



**Organization for Security and Co-operation in Europe
MISSION IN KOSOVO**

Department of Human Rights and Communities

**Implementation of the Strategy for Reintegration of
Repatriated Persons in Kosovo's Municipalities**

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EXECUTIVE SUMMARY

According to the Strategy for Reintegration of Repatriated Persons (Strategy)¹, repatriation or forced return involves persons originating from Kosovo who were denied refugee or other legal status in host countries and by official orders or court decisions are repatriated to Kosovo. Limited readmission competencies were transferred by the United Nations Interim Administration Mission in Kosovo (UNMIK) to the Kosovo institutions in January 2008, after which Kosovo institutions gradually took over further readmission and repatriation activities. This report assesses the efforts made by the latter to fulfil their obligations under the Strategy and to create conditions for the reception and sustainable reintegration of repatriated persons into Kosovo's society. The findings presented are based on regular monitoring activities of the Organization for Security and Co-operation in Europe Mission in Kosovo (OSCE) in the field of human rights, participation of communities in decision-making processes, and the protection and promotion of their rights.

The report finds that Kosovo's local authorities fall short of fulfilling their obligations to support the reintegration of persons repatriated to Kosovo from host countries. Since its adoption in October 2007, only few steps have been taken to implement the Strategy's objectives at the local level, nor have the necessary funds been allocated to extend specific reintegration assistance to repatriated persons as foreseen by the Action Plan for its implementation². The Strategy has not been widely distributed to the local level, and there is a general lack of awareness among relevant local authorities of their roles and responsibilities vis-à-vis repatriated persons. Concrete measures to facilitate the reintegration of repatriated persons in the key areas of health, education, employment and housing are still lacking, and no costs associated with the reintegration of repatriated persons have been included in the respective municipal budgets. Finally, the establishment and proper functioning of referral and co-ordination mechanisms between central and local level as outlined in these documents remain a major challenge for all stakeholders involved.

As a consequence, repatriated persons often remain without any assistance, information on access to services, or other reintegration opportunities upon their arrival in Kosovo. The lack of assistance they face³ in the areas of housing, schooling, and economic opportunities often involves serious reintegration problems for individuals and families, in particular persons belonging to non-majority communities⁴.

This report includes a number of recommendations to the central government and relevant local authorities as well as international actors and host countries. They stress

¹ UNMIK/PISG Strategy for Reintegration of Repatriated Persons (Strategy), approved by the government of Kosovo on 10 October 2007.

² Government of Kosovo Action Plan for the Strategy for Reintegration of Repatriated Persons (Action Plan), April 2008.

³ The Kosovo government has no housing reconstruction programmes in place for forced returnees. These returnees need to be distinguished from voluntary returnees, for whom the Kosovo government has some assistance programmes, including some housing reconstruction programmes.

⁴ For the purpose of this report, non-majority communities are all those communities who constitute a numerical minority at the municipal level in Kosovo.

the need for greater co-ordination and information sharing among stakeholders involved, establishing and strengthening institutional mechanisms and capacities to address the needs of repatriated persons, and for allocating necessary budgetary resources for the implementation of the Strategy. Kosovo institutions, with the support of host countries, have to take all necessary measures to create conditions for the reception and reintegration of repatriated persons, in order to allow for their safe and dignified return and sustainable reintegration into Kosovo society.

1. INTRODUCTION

In recent years, countries, which had accommodated large numbers of displaced persons from Kosovo, have increasingly sought to return them to their place of origin. According to United Nations High Commissioner for Refugees (UNHCR) statistics, between January and September 2009, a total of 2,144 persons were forcibly repatriated to Kosovo, out of whom 130 belong to communities considered at risk and in need of continued international protection by the UNHCR.⁵ The year 2008 saw the forcible return of 2,550 individuals, in comparison to 3,219 in 2007, 3,569 in 2006 and 3,554 in 2005.⁶ The majority of repatriated persons are Kosovo Albanians, however, forced returns increasingly include persons belonging to non-majority communities, including Kosovo Roma, Ashkali, Egyptians, Kosovo Serbs, and Kosovo Albanians from the northern parts of Kosovo.⁷ Kosovo Serbs, Roma and Kosovo Albanians in a minority situation at the municipal level continue to be considered at risk by UNHCR.⁸

In an effort to create a comprehensive repatriation policy and operational framework and to prepare for the transfer of competencies to local institutions, the UNMIK Office of Communities, Returns and Minority Affairs and the Provisional Institutions of Self-Government (PISG) in 2007 developed the Readmission Policy⁹ as well as the Strategy¹⁰. On 1 November 2008, the Kosovo government started communicating directly with host countries on readmission requests and other repatriation related issues and entered into bilateral negotiations on readmission agreements with several Western European countries.¹¹

⁵ UNHCR Statistical Overview – update as of end of September 2009. According to the latest UNHCR Position Paper on the Continued International Protection Needs of Individuals from Kosovo (June 2006), Kosovo Serbs, Roma and Kosovo Albanians in a minority situation at municipal level continue to be at risk of persecution, and should continue to benefit from international protection in countries of asylum.

⁶ UNHCR Statistical Overview – update as of end of September 2009.

⁷ According to the Strategy for the Reintegration of Repatriated Persons, repatriation or forced return, involves those persons who have failed to obtain refugee or other legal status and by official orders or court decisions are repatriated from third countries to Kosovo (Chapter 1).

⁸ See UNHCR Positions Paper on the Continued International Protection Needs of Individuals from Kosovo (June 2006).

⁹ UNMIK/PISG Readmission Policy, October/November 2007.

¹⁰ See footnote 1.

¹¹ In a letter to the embassies and liaison offices in Kosovo on 15 October 2008, the Ministry of Internal Affairs, Department of Border Management, Asylum and Migration informed host countries that the Ministry would take over all readmission and repatriation responsibilities from the UNMIK Office of Communities, Returns and Minority Affairs and act as the main point of contact for all counterparts from 1 November 2008. ..

In light of this transition, this report describes and evaluates the efforts of local authorities in Kosovo to fulfil their obligations under the existing policy framework for the reintegration of repatriated persons, and to develop targeted plans to assist returnees with their reintegration into Kosovo society. The report does not describe the host countries' asylum or legal procedures resulting in the denial of status and subsequent repatriation, but focuses on the policies and procedures in place to create conditions for the reception and sustainable reintegration of repatriated persons in their municipalities of origin.

2. POLICY FRAMEWORK

Until recently, UNMIK was the main institution managing the readmission and repatriation of persons originating from Kosovo.¹² Since 1999, UNMIK had cooperated with over 20 countries¹³ to ensure that repatriations are conducted in an orderly, gradual and dignified manner, and to prevent the forcible repatriation of persons in need of international protection, particularly persons belonging to non-majority communities and other vulnerable groups.¹⁴ Security concerns, the lack of shelter/housing, inadequate health services, an underdeveloped social security net and limited capacities and resources of municipalities to assist with the reintegration of these returnees led UNMIK to limit the number of repatriations to Kosovo.¹⁵ At the same time, host countries were asked by UNMIK to develop reintegration programmes and assistance packages, including financial support, training, employment and income generation programmes, housing and other reintegration assistance, to support the voluntary return of these persons and enable their sustainable reintegration in Kosovo.

In the process of transferring competencies to Kosovo institutions, the UNMIK Office of Communities, Returns and Minority Affairs in 2006 supported the PISG in developing a strategy to manage and facilitate the reintegration of repatriated persons into Kosovo society. On 25 October 2006, the Kosovo government formed a Steering Board composed of representatives of relevant ministries, international organizations and international and local experts.¹⁶ The Steering Board was tasked with reaching consensus on the roles and responsibilities of relevant ministries and local authorities in the field of reintegration of repatriated persons, and with developing procedures

¹² As part of its reserved powers in foreign affairs and border control defined by UNMIK Regulation 2001/9 on the Constitutional Framework for Provisional Self-Government in Kosovo, 15 May 2001.

¹³ Specific agreements/Memoranda of Understanding were signed with Germany, Switzerland and Sweden.

¹⁴ Since 1999, UNMIK's repatriation policies have been based on international human rights standards and the recommendations of the UNHCR. Accordingly, UNMIK did not accept the repatriation of persons who remain in need of international protection according to UNHCR. At the same time, UNMIK was not opposed to the voluntary repatriation of persons originating from Kosovo (UNMIK Background Note on Repatriation Policy, June 2006).

¹⁵ UNMIK Background Note on Repatriation Policy, June 2006, and previous years.

¹⁶ The Steering Board was co-chaired by the Ministry of Internal Affairs and the UNMIK Office of Communities, Returns and Minority Affairs. It consisted of representatives from the Ministry of Labour and Social Welfare, the Ministry of Environment and Spatial Planning, the Ministry of Local Government Administration, the Ministry of Internal Affairs, the Ministry of Health, the Ministry of Education, Science and Technology, international organizations (UNMIK, UNHCR, OSCE, International Organization for Migration, European Union Planning Team), and other international and local experts, including municipal community officers.

and mechanisms to manage the reintegration process. On 10 October 2007, the Strategy for Reintegration of Repatriated Persons was approved by the Kosovo government.

The Strategy contains specific objectives and concrete measures in the areas of legal reintegration, health, education, employment, social welfare, housing and property related issues with the aim to ensure the sustainable return and reintegration of repatriated persons. Special attention is paid to the needs of vulnerable sections of society and non-majority communities. The Strategy assigns responsibilities to relevant central and local institutions, introduces referral and co-ordination mechanisms between the central and local levels, and calls for the establishment of an inter-ministerial co-ordination board to oversee and monitor the implementation of the Strategy. The Strategy is based on the “critical analysis and assessment of problems from different points of view, with special emphasis on the socio-economic impacts in order to have the situation of non-voluntary returns and the process of reintegration of repatriated persons under control.”¹⁷ It is to be implemented through an action plan and appropriate programmes, with the overall aim to effectively reintegrate repatriated persons in all spheres of public life based on the principle of equality.

In April 2008, the Kosovo government finalized the Action Plan for the Strategy for Reintegration of Repatriated Persons. It includes budgetary projections by each ministry in the specific areas identified by the Strategy, and details outputs and concrete actions by relevant central and local authorities, as well as a timeline for their implementation. Calculations are based on an estimated number of 5,000 repatriated persons per year.

3. IMPLEMENTATION OF THE STRATEGY FOR REINTEGRATION OF REPATRIATED PERSONS AT MUNICIPAL LEVEL

3.1 Co-ordination mechanisms

Municipal Community Offices and Municipal Returns Officers

The specific mandate of the municipal community offices and municipal returns officers¹⁸ is to ensure that municipal policies and services respond to the needs of all communities, including returnees, living within the territory of a specific municipality. The Strategy, therefore, assigns the co-ordination role between central and local institutions to these offices. Specifically, municipal community offices and municipal returns officers shall act as focal points for the communication between central and local level; serve as the first contact point for repatriated persons at the municipal level; report the needs of repatriated persons to other competent offices

¹⁷ Strategy, Chapter 1, Introduction.

¹⁸ See UNMIK Regulation 2007/30 on Self-Government of Municipalities in Kosovo, amending UNMIK Regulation 2000/45 on Self-Government of Municipalities in Kosovo, and 2006 Revised Manual on Sustainable Return.

within the municipal administration; and provide returnees with information on their rights and available support.¹⁹

Unfortunately, there seems to be little awareness among relevant municipal officials of the existence and the content of the policy framework for the reintegration of repatriated persons. Apart from four municipal returns officers²⁰ and one municipal community officer²¹, none of the consulted officials had received copies of the Strategy and the Action Plan. Consequently, only a very limited number of municipal officials are aware of the content and concrete measures foreseen in either document.

In fact, the majority of municipalities in Kosovo have not assigned a municipal body to co-ordinate with central-level institutions on issues related to the reintegration of repatriated persons. Some municipalities stated that, hypothetically, the co-ordination role would fall to the municipal returns officer.²² In many instances, however, municipal returns officers are not aware of their specific roles and responsibilities with regard to the reintegration of repatriated persons; they have neither received clear instructions nor the necessary financial and political support from the municipal leadership to accomplish their tasks.

Notably, none of the municipalities in Kosovo has to date received advance notice from the central level about forthcoming involuntary returns.²³ Municipal officials consulted in all municipalities stated that they received no information on arrival details, on the number of repatriated persons, and/or on their special needs. These details are required in order to make arrangements for their reception and effectively support those with the most acute needs.²⁴ Generally, municipal community officers and municipal returns officers claim that they have never been contacted by any central-level institution on issues relating to individual cases and/or existing government policies and programmes.

Municipal community officers and municipal returns officers in 15 out of 33 municipalities in Kosovo collect data on repatriated persons, albeit only from those who directly approach these offices for assistance.²⁵ No other institution maintains

¹⁹ Strategy, Chapter 8, Partnership and Responsibilities in Horizontal and Vertical Lines, and Chapter 9, Co-ordination Mechanisms for Implementation of the Strategy for Reintegration of Repatriated Persons.

²⁰ Ferizaj/Uroševac, Gjilan/Gnjilane, Obiliq/Obilić and Podujevë/Podujevo.

²¹ Ferizaj/Uroševac.

²² Han i Elezit/Đeneral Janković, Kamenicë/Kamenica, Kaçanik/Kaçanik, Novo Brdo/Novobërdë, Štrpce/Shtërpçë, Viti/Vitina, Mitrovicë/Mitrovica, Skenderaj/Srbica, Vushtrri/Vučitrn, Leposavić/Leposaviq, Zubin Potok, Zvečan/Zveçan, Podujevë/Podujevo, and Shtime/Štimlje.

²³ According to the Strategy, the Ministry of Local Government Administration, upon receipt of information from the Ministry of Internal Affairs and the Ministry of Labour and Social Welfare, is responsible to inform municipalities on arrival details and on the numbers of repatriated persons and their special needs, including in the areas of housing, health, and education. This, under the initial reception assistance, is necessary to ensure appropriate follow-up by relevant municipal authorities and facilitate their reintegration in the municipality of origin (Chapter 1).

²⁴ Only Ferizaj/Uroševac municipal community officer stated that he had received some information in the past about forthcoming involuntary returns. Information on arrival details and on the numbers of repatriated persons was provided, but not information on special needs of repatriated persons.

²⁵ Ferizaj/Uroševac, Gjilan/Gnjilane, Kamenicë/Kamenica, Viti/Vitina; Lipjan/Lipljan, Fushë Kosovë/Kosovo Polje, Shtime/Štimlje, Istog/Istok, Klinë/Klina, Prizren, Dragash/Dragaš, Malishevë/Mališevo, Suharekë/Suva Reka, Rahovec/Orahovac, Gjakovë/Đakovica.

such records. Databases on repatriated persons are kept in nine municipalities.²⁶ However, the amount and quality of information contained in those databases is questionable. Recorded information is often limited to basic personal data on returnees and, in some cases, the place of residence. Two other municipalities report that there have been no cases of repatriated persons during the reporting period and as such do not keep records on repatriated persons.²⁷ Finally, 16 municipalities in Kosovo do not maintain any data on repatriated persons.²⁸

Municipal directors and municipal assemblies

At the local level, municipal directors for health, education, and other departments have the overall responsibility for the implementation of the Strategy in co-ordination with the Ministry of Local Government Administration and the (yet to be established) inter-ministerial co-ordination board. Specifically, municipal directors shall make policy recommendations to relevant municipal assembly committees; co-ordinate the work of municipal returns officers and municipal community offices in handling individual cases; prepare progress reports on the implementation of the Strategy; and propose the budget for each area of reintegration addressed by the Strategy. The municipal assembly's policy and finance committee shall ensure that policies are translated into action by responsible local authorities for each component of reintegration in line with the allocated municipal budget.²⁹

As in the case of municipal returns officers and municipal community officers, with very few exceptions³⁰, interviewed senior municipal officials stated that they had not received copies of the Strategy or the Action Plan and were not familiar with the content of either document.³¹ Moreover, it appears that none of the municipalities has received any additional central government instruction to implement the existing policy framework for the reintegration of repatriated persons. Similarly, no specific government programme has been developed or funded by the central government to facilitate the reintegration of repatriated persons at the local level.

Furthermore, none of the municipalities has established policies in the field of reintegration of repatriated persons or procedures to deal with the reintegration of repatriated persons. No municipal budget for 2008 or 2009 foresees special or planned budget categories for the reintegration of repatriated persons. None of the municipal departments such as health and education or offices responsible for the

²⁶ Ferizaj/Uroševac, Viti/Vitina, Istog/Istok, Lipjan/Lipljan, Prizren, Dragash/Dragaš, Malishevë/Mališevo, Rahovec/Orahovac, Gjakovë/Đakovica.

²⁷ Štrpce/Shtërpçë and Novobërdë/Novo Brdo.

²⁸ Hani i Elezit/Đeneral Janković, Kačanik/Kaçanik, Prishtinë/Priština, Obiliq/Obilić, Podujevë/Podujevo, Glogoc/Glogovac, Mamuša/Mamushë/Mamuša, Leposavić/Leposaviq, Zubin Potok/Zubin Potok, Zvečan/Zveçan, Mitrovicë/Mitrovica, Skenderaj/Srbica, Vushtrri/Vučitrn, Deçan/Deçane, Pejë/Peć and Junik.

²⁹ Strategy, Chapter 9, Co-ordination Mechanisms for Implementation of the Strategy for Reintegration of Repatriated Persons.

³⁰ Directors of administration in Vushtrri/Vučitrn and Prizren.

³¹ Among the local institutions/officials interviewed were mayors, deputy mayors, deputy mayors for communities, municipal directors of administration and personnel, urbanism/cadastre, finance and economy, education, and health as well as directors of social welfare centers, municipal project officers, municipal legal officers, municipal civil registration centres, municipal civil status offices, and municipal assembly chairpersons.

implementation of the Strategy has been provided with specific or additional resources to accomplish its work in this field.

3.2 Reintegration in municipalities of origin

3.2.1 Civil documents

There have been some efforts undertaken by relevant local authorities to implement the Strategy's objectives related to facilitating and promoting access to personal documents for repatriated persons, particularly persons belonging to the Roma, Ashkali and Egyptian communities.³²

A limited number of relevant local institutions report to have undertaken specific measures to facilitate the civil registration and issuance of personal documents to repatriated persons, mostly by providing them with information on venues and procedures through which they can register their civil status or residence.³³ In addition, in a number of municipalities, municipal community offices and/or officials from the municipal civil registration centres and municipal civil status offices stated that the municipality closely co-operates with the UNHCR/Civil Rights Program in Kosovo (CRP/K) in facilitating civil registration of persons belonging to the Roma, Ashkali and Egyptian communities.³⁴ This includes assisting applicants in completing civil registration procedures, procuring documents and identifying witnesses to establish facts regarding the identity of undocumented applicants, and in some cases, exempting Roma, Ashkali and Egyptians from administrative fees.

Apart from that, few if any activities have been undertaken by relevant local authorities to raise awareness among repatriated persons of the importance of civil registration, or to proactively distribute information and promote access to municipal services. In a number of municipalities, directors of administration and officials from the municipal civil registration centres and municipal civil status offices stated that it is up to the residents to approach the relevant offices in order to obtain civil documents or to be registered, and that no specific measures were needed. In this regard, the lack of central government instructions often results in relevant local authorities not adopting a flexible approach or not facilitating measures to ensure that

³² Strategy, Chapter 3.1, Legal Reintegration – Access to Civil Documents.

³³ Five municipal returns officers (Gjilan/Gnjilane, Podujevë/Podujevo, Prizren, Shtime/Štimlje, Rahovec/Orahovac), six municipal community offices (Dragash/Dragaš, Ferizaj/Uroševac, Gjakovë/Đakovica, Gjilan/Gnjilane, Prizren, Mitrovicë/Mitrovica), one municipal civil status office (Obiliq/Obilić) and three municipal civil registration centres (Mitrovicë/Mitrovica, Podujevë/Podujevo, Shtime/Štimlje).

³⁴ As part of its mandate concerning stateless persons, UNHCR has developed an action plan for a "Civil Registration Campaign, targeting Roma, Ashkali and Egyptian community in Kosovo" (UNHCR Office in Kosovo, Office of the Chief of Mission Protection Unit, July 2006). The implementing partner of the UNHCR, the NGO Civil Rights Programme in Kosovo (CRP/K), began to implement the Civil Registration Campaign in September 2006. During 2007 and 2008, CRP/K concluded memorandum of understanding with 22 municipalities aimed at ensuring flexibility with regard to civil registration procedures and exempting members belonging to the Roma, Ashkali and Egyptian communities from payment of administrative fees.

all civil documents necessary for the enjoyment and exercise of their legal rights are issued to them.³⁵

The lack of civil documents and the inability to register civil status events can have serious consequences for repatriated persons. Without proper civil registration, individuals face significant reintegration obstacles and have no or only limited access to municipal services, as well as to adequate health care, education, social services, employment and other reintegration opportunities. They may also face difficulties in accessing or reclaiming property.

3.2.2 Health

The implementation of the Strategy's objectives to facilitate access of repatriated persons to the health care system in Kosovo, including through pro-actively reaching out to affected persons and/or taking adequate measures to address their specific health needs³⁶, is poor at the local level.

Generally, municipal departments of health do not conduct any activities (e.g. outreach activities, deployment of mobile teams, publication of brochures/leaflets, awareness campaigns) to identify and/or raise the awareness of repatriated persons on health issues and services available. Municipal institutions, for the most part, claim that repatriated persons do not face difficulties in accessing health care services upon arrival in their municipalities of origin. Measures taken in the health care field generally do not specifically target repatriated persons. Repatriated persons are not exempt from charges/fees for medical services during the period of their reintegration, but rather treated as any other resident.³⁷

Problems faced by repatriated persons mainly relate to the lack of personal documents for registration in health care institutions³⁸, incomplete medical records, and availability of adequate follow-up treatment for medical conditions in Kosovo. Moreover, the lack of physical accessibility to health care facilities for repatriated persons in rural areas remains a problem for the most vulnerable families due to inappropriate public transport, as is the fact that medical treatment and medication are often not affordable.

3.2.3 Education

The Strategy foresees various measures to facilitate the reintegration of repatriated children into the education system in Kosovo. However, to date no concrete steps have been taken to implement reintegration measures in this field.³⁹

³⁵ The Strategy foresees the issuance of administrative instructions by the Ministry of Internal Affairs in co-operation with the Ministry of Local Government Administration to relevant local authorities to facilitate access to civil documents and civil registration for repatriated persons (Chapter 3.1 Legal Reintegration of Repatriated Persons – Access to Civil Documents).

³⁶ Strategy, Chapter 3.2, Access to Health Care.

³⁷ The Strategy requires that "(r)epatriated persons shall be exempt from charges for medical services until their full reintegration" (Chapter 3.2 Access to Health Care).

³⁸ According to available information, identification documents are not needed for general medical check-up, while they are requested for special treatment and hospitalization.

³⁹ Strategy, Chapter 3.6, Education.

No municipal work plans on education (where they have been developed) foresee the category of repatriated children/youth and their special needs. Financial means have not been secured by the relevant authorities for the implementation of specific reintegration programmes, including, for instance, native language courses, catch up classes or other extra-curricular activities. In fact, most municipal departments of education are not aware of existing government strategies for the reintegration of repatriated persons, and none has received central government instructions on the conditions, criteria and procedures for their implementation,⁴⁰ or the setting-up of specific programmes to accommodate the needs of repatriated children and youth.

In general, reintegration assistance for repatriated children is limited to the provision of basic information about education opportunities and services available. Only in a limited number of municipalities have departments of education undertaken activities to support low-income students with school books or materials free of charge.⁴¹ In general, municipal directors for education stated that there is a general lack of funds available for scholarships or additional educational activities targeted specifically at returnee children. Only a few institutions or offices have conducted activities to raise awareness of repatriated persons about education opportunities, available services, relevant legal provisions and institutions in charge, mainly through conducting outreach activities to rural areas or areas inhabited by non-majority communities.⁴² Initiatives or measures undertaken, however, appear in most cases not to be systematic and not to target repatriated children or youth in particular.

Forced return has a particularly negative impact on children who have pursued education outside of Kosovo for many years, were integrated into different schooling systems and often face language barriers upon their return to Kosovo. Many of these children lack sufficient knowledge of the Albanian or Serbian language, and consequently face difficulties in following classes in the native languages as well as in adjusting to a different curriculum and school system. Furthermore, problems arise in the context of securing documents required for enrolment (e.g. birth certificates, recognition of diplomas or certificates issued in other countries).

3.2.4 Employment and social welfare

There have been no concrete efforts made by relevant local and municipal authorities to implement measures in the field of employment and social welfare as foreseen by the Strategy.⁴³

In general, employment programs specifically targeting repatriated persons do not exist in any of the regions of Kosovo. Officials of regional employment centres and vocational training centres consulted in all regions were not aware of any specific government programmes set up to assist this group of persons with employment or training measures. No programmes/projects have been developed to enhance

⁴⁰ The Strategy foresees the issuance of further administrative instructions by the Ministry of Education, Science and Technology, determining conditions, criteria and procedures for its implementation (Strategy, Chapter 3.6 Education).

⁴¹ For instance in Istog/Istok, Prizren and Rahovec/Orahovac municipalities.

⁴² For instance, the municipal director in Mitrovicë/Mitrovica stated that the municipality conducts regular outreach activities to the Roma Mahalla in the southern part of the municipality.

⁴³ Strategy, Chapter 3.3, Employment; and Chapter 3.6, Social Welfare.

employment opportunities of repatriated persons at the local level, nor have income-generation activities been promoted by relevant local authorities. Most often repatriated persons are referred to international organizations⁴⁴ for further information and advice on employment opportunities and professional training.⁴⁵

Dismal employment prospects and the difficult socio-economic conditions in Kosovo are among the most common problems faced by repatriated persons and the population in general. Many repatriated persons are unemployed or rely on short-term or occasional jobs for their livelihoods. Income is often supplemented by social assistance or other forms of aid from international organizations or non-governmental organizations, as well as remittances from family members living abroad. Among the long-term unemployed, the most disadvantaged groups are women, Roma, Ashkali, Egyptians and persons with disabilities.

In most of the municipalities in which repatriated persons have been registered over the past two years, responsible officials claim that they regularly inform repatriated persons about social schemes available, including their rights and procedures for enrolling in social assistance and pensions schemes, if directly approached. However, only in a limited number of municipalities have relevant authorities taken proactive measures to identify individuals/families that might require assistance. This was done mainly by visiting such individuals and families and facilitating contacts with the respective offices.⁴⁶ Apart from a limited number of centres for social welfare and municipal returns officers who have conducted outreach visits to repatriated persons,⁴⁷ no institution conducts any activities to raise the awareness of repatriated persons about existing social schemes and procedures on how to enrol in these schemes.

3.2.5 Housing and accommodation

The Strategy recommends the adoption of various measures to address the housing needs of repatriated persons, including construction of houses and housing programmes for repatriated persons who do not own land and/or property.⁴⁸ However, to date no concrete progress has been achieved at the local level.

None of the municipalities in Kosovo has taken any steps towards finding temporary and/or durable housing solutions for repatriated persons, and none has included budgetary projects in its budget plans to meet the housing needs of repatriated persons. In fact, none of the municipalities has carried out assessments of the housing

⁴⁴ To the International Organization for Migration, International Labour Organization, CARE International, or the German NGO Arbeitsgruppe Entwicklung und Fachkraefte.

⁴⁵ These organizations have been cited as the only organizations providing assistance to repatriated persons in the form of grants for small businesses or equipment for farming, training and re-training programmes, as well as general information, counseling and carrier advice.

⁴⁶ Gjilan/Gnjilane, Ferizaj/Uroševac, Kamenicë/Kamenica, Novobërdë/Novo Brdo and Viti/Vitina, Gjakovë/Đakovica, Deçan/Deçane and Istog/Istok.

⁴⁷ For instance, the centre for social welfare in Ferizaj/Uroševac and the municipal returns officer in Kamenicë/Kamenica report conducting outreach visit to repatriated persons and inform them about relevant procedures.

⁴⁸ Strategy, Chapter 5, Social Housing and Property Issues.

needs of repatriated persons or drafted any related proposal for funding by the Ministry of Environment and Spatial Planning or external donors.⁴⁹

The lack of access to housing and accommodation for repatriated persons remains a major obstacle to sustainable return and reintegration. In many cases, properties have been destroyed during the conflict or are found inhabitable after long periods of absence.⁵⁰ In addition, one of the most important problems faced by persons belonging to Roma, Ashkali and Egyptian communities is their uncertain or not regulated legal status related to housing, including issues related to land ownership. Those who used to live in informal property tenure prior to their departure from Kosovo, face particular challenges in accessing housing or any kind of accommodation upon return. In many cases, repatriated persons find temporary solutions through relatives. However, many cases remain without long term housing solutions. Some repatriated persons have only found temporary shelter in collective centres or displaced persons' camps.⁵¹

4. CONCLUSIONS

The Strategy for the Reintegration of Repatriated Persons and its accompanying Action Plan are the main documents aimed at ensuring sustainable and long-term solutions for repatriated persons in the areas of legal reintegration, health, education, employment, social welfare, housing and property related issues. However, the Strategy has not yet been adequately implemented at the central or local level.

Few efforts have been made at the central level to ensure that the Strategy and Action Plan are adequately distributed throughout the public administration, including to and within municipalities, and that responsible authorities effectively implement the Strategy's provisions. Consequently, local authorities are still sorely uninformed about their responsibilities *vis-à-vis* repatriated persons, and have not received further central government instructions outlining procedures and assigning clear responsibilities to relevant local authorities in the respective areas of reintegration.

Relevant co-ordination and referral mechanisms between central and local level institutions have yet to be established. To date, municipalities have neither received advance notification about forthcoming forced returns nor have proper information

⁴⁹ The Action Plan devises detailed plans and includes budgetary projections by the Ministry of Environment and Spatial Planning for the reconstruction of 125 individual houses and the construction of seven social housing buildings in different municipalities to accommodate 175 vulnerable families who do not own land or property (Objectives 57 and 58).

⁵⁰ For instance in Istog/Istok and Klinë/Klina (Pejë/Peć region), although municipalities do not keep up-to-date records on repatriated persons and their special needs, it is estimated that around 70-80 per cent of repatriated families, mostly from the Roma, Ashkali and Egyptian communities, were not able to return to their damaged or destroyed houses (Source: municipal communities offices and municipal returns officers).

⁵¹ There are reported cases of forcibly returned Roma who found temporary shelter in the lead-contaminated camp of Osterode in northern Mitrovicë/Mitrovica as well as the Roma Mahalla in the southern part of the municipality. Extreme cases have also been reported in Istog/Istok municipality, where repatriated persons found themselves homeless, and only upon intervention of KFOR and the municipal community officer were temporarily accommodated in an informal camp in Djurkoc/Djurakovac.

sharing mechanisms been established between relevant ministries and municipalities to co-ordinate the implementation of the Strategy. As a consequence, none of the municipalities has established policies in the field of reintegration of repatriated persons or procedures to support repatriated persons upon their arrival in the municipalities of origin.

Despite the specific needs identified and the budgetary projections made by relevant ministries, the Strategy has received no direct funding at the local level. None of the municipalities has included costs associated with the implementation of the Strategy in their budgets, and no financial resources have been secured for the implementation of specific reintegration programmes in the areas identified by the Strategy.

The sustainable return and reintegration of repatriated persons remains a major challenge for Kosovo's municipalities. While the vast majority of international assistance in the field of return is aimed to support voluntary returns, repatriated persons upon their return to Kosovo often remain without any assistance by either Kosovo institutions or international (non-)governmental organizations. Limited access to housing and property-related issues as well as difficulties in accessing essential services, including education, health care, employment and/or economic opportunities, are among the main difficulties faced by repatriated persons. It will take considerable efforts by relevant institutions at both central and local level to address these obstacles and to ensure the sustainable return and reintegration of repatriated persons.

5. RECOMMENDATIONS

Recommendations to the central government:

- Allocate necessary government funding to ensure the implementation of the Strategy and the accompanying Action Plan;
- Establish an inter-ministerial co-ordination board to oversee and monitor the implementation of the Strategy; to co-ordinate the work of relevant ministries as well as between central level and local authorities; and to develop specific instructions to local authorities outlining clear responsibilities and procedures;
- Ensure that relevant ministries responsible for health, education, employment, social care and housing, and local authorities, are informed about the readmission/repatriation process;
- Take all necessary measures to implement the Strategy's objectives in the areas of legal reintegration, health, education, employment, social welfare and housing to ensure basic conditions for sustainable return and reintegration;
- Ensure the prompt distribution of the Strategy and the Action Plan to all relevant stakeholders, in particular municipal authorities, and conduct training for municipal officials on the Strategy's contents;

- Strengthen the legal status of municipal community offices and municipal returns officers within the municipal structure, and provide these offices/officials with adequate resources and support to enable them to discharge their functions;
- Co-operate closely with host countries as well as local and international non-governmental organizations to co-ordinate financial and technical assistance and to facilitate the development of structured and funded reintegration programmes as well as local authorities' capacities.

Recommendations to the municipal authorities:

- Ensure that budget proposals to the central government include necessary funds for the implementation of the Strategy and Action Plan at the local level, and allocate adequate resources from the municipal budget accordingly;
- Effectively distribute documents and instructions related to the reintegration of repatriated persons to all relevant municipal officials, and inform them about their respective roles and responsibilities in implementing them;
- Provide adequate financial, administrative and political support for municipal community offices and municipal returns officers to enable the offices/officials to accomplish their duties;
- Establish co-ordination mechanisms in which relevant institutions and officials can exchange information, and develop targeted programmes, initiatives and municipal policies;
- Engage in outreach activities and information sharing sessions for repatriated persons on access to municipal services, as well as education, health care, social services, employment and other re-integration opportunities.

Recommendations to international organizations and host countries:

- UNHCR: Provide guidance to relevant authorities in host countries and to the Kosovo institutions on the international protection needs of individuals from Kosovo, and closely monitor that the repatriation process is carried out in line with international human rights standards.
- Host countries: Take due consideration of the conditions for the reception and reintegration of repatriated persons and support Kosovo institutions in fulfilling their obligations.