to education and healthcare.

Community Committee is not meeting regularly due to some administrative obstacle related to compensation of the members. The mandate of this body is to improve the status of minorities in our municipality and contribute to the promotion and protection of minority rights.

H.H. Head of municipal office for Communities in Ferizaj/Uroševac
HLC-Kosovo Interview May 14th 2009.

Municipal Office of Communities (MCO) – According to the statute this office is an integral part of the municipality administration and it is supported by the budget of the municipality. The position of the chief of the municipal Office of Communities is equal to the position of the director of the municipal directorates. The chief of the MCO reports directly to the mayor. According to the statute and MCO officials this office is responsible for the monitoring of all projects related to minority affairs, including the promotion of the protection of minority rights, equal access of minorities in public services at municipal level in the area of education, healthcare and employment opportunities.

Currently at MCO in Ferizaj/Uroševac are working twelve (12) workers, seven (7) Ashkali, two (2) Roma, one (1) Serb, one (1) Gorani and one (1) member of the Turkish community. The mandate of this office is to initiate and facilitate projects related to the promotion of minority rights in the municipality. The majority of the work of this office was focused on the return process and sustainable return strategy. The main achievements of this office are related to the improvement of the security situation and re-integration of the Roma, Ashkali and Egyptian communities in society. Working together with municipal directorate of education MCO managed to facilitate the inclusion of 1000 children of these communities into education system. Another task of the MCO was to promote the representation of minorities in municipal authorities.

Our biggest results are noted on the improvement of freedom of movement and re-integration of Roma, Ashkali and Egyptian communities into society. We managed to register more than 1000 children in education system. In the pre-school system 42 kids are registered, 840 children in primary schools, 66 in secondary schools and 7 students are registered in the University.

H.H. Head of municipal office for Communities in Ferizaj/Uroševac
HLC-Kosovo Interview May 14th 2009.

The MCO drafts its action plan every year prioritising annual activities. Engagements of this office are focused in the area of infrastructure, healthcare, social welfare and education. Priorities for the action plan are determined in cooperation with civil society and communities.

---

106 Article 69 of the statute- Ferizaj/ Uroševac municipality.
Budget and projects – The Municipal assembly decides on the allocation of the municipal budget in annual basis. The municipality of Ferizaj/Uroševac has allocated a budget of 56,710 euros for the functioning of the MCO and activities that are related to minority rights. This budget covers expenditures for salaries of the workers and goods and services. The allocated budget is also used for reconstructing road infrastructure electricity reparations, healthcare and education activities.

According to the municipal authorities in Ferizaj/Uroševac during the period 2004 - 2007 they prioritised the reconstruction of roads in areas inhabited by members of minority communities. Since 2007 the municipality has not invested any further in capital projects. Currently, municipal administration is focused on developing policies for strengthening the education level among members of Roma, Ashkali and Egyptian communities. The municipality of Ferizaj/Uroševac allocated and gives an amount of 500 euros on a monthly basis for elementary needs (food and clothes) for communities in need. The MCO is stimulating the attendance of children from these communities in schools by supporting families with between 30 and 40 euros on a monthly basis to cover transport costs. The MCO also facilitates monetary support for individuals or families in ad hoc basis in case of an illness or accident with an amount of 100 euros.

The MCO and municipal directorate for education are working together to improve the level of education among members of Roma, Ashkali and Egyptian communities. With the support of UNDP and Caritas we are helping families of the children attending schools with an amount of 30-40 euros per month. Besides this, the municipality supports communities in their cultural and sport initiatives.

A.G. Head of municipal administration directorate in Ferizaj/Uroševac
HLC-Kosovo Interview May 14th 2009

The municipality of Ferizaj/Uroševac has not allocated a special budget for the needs of Roma Egyptian and Ashkali community groups.

Property rights and informal settlements – The municipality of Ferizaj/Uroševac does not have any special programme for registration of unregistered members of minority community. There are no informal settlements in Ferizaj/ Uroševac.

Unemployment and a lack of property deeds are the biggest problem for members of the RAE communities. The municipal administration claims that they cannot take the responsibility resolving the ownership documentation in these circumstances but tries to support members of these communities in all other ways that they can.

Members of Roma, Ashkali and Egyptian communities encounter difficulties when they try to resolve their property issues. The vast majority of them don’t have property deeds. Perhaps the promulgation of the new law on property issues will enable the municipality to help them resolve their property disputes.

A.M. director of the directorate for property issues and cadastre in Ferizaj/Uroševac
HLC-Kosovo Interview May 14th 2009

---

107 Salaries (13 members of the staff) – 29,930 euro, Goods and Services 25,771 euro, Municipal utilities 1,000 euro.- HH. head of MCO in Ferizaj/ Uroševac- HLC Kosovo Interview May 14th 2009.
**Information and Awareness** - The MCO staff in Ferizaj/Uroşevac is well informed with the Strategy for Integration of Roma, Ashkali and Egyptian community for the period 2009 - 2015.

The MCO cooperates with various international and local organizations that deal with education programmes. On a daily basis this office is open for all citizens to come to voice their problems and concerns. The MCO in Ferizaj/Uroşevac cooperates closely with IOM, UNDP, OSCE, UNICEF and local NGO’s on education programmes, return process projects and awareness campaigns.

### 1.2.10 Municipality of Gjilan/Gnjilane

The municipality of Gjilan/Gnjilane is situated 47 km southeast of Prishtina/ Priština and encompasses an area of 515 square kilometres. It has a population of 130,000 residents, the vast majority of whom are Kosovo Albanians (116,000), followed by a sizeable number of Kosovo Serbs (11,800), 370 Kosovo Roma and several hundred Kosovo Turks. There are several ethnically mixed areas, including the city of Gjilan/Gnjilane and five villages. Minorities move freely in the town and elsewhere throughout the municipality. By the end of January 2008, eight Serb families with 27 members had returned to the municipality. There are approximately 40 Serb families living in the city of Gjilan/ Gnjilane. In 2007, 19 Roma families (with 87 members) returned to downtown Gjilan/ Gnjilane as part of phase II of the Abdullah Presheva Return Project.

Gjilan/Gnjilane has a Regional Hospital with 538 employees. Primary healthcare system is organized through a network of Family Medicine Centers, 13 clinics and 18 smaller clinics where a staff of 326 Kosovo Albanians, Serbs, Turks, and Roma provides medical treatment, attention and education. The educational system is clearly divided into Albanian schools (overseen by the Ministry for Science, Education, and Technology) and Serbian schools (overseen by the Serbian Ministry for Education). There are 21 Albanian primary schools with 20,372 pupils (including 25 Turks) and 16 Serbian primary schools with approximately 1,700 pupils (including 90 Kosovo Roma). There are six Albanian secondary schools with 6,587 students (including 35 Kosovo Turks) and eight Serbian secondary schools with approximately 900 students (including seven Kosovo Roma). The University of Prishtina/ Priština has a branch in Gjilan/Gnjilane – the Pedagogical Faculty.

There are eleven (11) members of minority communities working in the municipal assembly of Gjilan/ Gnjilane. Four (4) are Serbs, four (4) Roma, two (2) Ashkali and one (1) member is from the Turkish community.

The Municipal Assembly of Gjilan/Gnjilane adopted its municipality statute on November 21st 2008. The use of official languages in oral and written communication with municipal bodies is

---

108 UNHCR- OSCE report Municipal profiles Gjilan/ Gnjilane.
109 Ibid.
guaranteed with this statute, in line with the Law on the Use of Languages. In 2007, the Turkish language was declared a “language in official use” by the Municipal Assembly. The statute foresees the establishment of permanent committees and municipal Office of Communities.

The Community Committee (CC) – is one of the permanent committees of the municipality. The CC is comprised of assembly members and community representatives living in Gjilan/Gnjilane. Each community living in the municipality is represented with at least one representative. According to the statute of the municipality the CC should have seven members. There are three (3) Albanians, two (2) Serbs, one (1) Roma and one (1) Turk appointed to the Community Committee in Gjilan/ Gnjilane municipality. The CC holds its meetings based on the needs of the communities and developments. According to the MCO officials meetings of this committee are not regular.

According to the MALG report, the CC of Gjilan/ Gnjilane municipality met nine times during 2008, while during the period January - March 2009 it convened two (2) meetings.

The CC’s mandate is to protect and promote minority rights at the municipality level. According to the statute of the municipality the main task of this committee is to ensure that that all municipal policies and decisions regulating the area of minority rights are in line with applicable legislation and best interests of the minorities living in this area. Community Committee also recommends the measures that should be undertaken by the municipal assembly in order to promote ethnic, cultural, religious and language identity of the communities. The requests and complaints made by citizens usually have to do with the reconstruction of houses, return process, road infrastructure, electricity and education.

The Community Committee meets regularly, every month. We review all complaints that we receive from citizens. We present their concerns at the municipal assembly and we give recommendations on how to resolve problems concerning minority rights in our municipality.

K.SH, member of the Community Committee - Gjilan/ Gnjilane municipality -HLC-Kosovo Interview, June 1st 2009.

Municipal Office of Communities (MCO) – The mandate of the MCO in Gjilan/Gnjilane is not regulated by the municipal statute. According to the municipal officers the scope of work of this office is similar to the mandates of all MCO’s throughout Kosovo. The protection and promotion of minority rights is the cornerstone of activities of the MCO. The improvement of living conditions for members of Roma, Ashkali and Egyptian communities living in the Abdullah Presheva/Abdullah Presheva neighbourhood has been the goal of the MCO in Gjilan/ Gnjilane. During the period 2004 - 2006, the municipality helped repair the road infrastructure, electricity

---

111 Article 47 of the Statute- Gjilan/ Gnjilane municipality.
112 Article 62, and 89 of the Statute- Gjilan/ Gnjilane municipality.
113 Article 71.1 of the Statute- Gjilan/ Gnjilane municipality.
114 K.SH, member of the Community Committee - Gjilan/ Gnjilane municipality -HLC-Kosovo Interview, June 1st 2009.
115 Ibid.
118 Article 71.2 of the Statute- Gjilan/ Gnjilane municipality.
and installation of a water and sewage system. According to the MCO officials, the return process is also a priority. They are striving to make the return process sustainable. The MCO in Gjilan/Gnjilane has employed three members of minority communities, one (1) Serb, one (1) Roma, one (1) Turk.

*The MCO in Gjilan/Gnjilane has proven to be very successful in the return process of Roma, Ashkali and Egyptian community. Based on the action plan we are going to work intensively on this issue in the future. Besides the return process, MCO has also been involved in various projects related to education and healthcare.*

K.SH, member of the Community Committee - Gjilan/Gnjilane municipality

HLC-Kosovo Interview, June 1st 2009

This office drafts its action plan every year. The action plan covers the return process and education. The MCO officials in Gjilan/Gnjilane are concerned because the municipal authorities have not allocated the budget for minority communities for 2009. The municipality has not had capital projects for minority communities since 2007. So far, the majority of municipal projects dedicated to the Roma, Ashkali and Egyptian communities have been focused on reconstruction or building houses for returnees, improvement of the road infrastructure and water-sewage systems. A total of 51 families with 243 members belonging to these communities have returned to their homes. This process was also supported by UNHCR, UNDP, Mercy Corps, CRPK and DRC. Current priorities of this office are focused on education, more specifically on enrolment of Roma children in the process of education. The MCO in Gjilan/Gnjilane in cooperation with municipal education directorate is preparing a curriculum in Roma language for Roma children. Until now these children have attended schools in parallel education system organised by the Republic of Serbia.

*The municipality of Gjilan/Gnjilane has developed projects for sustainable return as well as projects to support integration of returnees. We have prepared a project to enable Roma children to learn in their language in the same schools with Albanians. We have also filed a request at the municipal assembly to organise intensive Albanian language courses for all members of Roma community. The request is being considered.*

E.K.- municipal officer in municipal Office of Communities in Gjilan/Gnjilane

HLC-Kosovo Interview, June 1st 2009

**Budget and projects** – The municipal assembly adopts the budget of the municipality and allocates funds annually. Almost 20% of the municipality budget for 2008 has been allocated to the functioning of the MCO, the return process and projects related to minority rights. The MCO officials in Gjilan/Gnjilane have not been informed about the budget allocated for this year.

During the years 2002-2007, the municipality of Gjilan/Gnjilane has supported the reconstruction or building of 51 houses dedicated for returnees of the Roma, Ashkali and Egyptian communities. During 2008, the municipality has supported the building of an additional 10 houses for returnees of these communities. These houses are built in the Roma neighbourhood in the city of Gjilan/Gnjilane. Projects related to education of Roma children, especially during last two years, have been a priority for the municipal administration.

---

119 K.SH, member of the Community Committee and E.K.- municipal officer in MCO in Gjilan/Gnjilane HLC-Kosovo Interview, June 1st 2009.
Until now the municipality of Gjilan/Gnjilane has not allocated a special budget for the needs of Roma, Egyptian and Ashkali communities.

**Property rights and informal settlements** - There are no informal settlements in this municipality. The MCO in Gjilan/Gnjilane has joined efforts with the organization Civil Rights Programme in order to facilitate the registration of the RAE population that has not been registered.

Unemployment and lack of property deeds are the biggest problem for members of the Roma, Ashkali and Egyptian communities. The municipal administration is providing members of the RAE communities with property documentation through witness testimonies and verification of given testimonies at the cadastral directorate.

**Information and Awareness** – The MCO staff in Gjilan/Gnjilane is not familiar with the Strategy for the Integration of Roma, Ashkali and Egyptian Community for the period 2009 - 2015. They lack information on applicable laws and regulations related to minority rights. The MCO members believe that it is very important to organise information campaigns to inform communities about the aforementioned strategy. This office assists all citizens in resolving their problems. The MCO officials instruct and advise citizens where to go or how to resolve their problems. Their requests usually relate to personal documentation, property issues, unemployment, etc. The MCO in Gjilan/Gnjilane cooperates closely with civil society, international and local organisations. They have worked with UNHCR, UNDP, OSCE, UNICEF, DRC and CRPK in projects related to return process and education awareness campaigns. The MCO in Gjilan/Gnjilane has also cooperated with local organisations in preparing vocational trainings for returnees in order to facilitate their integration in the society. Among others they have enabled trainings in hairdressing, carpentry and various cultural and sporting events.

### 1.2.11 Municipality of Prizren/Prizren

The municipality of Prizren/Prizren is located in the southern part of Kosovo and makes up approximately 6% of the territory of Kosovo. There are 240,000 people living in this municipality, both in the town and 76 villages scattered around it. In addition to the Albanian majority, Prizren is home to a large community of Kosovo Bosniaks - 22,000, Kosovo Turks - 9,000 (not including the Turkish population living in the Pilot Municipal Unit of Mamuša/Mamushë/Mamuša) and the Roma, Ashkali and Egyptian communities - 5,300. There is also a small number of Kosovo Serbs living in this municipality – 196. Prizren/Prizren is known for its ethnic diversity and enjoys a long tradition of tolerance and inter-ethnic cooperation. It is the most culturally and ethnically heterogeneous municipality of Kosovo.

There are 31 primary healthcare centers in the municipality. The only regional hospital in Prizren provides medical services for approximately 400,000 residents. Minority communities, including Kosovo Serbs, have equal access to the healthcare system in the Prizren/Prizren municipality. Additionally, Kosovo Serbs have access to the parallel health system in Mušnikovo/Mushnikovë.

---

120 Ibid.
121 Prizren Municipal Community Office- OSCE Municipal profiles –Prizren.
village which is part of the Serbian Ministry of Health. In case of serious illnesses and other medical emergencies, members of Serbian community are referred to Štrpce/ Shtërpcë or Mitrovica/Mitrovicë where they receive treatment.

The municipality has 42 primary and 5 secondary schools. There are two special schools for disabled people, one for the hearing impaired and another one for the mentally challenged. There are two branches of Prishtina/Priština University: the Faculty of Education and Information Technologies, offering lectures in Albanian, Bosnian and Turkish languages. The primary and secondary schools in the Municipality provide education in the Albanian, Bosnian and Turkish languages through separate Kosovo curricula. There are no Kosovo Serb pupils in the Municipality and no education is provided in Serbian.122

The Municipal Assembly of Prizren/Prizren has approved the municipality statute on October 15th 2008. The statute guarantees the use of native language in communication with municipal bodies, in line with the Law on the Use of Languages. The Municipal Assembly has adopted a regulation123 recognizing the Bosniak language as an additional official language in Prizren/Prizren. This legal act regulates in detail the use of Albanian, Serbian, Turkish and Bosniak language in all verbal and written communication with municipal authorities. Assembly meetings, committee meetings and all other meetings shall be held in these languages. All the official documentation of municipality shall be translated in the above mentioned languages. This municipal assembly decision is also reflected in the statute of the municipality.124 The statute foresees the establishment of permanent committees and other committees.125

The Community Committee (CC) - is one of the permanent committees of the municipality. The CC has seven (7) members, which includes assembly members and community representatives. Each community living in the municipality shall be represented with at least one representative.126 Appointed members in the CC from minority communities in the Prizren/Prizren municipality are as follows: one (1) Bosniak, one (1) Serb, one (1) Turk, and one (1) member of Roma community.

According to the MALG report127 during the year 2008 the committee met ten (10) times, while during the period January - March 2009, the committee held three (3) meetings.128 Its duty is to ensure that all municipal policies and activities are in accordance with the applicable legislation and the best interests of the minority communities in the municipality. The CC also recommends necessary measures and steps that should be undertaken by the municipal assembly in order to ensure implementation of central and local legal dispositions related to minority rights. All these activities will secure full respect of ethnic, cultural and religious rights. The CC also reviews requests and complaints of citizens coming from minority communities and presents them to respective municipal directorates and other municipal institutions.

122 Ibid.
123 Regulation on use of languages No 01/011-1051- issued by Municipal Assembly of Prizren/Prizren.
124 Article 8 and 12 of the Statute- Prizren/Prizren municipality.
125 Article 58 and 62 of the Statute- Prizren/Prizren municipality.
Community Committee has the mandate to monitor the assembly meetings and to supervise the municipal Office of Communities’ activities. CC presents the report on the MCO’s activities in municipal assembly and monitors the issues related to security, freedom of movement, reconstruction, social welfare and public health. Community Committee is responsible for monitoring the implementation of all municipal regulations and other strategic documents that affect minority rights in our municipality.

I.E. -municipal officer- Municipal office for communities in Prizren/Prizren
HLC Interview, May 15th 2009.

Municipal Office of Communities (MCO) – The statute of the municipality does not regulate the establishment or mandate of the MCO in Prizren/Prizren. The MCO is listed along with municipal directorates and activities of this office are well presented on the municipality website. The MCO has registered the return of between 30 and 40 Roma, Ashkali, and Egyptian families from western countries, and the return of one (1) Roma family from Serbia.

According to a municipal officer the mission of this office is to facilitate integration of minorities into municipal administration, decision making process and society in general. The MCO also liaises between communities and authorities, establishing communication and building relationships. The municipality of Prizren/Prizren has approved its national development plan and the MCO has prepared its annual activity plan which focuses on education. The highlights of the activities of this office include liaison between municipal authorities/mayor and minority communities in order to enhance communication about the day-to-day problems that minorities face; the distribution of foreign assistance (goods) to the communities in the villages; facilitation of the return process; organisation of workshops for minorities; probationary registration of inhabitants and financing reconstruction of the roads and renovation of the water supply and sewage system of the minority neighbourhoods. The MCO in Prizren/Prizren has a staff of seven (7) employees: two (2) Bosniaks, two (2) Serbs, one (1) RAE and two (2) members of Turk community.

The MCO in Prizren/Prizren in cooperation with municipal authorities and international organisations has implemented various projects throughout the period 2000 - 2009. The MCO believes its education awareness campaign and the inclusion of approximately 80 children in primary and secondary schools as major successes. During this period the MCO has been focused on addressing the needs of Roma, Ashkali and Egyptian communities. Another successful project is the reconstruction of the road in a Roma neighbourhood, installation of electricity and water -sewage system and the construction of the youth centre for cultural and sports activities in Prizren/Prizren. The MCO also monitors the status of minority rights in the municipality.

In 2009, we managed to enrol more than 80 children from Roma, Ashkali, and Egyptian communities in primary and secondary schools. With the continuous support of municipal education directorate, including the support from the local NGO’s and in collaboration with the parents, we have conducted a very intensive awareness campaign to inform families on the importance of the education for children. We will continue to do so in the future until we enrol

---

129 HLC researcher could not more obtain detailed information.
all children in the education system. Awareness activities are necessary throughout the whole process.

A.A. -head of municipal office for communities in Prizren/Prizren
HLC Interview, May 15th 2009.

**Budget and projects** – The municipal assembly adopts the municipal budget annually. 777,331 euros or 22.8 % of the municipal budget is allocated to the functioning of the MCO, projects related to minorities and other needs of minority communities in the municipality of Prizren/Prizren. Included in this sum are salaries of employees, goods and services, municipal services and municipal expenditures. The allocated budget is also used for road reconstruction and utilities. According to the director of finance department they always consult with the MCO when preparing the budget for oncoming year.

The main investments during the period 2005 - 2008 were focused on infrastructure. From 2000 until now, more than 90 houses for Roma, Ashkali and Egyptian families have been built. The municipality has supported the reconstruction of roads, installation of water and sewage system and electricity in Roma, Ashkali and Egyptian minority neighbourhoods of “Jeta e Re”, “Tezi mahalla”, “Durmish Asllan” and “Rruga e Ulqinit”. During 2008 - 2009 the MCO projects have been focused mainly in the area of education aiming at the inclusion of Roma, Ashkali and Egyptian children in schools. KFOS and Swiss CARITAS have supported projects dealing with education. KFOS has implemented a three-phased project providing “catch up” classes for all children that had dropped out of school. As a result, 80 pupils have enrolled in primary and secondary schools in 2009. Swiss Caritas supported the opening of two classes in the primary school “Matillo Gorelli” and two classes in the secondary school during 2007 - 2008. More than 40% of the children attending school in this class are members of Roma, Ashkali and Egyptian community.

We strongly believe that municipality projects should be focused on education. The municipality needs to include as many pupils as possible in the education system to directly facilitate their integration into society. The municipality will develop when all its inhabitants are developed at the same level. We will continue our projects both in economic/social and education activities in the future.

Z.A. head of budget and finances department in Prizren/Prizren
HLC-Kosovo Interview, May 15th 2009

At the time of writing this report the municipality of Prizren/Prizren has not allocated a special budget for the needs of Roma Egyptian and Ashkali community groups. Special attention is provided for specific cases of people in need of food and clothes upon their request. In these circumstances the MCO takes the decision to help these individuals on an ad hoc basis with monetary support.

**Property rights and informal settlements** - The municipality of Prizren/Prizren has no special programme for the registration of unregistered members of minority communities. According to

---

130 Z.A. head of budget and finances department in Prizren/Prizren, HLC-Kosovo Interview, May 15th 2009.
131 Ibid.
the MCO officials, the Civil Rights Programme Kosovo (CRPK) backed by UNHCR has helped the registration of members from Roma, Ashkali and Egyptian community. The MCO has no information as to the number of individuals that CRPK has helped to register or the number of the requests for registration. In their opinion this process is very slow.

There are no informal settlements in the municipality of Prizren/Prizren. Members of the Roma, Ashkali, and Egyptian communities lack property deeds. It is a widespread problem for these communities. The municipal administration cannot take responsibility over ownership documentation in these circumstances.

*Members of Roma, Ashkali and Egyptian have difficult time verifying their property due to the lack of documentation. Municipality cannot help them and cannot take responsibility for solving ownership issues.*


**Information and Awareness** – The municipal authorities in Prizren/Prizren are familiar with the Strategy for Integration of Roma, Ashkali and Egyptian Communities in Kosovo, 2009-2015. The Municipal Office of Communities is present among minority communities in the city and villages due to its liaison role. Community members ask the MCO to assist and support them solve their problems and address their needs. The Office of Communities in Prizren/Prizren has good cooperation with civil society. They work together in implementation of different projects in the area of education, infrastructure and health. They have had particularly fruitful cooperation with UNDP, KFOS, Swiss CARITAS, UNHCR, CRPK and UNICEF.

**CRPK and the Registration of RAE Community Members**

CRPK’s project began in 2006, the mandate is to prevent statelessness of anyone living in Kosovo. When the project began, 30-40% of the RAE community was not registered, meaning that they did not legally exist and were stateless. It amounted to about 10,000 undocumented people. As of today, about 6,000 people have acquired documentation, and DPs are still returning from other countries. It is projected that the project will be completed in 2010, but it is still too soon to tell if this goal will be reached.

Procedure:
1. Areas where the RAE is not registered are identified.
2. Lists of undocumented people are given to lawyers.
3. Lawyers take the list, schedule meetings with the communities.
4. After the meetings, lawyers begin to collect information and requests and have the people authorize CRPK to represent their cases (this is the end of the outreach portion).
5. Requests are made to the municipal registry on behalf of the undocumented person.
6. A file and case is created and entered into the database.
7. Lawyers start to review what was taken from the field
8. Cases are assigned to different lawyers

---

132 Kosovar NGO involved in supporting the registration of the IDP’s in Kosovo, including members of Roma, Egyptian and Ashkali community members.
Civil status and civil registration are two different things. The registration process begins with civil status, in which a birth certificate is issued. The second phase is when registration is acquired and ID cards and passports are issued. If no birth certificate can be found, a request has to be made to the appeal commission to move forward with registration without documentation. If this is not allowed, the undocumented person or his advocate must return to court. 80% of claims are not completed according to the criteria stated in the Law on Registers, as 70% to 80% of people in the RAE community have no documents. Registration must be completed generation by generation, starting (for example) from the grandfather to the father to the child.

Procedures for documenting newborn children are completely different according to whether or not the child was born in a hospital. There are registration offices in the hospital, and newborn babies are documented automatically even if the parents are undocumented. If a child is born at home, first his/her parents must be documented before he/she can be.

CRPK acts as a civil society consultant/advisor when it comes to drafting laws, especially laws on citizenship, asylum, the rights of foreigners. The state does not usually support the suggestions of the civil society, but CRPK continues to work to highlight a human-rights component in all laws (especially laws concerning citizenship). The implementation of these laws is the biggest problem, and the OSCE tends to monitor how money is spent in such endeavors.

CRPK has produced four documentaries in partnership with UNHCR. Two of these documentaries were about the importance of civil status and registering minorities. They were shown on RTK and stations specifically for minority communities (in Mitrovice North, etc). The first documentary was broadcast in December, 2008. Because one of the goals of the documentaries was to make sure that not only minorities were aware of how they could register themselves but also so that the majority would understand why it is beneficial for the whole country if everyone is registered and so they would offer their support, the documentaries were shown during primetime.

The third documentary has just been completed and the fourth is in production. The third and fourth focus on every citizen knowing his rights, specifically his right to property (his right to ownership, his right to return to it, the right to buying and the right to selling), but there must be civil status and civil registration before property rights can even be discussed, so registration issues remain a priority.

Outreach materials (documentaries, magazines, and brochures) tend to appear only in Albanian, English, and Serbian. The members of CPRK have expressed their frustration with this situation, saying that without a sufficient translator they will not be able to reach their target audiences as they would like to. Despite an impaired ability to work with print materials, CPRK maintains that they are quite visible in the communities where their offices are located and where they habitually work. They are not particularly well known in Prishtine, but they have made their presence known with frequent visits, organizing trainings, and speaking to municipalities. Many people come to their offices every day seeking assistance with various issues.
Municipalities tend not to have the budget or action plans to address the needs of the RAE community, but there are efforts including minority returns offices and work in the field. One of the goals of CPRK is to raise awareness so that people can register themselves to be part of society without relying on CPRK or other organizations, but when they know that someone will pay their fees (taxes to find their documents and have them registered) for them it’s more incentive to stick to the status quo.

PART II- Protection and Promotion of Minority Rights (in particular those addressing Roma, Ashkali and Egyptian minorities) at the central level

2.1 Ministry for Administration of Local Government

Ministry for Administration of Local Government (MALG) claim that they are informed about the Strategy for Integration of Roma, Ashkali and Egyptian communities. According to MALG officials, the human rights department has distributed the strategy to all municipalities.

MALG has no action plan to implement the strategy for integration of the Roma, Ashkali and Egyptian Communities. MALG has neither budgeted nor allocated a special fund to address the needs of Roma, Ashkali and Egyptian Communities.

_We have distributed the strategy to all municipalities and officials for communities. June was the month of promotion of human rights and minority rights in Kosovo. We have also organized conferences in Prishtina and all other regions of Kosovo advocating for human rights and minority rights._

F.K. head of Human Rights Division
Ministry for Administration of Local Governance
HLC-Kosovo Interview, June 21st 2009

MALG is negotiating with OSCE to get funds for implementation of projects - information campaigns aiming to encourage and stimulate community members to participate in the decision-making process. The extent to which minorities participate in decision-making processes can be measured only by the number of minorities employed in the local administration.

The MALG human rights department has developed a curricula composed of 20 training modules to train municipal human rights officials. This training was delivered between June 6th 2008 and January 21st 2009. All human rights officials participated in this training including the personnel of the Community Offices. MALG is preparing to start the implementation of another training programme to build the capacities of the municipal human rights officials. MALG does not have any monitoring mechanism to observe the quality of services provided for minority communities. The efficiency of the municipalities is evaluated based on reports that they receive from the municipal administration.

2.2. Ministry of Health and National Institute of Public Health

According to the Law, the Kosovo Government needs to undertake all the necessary measures in order to ensure that members of communities have equal access to health care and without discrimination. The services provided by health care centers which are under the jurisdiction of
the Kosovo Government are used by all ethnic communities except for Serbs who use parallel health care centers which are in the jurisdiction of the Government of Serbia. Besides Serbs, members of other ethnic communities, such as Gorani and Roma, use Serb clinics. The social momentum also has impact on the fact that they use Serb health care institutions because Serb health institutions are free of charge while Albanian are not. However, HLC-Kosovo noted that the number of Serbs using health care centers under the jurisdiction of the Kosovo Government is increasing.\textsuperscript{133}

The Ministry of Health (MoH) in cooperation with UNICEF has prepared two sets of educational materials containing information on healthcare in the Roma language. This information was also summarized in TV spots and was broadcast on public television. MoH has also provided training on reproductive health and the importance of the breast feeding for women who live in the Osterode camp in North Mitrovica/ Mitrovica. In addition, MoH has organized a seminar for the inhabitants of the Osterode camp on the impact and risks of the lead poisoning. MoH has supported the translation the book \textit{Facts of Life} in the Roma language, which was distributed to the members of this community free of charge. In cooperation with Care international and WHO MoH has organized trainings in Osterode camp in North Mitrovica/ Mitrovica and in Fushe Kosovo/ Kosovo Polje on reproductive health and prevention of diseases such as TBC, HIV/AIDS, etc. Also in these training programmes trainers were trained to provide continuous education for the population of this area. The Institute for public health has participated in drafting the part on healthcare of the Strategy for Integration of Roma, Ashkali and Egyptian communities. In general, the Institute cooperates with all international partners on education of members of Roma, Ashkali and Egyptian communities about the healthcare issues relating to these communities. MoH has not allocated a separate budget to improve the status of the Roma, Ashkali and Egyptian communities.

\subsection*{2.3. Ministry of Education Science and Technology - MEST}

The Roma community obtains education in institutions which are under the jurisdiction of the Kosovo Government and the Serbian Government. However, there is no education provided in the Roma language. In elementary schools under the control of the Serbian Government that are attended by the Roma community the Roma language is an elective subject. No such initiative has been organized in schools under the jurisdiction of the Kosovo Government. All in all, no Serbs attend schools in the educational institutions of the Kosovo Government and no Albanians attend schools under the control of the Government of Serbia.

MEST Kosovo’s expert team has started developing a curriculum for elementary schools in the Roma language. The Ministry’s representative told HLC-Kosovo that Roma citizens will be able to follow education in schools under the jurisdiction of the Kosovo Government through a subject called \textit{Roma language with elements of history and culture} until the curriculum for Roma is fully developed. It was believed that this subject will become part of the regular curriculum from November 2008. Also, MEST Kosovo, in cooperation with different international organizations such as UNICEF and OSCE, has organized literacy courses and intensive fast courses for the members of Roma, Ashkalia and Egyptian communities. One of the projects

\textsuperscript{133} HLC Report, Security Issues, Employment and Application of Law on the Use of Languages and the Anti-discrimination Law in Kosovo, September 2008.
included courses called *Our Knowledge/Dituria Jonë*\(^\text{134}\) and other similar projects. Participants in this programme were mostly students who fled Kosovo during or after the war. All the literacy courses and intensive learning courses are in the Albanian language and their aim is to enable students to follow regular education in Albanian. This has had a direct negative impact on the preservation of the ethnic Roma identity\(^\text{135}\).

MEST Kosovo has adopted a strategy for the integration of Roma, Ashkalia and Egyptian communities which will be implemented from 2007 until 2017. The forecast project budget is 14 million euros: 55% of finances will be secured through the Kosovo Government while 45% of finances will come through donations.

MEST has allocated a budget of 13 million euros for implementation of the strategy for Integration of Roma, Ashkali and Egyptian communities for the years 2007-2017. MEST has conducted an evaluation of the education needs of all ethnic minorities living in Kosovo. MEST in cooperation with civil society partners have provided training for all teachers in all levels of education on new practices and methodologies such as “Pupil in the Center”, “Critical thinking”, “Children’s rights” etc. The training process started in 2002 and is still ongoing. To date more than 80% of teachers from all levels of education have participated in the training. MEST has also established an agency for accreditation and advancement of teachers. The University of Prishtina/ Priština and MEST have provided support for all the students coming from community groups which have finished faculties offering scholarships for masters and doctoral studies. MEST has reserved places in the University of Prishtina/ Priština for students coming from community groups. In addition, MEST has provided space in the dormitory for these students. MEST has established a quota for employment of the academic staff in all profiles. Since 2002 there are 62 members of the staff that are employed by this ministry. MEST also continuously organizes trainings for teachers and pupils on inter-ethnic relations, tolerance, anti-discrimination and the ethnic traditions of all communities living in Kosovo.

There is no special Roma language speaking school in Kosovo. All children from the Roma community are integrated and attend school together with Albanian children in Albanian language schools. MEST will conduct research during 2009 to see if Roma children that attend these schools are segregated in any way.

*MEST has provided opportunities for all donors interested to support education system. Donors such as KFOS and UNDP have provided scholarships for students in bad economic condition to support their education. For the year 2008-2009 MEST has reached a decision to include all the students that wish to continue their studies regardless of their success and achievements. The quota established for students of Roma, Ashkali and Egyptian communities is 38. In line with the requirements of the strategy we will provide scholarships for all these students to stimulate their studies.*

E.K, senior official in MEST
HLC -Kosovo Interview, June 12th 2009

---

\(^\text{134}\) *Our knowledge/Dituria Jonë* is an elementary school textbook.

\(^\text{135}\) This approach does not have negative impact on Ashkalia and Egyptian communities who, as it has already been mentioned, speak Albanian as their mother tongue.
MEST started education of teachers that are members of Roma, Ashkali and Egyptian Communities organizing summer schools, and preparing curricula in the Roma language. These lectures are provided in the Roma language.

MEST will include the Roma language with elements of history and culture in curricula as a elective subject in primary schools in 2009. Apart from the Roma language as a subject, MEST has yet to prepare curricula for other subjects to be taught in the Roma language. MEST has established a working group that is revising all text books and school materials about any discriminatory or inflammatory language. MEST has also revised the curricula for primary and secondary schools in Kosovo by adding the elements of tolerance, anti-discrimination, children’s rights, gender equality etc.

2.4. Ministry for Culture, Youth, and Sport (MKOS)

MKOS has a mandate to implement Article 5 of the *Law on the Promotion and Protection of the Rights of Minorities*. The essence of this Article is the preservation of tradition and protection of the cultural legacy of minority communities.

This ministry is composed of three departments, which cover the fields of culture, youth, and sports. The department for culture is the one most directly engaged in the implementation of Article 5 of the Law. It consists of two sub-departments: sub-department for promotion (promotion of multiculturalism, interethnic dialogue, and integration of communities) and sub-department for the protection of cultural legacy. The department for culture had a budget of approximately 70,000 Euros in 2009. 20% of this amount was allocated to the sub-department for promotion of culture and integration of minorities in Kosovo.

A total of 32,700 Euros was allocated to the department of youth. In this way the ministry wants to include the sports clubs of minority communities into the Kosovo sports associations, i.e. to involve the minority communities’ youth into the life of Kosovo with aim to ultimately integrate them into the Kosovo society.

*One of the conditions for issuing licenses to sports federations of Kosovo is the representation of minority communities in the committee of a sports federation. There are also 27 sports clubs of minority communities within the federation, which have been provided with financial support for purchasing sports equipment. Most of the clubs who were approved for funding in this project are youth from the Serb community in Gračanica, Prilužje, Zubin Potok, Rećan, and Orahovac.*

_F.S. Coordinator of the Human Rights Office in MKOS_
_HLC- Kosovo Interview, 5 November 2008_

MKOS has identified the issues in which it will be involved in terms of implementing the strategy for the Integration of the Roma, Ashkali and Egyptian communities. At the time of writing this report a budget had not been allocated. In 2008 the department of culture supported ten projects implemented by various different Roma, Ashkali and Egyptian NGOs. These projects included publishing cultural books, production of a theatrical play in the Roma language and participation in different regional and international events such as the Roma World Congress that was held in Zagreb/Zagreb- Croatia.
“MKOS continuously supported cultural events “Week of the Culture of the Roma, Ashkali and Egyptian Communities, we have also sponsored collection and publication of CD’s with Romani songs. In addition we have organized information campaigns with the aim of promotion of cultural values of these communities.”

F.S. Coordinator of the Human Rights Office in MKOS
HLC- Kosovo Interview, June 17th 2009

2.5. Ministry of Labor and Social Welfare -MLSW

MLSW has not drafted an employment strategy. Instead they have enacted some mitigating measures to facilitate the employment of Roma, Ashkali and Egyptian Communities. MLSW provides vocational trainings for members of these communities. Another measure that MLSW implemented was to not cut social assistance to minority communities that find temporary or short-term employment. MLSW organized awareness campaigns on the criteria for receiving social assistance for members of Roma, Ashkali and Egyptian communities in the areas where they live. The law on social assistance establishes criteria and conditions for receiving social assistance and the ministry insures its implementation. In cooperation with international organizations MLSW has implemented different projects supporting the victims of domestic violence. Members of Roma, Ashkali and Egyptian communities were also part of these projects.

2.6. Ministry for Communities and Return (MCR)

The majority of MCR projects and activities focused on the improvement of the status of minority rights and initiatives related with the status of Roma, Ashkali and Egyptian communities were done in cooperation with other ministries such as MoH, MEST, etc.

With the goal of identifying steps toward implementation of the Roma, Ashkali and Egyptian communities the ministry has established a working group. Representatives of Roma, Ashkali and Egyptian communities are also members of this group. Support projects of the MCR were focused in the area of infrastructure, building roads and buildings, resolving informal settlements, education and health care. For the year 2009/10 ministry has allocated 50 scholarships for high schools students and ten scholarships for university students. Besides these projects, ministry officials claim that they have supported also projects in the area of culture and conducted awareness campaigns.
3. MEDIA

The following are media in Kosovo that broadcast programs in Roma language:

<table>
<thead>
<tr>
<th>Nr.</th>
<th>Region</th>
<th>Location</th>
<th>Medium</th>
<th>Time of the program broadcasted in Roma language</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pejë/Peja</td>
<td>Pejë/Peja</td>
<td>Radio Peja</td>
<td>30 minutes /per week</td>
</tr>
<tr>
<td>2</td>
<td>Prizren/Prizren</td>
<td>Prizren/Prizren</td>
<td>Radio Yeni Donem</td>
<td>1 hour /day</td>
</tr>
<tr>
<td>3</td>
<td>Prizren/Prizren</td>
<td>Prizren/Prizren</td>
<td>Radio Romano Avazo</td>
<td>24 hours</td>
</tr>
<tr>
<td>4</td>
<td>Gjilan/Gnjilane</td>
<td>Ferizaj/Urosevac</td>
<td>RTV TEMA</td>
<td>15 min/day</td>
</tr>
<tr>
<td>5</td>
<td>Gjilan/Gnjilane</td>
<td>Kamenicë/Kamenica</td>
<td>Radio Kamenica</td>
<td>60 min/day</td>
</tr>
<tr>
<td>6</td>
<td>Gjilan/Gnjilane</td>
<td>Novoberdë/Novobrdo</td>
<td>Radio Youth Voice</td>
<td>60 min/day</td>
</tr>
<tr>
<td>7</td>
<td>Prishtinë/Pristina</td>
<td>Gracanicë/Gracanica</td>
<td>Radio Gracanica</td>
<td>60 min/week</td>
</tr>
<tr>
<td>8</td>
<td>Prishtinë/Pristina</td>
<td>Fushe Kosovë/Kosovo Polje</td>
<td>Radio K</td>
<td>150 min /day</td>
</tr>
<tr>
<td>9</td>
<td>Prishtinë/Pristina</td>
<td>Cagllavice/Caglavica</td>
<td>Radio Kim</td>
<td>3 hours/ week</td>
</tr>
<tr>
<td>10</td>
<td>Prishtinë/Pristina</td>
<td>Preoce/Preoce</td>
<td>Radio Vitez</td>
<td>--------</td>
</tr>
<tr>
<td>11</td>
<td>Prishtinë/Pristina</td>
<td>Podujevë/Podujevo</td>
<td>Radio Vizioni</td>
<td>5 min/day</td>
</tr>
<tr>
<td>12</td>
<td>Prishtinë/Pristina</td>
<td>Obiliq/Obilic</td>
<td>Radio Evropa</td>
<td>30 min/day</td>
</tr>
<tr>
<td>13</td>
<td>Prishtinë/Pristina</td>
<td>Prishtinë/Pristina</td>
<td>Radio Kosova</td>
<td>6 hours/ week</td>
</tr>
<tr>
<td>14</td>
<td>Prishtinë/Pristina</td>
<td>Prishtinë/Pristina</td>
<td>RTK</td>
<td>1orë/week</td>
</tr>
<tr>
<td>15</td>
<td>Mitrovicë/Mitrovica</td>
<td>Mitrovicë/Mitrovica</td>
<td>Radio Contact Plus</td>
<td>45 min/week</td>
</tr>
</tbody>
</table>
PART –III- Institutional Framework for Communities

I. Background on Communities in Kosovo

1.1 ‘Communities’ in Kosovo

The term ‘community’ operates on two levels in Kosovo. On the one hand, it has the standard meaning of a group of people that shares a distinct awareness of common characteristics, such as ethnicity, language or religion. Within this meaning, ‘communities’ would refer to all ethnic groups in Kosovo, regardless of whether they are in the numerical majority or minority. On the other hand, the term ‘community’ is also specifically used in reference to Kosovo’s minorities – ethnically non-Albanian communities including Serbs, Turks, Bosniaks, Gorani, and Roma, Ashkali, Egyptians (RAE).

II. Evolution of Institutions for Communities

2.1 Institutions for Communities under UNMIK

Kosovo came under the administration of the UNMIK in 1999, following UN Security Council Resolution 1244. UNMIK had the wide-reaching mandate to provide “transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo.”

Towards that end, UNMIK established the Constitutional Framework for Provisional Self-Government (Constitutional Framework) in 2001, which paved the way for the gradual transfer of responsibilities from UNMIK to the PISG. Within the Constitutional Framework, Chapter 3 on Human Rights established universal human rights standards, including the right to return, based on European and international norms. Furthermore, Chapter 4 on the Rights of Communities and their Members provided an additional range of social and cultural rights specifically for communities. The Constitutional Framework and supplementary regulations also outlined the institutional structures of PISG, including several key institutions for human rights (the AOGG and the Ombudsperson Institution) and communities (Committee on the Rights and Interests of Communities and Returns within the Kosovo Assembly (CRICR), Advisory Office on Community Affairs (AOCA) and, in 2005, the MCR).

In 2003, UNMIK introduced a policy of Standards for Kosovo, which placed priority on measures that would create a sustainable, multi-ethnic Kosovo. The Standards were intended to build the capacity of Kosovo’s PISG, while reassuring Kosovo’s communities, especially Serbs, that their interests were a priority of the international community and a condition for any increase in self-governance. Standard IV on Sustainable Returns and Rights of Communities and their Members specifically addressed communities in Kosovo, with a particular focus on the

---

136 This chapter of the report is taken mainly from Policy Briefing Paper on the Governmental Institutional Framework for Communities in Kosovo- ECMI Report, November 2008
139 Ibid.
issue of returns and rights-based protections for minorities. Meeting the standards was established as condition for commencing discussions on Kosovo’s future status and, as such, PISG made significant efforts to meet them. However, the implementation of Standard IV and the protection of communities in general were, in practice, largely subsumed within the wider human rights and democratisation process. While many legal rights were afforded to communities through legislation, the implementation of these rights was often uneven and a comprehensive approach to community rights was not established. The institutional structure developed in a mostly ad hoc manner as a response to political demands and institutions were quickly created without sufficient planning or integration into the existing structures. Moreover, institutions were often created before resources were allocated. At the same time, the Standards policy was successful in improving the capacity of the PISG and paved the way for status negotiations to officially start in 2006, which were to result in a political settlement that would determine the future status of Kosovo. During the status negotiations, UN Special Envoy for Kosovo, Mr. Martti Ahtisaari, developed the Comprehensive Proposal for the Kosovo Status Settlement. It was conveyed to the UN Security Council by the Secretary General on 26 March 2007 together with Ahtisaari’s report on the future status. The report recommended independence supervised jointly by the international community as the only viable solution. This would ensure the growing responsibility and accountability of Kosovo’s institutions while providing international supervision on minority protection and other vital issues. The status proposal defined the provisions necessary for a democratic future Kosovo, including detailed measures to ensure the promotion and protection of the rights of communities and their members.

2.2 Institutions for Communities in Post-Status Kosovo

On 17 February 2008, Kosovo declared independence, followed by a 120-day transition period as the PISG prepared to assume full executive powers. Throughout this transition, the protection of the rights and interests of Kosovo’s communities has been a central concern. The Assembly passed 41 new laws to comply with the Ahtisaari Proposal and put into place the legal framework for when the Constitution came in force. This included community-oriented legislation to enable decentralisation and create special protective zones (e.g. Law on Protection and Promotion of the Rights and Interests of Communities and their Members in the Republic of Kosovo, thereafter Law on Communities). Community rights and protection are firmly safeguarded by the Constitution, which also provides the framework for establishment of institutions responsible for addressing the needs of communities. Moreover, the Kosovo Government has specific responsibilities to the protection of community rights through the international commitments outlined in the PISG (i.e. to the Framework Convention) and as a condition for European integration.

The Constitution of the Republic of Kosovo, which was adopted on 9 April 2008 and promulgated on 15 June 2008, incorporates many of the provisions of Annex XII of the Ahtisaari Proposal. It provides guarantees for the protection of fundamental rights and freedoms of all citizens of Kosovo and establishes a multi-level and interlocking system of protections for communities and their members. Specifically, Article 58, Chapter III, of the Constitution

140 Report of the Special Envoy of the Secretary-General on Kosovo’s Future Status, 26 March 2007 http://www.unosek.org
stipulates the responsibilities of the State towards communities. Under these provisions, the Government must:

1. Ensure appropriate conditions that will enable communities and their members to preserve protect and develop their identities.
2. Promote a spirit of tolerance, dialogue and support reconciliation among communities.
3. Take all necessary measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence because of their national, ethnic, cultural, linguistic or religious identity.
4. Adopt adequate measures as may be necessary to promote full and effective equality among members of communities in all areas of life.
5. Promote the preservation of cultural and religious heritage.141

The Constitution’s provisions on communities were further elaborated in the Law on Communities that came into force alongside the Constitution. The Law on Communities established that ‘Kosovo shall take special measures to ensure the full and effective equality of communities and their members’.142 The articles of the law provide a range of non-discrimination and promotion-based rights, covering: identity, full and effective equality, language, culture, media, religion, education, economic and social opportunities, health and political participation. These laws, and the Constitution, have established a system of community protections that should meet Kosovo’s international commitments and requirements for European integration, as long as they are effectively implemented. The focus has accordingly shifted to the development of institutions charged with the implementation and oversight of community rights and their integration into an effective overall institutional structure in Kosovo.

With the increased responsibilities of the Kosovo institutions after independence, two new institutions dealing explicitly with the rights and interests of communities are being established. Article 60 of the Constitution outlines the establishment of the CCC within the Office of the President (OP). The CCC is intended to be the primary mechanism for consultation with communities, including representatives from all communities and members of government. The mandate of the CCC is further outlined in Article 12 of the Law on Communities, including consultation on legislation, the appropriation of funding and awareness-raising. The CCC was formally established on 15 September 2008 by Presidential Decree and is now being made operational. The second new institution, the OCA within the OPM, goes beyond the constitutional requirements. The OCA is intended, above all, to coordinate all initiatives within the government regarding communities. The creation of this institution is being lead by OPM’s initiative, with the support of international organisations, to address a significant gap in the government's approach to communities. The Terms of Reference for the OCA have now been written and the office should soon be functional. Once the CCC and the OCA are fully operational, the government should have an institutional structure in place to address the needs of communities in a comprehensive way. The government should then shift its focus to making sure each institution for communities is effectively fulfilling its individual mandate and that all institutions are successfully working together.

141 Constitution of the Republic of Kosovo, February 2008, Prishtinë/Priština (Chapter III, Article 78).
142 Law on the Promotion and Protection of the Rights and Interests of Communities and their Members in the Republic of Kosovo, February 2008, Prishtinë/Priština (Article 1, Sections 1.1, 1.2).
III. Existing Institutional Mechanisms

This chapter aims to review the existing institutions dealing broadly with human rights, as well as those particularly focussed on communities’ issues, that were established under PISG and continue to function as Kosovo institutions. Through an assessment of each institution’s mandate and activities, the chapter will consider the extent to which each institution addresses the needs of communities. Based on this evaluation, recommendations will then be provided on how to adjust their mandates to best meet the needs of communities within the new conditions in Kosovo.

3.1 Advisory Office on Good Governance, Human Rights, Equal Opportunities and Gender Issues

The AOGG has been operational within the OPM since March 2002. According to legislation, the main functions of the AOGG include to:

- Oversee and advise the ministries in the areas of good governance, human rights, equal opportunity and gender.
- Develop policy and issue guidelines in the areas of good governance, human rights, equal opportunity and gender equality.\(^{143}\)

The AOGG is responsible for reviewing legislation, as well as policies, procedures and practices, for compliance with applicable human rights standards and practices of good governance and for making recommendations to the Prime Minister and relevant ministries accordingly.\(^{144}\) Its mandate is broadly formulated and the AOGG is not an institution explicitly dedicated to the protection and promotion of rights and interests of communities. However, it is expressly mandated to “consult with community representatives and develop consultative bodies as needed to address good governance, human rights and equal opportunity and gender issues”.\(^{145}\) This means that while the AOGG does not have the specific obligation to protect the rights of communities, the AOGG must engage with communities in the context of its obligations to protect human rights, encourage equal opportunity, address gender issues and uphold good governance.

Moreover, the AOGG originally supported the work of the AOCA within the OPM, which were created simultaneously based on Regulation 2001/19. The AOCA had the mandate to “monitor the state of community rights and interests and recommend to the Government measures to address community issues”.\(^{146}\) Moreover, the body was mandated to review draft legislation and executive branch policies for compliance with community rights, assist the distribution of public information on communities and liaison with municipalities and non-governmental organisations on issues of community rights.\(^{147}\) While the AOCA did begin functioning and played an active role within the AOGG, it was moved thereafter to the MRC with its establishment in 2005, as its

---


\(^{144}\) Ibid.

\(^{145}\) Ibid.


\(^{147}\) Ibid.
communities based mandate seemed to fall within the responsibilities of this ministry (See §3.4 of this report). This removed any explicit responsibilities for communities from the AOGG and the OPM. However, with the AOGG’s duty to consult communities mentioned above, together with the AOGG’s broader human rights mandate, places the protection of community rights within the AOGG’s responsibilities.

In practice, the AOGG’s own perception of its mandate emphasises human rights issues in general over explicitly community-based concerns. According to the statement of aims published on its website in November 2007, the AOGG’s responsibilities include:

- Protection and promotion of human rights in general, with special emphasis on rights of women, children and disabled persons.
- Awareness of government officers to respect international standards on human rights.
- Combating fraud and corruption.
- Initiation, drafting and supervision of the implementation of policies, action plans and strategies in the sphere of Good Governance, Human Rights, Equal Opportunities and Gender Issues.\(^{148}\)

The concentration of the AOGG’s work around human rights was reinforced in June 2007, when the Government launched the *Kosovo National Human Rights Strategy and Action Plan: 2007-2010 (HRSAP)*.\(^{149}\) The AOGG has been the lead government agency in the development of the HRSAP, which maps out a comprehensive and integrated strategy to address all aspects of human rights protection including community rights. Moreover, the HRSAP sets out concrete steps and programmatic measures for the implementation of human rights protections. While community rights have been included in the overall plan, they are only a chapter of the larger Strategy.

### 3.2 Ministerial Human Rights Units

The HRUs\(^{150}\) were officially created in March 2007 to monitor the compliance of each ministry’s policies, legislation and activities with human rights standards.\(^{151}\) While this does not explicitly mandate HRUs to address community rights, these rights are, in practice, considered part of human rights standards. Moreover, each HRU is required to have a community policy specialist, who should monitor the impact of ministerial policies, legislation and activities on communities.

In legal terms, each HRU has a high-level mandate to monitor the work of the respective ministry and provide advice to the ministry in relation to human and community rights policies. In practice, the HRUs tend to be focused more narrowly on internal compliance issues, such as the level of employment of community members within each ministry. The reluctance of HRUs to take a proactive and leadership role in human and community rights protection stems from several problems.

---

\(^{148}\) [AOGG Website](http://www.ks-gov.net/pm/?menuid=3&subid=1&subs=81&lingo=2) [Accessed 21 November 2007]

\(^{149}\) The HRSAP is based on two legal documents: the 2003 *Standards for Kosovo* and the July 2005 *Prime Minister's Decision on the establishment of the Human Rights Units in all ministries within the Government of Kosovo. Kosovo’s National Human Rights Strategy and Action Plan 2007-2010, Government of Kosovo, Prishtinë/Priština.* (p.8)

\(^{150}\) HRUs are sometimes called Human Rights Cells (See *AOGG Report January-July 2007*).

\(^{151}\) *Administrative Instruction 8/2005, Office of the Prime Minister, Government of Kosovo, 2007, Prishtinë/Priština.* (Article 7.1, Section III)
First of all, there is a lack of resources, both budgetary and personnel, for all HRUs. In some cases, this means that the HRU does not have enough funding to employ full-time staff. For example, at the Ministry of Social Welfare, the HRU has one coordinator and three part-time staff who are allocated to HRU for 30% of their working hours.\(^{152}\) Second, the HRUs seem to have a poor understanding of their mandate and are isolated from each other, leading to a lack of a broader, contextual understanding of their own role. Third, while the HRUs have a degree of independence because they report directly to the ministry’s Permanent Secretary, this also leads to their marginalisation from the overall work of the ministry itself. This limits the HRUs capacity to advice on the policies, legislation and activities of the ministry and their human rights implications. As a result, where HRUs do function, they tend to emphasise monitoring internal compliance rather than the ministries wider impact on human rights.

Moreover, there is insufficient understanding of community issues among HRU staff, resulting in a general lack of awareness of the particularities and special character of community rights and a tendency to subsume the protection of community rights within human rights concerns. This means that, in practice, the HRUs tend to equate measures for non-discrimination with community rights protection. For example, the Ministry of Labour and Social Welfare (MLSW) highlighted the fact that social employment centres are available and under obligation to assist community members. Beyond this statement of non-discrimination, however, there was no consideration of issues such as the accessibility of these centres to community members. This lack of understanding in relation to conditions faced by communities and their members was prevalent throughout the HRUs. In some respects, however, the staffs at the MCR and Ministry for Education, Science and Technology (MEST) were exceptions. These two Ministries have more explicit mandates in relation to community protection, and, as such, the MCR’s HRU and the MEST’s Community and Equal Opportunities Department demonstrate a better grasp of community issues. Nonetheless, there is a significant need in improve HRU’s staff knowledge on community rights to ensure that communities needs are reflected in their application of human rights standards.

### 3.3 Human Rights Coordinator

In May 2007, the Prime Minister created the position of Human Rights Coordinator of the Government of Kosovo (HRC). The HRC, within the OPM, has the mandate to:

- Coordinate the work of the HRUs in the ministries of the Government of Kosovo, with the aim to promote and protect the human rights in Kosovo (See §3.2).
- Coordinate activities concerning reporting to the mechanisms of the Government of Kosovo for Human Rights.\(^{153}\)

The scope of the HRC work is very broadly defined. Consistent with the tendency to treat community rights as a part of human rights, there is also no express mention in the HRC’s mandate of the rights of communities and their members and issues relevant to them. However,

---

\(^{152}\) Interview with Mr. Armend Rugova, Coordinator of Human Rights Unit, Ministry of Labour and Social Welfare, 12 September 2007, Prishtinë/Priština.

\(^{153}\) Prime Minister's Decision 131, Office of the Prime Minister, Government of Kosovo, May 2007, Prishtinë/Priština.
as with the AOGG, the protection of communities is considered to be implicitly part of the HRC mandate.\textsuperscript{154}

\textbf{3.4 Ministry of Community and Return}

The MCR was established in 2005.\textsuperscript{155} It is the key ministry tasked with the protection and promotion of communities and their members. Annex XII of \textit{UNMIK Regulation 2005/15} sets out the mandate for MCR, which includes to:

\begin{itemize}
  \item Develop policies and promote and implement legislation for the promotion and protection of the rights of communities and their members, including the right to return.
  \item Promote the establishment of conditions conducive for return and ensure a rights-based approach to return.
  \item Provide the lead in confidence building, dialogue and reconciliation activities among communities and support the implementation of these activities.
  \item Develop and oversee implementation of a Government outreach strategy relating to communities and returns and support the development and implementation of such strategies in all municipalities.\textsuperscript{156}
\end{itemize}

One of the major challenges the MCR faces is its legitimacy among communities and their members. This is partly because there is a sense of suspicion and fear between the Albanian-dominated government and communities, which limits the ministry’s ability to directly engage communities. Moreover, non-Serb communities perceive the MCR as an institution that only assists Serbs, which partly stems from the predominantly Serb leadership of the MCR. This limits the ministry’s effectiveness in its work with communities, which is a significant challenge to the government’s overall approach to communities because of the central role of the MCR.

\textbf{3.5 Ombudsperson Institution}

The Ombudsperson Institution, established in June 2000, is an independent body mandated to address alleged human rights violations or abuses of authority by public institutions in Kosovo.\textsuperscript{157} Although developed under UNMIK, the role and competencies of the Ombudsperson were reaffirmed in the \textit{Kosovo Constitution}. According to Article 132, “the Ombudsperson monitors, defends and protects the rights and freedoms of individuals from unlawful or improper acts or failures to act of public authorities.”\textsuperscript{158} The Ombudsperson is mandated to “accept and investigate complaints from anyone in Kosovo who believes that his/her human rights have been violated by a local public authority in Kosovo”.\textsuperscript{159} It conducts investigations, issues reports and provides legal services and public advocacy. If the Ombudsperson finds that a general practice or situation affecting the public as a whole has violated international human rights’ standards (not

\textsuperscript{154} Workshops with the Human Rights Coordinator/OPM and Human Rights Units, ECMI Kosovo, August 2007, Prishtinë/Priština.
\textsuperscript{156} Ibid.
\textsuperscript{157} \textit{UNMIK Regulation 2000/38}, UNMIK, June 2000, Prishtinë/Priština, \url{http://www.unmikonline.org/regulations/2000/reg38-00.htm}
\textsuperscript{158} Constitution of the Republic of Kosovo, Kosovo Assembly, February 2008, Prishtinë/Priština. (Article 132, Paragraph 1)
\textsuperscript{159} Ibid.
only one person or group of persons but, for example, an entire community) it can issue a special report with recommendations to the Kosovo Assembly. Within the Ombudsperson Institution, three teams have been formed to focus on the special concerns of vulnerable groups of people: Children’s Rights Team, Gender Equality Unit and the Non-Discrimination Team (NDT).

Within the Ombudsperson, communities’ issues are included within the work of the NDT. While non-discrimination has a strong legal foundation in Kosovo, discrimination is widespread and few complaints of discrimination have been brought to the Ombudsperson. To address this, the NDT has been conducting awareness-raising campaigns throughout Kosovo, with Ombudsperson officials informing Kosovo citizens about discrimination and about the procedures to lodge a complaint. Moreover, while the Ombudsperson’s work does not explicitly address community rights, it does include a section in its annual reports that specifically addresses the human rights concerns impacting minority communities. For example, in its 2008 report, the Ombudsperson identified, among others, concerns regarding: incidents of violence between Albanians and Serbs, the use of languages among communities, education, the lack of safe transportation for communities, the continuing lack of employment and economic sustainability, and attacks on religious and cultural monuments of communities.

The main office of the Ombudsperson is located in Prishtinë/Priština, supported by five field offices and two sub-offices throughout Kosovo. Moreover, the lawyers of the Ombudsperson regularly visit municipalities, enclaves and areas with substantial non-Albanian populations that have a harder time accessing the Ombudsperson. However, the Ombudsperson has not undertaken any publicity or awareness-raising campaigns directed specifically towards communities and there remains insufficient awareness among communities about the Ombudsperson and its field offices. For example, the Bosniak, Gorani and Turkish communities have raised concerns with ECMI about the accessibility of the Ombudspersons office and its effectiveness in relation to protection of community rights. As such, the ability of the Ombudsperson to support the human rights of communities is limited by their lack of access, as well as a lack of confidence in the institution.

3.6 Committee on the Rights and Interests of Communities and Returns

The CRICR is a permanent committee of the Kosovo Assembly, the legislative institution of the Republic of Kosovo. The Committee’s placement within the Assembly is mandated for in the Constitution, confirming its exceptional role within the legislative process.

According to Article 65 of the Constitution, the Assembly:

- Adopt laws, resolutions and other general acts;
- Approve the budget of the Republic of Kosovo;
- Elect and may dismiss the President of the Republic of Kosovo in accordance with the Constitution;
- Oversees the work of the Government and other public institutions that report to the Assembly, in accordance with the Constitution; and

160 Ibid.
161 Community Needs Assessment Workshop with Serbian, Bosniak/Gorani, Turkish and RAE Community Non-Governmental Organisations Report, ECMI Kosovo, November 2007, Prishtinë/Priština.
- Oversees foreign and security policy.\textsuperscript{162}

The Assembly is comprised of one hundred and twenty (120) deputies, with guarantees for representation of non-majority communities, including a minimum of ten (10) seats reserved for the Kosovo Serb community, one (1) seat for the Roma community, one (1) seat for the Ashkali Community, one (1) seat for the Egyptian community, plus one (1) additional seat to either the Roma, Ashkali or Egyptian community with the highest overall votes, three (3) seats for the Bosniak community, two (2) seats for the Turkish community, and one (1) seat for the Gorani community. This ensures a minimum representative of all Kosovo’s communities within the Assembly, though their number can increase based on the elections results. Moreover, Article 81 of the \textit{Constitution on Legislation of Vital Interest} requires that the adoption, amendment or repeal of certain laws, such as laws on languages, cultural heritage, and education, as well as changes to municipal boundaries, have not only the majority vote of the Assembly, but also a majority among those in seats guaranteed for non-majority communities. This provision strengthens the voices of communities within the Assembly and ensures they have influence on the legislation that most affects them.

IV. Developing Institutional Mechanisms

The chapter aims to review the new institutions that are being created to specifically address the needs of communities within the post-status institutional structure.

4.1 Community Consultative Council

The CCC is a new institution called for in the \textit{Constitution} to facilitate the political participation of communities at the central level. Formally established by Presidential Decree on 15 September 2008, the CCC is now being made operational within the OP. It will include representatives from all of Kosovo’s communities, as well as representatives of the government, and will be the primary mechanism for consultation with communities on the policies, legislation and programmes that impact their lives. With no such consultative mechanisms currently operating at the central level, the CCC will fill a major gap in the governmental approach to communities.

The mandate and planned operations of the CCC have been largely fixed by legislation. Article 60 of the \textit{Constitution} outlines the mandate of the CCC as follows:

1. Provide a mechanism for regular exchange between the Communities and the Government of Kosovo.

2. Afford to the Communities the opportunity to comment at an early stage on legislative or policy initiatives that may be prepared by the Government, to suggest such initiatives, and to seek to have their views incorporated in the relevant projects and programs.\textsuperscript{163}

The \textit{Law on Communities} adopted by the Kosovo Assembly in February 2008 and signed into Law on 15 June 2008 further elaborates the functions of the CCC. These include:

\textsuperscript{162} \textit{Constitution of the Republic of Kosovo}, Kosovo Assembly, February 2008, Prishtinë/Priština. (Article 65)

\textsuperscript{163} \textit{Constitution of the Republic of Kosovo}, Kosovo Assembly, February 2008, Prishtinë/Priština. (Article 60)
The CCC will be supported by umbrella community representative organisations, which will coordinate among community organisations currently operating in Kosovo on the nomination of representative candidates. Currently the first round of nominations is underway to select community representatives to the council, which will constitute two-thirds of the Council’s membership. This will include the following: five representatives from the Serb community, three representatives from the Bosniak and Turk communities respectively, and two from the Roma, Ashkali, Egyptian and Gorani communities respectively. In addition, other communities may request to join the Council with one representative. The remainder of the membership of the Council consists of members of the government or related public agencies addressing issues of special concern for minorities.

View of the civil society about the CCC

Roma

Roma community is generally affirmative of the future work of the Consultative Council and it expects to have an opportunity to publicly express its problems, mainly the ones relating to assimilation and discrimination. Roma are satisfied with the proposed candidates and believe that the entire process is transparent and democratic. They are especially satisfied because Roma were in this process separated from Ashkalies and Egyptians and they were observed as a separate ethnic community.

I personally believe that the participation of politicians and representatives of civil society side by side will have a negative impact since the majority of representatives of political parties is part of the civil society and there may be tensions and conflicts of interest. I think the candidates from the civil society are good enough to represent the interests of the community. It is good that Roma, Ashkalies, and Egyptians were not put in the same group, but we do not understand how it was decided that the number of Roma, Ashkali, and Egyptian representatives should be different than the number of representatives of Serb, Turkish, and Bosniak communities.

K.P. a representative of a Roma NGO
HLC interview, 1 December 2008

Ashkalies

---

164 Law on the Promotion and Protection of the Rights of Communities and their Members in Kosovo, Kosovo Assembly, February 2008, Pristina/Priština. (Article 12)
Ashkalies were very reserved regarding the entire process at the very beginning because they believed that it was already decided who would represent Ashkalies in the Consultative Council. However, later on they changed their mind and were satisfied because they would have an opportunity to discuss their problems like poverty and difficult situation in which some Ashkalies who are returning from the EU countries in the readmission process are. Still, Ashkalies believe that communities are not proportionately represented in this Council.

Before the meeting I heard that a representative from our community has already been elected. I was upset, but after the first and the second meeting we elected our representative ourselves. However, ECMI thought that only one meeting would be enough. However, it was not like that. The problem is that President’s and ECMI’s representatives stayed for only one hour in the meeting. We did not have anyone we could pose questions to. In the beginning people did not understand what the mandate of this Council was. The greatest problem of the Council’s operation will be the disproportional representation of communities.

B.S. a representative of an Ashkali NGO
HLC interview, 9 December 2008

Egyptians

Egyptians are satisfied how the nominations process for positions within the Consultative Council has developed by now. This institution could be of great help for Egyptians for the resolution of problems this community is facing, including unemployment, problems concerning education, and poverty.

Consultative Council should be under the authority of communities and not the Office of the President. Roma, Ashkali, and Egyptian communities have mutual problems, but they also have problems specific for each of these groups. For Roma people, for example, the problem is that they cannot obtain education in their own language. Egyptians don’t have problems with this. The Consultative Council is a big step forward. Communities can discuss problems and resolve them ... Roma, Ashkalies, and Egyptians should be perceived as three different communities and not as one for we are different.

B.V. a representative of an Egyptian NGO
HLC interview, 3 December 2008

4.1 Office of Community Affairs

The OCA is currently being established within the OPM to coordinate the governments’ approach to communities. While a similar body existed as the AOCA starting in 2002 (see §3.1, 3.4), the decision to move the office to the MCR undermined its work. The AOCA, which became the Department of Communities in the MCR, no longer took an active role in coordinating the Government’s approach to communities, largely due to its limited access to the overall institutional structure while contained in a ministry. While the idea for such a coordinating body re-appeared in 2006 in the early drafts of the Kosovo Framework Document
on the Protection of the Rights of Communities, it was dropped from the final version of the Framework Document that was submitted to Maarti Ahtisaari. The OCA was subsequently absent in Ahtisaari’s Proposal and Kosovo’s Constitution. However, this lack of coordination remained an inadequacy in the government’s protection of communities and ECMI continued to encourage the establishment of such a body within the OPM. On 16 February 2008, the day before Kosovo’s Declaration of Independence, the Prime Minister Thaçi pledged to create an office dedicated to exclusively to community affairs would be established. This announcement re-energised the proposal to establish coordinating office within the OPM, which has lead to the establishment of the OCA.

The OCA is intended to remedy the serious lack of coordination in the government’s approach to the protection of communities. Since the establishment of PISG, each ministry, government agency and institution has followed its own disparate strategy towards communities. This has often created confusion and left gaps in the delivery of services, leading to frustration for members of communities. The OCA should directly address this problem by overseeing all central level activities relating to communities to ensure the government has a comprehensive and effective system of community protection in place.

To date, the mandate of the OCA is still under negotiation and it is envisioned that the OCA should be operational by the end of 2008. The current draft of its mandate includes responsibilities for the following:

1. Advise the Prime Minister on all communities’ related issues.
2. Coordinate on communities related issues, including:
   a. Coordination of governmental bodies, independent agencies and institutions/ ministry and municipal level.
   b. Coordination of donors and international organisations to ensure that communities’ issues are being effectively addressed throughout Kosovo.
3. Pursue policy on community related issues, including:
   a. Contribute to, analyse and provide advice regarding governmental policy affecting communities’ rights and interests.
   b. Develop and monitor the implementation of government strategies related to communities.
   c. Monitor the implementation of laws and policies on a community level.
4. Address Practical Community needs, including:
   a. Use available funds strategically to positively impact and create change in people’s lives.
   b. Become directly involved as needed in resolving high profile minority related cases.

Determining the OCA’s mandate has been marked by competition and rivalry between existing offices. For example, the AOGG has argued that the OCA should function as a sub-office within its own structure. As mentioned in §3.1, the AOGG currently coordinates the work of the ministerial HRUs, which each have community specialists. However, the AOGG is already overburdened by its broad and ambitious mandate and not prepared to take on the responsibilities of the OCA. As such, it has been determined that the OCA will function independently within the

---

166 Prime Minister’s Office for Community Affairs Briefing Document, July 2008, Prishtinë/Priština.
OPM, which should allow focus to shift to making the body fully operational and building cooperation with other institutions involved with communities.

However, even though it was founded almost a year ago, this office is not fully operational yet and it undertook only several activities. These activities were of administrative nature and related to the resolution of the issue of jurisdiction, mainly between the Office of the Prime Minister and the Ministry for Return and Communities, which plays a crucial role in the implementation of activities related to minorities. The coordination with other ministries with regard to the improvement of the position of minorities has not been very successful either. The Prime Minister initiated the writing of the strategy for the rights of minorities. The objective of this document was supposed to be the harmonization of activities of the Office of the Prime Minister and activities of ministries. However, this document has not been written to date.

_The Office for Communities has been mainly focused on defining the mandate and functions and therefore it turned out to be not so successful and it did not communicate with other ministries in order to resolve various problems minority communities in Kosovo are facing._

**F.M. Advisor to the Kosovo Prime Minister**

HLC interview, 6 November 2008

_We have wasted too much time on the coordination of efforts with this ministry and all other relevant partners in defining the mandate of our office. We also had difficulties in determining institutional position of this office and its future plans and actions. The Head of the Office has been appointed now. I am aware that we have a lot of work ahead of us and I hope that we will be more efficient._

**B.I, Deputy President of the Prime Minister’s Office for Communities**

HLC interview, 21 November 2008

As prescribed by the _Law on the Protection and Promotion of the Rights of Minorities and Their Members_ and the Statute of the Consultative Council, the Prime Minister’s Office for Communities is also a permanent member of the Consultative Council for Communities. The President of the Prime Minister’s Office for Communities does not agree with this scenario.

_I believe that it is not necessary for our office to have a permanent seat in this body since the government should be the one to implement its policy and laws. I see the role of our office more in the process of monitoring the Consultative Council than to be involved in the process itself, as a permanent body._

**S.S. President of the Kosovo Prime Minister’s Office for Communities**

HLC interview, 3 December 2008