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Communities and Return*

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# **STRATEGY FOR THE PROTECTION AND PROMOTION OF THE RIGHTS OF COMMUNITIES AND THEIR MEMBERS 2023 - 2027**

**December 2023**

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## **ABBREVIATIONS AND DEFINITIONS**

KPCVA	Kosovo Property Comparison and Verification Agency
EU	European Union
ECMI	European Center for Minority Issues
IOM	International Organization for Migration
UN	United Nations
CCC	Consultative Council for Communities
MPALS	Ministry of Public Administration and Local Self-Government
MESTD	Ministry of Education, Science and Technological Development
MJ	Ministry of Justice
MFLT	Ministry of Finance, Labor and Transfers
MCR	Ministry of Communities and Return
MoI	Ministry of Interior
NGO	Non-Governmental Organization
WHO	World Health Organization
ILO	International Labor Organization
OSCE	Organization for Security and Co-Operation in Europe
DP	Displaced Persons
IDP	Internally Displaced Persons
IDPR	Internally Displaced Persons in the Region
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
OCA	Office of Communities Affairs
MOCR	Municipal Office for Communities and Return
PMO	Prime Minister Office
OSP	Office for Strategic Planning

**Communities** - are defined as national, ethnic, cultural, linguistic or religious groups, traditionally present in Kosovo, that are not the majority. These groups are Serbian, Turkish, Bosniak, Roma, Ashkali, Egyptian, Gorani, Montenegrin, Croatian and other communities<sup>1</sup>.

**Terms return and returnee** - implies sustainable solutions such as return to the country of origin, local integration and settlement in any other country in the Republic of Kosovo<sup>2</sup>;

**Displaced Person (DP)** - means a person who was forced to leave their place of residence in particular, as a result of or in order to avoid the consequences of an armed conflict, general violence situation, violations of human rights<sup>3</sup>;

**Internally Displaced Person (IDP)** – means a person displaced within the territory of the Republic of Kosovo;

**Displaced persons in the region or refugees (IDPs)** - means displaced persons in Serbia, Montenegro, or in the Northern Republic of Macedonia;

**Spontaneous return** - means the return of displaced persons without any warning or assistance;

**Assisted return** - refers to the return of displaced persons who are assisted before, during and after their return;

**Assistance** - means providing assistance to support voluntary returnees in achieving permanent solutions;

**Sustainable solution** - implies the achievement of conditions under which returnees no longer need assistance and enjoy guaranteed civil rights;

**Return to the country of origin** - means the return of displaced persons to the place of origin;

**Local integration** - implies the integration of displaced persons in the place of displacement;

**Return to another place** - means the resettlement of displaced persons in another place in Kosovo.

**Re-integration** – means re-inclusion of voluntary returnees in Kosovo society and respect for their rights;

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<sup>1</sup> Law no. 04/L-020 on amendments to Law no. 03/L-047 on the protection and promotion of the rights of communities and their members in the Republic of Kosovo, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2531>

<sup>2</sup> Article 3, paragraph 1.3 of the Regulation (VRK) - no. 01/2018 for the return of displaced persons and sustainable solutions, adopted at the 23<sup>rd</sup> session of the Government of the Republic of Kosovo by Government Decision No. 06/23 of January 4, 2018.

<sup>3</sup> Ibid, Article 3, Paragraph 1.4. The following terms are taken from the same Article of the Regulation in question.

**Vulnerable persons** – means displaced persons and returnees who need special measures, as a result of reduced functional capacity, due to illness or disability or as a result of their family situation, age or gender.<sup>4</sup>

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<sup>4</sup> Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions was approved at the 23rd meeting of the Government of the Republic of Kosovo with Decision No. 06/23, dated 04.01.2018.

## I. EXECUTIVE OVERVIEW

The Strategy for the Protection and Promotion of the Rights of Communities and Their Members 2023-2027 was prepared under the leadership of the Ministry of Communities and Return, which is a continuation of the policy of the Government of Kosovo to strengthen the multi-ethnic character of the culture of the Kosovo society. The goal of the Strategy is to strengthen protection and provide lasting solutions as part of the collective response of relevant stakeholders in support of displaced persons and voluntary returnees. This Strategy aims to bridge the gap between communities in terms of education, employment, social protection, housing, property issues, language use and health care. This Strategy was also foreseen by the Program of the Government of Kosovo 2021-2025 and the Strategic and Operational Plan of the MCR and is in accordance with the Action Plan of the Agenda for European Reforms, which was adopted by the Assembly of Kosovo on October 4, 2021. Following the efforts of the executive authorities to improve position of non-majority communities, the Government of Kosovo, by Decision no. 02/89 of July 20, 2022, also adopted the Strategy for the Advancement of the Rights of Roma and Ashkali Communities in Kosovo 2022-2026, as well as the Action Plan 2022-2024.

The Strategy for Protection and Promotion of the Rights of Communities and their Members 2023-2027 can be revised after the population census, at the same time this strategy must be synchronized with the Strategy for the Advancement of Rights of the Roma and Ashkali Communities in the Republic of Kosovo 2022-2026

During the preparation of this document, lessons learned from the report on the implementation of the Preliminary Strategy for Communities and Return 2014-2018, the Program of the Government of Kosovo 2021-2025, reports, studies and evaluation documents of various local and international organizations for communities, data from the Kosovo Agency for Statistics (KAS) and UNHCR, as well as other sectoral strategies were used. The following is a brief summary of the challenges in these areas:

**Education:** despite the efforts of the Government of Kosovo to provide education to all communities in Kosovo, including curricula and programs in their language in pre-university education, setting quotas for university enrollment and recognition of higher education degrees, most individuals face many challenges in their integration with different levels of education in Kosovo, and this is especially true for the Roma, Ashkali and Egyptian communities as the most vulnerable groups due to their socio-economic conditions. On the other hand, the Serbian community and a part other communities Roma, Ashkali and Egyptian still attend education in the Serbian system.

**Employment and social security:** Unemployment in Kosovo has remained one of the main challenges over the years not only for non-majority communities in Kosovo, but for all citizens of Kosovo. According to the data of the Kosovo Agency for Statistics, the unemployment rate in

2022 was 12.6%. Despite the consolidated legal framework and established mechanisms, according to official statistics, every fifth citizen of Kosovo is considered poor, and faces difficulties in accessing basic services, including access to health care services and education. Unemployment affects all levels of society, but it disproportionately affects non-majority communities and further worsens their often-difficult housing and socio-economic situation. On the other hand, the low involvement of Roma, Ashkali and Egyptian communities in social security plans and insufficient use of social services make it difficult to alleviate poverty among these communities, which represents a very serious challenge.

**Housing:** According to UNHCR data, there are about 57 displaced families with 139 people, mainly from the Serbian, Roma, Ashkali, Egyptian and refugee communities, in about 15 collective shelters in the northern part of Kosovo. Various projects of international donors in cooperation with the MCR have financed activities regarding opportunities for socio-economic integration and improvement of living conditions, especially in construction of houses and roads, construction of sports facilities and regulation of sewage systems. The MCR also financed projects in the fields of education, culture, sports, religious events and many other areas of importance for the quality of life of citizens.

**Property issues:** Although progress has been made in addressing the property rights of non-majority communities and displaced persons, especially in completing the legal framework in this regard, these categories continue to face property issues. This is mainly due to the usurpation and reoccupation of their property and the small number of evictions of these illegal users by the competent institutions, as well as the small number of demolitions of illegal structures<sup>5</sup> built on these properties. Returning property from illegal possession will increase the legal security of displaced persons, and thus their return. In this regard, it is necessary to develop a concrete action plan that will contain all measures for the eviction of the usurpers from the occupied properties and the demolition of illegal structures built over the years on these properties in order to enable the return of displaced persons to their properties.

**Use of languages:** The possibility of equal use of official languages is a fundamental right, guaranteed by the Constitution of Kosovo. The main obstacles in the area of language use consist of obvious errors in translations of Kosovo legislation into official languages, i.e. into Serbian, then challenges with the use of translators in the Kosovo justice system, as well as access to language curricula of the communities in pre-university education and higher education in Kosovo. Therefore, the full implementation of the law on the use of languages should be a priority for the MCR and the Government in general.

**Health care:** Not all of the non-majority communities use the health care services provided by Kosovo. The returnee families of Roma, Egyptians, Ashkali and Albanians mainly use the health care services of Kosovo, while the Serbian community used the health care services that are under

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<sup>5</sup> Illegal building - means any type of illegal construction on private property that is built without the consent of the owner. See Article 3, paragraph 1.5 of the Administrative Instruction (VRK) - no. 01/2020 for determining the procedures for the demolition of illegal buildings.

Serbian administration, due to free health insurance and medicines. Living conditions in some settlements of the Roma, Ashkali and Egyptian communities are worrying, and the level of vaccination, especially among their children, remains alarming. This is especially reflected after the outbreak of the Covid-19 pandemic. The Ministry of Health does not yet have official data on the level of vaccination against Covid-19 per nationality. A true health care policy that allows equal and effective access to all communities should be pursued, including the health care insurance system, because this will, among other things, promote the return of displaced persons and the use of health care services in Kosovo by non-majority communities, who use the health care system of Serbia.

**Culture:** Cultural and public life, the organization of cultural and other events, multi-ethnic representation at festivals, as well as raising awareness of respect for cultural and historical heritage is essential for non-majority communities. Therefore, the Government of Kosovo should increase the cultural organizations of these communities in order to increase their cultural integration into Kosovo society.

**Gender-based violence and early marriages:** Violence against women, domestic violence and early marriages are present and represent a pan-social concern in Kosovo, especially among the Roma, Ashkali and Egyptian communities. The Government of Kosovo should engage in organizing campaigns to raise awareness about the prevention of gender-based violence, domestic violence and early marriages of non-majority communities, with a focus on these communities, as well as the integration of victims of these occurrences into society.

In order to achieve the goals of the Strategy, in solving the mentioned problems, strategic goals were set. Strategic goals relate to the main problems identified in this Strategy. They aim at the integration and sustainable settlement of displaced persons and returnees, the stabilization of communities and the improvement of their well-being, through the provision of social security, equal opportunities for employment and education, strengthening of social cohesion at the community level, promotion of diversity and cultural heritage as well as the development of mechanisms and services for the use of languages. The strategic goals are defined as follows:

**Strategic goal 1:** Return, reintegration and possibilities of a permanent solution for displaced persons and non-majority voluntary returnees, with the following specific goals:

**Specific goal 1.1.** Intensified involvement of relevant institutions in providing services for the return and reintegration of displaced persons;

**Specific goal 1.2.** Improving the legal framework in the field of integration of returnees and communities in Kosovo;

**Specific goal 1.3.** Strengthening coordination between local and central government regarding durable solutions;

**Specific goal 1.4.** Closure of collective centers;



**Specific goal 1.5.** Voluntary and urban return.

**Strategic goal 2:** Stabilization of the community and improvement of their well-being by providing equal opportunities for employment, social security services, as well as education, with the following specific goals:

**Specific goal 2.1.** Increasing employment opportunities for non-majority communities with a special focus on vulnerable groups such as women, youth and persons with disabilities;

**Specific goal 2.3.** Increasing opportunities for professional education and training of non-majority communities with a special focus on vulnerable groups such as women, youth and people with disabilities

**Specific goal 2.4.** Support the development, nurturing and preservation of cultural diversity, cultural and national identity of non-majority communities and intercultural dialogue.

**Strategic goal 3:** Proportional representation of minority communities in public administration, with the following specific goals:

**Specific goal 3.1:** Establishment of a government body for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo;

**Specific goal 3.2.** Provision of legal and technical support for monitoring the implementation of the program.

**Strategic goal 4:** Development of mechanisms and services for language use, with the following specific goals:

**Specific goal 4.1.** Improving bilingual harmonization for the drafting of legislation documents in Kosovo;

## II. INTRODUCTION

Kosovo has significantly supported international and domestic initiatives for the protection and promotion of the rights of communities. Since the declaration of independence in February 2008, Kosovo institutions have developed a community and return strategy for the 2014-2018 period. In terms of the constitutional and legal framework, Kosovo is considered a leader compared to the countries of the region, in terms of the guaranteed rights of non-majority communities, devoting a special chapter to this category, in addition to the chapter on fundamental rights, and it has also adopted a special law and supplementary legislation for ensuring their rights.

The MCR developed the first strategy for the community in 2013, i.e. the "Strategy for Return and Communities 2014-2018", which represents the continuation of the policy of the Government of Kosovo to strengthen the multi-ethnic and multicultural character of the Kosovo society. Also, within the framework of the Government Program for 2021-2025, the Government's priority is to improve policy for communities through development of a Concept Document and law for displaced persons, in order to enable their safe and dignified return. The strategic and operational plan of the MCR for 2021-2025 envisages the adoption of the Strategy for Protection and Promotion of the Rights of Communities and Their Members within the Strategic goal "Improving Policies for Communities, Return and Integration", as well as the operational goal "Drafting and Amending Laws and By-Laws for Communities". As in the National Development Strategy 2030, it is necessary to improve access to all levels of education and promote structured education for children from Roma, Ashkali and Egyptian communities; investments in health care should reflect the increase in overall life expectancy, but should specifically address health of children, by reducing the mortality rate of children, especially those in the communities of Roma, Ashkali and Egyptians. Also, on December 3, 2020, the Prime Minister of Kosovo approved the priorities of the UN Sustainable Development Framework (UNSDCF) 2021-2025<sup>6</sup>. This framework is based on successes and lessons learned from previous cooperation and represents the commitment of the United Nations development system to work in close partnership with the Kosovo authorities in achieving their priorities set in the Sustainable Development Goals (SDGs), regional integration goals, international obligations and principles for human rights. The development and results of "the Skopje Process" as a regional inter-institutional platform of sustainable solutions are important in creating policies in this area. This regional platform was launched in 2014.

Despite the achievements so far, non-majority communities are still in a disadvantageous position in almost all spheres of life in Kosovo. The general improvement of living standards and socio-economic conditions for these communities is faced with various obstacles, among others, problems with usurpation of property have led to obstacles related to the return of displaced persons, health care, as well as challenges in the implementation of the law on the use of languages,

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<sup>6</sup> UN Sustainable Development Framework (UNSDCF) 2021 – 2025 is available at:  
[https://kosovoteam.un.org/sites/default/files/2021-01/Final%20Kosovo%20UNSDCF%202021-2025\\_signed.pdf](https://kosovoteam.un.org/sites/default/files/2021-01/Final%20Kosovo%20UNSDCF%202021-2025_signed.pdf)

and thereby prevented the full integration of non-majority communities in Kosovo. Likewise, the continuing phenomenon of social exclusion for some non-majority communities, such as Roma and Ashkali, continues to pose a major difficulty in efforts to improve their chances of survival. Many of them still face discrimination, harassment and social exclusion because of their ethnicity. All these problems influenced the Government, that is, the MCR, to initiate the development and adoption of a new strategy for the protection and improvement of the rights of communities and their members.

Non-majority communities in Kosovo are Serbian, Turkish, Bosniak, Roma, Ashkali, Egyptian, Goran, Montenegrin, Croatian and other communities<sup>7</sup>.

### **III. METHODOLOGY**

The methodology used to develop the Strategy is a combination of workshops and individual meetings with key domestic and international stakeholders, consultations with representatives of non-majority communities at the national level. After a brief analysis of the current situation, strategic goals, specific goals, specific activities and actions were defined, which were then budgeted. The action plan in the structural aspect was prepared in accordance with the Administrative Instruction (VRK) no. 07/2018 for the planning and drafting of strategic documents, action plans and current instructions of the Office for Strategic Planning (OSP), through the representatives of this office in the working group.

The working group for the development of this Strategy was founded by the Minister of the Ministry of Communities and Return, and headed by the director of the Legal Department of this Ministry, and consists of 20 members and representatives of competent institutions, namely:

1. Ministry for Communities and Return (MCR);
2. Office of Community Affairs (OCA) within the OPM;
3. Office of the Language Commissioner (OLC) within the OPM;
4. Office for Good Governance (OGG) within the OPM;
5. Municipal Offices for Communities and Return (MOCR) in target municipalities;
6. Ministry of Finance, Labour and Transfers (MFLT);
7. Ministry of Culture, Youth and Sports (MCYS);
8. Department of Labour and Social Welfare (DLSW);
9. Office of the President of Kosovo - Consultative Council for Communities (OPK - CCC);
10. Kosovo Agency of Statistics (KAS);
11. Ministry of Local Government Administration (MLGA);
12. Ministry of Education, Science, Technology and Innovation (MESTI);
13. Ministry of Environment and Spatial Planning (MESP);

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<sup>7</sup>Law on Amendments and Amendments to Law no. 03/I-047 for the protection and improvement of the rights of communities and their members in the Republic of Kosovo, <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2531>

14. Kosovo Property Comparison and Verification Agency (KPCVA);
15. Office for Strategic Planning (OSP) within the OPM;
16. Regional and Local Employment Centres;
17. Civil society organizations and other relevant actors active in the field of return and reintegration of minority communities;
18. Other international organizations in Kosovo, UN agencies, Organization for Security and Cooperation in Europe (OSCE) and the Danish Refugee Council (DRC).

The work of the Working Group on the development of the Strategy was also supported by the IOM office in Kosovo, through their hired expert.

The strategy development process was divided into three phases: 1) the first phase was characterized by the analysis of the general situation, as well as the realization of a series of consultative meetings, in which the responsible institutions and relevant stakeholders working at the local level were involved; 2) during the second phase, the team responsible for drafting the Strategy analyzed the strategic documents in force, reports, studies and various local and international evaluation documents dedicated to communities, especially the results of the implementation of the previous Strategy for Communities and Return 2014-2018, the Program of the Government of Kosovo 2021-2025, data from the Agency for Statistics of Kosovo, as well as other sectoral strategies; while 3) in the third phase, the document is the subject of a consultation process with all interested parties, with the aim of identifying and treating all issues related to certain interested parties. These meetings were held throughout the preliminary and public consultation phase. The inter-institutional working group reviewed and incorporated the inputs received from these consultations, according to the criteria set forth in Administrative Instruction no. 02/2012, and it is in the process for approval.

In addition, individual and group meetings were held with representatives of the ministries in order to analyze the current state of implementation, monitoring and central reporting mechanisms.

The final version of the Strategy for the Protection and Promotion of the Rights of Communities and their Members 2023-2027 and its Action Plan was sent to the Government of Kosovo for adoption on 10.08.2023.

## **IV. BACKGROUND**

### ***IV.1. CONSTITUTIONAL AND LEGAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF THE RIGHTS OF COMMUNITIES AND THEIR MEMBERS IN KOSOVO***

The rights of communities and their members in Kosovo are guaranteed by the Constitution of Kosovo (hereinafter: the Constitution<sup>7</sup>), Law no. 03/L-047 on the protection and promotion of the rights of communities and their members, amended and supplemented by Law no. 04/L-020, as well as Law no. 04/L-115 on amendments to the law in connection with the end of the international monitoring of the independence of Kosovo (hereinafter: the Law on the Rights of Communities<sup>8</sup>), as well as a number of international legal instruments on human rights, which are directly applied through Article 22 of the Constitution.

Article 156 of the Constitution guarantees that Kosovo promotes and facilitates the safe and dignified return of refugees and internally displaced persons, and that it assists them in regaining their property and possessions. In order to respect the linguistic identity of all persons and to create an environment for all communities to express and preserve their linguistic identity, as well as to regulate the use of language, the Assembly also adopted Law no. 02/L-37 on the use of language<sup>9</sup>, while regarding the preservation of their cultural and educational identity, it adopted Law No. 02/L-88 on cultural heritage<sup>10</sup>, Law No. 03/L-039 on special protected areas<sup>11</sup>, as well as Law No. 03/L-068 on education in Kosovo municipalities<sup>12</sup>.

The Law on the Protection of Communities stipulates that Kosovo guarantees full and effective equality for all citizens of Kosovo. Kosovo considers its national, ethnic, linguistic and religious diversity as a source of strength and wealth for the further development of a democratic society based on the rule of law. In the development of Kosovo, the active contribution of all community members is encouraged and valued<sup>13</sup>. Also, this law creates a legal basis for taking special measures to ensure full and effective equality of communities and their members, considering their special needs, which are not considered acts of discrimination<sup>14</sup>.

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<sup>7</sup> See Chapter II, III and Articles 64, 67, 78, 81, 96, 103, 108, 110, 114, 123, 126, 133, 139, 144 and 156 (amended) of the Constitution of the Republic of Kosovo, published in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702>

<sup>8</sup> See Law no. 03/L-047 for the protection and promotion of the rights of communities and their members, amended and supplemented by Law no. 04/L-020, available in the Official Gazette, at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2531>

<sup>9</sup> See Law no. 02/L-37 on the use of language, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2440>

<sup>10</sup> See Law no. 02/L-88 on cultural heritage, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2533>

<sup>11</sup> See Law no. 03/L-039 on special protected areas, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2529>

<sup>12</sup> See Law no. 03/L-068 on education in the municipalities of the Republic of Kosovo, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2543>

<sup>13</sup> See Article 1 of the Law on Protection of Communities.

<sup>14</sup> Ibid.

Chapter III [Rights of Communities and Their Members] of the Constitution specifically deals with the rights of communities and their members, regulating their rights, both as individuals and communities, general principles, responsibilities of the state, through the Consultative Council for Communities, representation in employment in public institutions and representation in local government bodies. Article 62 [Representation in Local Self-Government Bodies] of the Constitution stipulates that in municipalities where at least ten percent (10%) of the population belong to communities, which are not the majority in those municipalities, the position of deputy president of the Municipal Assembly for communities shall be reserved for a representative from among these community.

In order to respect the linguistic identity of all persons and to create an environment for all communities to express and preserve their linguistic identity, as well as in order to regulate the use of language, the Assembly adopted Law No. 02/L-37 on the use of language<sup>15</sup>, while in terms of preserving their cultural and educational identity, it adopted Law no. 02/L-88 on cultural heritage<sup>16</sup>, Law no. 03/L-039 on special protected areas<sup>17</sup>, as well as Law no. 03/L-068 on education in Kosovo municipalities<sup>18</sup>, Law no. 02/L-31 on freedom of religion in Kosovo<sup>19</sup>, amended by Law no. 04 & L/115, by Law no. 05/L-010 on the Kosovo Property Comparison and Verification Agency<sup>20</sup>, by Law no. 06/L-092 on the use and exchange of immovable municipal property<sup>21</sup> and by Law no. 03/L-164 on the financing of special housing programs<sup>22</sup>.

In addition to the above-mentioned laws, the protection of the rights of communities and their members in Kosovo is also promoted by referring to international legal instruments on human rights, which are directly applicable in Kosovo, such as:

- (1) Universal Declaration of Human Rights;
- (2) European Convention for the Protection of Human Rights and Fundamental Freedoms and its protocols;
- (3) International Covenant on Civil and Political Rights and its protocols;
- (4) Council of Europe Framework Convention for the Protection of National Minorities;
- (5) Convention on the Elimination of All Forms of Racial Discrimination;

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<sup>15</sup> See Law no. 02/L-37 on the use of language, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2440>

<sup>16</sup> See Law no. 02/L-88 on cultural heritage, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2533>

<sup>17</sup> See Law no. 03/L-039 on special protected areas, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2529>

<sup>18</sup> See Law no. 03/L-068 on education in the municipalities of the Republic of Kosovo, in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2543>

<sup>19</sup> See Law no. 02/L-31 on freedom of religion in Kosovo, amended by Law no. 04&L/115 in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2442>

<sup>20</sup> See Law no. 05/L-010 for the Kosovo Property Comparison and Verification Agency in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=13023>

<sup>21</sup> See Law no. 06/L-092 on the use and exchange of immovable municipal property in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18917>

<sup>22</sup> See Law no. 03/L-164 for financing special housing programs in the Official Gazette, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2670>

- (6) Convention on the Elimination of All Forms of Discrimination Against Women;
- (7) Convention on the Rights of the Child;
- (8) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Inhuman and Degrading;
- (9) Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

Although not yet a member of the United Nations, due to its importance in protecting the rights of displaced persons and restoring property rights upon return, when implementing policies related to communities and returnees, Kosovo also takes into account the United Nations Guiding Principles on Internal Displacement (adopted in September 2004), as well as the principles on the return of homes and property for refugees and displaced persons (Principles - Pinheiro) of the UN Sub-Commission for the Promotion and Protection of Human Rights (adopted in June 2005).

The MCR, in accordance with the current legislation, works to implement procedures for a better life and supports the interests of communities and their members in Kosovo. In accordance with Annex 1.14 of the Regulation (VRK) - no. 02/2021 on the areas of administrative responsibility of the Office of the Prime Minister and Ministries, amended by Regulation no. 04/2021, the MCR prepares public policies, drafts legal acts, adopts by-laws, sets mandatory standards and implements laws in the area of promotion and protection of the rights of communities and their members, including the right to return, in accordance with the Constitution of Kosovo.

As a result of the adoption of the Law on the Rights of Communities, on January 4, 2018, the Government adopted Regulation (VRK) - no. 01/2018 on the return of displaced persons and sustainable solutions, as well as guidelines for the implementation of this Regulation. The purpose of the Regulation is to create the necessary conditions for achieving permanent solutions for displaced persons in Kosovo and the region, and to define the responsibilities of competent authorities, who make decisions and implement procedures and criteria for assistance<sup>23</sup>.

Within the Kosovo Government Program for 2021-2025, the improvement of policies for communities through the drafting of a concept document and law for displaced persons is also a priority, in order to enable their safe and dignified return<sup>24</sup>. The issue of the return of displaced persons needs to be resolved by passing a special law, i.e. by amending Law no. 03/L-047 on the protection and promotion of the rights of communities and their members in Kosovo, where, in addition to the section on communities, Article 3.A, which deals with the rights of refugees and displaced persons, will be amended as well. Issuance of an adequate legal framework will affect the legal certainty of the subject category.

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<sup>23</sup> See Article 1 of the Regulation (VRK) - no. 01/2018 on the return of displaced persons and permanent solutions, available in the Official Gazette: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=15942>

<sup>24</sup> See the Program of the Government of the Republic of Kosovo for 2021-2025, adopted by Government Decision no. 01/11, of May 7, 2021, p. 25.

#### ***IV.1.1. Mechanisms for the Protection of Non-Majority Communities in Kosovo***

Through various mechanisms, both at the central and local level, Kosovo provides support to the rights of non-majority communities. While some of these mechanisms deal with protection against discrimination, others deal with issues related to participation in decision-making.

The **Consultative Council for Communities** acts under the authority of the President of the Republic of Kosovo, in which all communities are represented.

The mandate of the Consultative Council for Communities includes:

- 1) Ensuring a mechanism for regular exchange between communities and the Government of Kosovo;
- 2) The possibility for communities to comment at an early stage on legislative and political initiatives that the Government may prepare, to expand such initiatives and to request that their views be included in relevant projects and programs.
- 3) Giving recommendations during decision-making regarding the allocation of international funds or the allocation of funds from the budget of the Republic of Kosovo for projects dedicated to communities.

The **Ombudsman** supervises and protects the rights and freedoms of individuals against illegal actions or omissions of public authorities<sup>25</sup>. This means that he protects the rights and freedoms of non-majority communities in Kosovo.

The **Commission for Rights and Interests of Communities and Return** is a permanent committee of the Assembly of Kosovo, with guaranteed representation of non-majority communities. In addition to its general role in the Assembly of Kosovo, this commission is responsible for assessing the compliance of the proposed legislation with the rights of communities, as well as for ensuring that these rights are treated in an adequate manner.

The **Office for Communities Affairs** is an organizational unit within the Cabinet of the Prime Minister, whose mission is to assist the Office of the Prime Minister and the Government in defining and implementing policies in a unique and coherent manner, analyzing, advising and supporting the development of policies for community issues and monitoring their implementation.

The **Office for Good Governance** has been an organizational unit within the Cabinet of the Prime Minister since 2002, whose mission is to provide professional support to the work of the Cabinet of the Prime Minister and the Government, in the area of good governance, human rights, protection against discrimination, children's rights, rights of persons with disabilities and equal rights possibilities. The promotion of the rights of non-majority communities is carried out from the perspective of the protection of basic human rights and freedoms.

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<sup>25</sup> See Article 132 of the Constitution.



The **Office of the Commissioner for Languages** works within the Cabinet of the Prime Minister under the leadership of the Commissioner for Languages, who is responsible for managing the Office and exercising its powers in accordance with the relevant Regulation for the Office of the Commissioner for Languages. The Commissioner for Languages supervises the implementation of the law, with the aim of preserving, promoting and protecting: the use of official languages in Kosovo, official languages of municipalities, languages in official use in municipalities, as well as languages of communities whose mother tongue is not one of the official languages.

The **Ministry for Communities and Return** was established in 2005 and is a key ministry in charge of protecting and improving the rights of communities and their members. This Ministry drafts and implements laws and other public policies in this area, including the right of return to Kosovo.

**Municipal offices for communities and return** act in accordance with the Constitution, current legislation and policies in the area of promoting the rights of communities and their members, ensuring equal access to public services, creating conditions for sustainable return and reintegration, including the strategic documents of Kosovo, in relation to the protection and improvement of the rights of communities, their return and reintegration. The offices identify, promote, support, implement and monitor relevant policies, activities and programs for the protection and promotion of community rights; equal access of communities to public services; creating conditions for the sustainable return of refugees, returnees, displaced and repatriated persons<sup>26</sup>.

The **Deputy Chairman for Communities** is a position reserved in the Municipal Assembly by a certain non-majority community, in municipalities where at least 10% of the municipal population belongs to the non-majority community. This position is provided for by the constitutional provisions, that is, by Article 62 of the Constitution. Despite its constitutional definition, this mechanism has a very narrow definition in the existing legislation and there is no specific administrative instruction that would provide any details regarding its tasks, including the time, i.e. how long this position can be vacant. In 2019, vacancies have already affected communities in one municipality, weakening their political representation and protection<sup>27</sup>.

The **Deputy President of the Municipality for Communities** is provided for by the Law on Local Self-Government, and that position is reserved for those municipalities in which at least 10% of the citizens of that municipality belong to non-majority communities. This position is optional. Since 2014, Administrative Instruction no. 01/2014 on the procedure for appointing vice-presidents in municipalities, which provided for important tasks, albeit limited, but also important composition and criteria for the selection of this function, regulated this function until 2020, when

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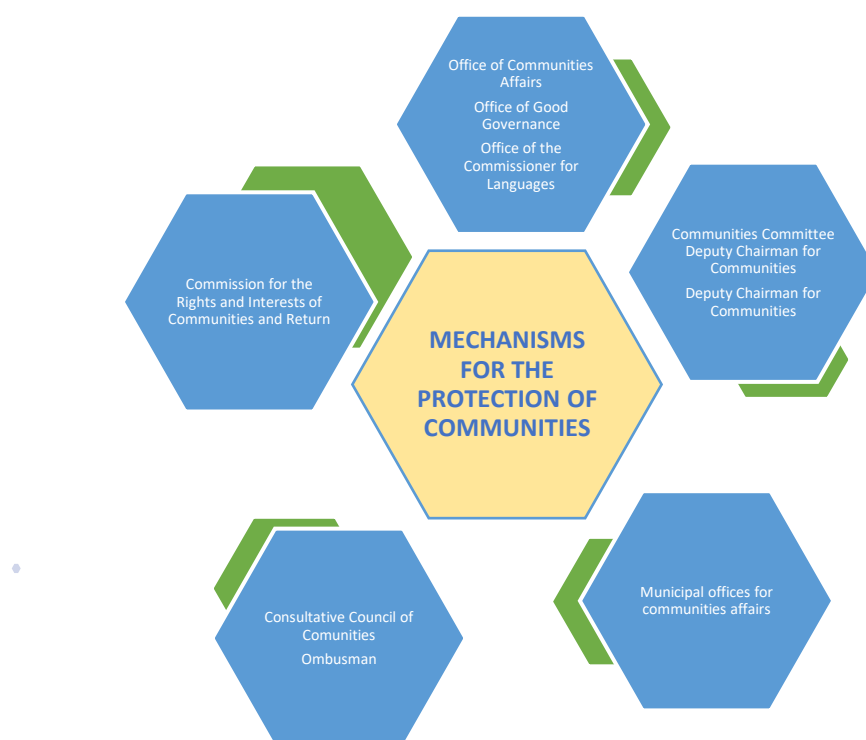
<sup>26</sup> See Article 2 of Regulation no. 02/2010 for municipal offices for communities and return, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=10522>

<sup>27</sup> OSCE Report, *Assessment of the Establishment, Functioning and Performance of Municipal Mechanisms for Community Participation and Representation*, October 2021, p. 43, available at: <https://www.osce.org/files/f/documents/b/3/499822.pdf>

a new administrative instruction was adopted. This position is highly integrated into the municipal decision-making infrastructure, with more meetings with the mayor than provided for in the policy framework, and the fact that there is generally strong cooperation and interaction with the municipal executive structures<sup>28</sup>.

**Committees for Communities** - include in their ranks the simple majority of members of the municipal assembly, and the other members are community representatives. Each community living in the municipality is represented by at least one representative in the Communities Committee. Representatives of non-majority communities in the municipality make up the majority of Communities Committee members. The Communities Committee is responsible for reviewing municipal authorities' compliance with applicable law, as well as reviewing all municipal policies, practices and activities to ensure that the rights and interests of communities are fully respected. The Committee also recommends to the Municipal Assembly the measures that should be taken to ensure the implementation of provisions related to the need of communities to improve, express, protect and develop their ethnic, cultural, religious and linguistic identity, as well as adequate protection of the rights of communities within the municipality<sup>29</sup>.

*Figure 1. Mechanisms for the protection of non-majority communities in Kosovo*



<sup>28</sup> Ibid., p. 36-37

<sup>29</sup> See Article 53 of Law no. 03/L-040 for local self-government, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2530>.

### IV.3. CURRENT SITUATION OF COMMUNITIES AND THEIR MEMBERS IN KOSOVO

Despite the constitutional and legal guarantees given to communities and their members in Kosovo, it is necessary to monitor their implementation and, if necessary, improve it by identifying delays in implementation and analyzing their current state. In the following subchapters, the current state of communities and their members will be analyzed according to specific topics, namely in the area of displaced and returned persons, education, employment and social security, property issues, language use and health care.

#### IV.3.1. Displaced Persons and Returnees

The MCR did not keep statistics on displaced persons and returnees in Kosovo. Therefore, in the absence of an official database in Kosovo, UNHCR has registered and maintained a database of returnees to date. The MCR, with the help of IOM, has already created this database and since March 1, 2023, it has been operationalized.

**Table 5. IDP\* by region and ethnicity (UNHCR report, February 2023)**

C.1.	K/IRL* by region and ethnicity							
Region	Albanians	Ashkali	Egyptians	Gorani	Roma	Serbs	Others	Total
Gnjilane	0	80	0	0	30	561	0	671
Mitrovica	6900	0	2	15	27	6854	7	13805
Peć	0	0	0	0	0	19	0	19
Priština	0	28	0	0	92	928	0	1048
Prizren	0	45	0	0	3	55	0	103
<b>Total</b>	<b>6900</b>	<b>153</b>	<b>2</b>	<b>15</b>	<b>152</b>	<b>8417</b>	<b>7</b>	<b>15646</b>

*\* Figures are estimates, based on systematic research conducted by UNHCR. The decrease in the number reflects returnees registered within Kosovo.*

According to a statistical review published by UNHCR in February 2023, it is estimated that around 15,646 people are internally displaced in Kosovo. Analyzing these data on an ethnic and regional basis, it is noted that the most internally displaced persons belong to the Serbian community (8,417), followed by the Albanian (6,900), Roma (152), Ashkali (153), Gorani (15) and Egyptian (2). In general, the regions from which these communities immigrated are: the region of Mitrovica, with the most IDPs of the Serbian and Albanian communities, then the region of

Pristina, where the Serb, Roma and Ashkali communities lead, then the region of Gnjilan, where the leading communities are Serbs, Ashkali and Roma, and finally the region Prizren and Peć with the same communities (see table 5).

During 2016, the profiling of IDPs<sup>30</sup> was done on the basis of a sample supported by JIPS (Joint IDP Profiling Service). Profiling was done on a sample basis under the management of an administrative body consisting of the Ministry for Communities and Return, the Commissariat for Refugees and Migration of the Republic of Serbia, UNHCR and the Danish Refugee Council (Profiling Management Group). Further support has been provided by JIPS, as well as a number of staff active in Kosovo who have contributed to the Profiling Management Group. Adequate financial resources must be allocated to ensure sustainable solutions. As a result of the events of 1998-1999 and 2004, according to estimates, approximately 16,000 IDPs in Kosovo are facing difficulties and awaiting long-term solutions. Of the surveyed Albanian families of IDPs, the preferred permanent solution for their residence is to return to their country of origin, with 62%. In contrast, for the surveyed Roma, Ashkali and Egyptian families, local integration in the place of displacement was the preferred option with 80%, while for the Serbian IDPs, a total of 83% of the surveyed Serbian families in private housing and 91% in collective centres, staying in the current place of displacement would be considered the preferred option. In 2016, UNHCR, together with local partners, conducted a needs assessment on a sample of 1,400 families who had previously expressed a desire to return (over 4,600 individuals/1,400 families), who were displaced from Kosovo to Montenegro, the Republic of North Macedonia and Serbia. The results of this survey show that more than 90% of IDPs are interested to return.

Striving to create the best possible conditions for those who have already returned and for those who have expressed interest in returning to Kosovo, MCR, with other relevant stakeholders, coordinates the closure of collective centres.

Also, according to the statistical review published by UNHCR in February 2023, during the last two decades, 29,297 people returned to Kosovo. When analyzed on an ethnic basis, these data show that the largest number of returnees belongs to the Serbian community (12,738), followed by the Ashkali/Egyptian community (7,770) and the Roma (4,077) (see Table 6).

**Table 6. Returns during the period 2000-2023 (UNHCR report, February 2023)**

E.1.	Voluntary return of non-majority communities 2000 –2023																									
Ethnic group	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total	%
Albanians	0	27	294	245	8	49	53	15	43	86	99	27	67	10350	20	39	13	43	1	16	21	6	0	1325	4.54	

<sup>30</sup> <https://www.unhcr.org/see/10865-profiling-of-internally-displaced-people-in-kosovo.html>

<b>Ashkali/Egyptians</b>	0	533	882	1182	593	727	466	312	195	281	718	395	305	202	151	221	159	159	96	53	76	31	25	8	7770	26.5
<b>Bosnians</b>	57	0	149	393	479	250	93	89	39	43	49	60	84	40	9	18	11	2	10	0	3	0	1	0	1879	6.4
<b>Croats</b>	0	0	0	0	0	0	0	0	0	0	1	0	2	0	0	0	0	0	1	0	0	0	0	0	4	0.0
<b>Gorani</b>	3	0	73	145	141	125	139	234	85	90	182	106	89	2	21	23	0	1	5	0	0	0	0	0	1464	5.0
<b>Montenegrians</b>	0	0	0	0	0	0	0	0	0	0	2	9	1	0	1	3	1	0	4	0	0	0	0	0	21	0.1
<b>Roma</b>	20	214	390	287	430	235	303	581	86	214	371	120	132	132	55	85	66	169	35	14	61	47	17	13	4077	13.9
<b>Serbs</b>	182	6679	966	1550	818	740	615	585	231	439	895	474	375	345	398	429	299	148	133	12	23	26	155	8	12738	43.5
<b>Turks</b>	0	0	0	0	0	0	0	0	0	0	1	1	0	1	0	3	7	6	0	0	0	0	0	0	19	0.1
<b>Total</b>	<b>1906</b>	<b>1453</b>	<b>2754</b>	<b>3802</b>	<b>2469</b>	<b>2126</b>	<b>1669</b>	<b>1816</b>	<b>679</b>	<b>1153</b>	<b>2318</b>	<b>1192</b>	<b>1055</b>	<b>825</b>	<b>685</b>	<b>802</b>	<b>582</b>	<b>498</b>	<b>327</b>	<b>19</b>	<b>39</b>	<b>36</b>		<b>29</b>	<b>29297</b>	<b>100.00</b>

\* Albanians refer to those who are in a minority situation

As can be seen in table 7, the data of the statistical review published by UNHCR in February 2022 also shows that of the 29,297 persons who voluntarily returned to Kosovo, the most returned from Serbia (16,108) and of that 10,690 persons from the Serbian community, 2,098 from the Ashkali and Egyptians communities, 1,557 from the Roma community, 1,203 from the Gorani community and 545 from the Bosniak community. After that, about 6,503 people from within Kosovo, that is, 2,144 people from the Ashkali and Egyptian communities, 1,826 people from the Serbian community, 1,319 from the Albanian community, and 1,098 people from the Roma community. The third country from which the most internally displaced persons returned was Montenegro (3,853), of which 2,137 persons were from the Ashkali and Egyptian communities, 799 persons were from the Bosniak community, 697 persons were from the Roma community and 173 persons were from the Serbian community. At the end come the returnees from North Macedonia (1670), other countries (802) and Bosnia and Herzegovina (361) (see Table 7).

**Table 7. Voluntary return of non-majority communities by ethnicity and previous place of resettlement (UNHCR report, February 2023)**

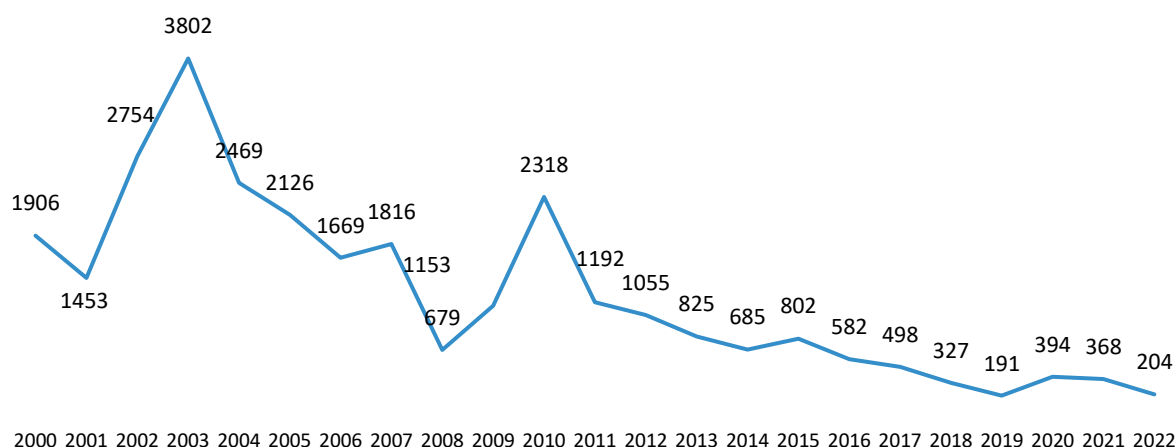
E.4.	Voluntary return of non-majority communities according to ethnicity and previous place of resettlement 2000 – 2023						
Region of return	Bosnia and Hercegovina	North Macedonia	Montenegro	Serbia	Other countries	Within Kosovo	Total
Albanians	0	3	0	2	0	1319	1325
Ashkali/Egyptians	98	1013	2137	2098	257	2161	7770
Bosniaks	162	17	799	545	301	55	1879
Croats	0	0	0	2	2	0	4
Gorani	41	14	42	1203	143	21	1464
Montenegrians	0	4	3	9	0	5	21
Roma	53	594	697	1557	76	1098	4077
Serbs	7	19	173	10690	23	1826	12738

<b>Turks</b>	0	0	0	1	0	18	19
<b>Total</b>	361	1670	3851	16108	802	6503	29297

\* Albanians refer to those who are in a minority situation

The data also shows that although the highest number of returnees was in the period from 2002 to 2010, after a general downward trend, the year 2020 records a slight increase in the number of returnees compared to the previous two years (see Table 8).

**Table 8. Returns during the period 2000-2022 (UNHCR report, December 2022)**



As can be seen from the above statistics, the return of displaced persons from non-majority communities in Kosovo remains a challenge since the post-war period, especially in terms of their rights. It is worth noting that, according to the report of the US State Department, the parliamentary representatives of the Ashkali, Egyptian and Roma communities reported that social prejudice prevented the return of almost 400 Ashkali, Egyptians and Roma, who were previously residents of the country and informed the UNHCR - that they were ready to returned from Serbia, North Macedonia and Montenegro.<sup>31</sup>

To date, various international partners have assisted the return of IDPs from the region to and within Kosovo, through various projects, mostly financed by the EU's Instrument for Pre-Accession Assistance (IPA). Partners in the implementation of these projects were UNDP, DRC and IOM. These projects with a total value of EUR 30.5 million, implemented in the period 2008-2021, helped the return of around 1,004 families to Kosovo (see table 9). By 2021, the MCR has

<sup>31</sup> State Department, 2020 State Reports on Human Rights Practices: Kosovo 2020, Bureau of Democracy, Human Rights, and Employment, p. 17.

spent a total of EUR 19,227,923 on the budget line of capital projects for the construction of houses for returnees, while EUR 1,000,000 have been allocated for 2022<sup>32</sup>.

**Table 9. Projects that helped the voluntary return of the displaced population in the region and within Kosovo (DP)**  
(source: IOM)

Name	CRIS No.	Time period	Contribution of EU	Contribution of MCR	# returnee families	Implementation partner
EU – Return and reintegration to Kosovo - phase I	2008/162-519	July 22, 2008 - October 31, 2010 (27 months)	EUR 3.3 M	EUR 1.0 M	181	UNDP
(IPA 2007)	009/215-276	August 01 2009 - October 31, 2011 (27 months)	EUR 4.0 M	EUR 1.0 M	214	DRC
EU – Return and reintegration to Kosovo - phase II	2011/269-936	November 01, 2011 - October 31, 2014 (36 months)	EUR 4.2 M	EUR 1.0 M	210	IOM
(IPA 2008)	2014/344-650	November 01, 2014 - July 31, 2017 (33 months)	EUR 4.0 M	EUR 2.5 M	262	IOM
EU – Return and reintegration to Kosovo - phase III	2017/391-105	November 10, 2017- September 30, 2023 (71 months) – in process	EUR 8.0 M	EUR 1.5 M	377	IOM

Considering that not all displaced persons have yet been returned, the Government of Kosovo, in particular the MCR and other partners, will work during the implementation of this strategy together with all sectors to ensure that communities benefit from institutional policies that bring about an improvement in the situations related to education, health services, employment, security, etc. The MCR and implementing partners will work closely with relevant ministries and institutions at the central and local levels to ensure that appropriate policies are developed and

<sup>32</sup> See table 3.2, Capital projects for the central level of Law no. 08/066 on budget distribution for the budget of the Republic of Kosovo, p. 62, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=51763>

implemented. In order to improve the implementation of the return policy, the MCR, in cooperation with the implementation partners, should update the data in the existing database as soon as possible.

### ***IV.3.2. Education***

Improving access to education for non-majority communities, especially for the most vulnerable groups such as Roma, Ashkali and Egyptians.

Education in Kosovo is organized by the MESTD, offering education in the Albanian, Turkish and Bosnian languages, however, education in the Serbian language is also offered in Kosovo. The MESTD made efforts to facilitate the integration of non-majority communities into the education system of Kosovo, offering the possibility of learning the Romani language as an optional subject, while at the level of higher education, the MESTD issued an Administrative Instruction determining places reserved for students belonging to non-majority communities<sup>33</sup>. Also, the MESTD, in cooperation with its partners, REF and VORAE, awarded 596 scholarships for high school students from the Roma and Ashkali communities for the 2020/2021 school year. On March 17, 2022, the Minister of the MESTD and the Minister of the Ministry of Education, Culture and Sports, signed a Memorandum of Cooperation for the provision of financial support (100 scholarships) for students of Ashkali, Egyptian and Roma communities, who study at public universities in Kosovo.

Table 10 provides data on the enrollment of children/students from all communities in Kosovo, in schools with Kosovo curricula and programs offered by the MESTD, according to the levels of education (pre-school, primary, lower secondary, upper secondary) in pre-university education, where approx. 305,157 Albanians, 2,564 Turks, 3,388 Bosniaks, 4,195 Ashkali, 1,325 Roma, 1,336 Egyptians and 426 Gorani<sup>34</sup> participate. Chart 1 gives data on the total participation of students involved in primary and lower secondary education, expressed in percentages by nationality, 95.3% are Albanians, while 4.7% belong to other ethnic groups<sup>35</sup>. On the other hand, Chart 2 provides data on the total participation of students enrolled in upper secondary education, expressed in percentages by ethnicity, 97.0% are Albanians, while 3.0% belong to other ethnic groups<sup>36</sup>.

***Table 10. Students by nationality and education levels 2020/21, total***

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<sup>33</sup> See Administrative Instruction (MESTD) no. 09/2016 Application of affirmative measures and reserved places for enrollment of candidates from non-majority communities in public institutions of higher education. Available at: <https://masht.rks-gov.net/uploads/2016/06/ua-masht-09-2016-aplikimi-i-masave-afirmative-dhe-vendeve-te-rez-al.pdf>

<sup>34</sup> MESTD Report, Education Statistics in Kosovo 2020/21, Information Management System in Education, June 2021, p. 28-33, available at: <https://ask.rks-gov.net/media/6072/statistikat-e-arsimit-20202021.pdf>

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.



Degree	Albanians	Turks	Bosnians	Ashkali	Roma	Egyptians	Gorani
Pre-school education (0<5 years of age)	4,147	6	3	3	4	13	n/a
Pre-school education (0<6 years of age)	19,201	190	194	213	84	61	34
Primary/lower secondary education	213,112	1781	2,427	3755	1067	1123	386
Upper secondary education	68,697	587	764	224	170	139	6
Total	305,157	2,564	3,388	4,195	1,325	1,336	426

(Source: Data from MESTD's annual statistics)

Chart 1. Number of students in primary and lower secondary education by nationality in %

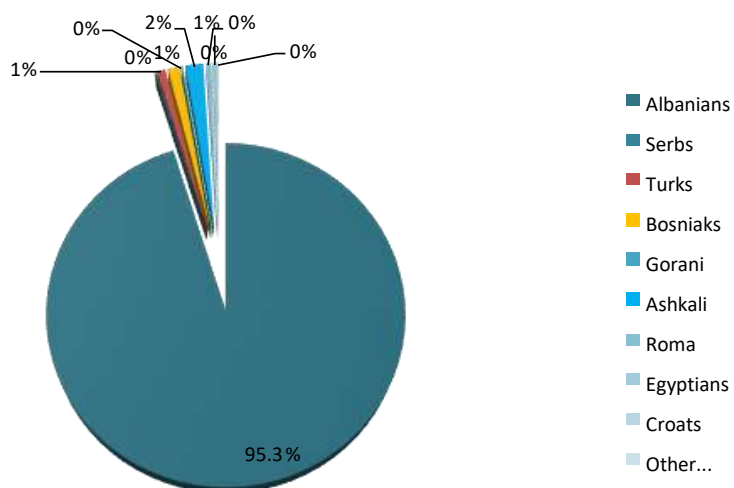
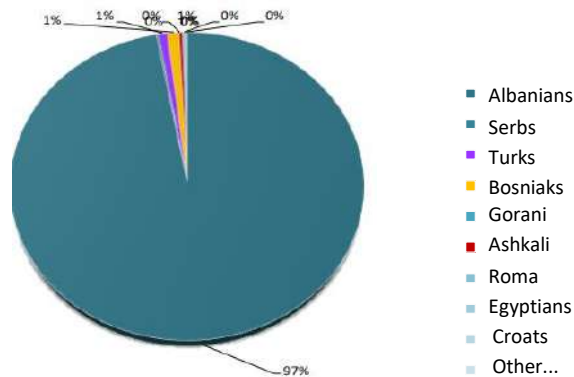


Chart 2. Number of students in upper secondary education by nationality in %



In charts 1 and 2, Serbian community should be removed

On the other hand, Table 11 provides information on the participation of teachers by nationality, which shows that a total of 22,469 Albanians, 469 Bosniaks, 199 Turks, 6 Ashkali, 9 Roma, 6 Egyptians, 6 Gorani and 8 Croats are engaged in the Kosovo curriculum system. The MESTD has no data for the Serbian and Montenegrin communities.

**Table 11. Teachers by nationality 2020/21, total**

Ethnicity	Albanians	Serbs	Turks	Bosniaks	Ashkalis	Roma	Egyptians	Gorani	Croats
Total	22,469	n/a	199	469	6	9	6	6	8

In 2015, the Government of Kosovo adopted Decree No. 21/2015 on the verification of diplomas issued by the University of North Mitrovica after 2001, so people could apply for a job, obtain professional licenses and take exams in public institutions, which facilitated access to employment in Kosovo for many graduates from this university<sup>37</sup>. A total of 1,709 diplomas were positively verified by December 2020. Currently, the verification process is threatened by unreliable financial support from donors. The next possible key stage is the recognition of high school and higher vocational school diplomas. Recognition of diplomas is required both at the university and at the secondary school. This is essential for increasing employment opportunities among non-majority communities and to support access to education and full reintegration of the members of the Serbian community and other communities attending education in the Serbian language (Serbian community, Roma, Gorani, Bosniaks). The lack of recognition has a serious negative impact on students' employment opportunities and hinders the reintegration of the Serbian and non-Serb communities into Kosovo society. So, based on this data, the commission for the recognition of diplomas of the University of North Mitrovica should be functionalized.

<sup>37</sup> See *supra* note 27, p. 45. <https://www.osce.org/files/f/documents/d/2/493678.pdf>

In 2016, with the issuance of the Administrative Instruction no. 09/2016 on the application of affirmative measures and places reserved for the application of candidates from non-majority communities in public higher education institutions, a quota of 12% was established for students from non-majority communities, out of the total number of students scheduled for enrollment<sup>38</sup>. From 2008 to 2020, 5,372 places for non-majority communities were planned at all faculties of the University of Pristina "Hasan Pristina". Despite this number, in recent years only 18.42% of available places have been filled with 990 students enrolled from non-majority communities. Of the 990 accepted, only 23.93 percent graduated, so in 12 years at this university, a total of 237 students from non-majority communities graduated. The level of attendance at pre-university education, divided by ethnicity, is relatively proportional to the demographics of Kosovo. There are no data disaggregated by ethnicity and gender. Dropout rates can be particularly high for children of Kosovo Roma, Ashkali and Egyptians who have been repatriated. However, data on school attendance by Kosovo Roma, Ashkali and Egyptians, classified by gender, are not available. This presents difficulties in understanding the differences between girls and boys<sup>39</sup>. The literacy rate of Roma, Ashkali and Egyptian communities is lower compared to the rest of the population. Of the approximately 98% of literate population of Kosovo, only 73% of women and about 87% of men of the Roma, Ashkali and Egyptian communities are literate. Across the country, the participation of Roma, Ashkali and Egyptian youth, from 65% in lower secondary schools, drops to 30% in upper secondary schools<sup>40</sup>.

**Table 12. Comparison of the number of students who dropped out of school over the years**

<b>Ethnicity</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/20</b>
Roma and Ashkali	88	83	50

(Source: Data from MESTD's annual statistics)

Table 12 shows that the downward trend in the number of children dropping out of school can be attributed at least in part to the work of school mediators, learning centers and prevention and response teams. However, the dropout rate in these communities remains high. In addition to poverty, other causes of dropping out of school should be sought in the lack of parental support due to lack of information, undervaluation of schooling, then there is also the problem of inadequate work space in some schools, a large number of students in the classroom, long distance to the school, economic and social conditions of the family, which are only some of the challenges these students face<sup>41</sup>.

<sup>38</sup> See Article 4 of the Administrative Instruction (MESTD) no. 09/2016, *see supra* note 35.

<sup>39</sup> Nicole Farnsworth, Donjeta Morina, David JJ Ryan, Gresa Rrahmani, Vanessa Robinson-Conlon and Iliriana Banjska, "Gender Analysis of Kosovo", Kosovo Women's Network (KWN): 2018, available: <https://womensnetwork.org/wp-content/uploads/2018/10/20181003170921410.pdf>

<sup>40</sup> See Admovere report, *Challenges of the Roma, Ashkali and Egyptian Community In Kosovo During The Covid-19 Pandemic*, July 2020, Pristina, p. 9, available at: [https://admovere.org/wp-content/uploads/2020/07/Final\\_-Sfidat-e-komunitetit-rom-ashkali-dhe-egjiptian-ne-kosove-gjate-pandemise-COVID-19-Alb-.pdf](https://admovere.org/wp-content/uploads/2020/07/Final_-Sfidat-e-komunitetit-rom-ashkali-dhe-egjiptian-ne-kosove-gjate-pandemise-COVID-19-Alb-.pdf)

<sup>41</sup> See Report of the Kosovo Center for Education, *Analysis of Enrollment and Attendance of Roma, Ashkali and Egyptian Children in First Grade and Preschool Classes*, 2021, Pristina, p.17, available at: <http://kec-ks.org/ëp-content/uploads/2021/07/Analiza-e-regjistrimit-dhe-vijimit-në-klasën-e-parë-dhe-klasat-parafillore.pdf>

Thus, the education of members of the Roma, Ashkali and Egyptian communities in Kosovo is characterized by unsatisfactory participation in compulsory education and very low participation in secondary and higher education.<sup>42</sup> Of the total number of children in preschool and primary education (lower secondary), Kosovo Roma, Ashkali and Egyptians make up 2.5 percent (5,808 students out of a total of 229,333), according to data collected by the MESTD for the 2018/19 school year<sup>43</sup>. The MESTD's data shows that 107 Kosovo Roma, 185 Kosovo Ashkali and 60 Kosovo Egyptians were enrolled in public preschool institutions in the same school year<sup>44</sup>.

The low level of pre-school attendance is somewhat compensated by Learning Centers (LCs) across Kosovo, which provide pre-school services, but are still attended by less than 20 percent of Kosovo's Roma, Ashkali and Egyptian children<sup>45</sup>. The low level of pre-school attendance is also a problem for students from the majority community in a given municipality.

The very low rate of attendance and academic achievements of the children of Kosovo Roma, Ashkali and Egyptians, as well as the lack of social inclusion, led to the initiative of the NGO sector to establish LCs in 2001, with the aim of providing supplementary educational services. Learning centers, as a complementary model of development and education, share a common goal - to keep children in school, facilitate their participation in preschool, primary and lower secondary education and achieve better academic results<sup>46</sup>. LCs tend to target disadvantaged areas and children who need extra support to succeed and stay in schools, which are usually under-equipped and overcrowded<sup>47</sup>. Over the years, LCs have played an important role in reducing dropout rates and have had a positive impact on children's performance (reading and writing skills, grades), encouraging them to continue their education. A positive level of satisfaction was also noted among parents, who emphasized the importance of LCs. In 2018, more than 5,500 elementary and junior high school children attended remedial classes offered by LCs to the community and schools. However, in 2022, due to the pandemic and the closure of LCs, this number dropped to just under 3,000. Although it was recognized that LCs play an important role in contributing to the education of Kosovo Roma, Ashkali and Egyptian children, as well as children from other communities, their sustainability was threatened by their heavy reliance on international donors. Therefore, there was a great interest to gradually bring LCs under the auspices of Kosovo institutions.

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<sup>42</sup> Council of Europe, "Guide for Teachers on the Social Inclusion of Roma, Ashkali and Egyptian Communities in Schools", 2015, p. 7; available at: <https://www.coe.int/documents/3843514/13597853/Guidelines-for-teachers-En.pdf/23d76fe4-66d2-4aae-8437-cfcec6d64d5b>

<sup>43</sup> Kosovo Agency for Statistics, "Kosovo Education Statistics" 2019/20, June 2020, p. 31; available at: <https://ask.rks-gov.net/media/5637/education-201902020-ang.pdf>

<sup>44</sup> Ibid., p. 28. ASK

<sup>45</sup> UNICEF, "Early Childhood Development - Statistical Review: Data for the Roma, Ashkali and Egyptian Community", p.4; available at: [https://www.unicef.org/kosovoprogramme/media/196/file/ECD\\_Roma\\_Ashkali\\_and\\_Egyptian\\_communities\\_ENG.pdf](https://www.unicef.org/kosovoprogramme/media/196/file/ECD_Roma_Ashkali_and_Egyptian_communities_ENG.pdf).

<sup>46</sup> KEEN, "The Impact of Learning Centers on the Inclusion of Roma, Ashkali and Egyptian Children in Education", 2018, p. 18, available at: [http://kec-ks.org/wp-content/uploads/2020/08/Ndikimi-i-QMve-ne-Kosove\\_eng.pdf](http://kec-ks.org/wp-content/uploads/2020/08/Ndikimi-i-QMve-ne-Kosove_eng.pdf)

<sup>47</sup> Council of Europe and UNICEF, "Study on the Impact and Sustainability of Learning Centres", 2015, p. 7; 11, available at: [https://www.coe.int/documents/3843514/13597853/Study\\_on\\_Impact\\_and\\_Sustainability\\_of\\_the\\_Learning\\_Centers-En.pdf/4a76eefe-21d0-432c-800c-ad234f77f4a2](https://www.coe.int/documents/3843514/13597853/Study_on_Impact_and_Sustainability_of_the_Learning_Centers-En.pdf/4a76eefe-21d0-432c-800c-ad234f77f4a2)

In December 2018, the MESTD adopted a new Administrative Instruction no. 19/2018 (AI No. 19/2018) on the establishment and functioning of learning centers. The criteria specified in this instruction establish a formal framework for the work of LCs that must be registered with the MESTD in order to continue or start activities. By approving the working environment, conditions and curriculum, as well as the work plan and financial operations, LC receives a license to work for five years with the possibility of renewal<sup>48</sup>. On the other hand, AI no. 19/2018 assigns government and municipal institutions more responsibility in terms of ensuring the functioning and efficient, sustainable financing of LCs. Delays, including the lack of procedural guidelines, have significantly affected existing LCs and many have closed due to the completion of donor projects and lack of funds. International donors who once supported them hesitate to commit funds instead of legally responsible parties, and those LCs that have managed to secure donor funds have only concrete, short-term or medium-term financial prospects. The MESTD has not yet allocated adequate funds for LCs and some municipalities do not support institutionalization because they do not have funds<sup>49</sup>. In order for it to be functional, in accordance with AI no. 19/2018 for supporting or establishing activities of LCs, the MESTD should allocate sufficient annual funds and municipalities should allow their budgets to include learning centers staff.

Therefore, the inclusion of the Roma and Ashkali communities in the education system, as well as school dropping by members of these communities, still remain challenges, although the situation has improved significantly in recent years. As highlighted in the National Development Strategy 2030, for Roma, Ashkali and Egyptian children, it is essential to improve access to all levels of education and promote structured education.

Finally, it can be said that non-majority communities face many challenges in their integration at different levels of education in Kosovo, and this is especially true for the Roma, Ashkali and Egyptian communities, as the most vulnerable groups due to socio-economic conditions. The Serbian community and part of other communities continue to attend education in the Serbian system. This strategy focuses on the integration of non-majority communities into the MESTD system, in order to enable every citizen in Kosovo to have access to equal education, which is a right guaranteed by the Constitution.

#### ***IV.3.3. Employment and Social Security***

Increasing of inclusion in social welfare and employment schemes should be a priority. Unemployment in Kosovo has been one of the main challenges over the years, not only for non-majority communities in Kosovo but also for all citizens of Kosovo. According to the data of the Kosovo Agency for Statistics (see table no. 13), in 2018 the unemployment rate in Kosovo was 29.6 percent, and it decreased in 2019 to 25.7 percent, while in 2020 it increased slightly to 25.9 percent.

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<sup>48</sup> See Administrative Instruction (MESTD) no. 19/2018 on the establishment and operation of learning centers, available at: <https://masht.rks-gov.net/uploads/2018/12/ua-nr-19-masht-per-themelimin-dhe-funksiominin-e-centrave-mesimore-x.pdf>.

<sup>49</sup> In September 2021, MESTD awarded EUR 97,000, out of the promised EUR 200,000, to three successful non-governmental organizations that applied, running 22 learning centers. In April 2022, MESTD opened a call for non-governmental organizations that manage registered learning centers to apply for a fund of EUR 200,000.

**Table 13. Unemployment rate (%)**

<b>Unemployment rate (%)</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
15-64 years	29.6	25.7	25.9

Article 9 of Law no. 06/L-114 on public servants stipulates that *"In central public institutions, at least 10% of jobs in all categories of public servants must be filled by members of communities that are not the majority in Kosovo and who meet the admission criteria, while at the municipal level, the number of employee positions for members of communities are determined in accordance with the percentage of the population in that municipality"*.<sup>50</sup> This quota was defined by the previous law, i.e., Law 03/L-149 on Civil Service in Kosovo from 2010. Regulation no. 04/2010 on Procedures for the Fair and Proportional Representation of Non-Majority Communities in the Public Service in Kosovo, provides that institutions must implement at least six (6) of the fourteen (14) positive action measures covered by it, which include: communication, positive action program, practices, scholarships and training programs for candidates, training for civil servants from non-majority communities, anti-discrimination workshops and inter-institutional cooperation<sup>51</sup>. It is worth noting that this Regulation has a legal basis in the repealed Civil Service Law. To date, the regulation has not been replaced by a new regulation based on the new law on public officials. In case of dispute in the administrative procedure, the regular courts may consider it abolished, thereby jeopardizing the legal security of users of this regulation.

According to a 2017 OSCE report, Kosovo Serbs make up the vast majority of positions filled by non-Albanian communities in institutions at the central level, which are subject to evaluation, followed by Kosovo Turks and Kosovo Bosniaks, while other Kosovo communities are underrepresented compared to by their percentage in the population of Kosovo.<sup>52</sup> The European Commission estimated that the employment of non-majority communities in the public sector still falls below the 10% threshold prescribed by the above-mentioned Regulation, so these communities are generally underrepresented in the civil service, both at the central and municipal levels.<sup>53</sup> There is no updated data for the private sector.

High unemployment rates affect all levels of the population; however, they disproportionately affect non-majority communities and further exacerbate their often difficult socio-economic situation, particularly the Roma, Ashkali and Egyptian communities.<sup>54</sup> According to the EU Report on Kosovo for 2021, members of these communities usually work in the informal sector, in dangerous, insecure, temporary, part-time, low-status jobs (mainly physical jobs that do not require

<sup>50</sup> See Article 9 of Law no. 06/L-114 for civil servants, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=25839>

<sup>51</sup> See Article 11 of Regulation no. 04/2010 on Procedures for fair and proportional representation of non-majority communities in the public service of the Republic of Kosovo, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=8290>

<sup>52</sup> OSCE report, Representation of Communities in the Public Service of Kosovo, May 2017, p. 13, available at: <https://www.osce.org/files/f/documents/8/6/320522.pdf>

<sup>53</sup> European Commission, EU Report on Kosovo 2021, p. 36, available at: [https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021\\_en](https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en)

<sup>54</sup> See *supra* note 27, p. 52. OSCE Report, *Community Rights Assessment Report*, June 2021.



high skills), and a small number were registered as unemployed. According to this report, self-employment increased slightly to 22.1 percent in 2020 compared to 21.6 percent in 2019.<sup>55</sup> Also, for new members of these communities, these challenges are compounded by their youth, resulting in severe marginalization and exclusion from the labor market.<sup>56</sup>

According to the report of the former Ministry of Labor and Social Security (hereinafter: MLSS) for 2018, 95,890 persons from all communities were registered as unemployed, with the majority being Albanians (83.6 percent), followed by Serbs (7.7 percent); while Roma (1.8 percent), Ashkali (2.8 percent) and Egyptians (0.9 percent) represented a small part of the total number of registered unemployed persons. However, if we look them in perspective, these numbers show that 20 percent of the total population of the Roma community, 17 percent of the Ashkali and 7 percent of the total population of the Egyptian community (based on the 2011 census) are registered as unemployed; in contrast, 5 percent of the total Albanian population records the same status. For the Bosniak community, the figures are 6 and 9 percent, and for the Turkish community, 3 and 4 percent.<sup>57</sup>

As provided by Law no. 05/L -077 on registration and provision of services to the unemployed, job seekers and employers, through Regulation (MLSS) no. 01/2018 on active measures of the labor market, the former MLSS, now the Ministry of Finance, Labor and Transfer (hereinafter: MFLT) for job seekers registered in employment offices, provides counseling services, employment mediation, professional training and participation in various options of active labor market measures (e.g., wage subsidies, internships, seasonal employment projects, business start-up grants, etc.), as well as information on migration for the purpose of regular employment. Ensuring participation in active labor market measures (MFLT) for non-majority communities is usually done through a quota for these communities, within the MFLT programs. According to the current data of MFLT for 2018, of 3,764 regular employment mediations that were carried out, in 91.1 percent of cases the beneficiaries were members of the Albanian community, while members of all non-majority communities made up less than two percent of the total number of beneficiaries.<sup>58</sup> In total, 5,497 people attended professional training, of which Albanians make up 95.8 percent, while the participation of members of non-majority communities was extremely low.<sup>59</sup>

The Law on Social and Family Services No. 02/L-17 defines and regulates the role and responsibilities of the MJ, the Municipality, the Center for Social Work, non-governmental sector and General Council for Social and Family Services.

The MJ is responsible for organizing the provision of social and family services in Kosovo and ensuring that all residents of Kosovo, without exception, have equal access to social and family

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<sup>55</sup> See *supra* note 53, p. 88. (EU report on Kosovo for 2021)

<sup>56</sup> See ILO Report, *Promoting Decent Work Opportunities for Young Roma, Ashkali and Egyptians*, Pristina, 2017, p.19 available at: [https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms\\_619034.pdf](https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_619034.pdf)

<sup>57</sup> See *supra* note 27, p. 53 (<https://www.osce.org/files/f/documents/d/2/493678.pdf>)

<sup>58</sup> Ibid. (<https://www.osce.org/files/f/documents/d/2/493678.pdf>)

<sup>59</sup> Ibid. (<https://www.osce.org/files/f/documents/d/2/493678.pdf>)

services. Also, the Ministry is responsible for developing policies, drafting laws, standards, strategic plans for the provision of social and family services to the population of Kosovo and ensuring proper implementation by municipalities and other organizations that provide social and family services.

Social services are mostly provided locally. Key components of the social and family service delivery system at the local level include municipal administrations for health and social care, centers for social work (CSW), residential institutions and a network of non-governmental organizations, developed to support vulnerable groups.

The Community Stabilization Program (EU-CSP) is a program funded by the EU and the Ministry of Communities and Returns (MCR), implemented by the International Organization for Migration (IOM) since 2010. The EU-CSP program contributes to the stabilization of non-majority communities by facilitating their access to the community with economic opportunities and enables the creation of sustainable livelihoods while simultaneously improving living conditions in areas with a non-majority population. Through these actions, the program aims to improve conditions for members of non-majority communities to stay in Kosovo and to encourage those who left to return. The Community Stabilization Program (EU-CSP) is designed to respond to the needs of non-majority communities, which are related to generating income and improving living conditions. Assistance is provided through grants and technical assistance to members of non-majority communities in establishing small businesses and through community improvement initiatives and business associations/cooperatives. The EU-CSP program has supported over 700 small businesses (new and existing) in the target areas, and over 220 community development projects and 16 business associations/cooperatives have been supported and implemented. Over 1,000 jobs (full-time and part-time/seasonal) have been created and secured with a special focus on the employment of women, youth and the most vulnerable groups such as Roma, Ashkali and Egyptians.

The Program has also positively impacted over 100,000 individuals as family members of beneficiaries, employees and members of the wider community. The final evaluation report of this project assessed that the EU-CSP program showed an exceptional level of effectiveness: 100% of the visited beneficiaries effectively run sustainable businesses and 100% of community projects are regularly used by communities.<sup>60</sup> It is worth noting that this program, i.e. its IV phase, is also found on page 25 of the Kosovo Government Program for 2021-2025, where it is considered a project for generating income and employment opportunities among non-majority communities in all regions, as well as a project for social inclusion and general stabilization of communities in Kosovo.

Communities will be supported toward economic development, cultural and social integration through projects aimed at the return, reintegration and stabilization of communities, as well as financial support of civil society in order to create mutual trust between communities, through the

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<sup>60</sup> Thomas Vasseur, Basil Henry, *Final Report on the Evaluation of the Framework Agreement for the Community Stabilization Program Beneficiaries (EU-CSP) 2013 – Lot 7*, Agreement no. 2017/388942, December 2017, p. 6.



EU CSP program aimed at income generation and employment opportunities among minority communities in all regions, social inclusion and general stabilization of communities in Kosovo.

Despite the consolidated legal framework and established mechanisms, according to official statistics, every fifth citizen of Kosovo is considered poor and faces difficulties in accessing basic services, including access to health services and education<sup>61</sup>. Likewise, the high unemployment rate is accompanied by a large number of beneficiaries of social programs. In March 2019, 205 Roma, 833 Ashkali and 430 Egyptian families received social assistance.<sup>62</sup> In 2018, compared to non-Roma families, 29% more Roma families had one person who went to bed hungry. Compared to non-Roma households in their vicinity, Roma households have 17% less access to bathrooms in their accommodations; 10% less use preventive health services; 23% fewer young people are involved in employment, education or training.<sup>63</sup> The low involvement of Roma, Ashkali and Egyptian communities in social protection programs and insufficient use of social services make it difficult to alleviate poverty among these communities and this represents a very serious challenge.

#### ***IV.3.4. Housing***

Housing is a human right guaranteed by Article 25 of the Universal Declaration of Human Rights, which is directly applicable in Kosovo through Article 22 of the Constitution. In order to realize this right, the Government, in its 121<sup>st</sup> meeting, approved the Legislative Program for 2023, which also includes the Draft Law on Social Housing, proposed by the Ministry of the Environment, Spatial Planning and Infrastructure,<sup>64</sup> which aims to regulate *"the conditions and manner of exercising the right to social housing, procedures for issuing, renting, and managing buildings for social housing"*.<sup>65</sup> The draft law in question regulates the housing procedures for beneficiaries of social assistance, families or persons with low and medium incomes, who for economic and social reasons have not resolved the issue of housing.

Until now, this problem was solved at the municipal level through Law no. 03/L-164 on the Financing of Special Programs for Housing, which aims to *"...create conditions for stable housing for families or individuals who are not economically capable of affording the offers of the free housing market, as well as determining how to provide and use financial resources for development of special housing programs"*. According to this law, the competent municipal body shall have the responsibility to manage the rental of apartments through these programs, while the

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<sup>61</sup> See the World Bank study, *Evaluation Study on Social Assistance in Kosovo, Reform Options*, Washington, March 2019, p. 10, available at: <https://documents1.worldbank.org/curated/en/994991557470271998/pdf/Kosovo-Social-Assistance-Scheme-Study-Assessment-and-Reform-Options.pdf>

<sup>62</sup> See *supra* note 27, p. 54. (<https://vvv.osce.org/files/f/documents/d/2/493678.pdf>)

<sup>63</sup> See *supra* note 40, p. 12.

<sup>64</sup> See the Legislative Program for 2022, available at: <https://kryeministri.rks-gov.net/wp-content/uploads/2022/10/Programi-Legjislativ-per-vitin-2022-03.10.2022.pdf>

<sup>65</sup> See Article 1 of the Draft Law on Social Housing, version published on the Government's public consultation platform in 2019, available at: <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=40775>

maintenance shall be carried out by contracting with legal entities, licensed by the Ministry responsible for environmental affairs and spatial planning<sup>66</sup>. This law stipulates that *"competent municipal authorities draw up three-year (3) housing programs for the population under their jurisdiction, relying on the analysis of housing needs, according to the provisions of this law, which is approved by the competent Municipal Assembly"*.<sup>67</sup> In this regard, the municipality of Lipjan has published a three-year housing program. According to data from the Center for Social Work in Lipjan, social programs include 1,276 families receiving social assistance, of which 1,021 are from the Albanian community, 151 from the Ashkali community, 25 from the Roma community, 10 from the Serbian community, 8 from the Croatian community, 2 from Bosnian community and 2 from the Egyptian community (see table 14). One of the categories targeted by this program are the Ashkali and Roma communities, which can be seen from the large number of families who are beneficiaries of social programs.<sup>68</sup> Therefore, through such programs and measures at the central and municipal level, non-majority communities also realize the right to housing, with a special focus on the Roma and Ashkali communities, who are mostly beneficiaries of social programs.

**Table 14: National structure of families and family members who are beneficiaries of social programs in the municipality of Lipjan.**

Nationality	No. of families	%	No. of members	%
- Others -	2	0.09%	7	0.13%
Ashkali	151	13.77%	798	14.31%
Bosniak	2	0.26%	4	0.07%
Egyptians	2	0.24%	7	0.13%
Croats	8	0.82%	30	0.54%
Roma	25	1.60%	109	1.96%
Serbs	10	0.92%	34	0.61%
Albanians	1021	82.29%	4586	82.26%
<b>TOTAL</b>	<b>1221</b>		<b>5575</b>	

Special attention for realizing the right to housing is directed at most vulnerable returnees, non-majority communities that still remain without a solution. In an effort to create the best possible conditions for returnees, as well as for those who have expressed an interest in returning to Kosovo, the MCR, together with other relevant actors, is coordinating the closure of collective shelters. According to UNHCR data, as of December 2021, 15 collective shelters have 57 families with 139 people. Collective shelters are located in Severna Mitrovica, Leposavić, Zubin Potok and Zvečan. Refugees (3 families with 3 people), members of the Serbian community (49 families with 101 people) and members of Roma communities live in these shelters.

<sup>66</sup> See Article 8 of Law no. 03/L-164 on the financing of special housing programs, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2670>

<sup>67</sup> Ibid., see Article 20.

<sup>68</sup> See the three-year housing program of the Municipality of Lipjan 2022-2025, available at: <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=41474>

**Table 15: Population of refugees and internally displaced persons in collective centers (UNHCR report, February 2023)**

C.2.		Collective centers									
Region	Municipality	Refugees		K/Serbs IDPs		K/Roma, Ashkali and Egyptian IDPs		K/Albanians IDPs		Total	
		Families	Individuals	Families	Individuals	Families	Individuals	Families	Individuals	Families	Individuals
Mitrovica	Mitrovica/Severna Mitrovica	0	0	16	21	0	0	0	0	16	21
	Leposavić	3	3	21	45	2	23	0	0	26	71
	Zubin Potok	0	0	6	20	0	0	0	0	6	20
	Zvečan	0	0	6	15	3	12	0	0	9	27
<b>Total: 15 collective centers in Kosovo</b>		<b>3</b>	<b>3</b>	<b>49</b>	<b>101</b>	<b>5</b>	<b>35</b>	<b>0</b>	<b>0</b>	<b>57</b>	<b>139</b>

In 2021 and 2022, a total of 72 (37 + 35, respectively) houses were built within the housing component of the "EU - Return and Reintegration in Kosovo - Phase V" (EU-RRK V) project. In the 2018-2021 period, as part of the project "Dealing with the Legacy of the Conflict in Kosovo and Serbia - Outcome 2", there were 23 returned families and 7 balancing components (receiving community) that have been assisted with MSRA. Out of 23 returned families, 10 of them were assisted with grants for income generation. Otherwise, in the absence of support from available return programs, one Roma family received housing assistance from the diaspora. In addition, the EU and the Ministry of Communities and Return co-financed the project "Support to Sustainable Solutions for Residents of Collective Centers in Kosovo" in Brezovica, Štrpce municipality, which was implemented by the DRC. Five (5) residential buildings with 110 residential units were built for displaced persons and families in need. A total of 143 IDPs of Serbian nationality found sustainable housing solutions in 2021, through this project.<sup>69</sup>

Likewise, as part of "Support to Sustainable Solutions for Residents of Collective Centers in Kosovo, Phase II", 21 internally displaced persons of Serbian nationality in Bergen, Gračanica/Gračaničë benefited from renovated social housing. The project is co-financed by the EU and MCR, and is implemented by the DRC. As part of the same project, tendering procedures for the construction of two other residential buildings in the municipality of Leposavić are underway. The Central Review Commission, in 2021, met to review cases related to the housing project "EU - Return and Reintegration in Kosovo - Phase V" (RRK V), where a total of 50 cases were approved<sup>70</sup>.

<sup>69</sup> "Advancing together" organization, *Challenges of Sustainability and Reintegration of Returnees/IDPs*, p. 5, November 2021, available at: <https://advancing-together.org/reports/ENG%20-%20Sustainability%20and%20Reintegration%20Challenges%20Report%20November%202021.pdf>

<sup>70</sup> Ibid.

Also, as a continuation of the project, the following will benefit from the closure of the collective center in Padalište in the municipality of Gracanica: 17 families of the collective center Padalište, 5 families returned from North Macedonia and 12 families in need and supported by the social aid scheme in this municipality. In total, 34 families will benefit from this project. In addition to housing, these families will also be supported with furniture, household appliances, food, non-food products and will be able to apply for economic support.<sup>71</sup>

Improvement of road infrastructure, water supply, sewage management, etc.

The MCR also financed infrastructure projects in the period 2014-2018. Although the largest part of the funds was earmarked for housing, the remaining part of the funds were invested in projects not related to the construction of houses, such as road construction, construction of sports facilities and arrangement of water and sewage systems. During the period 2014-2018, the MCR, through civil society, helped various communities throughout Kosovo. Through the initiatives of non-governmental organizations, the MCR financed 111 projects in the fields of education, culture, sports, religious manifestations and many other areas of importance for the quality of life of citizens. Funds were also allocated for 122 projects for individuals and 198 projects for legal entities, with the aim of promoting, stabilizing and reintegrating communities, providing sustainable return, strengthening economic sustainability, promoting dialogue, tolerance and coexistence in Kosovo. During this period, the MCR provided building materials for returnee families and communities, for their stabilization, reintegration and sustainability. This form of community assistance enabled families who could not afford to rebuild their homes to create conditions for a better life. Grants were given in the form of construction materials, depending on the needs of the beneficiaries. The requests were approved by a special commission formed by the MCR, according to previously established criteria. Beneficiaries of this type of assistance are families in a difficult social situation throughout Kosovo, from all regions, whose homes must be renovated.

#### ***IV.3.5. Property Issues***

Between 2014 and 2018, internally displaced persons (IDPs) as well as regionally displaced persons (RDPs) continued to face challenges in exercising their property and housing rights<sup>72</sup>. The main problems identified include usurpation of property, non-execution of compensation program orders by the Kosovo Property Comparison and Verification Agency (KPCVA), as well as limited access to sustainable social housing and the allocation of land for use in the projects in connection with the return of people.<sup>73</sup> Also, among the main obstacles is the inevitable fact that the mandates of KPCVA and its predecessors allowed eviction from repossessed property only twice, and there were cases where the same property was reoccupied more than once.<sup>74</sup>

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<sup>71</sup> DRC input via electronic comments, May 12, 2022.

<sup>72</sup> See the OSCE Report, *Assessment of the Process of Voluntary Return to Kosovo*, 2019, available at: <https://www.osce.org/files/f/documents/d/f/440741.pdf>

<sup>73</sup> See OSCE Report, *Mechanism for Reviewing Mass Claims for Property Rights: The Experience of Kosovo*, June 2020, p. 13, available at: <https://www.osce.org/files/f/documents/8/0/454182.pdf>

<sup>74</sup> Ibid. <https://www.osce.org/files/f/documents/8/0/454182.pdf>

Progress was achieved in addressing the property rights of non-majority communities and displaced persons with the adoption of the Kosovo Strategy for Property Rights in 2016. The strategy contains a special chapter on the property rights of displaced persons and requires institutions to respect international conventions and their protocols. A three-year Action Plan for the implementation of the Strategy for the period 2017-2019 with a list of specific activities and relevant institutions for implementation was approved. According to the data of the Ministry of Justice, 27% of the tasks from the previous action plan have been fully implemented, while almost 60% of the remaining tasks are being worked on.

More specifically, the Strategy identifies urgent issues related to the exercise of property rights by community members and internally displaced persons and provides adequate guidelines for their resolution. Such issues include enforcement of decisions to remove illegal occupants and notification of IDPs, provision of free legal aid to IDPs and returnees, exemption of court fees, full implementation of the Law on the Use of Languages to enable owners to request and receive documents in their own language, judging cases for fraudulent transactions and accumulated real estate tax, registration of all decisions in the cadaster, allocation of land for projects related to the return process and compliance of the Strategy for Informal Settlements with the provisions of the relevant law on spatial planning.<sup>75</sup>

Despite initiatives undertaken in relation to property rights, the issue of property reoccupation continues to negatively affect the exercise of property rights by community members, including IDPs. In such cases, the claimants had to undergo lengthy court proceedings to free their property from the usurpers, as KPCVA, as noted above, could only carry out two evictions on a case-by-case basis. The cancellation of KPCVA's authority to manage property and to carry out multiple evictions after two cases of usurpation was assessed as a possible violation of property rights by the Institution of the Ombudsman.<sup>76</sup> The termination of the administration under the supervision of KPCVA would create a situation in which this property would not have any protection, because no institution in Kosovo could take that responsibility. As a result, IDPs' property will become vulnerable and incidents of usurpation could increase. Limiting it to only two evictions would not provide sufficient protection to the affected parties, as part of the IDP's property has been usurped again. Thus, on October 19, 2017, the Institution of the Ombudsman issued a report on the abolition of certain competences of KPCVA, in accordance with Law no. 05/Z-010 on KPCVA, recommending to competent institutions amendments to the Law on KPCVA, in order to enable the continuation of property management and the possibility of additional evictions after each reoccupation of property. The draft law in question was prepared by the Office of the Prime Minister in accordance with the recommendations of the Ombudsman and was adopted by the Government on September 22, 2021. It is expected to be adopted by the Assembly of Kosovo.

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<sup>75</sup> See Property Rights Strategy 2016, Government of the Republic of Kosovo, available at: <https://md.rks-gov.net/desk/inc/media/2EB649CB-988B-4F74-86ED-926CDE060F0B.pdf>

<sup>76</sup> See the Report of the Ombudsman *ex officio* in case no. 551/2017, Report with recommendations regarding the cancellation of certain powers of the Kosovo Property Comparison and Verification Agency, according to Law no. 05/L-010 for the Kosovo Property Comparison and Verification Agency, October 19, 2017, available at: [https://www.oik-rks.org/wp-content/uploads/old\\_doc/Raport\\_me\\_rekomandim551-2017\\_29973.pdf](https://www.oik-rks.org/wp-content/uploads/old_doc/Raport_me_rekomandim551-2017_29973.pdf)

Regarding KPCVA's mandate to implement decisions made by the former Property and Housing Claims Commission, since December 2016, KPCVA has been unable to implement the compensation programs for so-called category A and C claims, and to implement demolition claims of illegally built buildings, despite the fact that EUR 30,000 was set aside for that purpose.<sup>77</sup> In both cases, the Constitutional Court ruled that KPCVA was responsible for the implementation of these decisions because it seriously affected the property rights of internally displaced persons and ordered KPCVA to take measures for their implementation. The Constitutional Court also assessed that the non-implementation of these decisions and the failure of competent authorities to provide effective mechanisms for the implementation of final decisions is contrary to the principles of the rule of law and therefore constitutes a violation of basic human rights, guaranteed by the Constitution.<sup>78</sup> In January 2019, KPCVA contracted a private company to demolish illegally built buildings. When it comes to displaced persons without property, the allocation of land owned by municipalities to address the housing needs of IDPs remains a problem for a number of municipalities. Only a few municipalities have responded positively to return-related projects by allocating municipally-owned land to displaced landless families, but there are still some that have not been able to meet such conditions.

In 2019, a new Law No. 06/L- 092 on Allocation for Use and Exchange of Immovable Property of the Municipality was adopted. This law stipulates that municipal property is given for the needs of social housing, not for individual cases, and as such, the law in question prevents the permanent housing of internally displaced persons or returnees and families who can benefit from the construction projects of various donors. In August 2020, the Regulation (VRK) no. 09/2020 on determining the procedure for the use and exchange of immovable property of the municipality was adopted. However, both the law and the regulation do not include social housing as a possibility or general interest for land allocation. The only remaining option for returnees to benefit from land allocation is established by Article 21 of the law in question for special cases, when the request for land allocation for use is submitted by central institutions, according to the general public interest, which is fully in accordance with the Local Development Plan. The allocation of municipal immovable property for the use for special cases is given without applying the tender procedure.<sup>79</sup>

In 2021, the institutions took some positive measures in the direction of protecting the property rights of communities in vulnerable situations, internally displaced persons and women, when KPCVA carried out 18 evictions and one demolition of an illegal building built on the land of a displaced person, ensuring the effective return of property rights.<sup>80</sup> Also, fraudulent property transactions and illegal transfers of ownership of properties belonging mainly to displaced persons remain a concern. Also, some progress has been achieved in the application of the Administrative

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<sup>77</sup> See *supra* note 70, p. 25. <https://vvv.osce.org/files/f/documents/8/0/454182.pdf>

<sup>78</sup> See case KI187/13 of the Constitutional Court, Judgment of April 16, 2014, Consideration of the constitutionality of non-implementation of Decision GSK-AKP-001/12 of May 8, 2012 of the Appellate Chamber of the Supreme Court and Decision of the Commission for Property Claims of Kosovo no. KPCC/D/A/114/2011, dated June 22, 2011, available at: [https://gjk-ks.org/wp-content/uploads/vendimet/gjkk\\_ki\\_187\\_13\\_shq.pdf](https://gjk-ks.org/wp-content/uploads/vendimet/gjkk_ki_187_13_shq.pdf)

<sup>79</sup> See Article 24 of Regulation (GRK) no. 09/2020 on determining the procedure for the use and replacement of municipal property, available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=30537>

<sup>80</sup> See Country Report for Kosovo for 2022, accessible at:



Instruction (VRK) - no. 01/2020 on establishing procedures for the demolition of illegal structures, which was adopted in April 2020, although the lack of funds hinders KPCVA from reacting quickly.<sup>81</sup> Until May 2022, KPCVA had 64 eviction requests pending, while 11 cases are awaiting eviction action.<sup>82</sup>

According to the 2021 US Human Rights Report, for Roma, Ashkali and Egyptian displaced persons and returnees, one of the main challenges is the resistance of some municipalities to share land and recognize leasehold rights or possession based on the informal settlements occupied before displacement by members of these communities. Some municipalities failed to allocate land to the Roma, Ashkali and Egyptian communities who had received property rights within the municipalities, due to the fact that they had lived elsewhere before their displacement<sup>83</sup>. The process of registering in the municipal cadastral books of the rights to use the property to the beneficiaries of the housing programs from different donors on municipal lands allocated for 49-99 years in some municipalities continues to remain unresolved due to ongoing legal obstacles.

The Government of Kosovo, especially the MCR and KPCVA, should intensify their efforts in order to effectively return property to its rightful owners. The return of property from illegal usurpation will increase the legal security of internally displaced persons, and thus their return. In this regard, a concrete action plan should be drawn up, which will contain all measures for the eviction of occupiers from occupied properties and the demolition of illegal structures built over the years on these properties, in order to enable the return of internally displaced persons to their properties.

#### ***IV.3.6. Use of Language***

Improving translations as well as access to community language curriculums should be given high priority. According to Article 5 of the Constitution, the official languages in Kosovo are Albanian and Serbian, while Bosnian, Turkish and Romani have the status of official languages at the municipal level or will be in official use at any level in accordance with the law. As mentioned above, the Assembly also adopted Law no. 02/L-37 on the use of language in order to preserve the linguistic identity of non-majority communities in Kosovo. According to Article 2 of this law, the Albanian and Serbian languages and their scripts are official languages in Kosovo and have equal status in the institutions of Kosovo.

The Office of the Commissioner for Languages was established in 2012 within the Office of the Prime Minister and has the mandate to protect and promote the linguistic rights of communities. In the last annual report on language alignment in municipalities, published in 2019, this office noted very little to no progress in terms of language harmonization in municipalities, compared to previous years. Translation capacities in municipalities are still weak. Challenges related to the lack of human resources, equipment and financial resources continue.<sup>84</sup>

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<sup>81</sup> See *supra* note 53, p. 33.

<sup>82</sup> Input to KPCVA through comments in electronic form, May 12, 2022

<sup>83</sup> United States Department of State (US), 2021 US Human Rights Report on Kosovo, p. 14, accessible at: [https://xk.usembassy.gov/wp-content/uploads/sites/133/HRRreportKosovo2021\\_Alb.pdf](https://xk.usembassy.gov/wp-content/uploads/sites/133/HRRreportKosovo2021_Alb.pdf)

<sup>84</sup> See *supra* note 27, p. 22 [493678.pdf \(osce.org\)](#)

The Office of the Commissioner for Languages, in order to solve the problem of language harmonization at the central and local level, initiated the development of an analytical document of policies undertaken in this area. As a result, in May 2019, the Government adopted the *Concept Document on the Reform of Translation Procedures within the Government of Kosovo - Towards Harmonized Multilingual Legislation*, which paves the way for the establishment of a unit for translation, language control and harmonization within the Office of the Prime Minister, i.e. the Office of the Commissioner for Languages. However, this unit has not yet been established and its mandate is not included in the work of the aforementioned office.

In the OSCE report "Bilingual Legislation in Kosovo" in 2018, it was determined that there is no systematic reading of draft laws, nor regular engagement of lawyers in the process of finalizing versions in both official languages. Poor translations of draft laws exist mainly due to the lack of capacity, resources and training of existing translators, as well as the inefficient distribution of these translators in the Government.<sup>85</sup>

In December 2021, the Government adopted the Draft Law on Legal Acts, which envisages an institute for correcting incorrectly translated versions of draft laws even after their adoption in the Parliament, without the need to amend the relevant law, i.e. their correction is carried out, among other things, in the event of a discrepancy between the official languages in the legal act. Also, the scope of this law includes corrections for other legal acts, such as by-laws.<sup>86</sup> The adoption of the draft law in question by the Government opened the way for discussion and adoption by the Assembly. Linguistic and technical corrections are needed to improve the access of non-majority communities, especially the Serbian community and other Serbian-speaking communities, for which all legal acts should be available in the Serbian language.

Also, the judicial system continues to face difficulties in fully implementing the Law on the Use of Languages. OSCE court monitoring noted a lack of translation, or translation below standards, in some court cases, which is contrary to domestic law and international human rights standards. In many cases, court observers reported that in cases with Albanian judges and Serbs, minutes were drawn up in Albanian and vice versa. In such situations, the parties sign the minutes in a language they do not understand. The lack of qualified translators leads to delays and setbacks because case files cannot be translated within a reasonable time. This hinders the efficiency of the judicial system and prevents the full enjoyment of the rights of the parties in the proceedings. Furthermore, the translation of laws into both official languages remains a challenge, affecting both access to justice and the full functionality of an integrated judiciary.<sup>87</sup>

As for pre-university education in the languages of the communities, the MESTD has developed a curriculum for pre-university education in Turkish and Bosnian. Pre-university education in the Bosnian language is provided in seven (7) out of nine (9) municipalities, where the Bosniak population of Kosovo is significant. Pre-university education in Turkish is provided in five (5) out

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<sup>85</sup> See OSCE Report, *Bilingual Legislation in Kosovo*, September 2018, available at: <https://www.osce.org/files/f/documents/d/c/396836.pdf>

<sup>86</sup> See the version of the Draft Law on Legal Acts adopted by the Government in December 2021 at: <https://kryeministri.rks-gov.net/wp-content/uploads/2021/12/Projektligji-per-aktet-juridike.pdf>

<sup>87</sup> See *supra* note 27, p. 28. (OSBE 2021)



of six (6) municipalities, where there is a significant Turkish population. The MESTD also developed a module in the Romani language, with elements of history and culture, for the primary level that was first presented in Prizren in 2011, after the adoption of the Strategy for the Integration of Roma, Ashkali and Egyptian Communities 2009-2015, and compiled textbooks in Romani language for the second, third and fourth grade of primary education, and these textbooks are given to students free of charge.<sup>88</sup>

#### ***IV.3.7. Health Care***

Improving access to health services for all communities. According to domestic legislation and international human rights conventions, the right to health is not limited to the human right to health care, but also includes all socio-economic factors necessary for a healthy life. These factors include accommodation, access to food, drinking water, as well as adequate hygiene and sanitation; health care and safety at work; but also, life in an unpolluted environment. Therefore, in order to improve the health condition of marginalized groups, we should strive to improve these socio-economic determinants, which is one of the tasks of the Strategy.

According to UNHCR information, returnee families of Roma, Egyptians, Ashkali and Albanians mostly use Kosovo's health care services. Albanian returnees from northern Mitrovica continue to use health care services in the place of their displacement. On the other hand, returnee Serbian families use health care services that are under the administration of Serbia, because of free health insurance and medicines. There are cases when Serbian returnees are temporarily not in the place of return, due to a medical examination in Serbia.

Due to the difficult economic situation, a number of returned families of Roma, Ashkali and Egyptians face difficulties in covering the cost of medicines, as these families depend on the social assistance they receive in Kosovo. Compared to non-Roma families in their vicinity, Roma families use preventive health services about 10 percent less. Also, for the Roma, Ashkali and Egyptian communities, the living conditions in some of their settlements are very worrying, especially the lead-contaminated camps, which posed a serious risk to the health of the inhabitants, as well as the level of vaccination, which remains a concern, especially among children.<sup>89</sup> Fortunately, these camps are closed. In this context, a total of 73 percent of children aged 24–35 months in Kosovo received all vaccines during the immunization schedule, while only 38 percent of children living in Roma, Ashkali and Egyptian communities were fully vaccinated.<sup>90</sup>

Due to the outbreak of the COVID 19 epidemic, during 2020 and 2021, health care services that were not of an urgent nature were temporarily suspended in secondary and tertiary health institutions, because the purpose of the health system was focused on the prevention and treatment

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<sup>88</sup> OSCE report, *Community Access to Pre-University Education in Kosovo*, December 2018, p. 13-16, available at: [https://www.osce.org/files/Community%20Education%20report\\_Alb\\_layout.pdf](https://www.osce.org/files/Community%20Education%20report_Alb_layout.pdf).

<sup>89</sup> See *supra* note 40, p. 11. (admove)

<sup>90</sup> See UNICEF Survey, MICS (2019-2020), Multiple Indicator Survey for Roma, Ashkali and Egyptian Communities in Kosovo, November 2020, available at: <https://www.unicef.org/kosovoprogramme/media/1871/file/Kosovo%20MICS%202020.pdf>

of patients infected with COVID 19.<sup>91</sup> Likewise, as and in other parts of the world, the Kosovo authorities have taken a number of measures and decisions to combat the uncontrolled spread of COVID-19, which in terms of access to prevention and treatment, affected the right to health care, access to sanitary measures, information and non-discrimination. Restrictive measures, as well as the impact of the pandemic on the socio-economic situation and general uncertainty about the future, have led to an increase in mental health disorders (anxiety/sleep disorders) and domestic violence. A total of 23 returnees received psychosocial treatment due to problems related to COVID 19.<sup>92</sup> The affected returnee communities of Roma, Ashkali and Egyptians were particularly exposed to high health risks due to poor housing conditions, lack of infrastructure base and regular income. Many of them lacked sources of information and had limited access to medicines and protective equipment. They were often condemned to overcrowded conditions, with many family members, living in a small space, where it was impossible to effectively implement isolation measures. Many pregnant women were at high risk due to lack of hygiene products, improper diet, living in unhygienic neighborhoods and irregular medical examinations. Returnees from the communities of Roma, Ashkali and Egyptians, who were engaged in collecting reused garbage and begging on the street, were exposed to a high risk of contracting the COVID-19 virus, due to the lack of protective equipment. Also, in the context of routine vaccination, 43 children were identified who were not vaccinated, mostly from Roma, Ashkali and Egyptian communities. Concern was expressed about the lack of medicines among returnees, due to the difficult economic situation. On the other hand, the Serb returnees did not receive medicines either, which they normally received free of charge through the Serbian health insurance. Due to the lack of mass evidence from citizens, only those with clear symptoms and people in contact with positive cases of COVID-19 received the medicine.

The challenge also exists with the immunization of returnees and internally displaced persons against COVID 19. The Ministry of Health has data on immunization by gender, occupation, place of residence and age,<sup>93</sup> but not by nationality. However, in 2021, the Ministry of Health, in close cooperation with the Ministry of Local Self-Government, sent mobile vaccination teams to the main settlements of communities in the municipalities of Djakovica, Prizren, Kosovo Polje, Peć, South Mitrovica and Prizren, where a total of 1,700 people were immunized. It is worth noting that returnees from Srbobran in Istok twice rejected mobile health teams for vaccination against COVID-19, due to fear of side effects and misinformation on social networks, while Serb returnees were vaccinated in the Serbian system, which, among other things, provided them with transportation.<sup>94</sup>

In general, women and men face similar barriers in accessing health care. However, women face more socio-cultural barriers. Women in rural areas face financial, cultural, and patient-provider barriers in accessing health care, more so than men or women in urban areas. Kosovo Bosniak and Turkish women face obstacles more often than men of the same ethnicity, while Kosovo Roma,

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<sup>91</sup> See *supra* note 64, p. 7. Organization “Advancing Together”, Challenges of Sustainability and Reintegration of Returnees/IDPs, p. 7, November 2021, available at: <https://advancing-together.org/reports/ENG%20-%20Sustainability%20and%20Reintegration%20Challenges%20Report%20November%202021.pdf>

<sup>92</sup> Ibid. Organization “Advancing Together”

<sup>93</sup> See statistical data of the Ministry of Health according to the mentioned categories, available at: <https://msh.rks-gov.net/sq/statistikat-covid-19/>

<sup>94</sup> See *supra* note 67. Organization “Advancing Together”

Ashkali, Egyptian and Gorani women and men face more geographical, financial and cultural obstacles in accessing health care.<sup>95</sup> There are differences in the use of health services based on ethnicity and gender.<sup>96</sup> Kosovo Serbs and Kosovo Gorani usually use most of the services, while Kosovo Albanians and Kosovo Bosniaks tend to use it the least. Men, Kosovo Gorani men, use more services than Kosovo Gorani women. Both Kosovo Albanian and Turkish women use more services than men of the same nationality. In this respect, there are no significant differences between women and men of the Roma, Ashkali and Egyptian communities. Some mothers of Kosovo Roma, Ashkali and Egyptians give birth at home, often in unhygienic conditions. As a result, many children are not officially registered. This affects access to health care later in life, as unregistered people cannot benefit from social assistance or access public health services.

Although there is currently free access to the state health system, it is not efficient due to overload. Currently, all Serb returnees have health insurance from Serbia, while other returnees of different nationalities do not. This is because Law no. 04/L-249 on health insurance is still not implemented, eight years after its adoption.<sup>97</sup> The right health policy should be pursued, which allows equal and effective access to all communities, including an effective health insurance system. This would also encourage the return of internally displaced persons and improve the rate of use of health services in Kosovo, by returnees and Kosovo's non-majority communities, who use the health system provided by Serbia. Municipalities should be involved in solving this problem by improving services in primary health care institutions. Finally, as emphasized in the National Development Strategy 2030, investments in health care should reflect an increase in overall life expectancy, but in particular should address the health of children, especially those from the Roma, Ashkali and Egyptian communities, thereby reducing the mortality rate.

#### ***IV.3.8 Culture***

Encouraging cultural activities and organizing events that promote multiethnic representation and respect for cultural heritage is an effective tool for community integration. Culture plays an extremely important role in creating and strengthening the identity of a society in democratic development. Considering the cultural wealth of different cultures that Kosovo society has, the MCR took special care of the preservation and development of culture. The conditions for access to information were also created, so that their voice could be heard during decision-making, and thus influence their existence.

Increasing the participation of communities in the decision-making process related to policy creation and implementation in the field of culture would greatly facilitate support to communities. Diversity, cultural dialogue and communities should be supported by projects of various profiles, cultural, artistic and sports activities.

Some of the recommendations that will affect the improvement of the situation in the field of culture are: participation in cultural and public life, organizing cultural and other events, multi-ethnic representation at festivals and raising awareness of respect for cultural and historical heritage.

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<sup>95</sup> Farnsworth, Nicole, Ph.D. Katja Goebbels and Rina Ajeti. *Access to Health Care in Kosovo*. KWN: 2016, available at: <https://womensnetwork.org/wp-content/uploads/2021/05/qasja.pdf>

<sup>96</sup> Ibid.

<sup>97</sup> See *supra* note 67, p. 8. Organization "Advancing Together"

#### ***IV.3.9. Gender-based Violence, Domestic Violence and Early Marriage***

Violence against women and domestic violence are present and represent a pan-social concern in Kosovo. The roots of these forms of violence are nurtured by gender and structural inequalities, which are reflected in: political and economic participation, access to property, income and services, standard and quality of life. Women do not participate equally with men in decision-making, employment, economics and many other areas. They do not have the same access as men in the labor market, in support services and loans, etc.<sup>98</sup>

Furthermore, the Multiple Indicators for Kosovo (MICS) survey for the Kosovo Roma, Ashkali and Egyptian communities, conducted by the Kosovo Agency for Statistics (KAS) in the period 2019-2020, as part of the global MICS program<sup>99</sup>, identified, among other things, that:

- ✓ In the age group 15-49, 25 percent of girls/young women/women and 57 percent of girls/young women/women from Roma, Ashkali and Egyptian communities in Kosovo, as well as 12 percent of boys/young men/men and 26 percent of boys/young men/men from Kosovo Roma, Ashkali and Egyptian communities justify physical violence against their wives for one of the following reasons: leaving home without being told; child neglect; refusing to have sex with him; food burning;
- ✓ One in three young women aged 20-24 living in the communities of Roma, Ashkali and Egyptians in Kosovo, were married or living in common-law marriages before the age of 18;
- ✓ Only one out of four adolescents aged 10-14 in Kosovo is disciplined using non-violent methods;
- ✓ Approximately one in ten young girls/young women aged 15-19 in the general population and those living in Kosovo's Roma, Ashkali and Egyptian communities reported experiencing gender-based discrimination and harassment.

The OSCE research on the well-being and safety of women in Kosovo, published in 2019,<sup>100</sup> presents findings from a qualitative and quantitative study by the OSCE in Kosovo on violence against women. The study included, among other things, a representative sample of 1,990 women aged 18 to 74 living in Kosovo, including 1,690 women living in areas populated mainly by Kosovo Albanians and 300 women living in areas populated mainly by Kosovo Serbs. Other communities living in these areas are included in the research as well.<sup>101</sup> The main findings of the

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<sup>98</sup> See p. 15 of the National Strategies for Protection against Domestic Violence and Violence against Women 2022-2026, available at: <https://kryeministri.rks-gov.net/wp-content/uploads/2022/03/ALB-Strategjia-Kombëtare-për-Mbrojtje-nga-Dhuna-në-Familje-dhe-Dhuna-ndaj-Grave-2022—2026.pdf>

<sup>99</sup> Supported by UNICEF, available at: <https://mics.unicef.org/surveys>

<sup>100</sup> OSCE, *Survey on the Well-Being and Safety of Women in Kosovo*, 2019, report available at: <https://www.osce.org/files/f/documents/d/c/439781.pdf>

<sup>101</sup> A total of 179 women were identified as belonging to other communities.

survey show that Kosovo Serb women are more likely than Kosovo Albanian women to say they have experienced physical or sexual violence (34 percent vs. 13 percent). More Kosovo Albanians than Kosovo Serbs agree that violence against women is often caused by the victim (36 percent vs. 23 percent) and that domestic violence is a private matter that should be dealt with within the family (49 percent vs. 38 percent).

It was noted that Kosovo Serb women were more willing to share their experiences during the survey interview. Moreover, interviews with experts showed that women from different non-majority communities, such as Serbian, Gorani, Turkish, Roma, Ashkali and Egyptian, have poor access to services and are more often discriminated against by service providers than women from other communities. Also, according to UNHCR data, during the quarantine period of 2020, 54 survivors of sexual and gender-based violence (SGBV), mostly members of the Roma, Ashkali and Egyptian communities, were identified and reported. 75 percent of incidents relate to denial of resources, opportunities and services, and 25 percent to sexual and physical assault, forced (early) marriage and psychological/emotional abuse.<sup>102</sup>

The prevalence of early marriages continued in the communities of Kosovo's Roma, Ashkali and Egyptians, but also in rural areas in general. Also, the United Nations Population Fund report<sup>103</sup> showed that cases of early marriages in Kosovo, including children in general, are rare. The prevalence of cases of early marriages continued in the communities of Kosovo's Roma, Ashkali and Egyptians, but also in rural areas and the diaspora. However, there is no accurate, collected statistical data, since many marriages are not registered immediately, and marriage under the age of 16 in Kosovo is considered a criminal offense (Council of Europe Report 2017:42017:4).

In cooperation with relevant institutions, the MCR should engage in the field of organizing awareness-raising campaigns on the prevention of gender-based violence, domestic violence and early marriages of non-majority communities, with a focus on the communities of Roma, Ashkali and Egyptians, as well as on issues of integration of victims of violence into society.

## **V. STRATEGIC GOALS AND SPECIFIC GOALS**

The goals and strategic measures presented in this document were identified based on experiences and analysis of the strategy from the previous period (2014-2018), data presented in the analysis of the current state of communities in this strategic document, information from the field and recommendations provided by the working group. In addition to the identified goals, specific activities presented in the Action Plan were also developed.

The vision of the Government of Kosovo is *for Kosovo to be a society that ensures the rights of all communities and meets the highest standards of respect for human rights, as stated in the relevant international conventions, in the Constitution and in the current legislation of Kosovo.*

In order to realize this vision, the Government of Kosovo undertakes *to promote and facilitate the*

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<sup>102</sup> Office of the Head of Mission in Pristina, UNHCR, COVID-19 - Comprehensive Assessment of the Need for UNHCR to Care for the Protection of the Most Vulnerable People, May 20, 2020, report available at: <https://kosovoteam.un.org/sites/default/files/2020-11/UNHCR%20-%20Comprehensive-Needs-Assessments-COVID-19.pdf>

<sup>103</sup> UNFPA, *Child Marriages in Kosovo*, report available at: <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20kosovo%20overview.pdf>

*safe and dignified return of refugees and internally displaced persons, to assist them in the return of their property and possessions, and to ensure the effective realization of rights for all communities, especially access to education, employment, health services and housing, as well as equal opportunities in the use of the language with the aim of their full inclusion in all aspects of social life in Kosovo.* That is the mission of this Strategy.

This Strategy aims at return and reintegration, as well as stabilization of communities in Kosovo. Its implementation aims to improve the quality of life in the areas of education, employment and social protection, housing, property issues, use of language and use of health care services, for all communities living in Kosovo, as well as internally displaced persons who wish to return to their former homes and IDPs who wish to integrate in the displacement country.

These strategic objectives are in accordance with the principles of the Council of Europe.

This Strategy is based on three basic principles, harmonized with international and European standards for national minorities:

- Principle of equal rights and equal opportunities – this principle recognizes the need for members of all communities to have equal opportunities in all areas of society.
- Principle of non-discrimination – based on this principle, all measures taken ensure that the degree of discrimination against non-majority communities in Kosovo is significantly reduced in all aspects of social life.
- Principle of promoting the rights of non-majority communities – implies the necessary conditions for members of national minorities to preserve and develop their culture, and to preserve the essential elements of their identity, that is, religion, language, tradition and cultural heritage.

## **VI.1. STRATEGIC GOAL 1**

### **Strategic goal 1: Return, reintegration, integration and opportunities for permanent solutions for displaced persons and non-majority voluntary returnees**

According to its mandate MCR acts in municipalities with a Serbian majority regarding the process of returning displaced persons in accordance with international standards for human rights applicable in Kosovo, ethnic, religious, gender, racial equality, freedom of movement, property rights and the best interest of children, as well as freedom from discrimination will be applied during the process of return and re-integration of displaced persons.

The return of DPs remains a challenge, due to property problems with occupied properties and the lack of demolition of illegal buildings, which have been built on DPs properties for years.

Therefore, integration and a sustainable solution for displaced persons and returnees is a priority for the MCR and the Government. In order to achieve this goal, activities will continue, including support to projects aimed at coordinating institutions for the sustainable return of DPs.

MCR is in the process of operationalizing the database for the number of IDPs and returnees in Kosovo. Based on the statistical data published by the UNHCR (December 2022), according to



which it is estimated that around 15,683 people were internally displaced in Kosovo, while around 29,268 people returned since the post-war period.

*This will be achieved by following the following strategic measures:*

- Strengthening coordination and exchange of information between institutions at the local and central level in the process of supporting return and reintegration;
- Improving regional cooperation in finding permanent solutions for displaced persons;
- Providing assistance to persons interested in returning in accordance with Regulation (NRC) no. 01/2018;
- Providing assistance to displaced persons living in collective centers and private accommodation;
- Strengthening of existing mechanisms established between competent ministries in terms of providing opportunities for land allocation;
- Using a data management system and obtaining information on all IDP families at the central and local level, as well as accurate statistics;
- Local institutions.
- Budgeting of funds at the local and central level for the construction of housing for returnees in urban areas;
- Strengthening the coordination between institutions at the local and central level in the process of supporting the integration of returnees in the Kosovar society;
- Providing support to returnees for socio-economic stability and long-term sustainability of return;
- Involving international organizations to support the whole process.

To achieve/fulfill the strategic goal, the following specific goals are foreseen:

***Specific goal 1.1.** Intensified involvement of relevant institutions in providing services for the return and reintegration of displaced persons;*

***Specific goal 1.2.** Improvement of the legal framework in the field of integration of returnees and communities in Kosovo.*

***Specific goal 1.3.** Strengthening coordination and exchange of information between local and central government regarding sustainable solutions.*

***Specific goal 1.4** Closure of collective centers*

***Specific goal 1.5.** Voluntary and urban return*

## **VI.2. STRATEGIC GOAL 2**

**Strategic goal 2: Stabilizing communities and improving the well-being of communities by providing equal opportunities for employment, social services, protection services and education**

According to its mandate MCR, acts in municipalities with a Serbian majority regarding the stabilization of communities and improvement of the well-being of communities by offering equal opportunities for education, employment, social services, protection, and culture.

High priority should be given to the stabilization of communities and their integration. Despite the efforts of the Government of Kosovo for the integration of all communities in Kosovo, there are still problems and challenges in this regard. Some of the non-majority communities are not included in the educational system within the institutional framework of Kosovo. Also, the unemployment rate among most members of non-majority communities, especially Roma, Ashkali and Egyptians, remains disproportionately high.

Therefore, improving the well-being of all communities in Kosovo by providing equal opportunities for employment and education is one of the priorities of the MCR, in close cooperation with the ministries responsible for labor, social welfare and education. The goal is to support the stabilization, reintegration and sustainable economic development of communities. To achieve this goal, activities will continue, including support for education and professional development of projects aimed at generating income and employment opportunities, community reintegration and well-being, as well as civil society support. The MCR will pay special attention to supporting the economic development of groups that communities consider vulnerable.

This will be implemented through the following strategic measures:

- Communities in Kosovo, supported in economic, cultural and social development;
- Support to joint projects for economic development and income generation for communities;
- Provision of packages of social/economic assistance to returnees, members of returnee communities and members of non-majority communities;
- Increasing support to organizations and vulnerable groups such as: women, youth and people with disabilities;
- Increasing support to the economic development of Roma, Ashkali and Egyptian communities;
- Improving coordination between relevant institutions to improve conditions for all communities in Kosovo;
- Strengthening coordination between institutions at the local and central level in the process of community support;
- Cooperation with competent institutions to find solutions for informal settlements;
- Presentation of guidelines for promoting dialogue between communities, through education in Kosovo;
- Coordinating support with relevant actors regarding displaced persons and voluntary returnees who continue to face problems with civil registration and issuance of personal documents.
- Strengthening the support of learning centers, through means and capacity building activities for effective budget planning, evaluation process and annual reporting;
- Improving coordination between relevant institutions for the promotion and provision of pre-university textbooks in all community languages;
- Special attention will be paid to errors in the translation of educational books.



- Involvement of civil and political representatives from all communities (Serbian, Turkish, Bosniak, Roma, Ashkali, Egyptian, Goran, Montenegrin, Croatian and other communities) in identifying, addressing and solving issues related to improving the well-being of communities that offer equal opportunities for education, employment, social services, protection and culture.
- Providing support to non-majority communities according to their representation quotas.
- Strengthening coordination between institutions at the local and central level, in order to identify and support non-majority students, who face challenges to access pre-university education (supporting community-based preschool programs and subsidizing public preschool enrolment fees for children, regular and reliable transport to school, solving the issue of dropouts and strengthening the work of Prevention Teams and Response in Case of Dropout (PTRCD), providing language courses for returned children;
- Strengthening coordination between institutions at the local and central level in order to further support the access of non-majority communities to higher education;
- Re-establishment of the Commission for the Verification of Diplomas issued by the University of North Mitrovica, with an extended mandate at the pre-university education levels, in order to provide non-majority communities with access to educational programs and employment opportunities;
- Construction (establishment) of the Friendship House: a) Establishment of cooperation with local and central institutions to enable the realization of this mission and the determination of the bearers and leaders of this project; b) Building or defining the space where the activities will be carried out; c) Involvement of the NGO sector in the creation and realization of the activities of this project;
- Supporting and subsidizing small businesses and craft shops.
- Providing food and hygiene products to help vulnerable groups of the Roma, Ashkali and Egyptian communities.
- Prevention of gender-based violence, discrimination and harassment.

To achieve/fulfill the strategic goal, the following specific goals are foreseen:

***Specific goal 2.1. Increasing employment opportunities for non-majority communities with a special focus on Roma, Ashkali and Egyptian communities, particularly vulnerable groups such as women, youth and people with disabilities.***

***Specific goal 2.2. Increasing opportunities for general education, vocational education and training of non-majority communities with a special focus on vulnerable groups such as women, youth and persons with disabilities.***

***Specific goal 2.3. Supporting the development, nurturing and preservation of cultural diversity, cultural and national identity of non-majority communities and intercultural dialogue.***

Socio-economic support for children from vulnerable groups of the Roma, Ashkali and Egyptian communities.

### **VI.3. STRATEGIC GOAL 3**

According to its mandate, the MCR in addition to its commitment to proportional representation of minority communities in the public administration, also acts in municipalities with a Serbian majority regarding the proportional representation of minority communities in the public administration in those municipalities where the Serbian community is the majority.

#### **Strategic goal 3: Proportional representation of minority communities in public administration**

The Constitution of the Republic of Kosovo, as a fundamental legal instrument that regulates the state organization and with important guarantees for the non-majority communities that defines Kosovo as "a multi-ethnic society, governed democratically with full respect for the rule of law through its legislative, executive and judicial institutions". Chapter III of the Constitution specifically defines the rights of communities and their members in Kosovo. The Constitution clearly promotes the principle of non-discrimination and guarantees that Kosovo will take all necessary measures to protect persons who may be threatened with discrimination. At the same time, the Constitution mandates that Kosovo must take measures to ensure full and effective justice in various spheres of life - economic, political and social - for members of non-majority communities. Among non-majority communities in public institutions and public enterprises.

Article 61 states that "communities and their members shall be entitled to equitable representation in employment in public bodies and publicly owned enterprises at all levels [...]". Article 101(1) of the Constitution determines that the composition of public services "shall reflect the diversity of the people of Kosovo". Kosovo is declaratively and legally committed to respecting, protecting and promoting the ethnic, cultural, linguistic and religious identity of all persons and communities living in Kosovo in an environment characterized by tolerance, integration and mutual respect through the adoption of the necessary legal guarantees in order to achieve this goal. In addition to the rights defined by the Constitution, the relevant guarantees and protection of communities are foreseen, among others, in some UNMIK regulations and in the Law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo.

In order to protect the rights of all communities, Article 22 of the Constitution lists international agreements that are directly applicable and gives priority to those agreements over primary and secondary legal provisions and other acts of public interest, in case of conflict between them.

PMO, MCR and Municipal Offices for Communities and Return must take into account the employment quota of 10% for the representation of communities in institutions in accordance with the current laws.

To achieve-fulfil strategic goal 3, the following specific goals are foreseen:

**Specific goal 3.1** Establishment of a government body for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo.

**Specific goal 3.2** Providing legal and technical support for monitoring the implementation of the program.

Specific goal 3.1 Establishment of a governmental working body for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo.

In the legislation of Kosovo and in the constitution itself, there are provisions that speak for the proportional representation of all communities in the public sector, but these provisions are of a very general and declarative nature. For this reason, it is necessary to specify those provisions based on the results that should emerge from the achievement of the specific goal 3.1. described above. From the generally known situation, when it comes to this matter, the assessment will show that there is a big gap between the current representation of non-majority communities in the public sector and the level that should be based on the number of inhabitants in Kosovo.

In order to achieve this, a working body must be established, whose task will be first to build the institutional and legal framework and then to implement the necessary measures to improve the representation of minority communities in the public sector in Kosovo. This working body should consist of government representatives from the central and local level, as well as include representatives of minority communities, civil society organizations, as well as representatives of international organizations and institutions.

The most important tasks of this working body would be to propose to the government and the Assembly of Kosovo the approval of certain regulations based on existing laws and, if necessary, to propose the approval of new ones. Another very important task of this body would be to set exact quotas for the employment of minority communities in the public sector for each community separately.

Also, this working body must permanently monitor the process of implementing measures and activities to achieve goal 3 and based on the reports it receives, propose and take the necessary corrective measures to eliminate possible difficulties in achieving the purpose.

To achieve the specific goal 3.1, the following steps should be taken:

- Determining the exact number of members in the working body and the criteria for selecting the institutions that should be represented in this body (proposal)
  - Ministries (membership in the post of minister or secretary)
  - Local self-governments (membership according to function – mayors of municipalities)
  - Representatives of minority communities (associations, NGOs...)
  - Directors of Offices for Communities and the use of languages, etc.
- Determining the exact tasks, the purpose of the working body, the mandates of the members, the election of the head of the working body (we propose that the person elected be the director of the office for communities or the minister of MCR)

- Based on the comprehensive assessment, determine the correct quotas for the proportional representation of minority communities in the public sector in Kosovo.
- Institutionalizing the reporting methodology of all public institutions for reaching certain quotas in the future.
- On the basis of the report, it proposes to the higher bodies the taking of measures for the best possible achievement of the general goal.

### **Specific goal 3.2 Providing legal and technical support for monitoring program implementation**

In order to achieve the general strategic goal 3, it is necessary to permanently monitor its achievement and improve the conditions so that the level of achievement is as high as possible. Therefore, all the institutions that will be involved in this process must regularly report to the WORKING BODY established under the specific goal 3.2 for the representation of minority communities in their ranks. The reports should not only talk about the numerical presentation, but should also be accompanied by comments about the possible difficulties in achieving this goal, as well as should contain specific recommendations on how to achieve the goal at the highest possible level. Also, the period of the reporting itself (monthly, quarterly, yearly) should be determined.

In order to achieve the specific goal 3.2, the following steps should be taken:

- Institutionalizing the reporting methodology of all public institutions for reaching certain quotas in the future.
- Determining to whom and when reports are submitted
- Determining the form for reporting
- Preparing final reports that must be submitted to the highest institutional instances that can make decisions which would have an impact on the achievement of strategic goal 3.
- Public presentation of reports on the achievement of the strategic goal 3.

## **VI.4. STRATEGIC GOAL 4**

According to its mandate, the MCR operates in municipalities with a Serbian majority, regarding the support and providing of services for the use of languages.

### **Strategic goal 4: Development of mechanisms and services for the use of languages**

As stated in the analysis above, the possibility of equal use of official languages is a fundamental right, guaranteed by the Constitution of Kosovo. The main obstacles in the area of language use are reflected in obvious errors in translations of Kosovo legislation into the official languages, i.e. into Serbian, then in challenges with the translation infrastructure in the Kosovo judicial system, as well as in access to curricula in languages of the communities, in pre-university and higher education in Kosovo.

Therefore, the development of mechanisms and services for language use remains a priority for the MCR and the Government in general. This goal can be achieved through various activities and cooperation with implementation and international partners.

The language of non-majority communities should be voluntarily offered to be taught as an ambient language for other communities as an additional or optional subject, in order to improve dialogue for all communities living in Kosovo.

Building Turkish translation capacity in government-level institutions, including provision of space and translators.

*This will be achieved by following the listed strategic measures:*

- Improving institutional coordination in the drafting of bilingual legislation;
- Strengthening of mechanisms for monitoring the implementation of laws on the use of language.

To achieve/fulfill the strategic goal, the following specific goals are foreseen:

***Specific goal 4.1. Improving bilingual harmonization during the drafting of legislation in Kosovo;***

## VI. SWOT ANALYSIS

Strategic goal	Strengths	Weaknesses	Opportunities	Risks
Strategic goal 1	High interest of the Government and the EU in integrating communities and improving their well-being;	1. Lack of data on displaced persons; 2. Lack of an adequate legal framework; 3. Lack of inter-institutional coordination;	1. Donor cooperation and support;	1. Reluctance of internally displaced persons to return due to fear of harassment; 2. Complex locations where the majority community does not welcome the return. 3. Lack of housing solutions for IDPs without property or providing opportunities for social housing; 4. Failure to release occupied property and delay in property litigation procedures; 5. Reluctance of authorities to accept return to another country, other than the country of origin, etc.
Strategic goal 2		Lack of data on the population of four northern municipalities;	1. Donor cooperation and support;	1. Bad information 2. Low level of education 3. Non-implementation of the law on employment quota for communities.
Strategic goal 3	The Constitution of the Republic of Kosovo defines the state organization by guaranteeing the non-majority communities that defines Kosovo as "a multi-ethnic society, governed democratically with full respect for the rule of law through legislative, executive and	Non-implementation of Constitutional-legal provisions and legal instruments guaranteed by the constitution	Opportunities for full implementation of guaranteed rights	Non-compliance with constitutional legal instruments

	judicial institutions".			
Strategic goal 4	Adoption of the concept document which envisages the establishment of a new unit for translation, language control and harmonization	1. Lack of a Unit for translation, language control and harmonization;  2. Lack of human resources for translation of draft laws in the state administration	1. Sufficient number of officials employed in translation work	1. Lack of budget for employment of court translators.

## VII. REGULATION OF IMPLEMENTATION, MONITORING AND REPORTING

The Ministry of Communities and Return (MCR) was established in 2005 and is a key ministry responsible for the protection and promotion of the rights of communities and their members, and has the mandate to monitor the implementation of the Strategy for the Protection and Promotion of the Rights of Communities and their Members 2023-2027 and, accordingly, of its Action Plan.

The main goal of Kosovo's institutions is undoubtedly the full implementation of the strategic document, a process that will be preceded by the implementation of activities and goals set in the Action Plan over the years. The process of implementing the strategy will be the process of achieving its strategic goals and objectives.

For the implementation of strategic goals, a three-year action plan was drawn up and a complete calculation of costs for the first three years was carried out. In this action plan, specific goals, specific activities, as well as responsible institutions and support institutions for their implementation are defined, as well as the current state, goal, financial resources, which have been calculated and which will be included in the medium-term expenditure framework (MOF) as well as deadlines for their fulfillment. Likewise, in the calculation of financial needs, projects with donor financing, which are ongoing or planned according to specific areas, were also considered.

All central and local institutions are obligated to take the necessary measures to implement the obligations established by the Strategy for the Protection and Promotion of the Rights of Communities and Their Members 2022-2026 and consequently, the Action Plan for the Implementation of the Strategy through the years, in accordance with their competences and legal mandate.

Monitoring and evaluation of the achievement of goals and the effectiveness of relevant activities are an integral part of the Strategy and key components of the process of its implementation. Monitoring and evaluation will serve to monitor the progress of the implementation of the strategy, to measure the degree of achievement of its goals, to assess needs and determine the direction of

adjustment, especially in relation to activities. The monitoring process will be carried out by the responsible institutions with the broad participation of interested parties. Civil society organizations will also engage and play an important role in the process of monitoring and evaluating the implementation of activities and measures foreseen in the action plan of the Strategy for the Protection and Promotion of the Rights of Communities and Their Members 2022-2026.

Monitoring will be a key process for providing the information needed to monitor accountability, and will not be effective unless action is taken on what is assessed and reported. Therefore, every 6 months and at the end of the year, the competent mechanisms should prepare a semi-annual and annual report, which should contain an assessment of the most successful activities and a general assessment of the fulfillment of the Strategy's goals, identifying the challenges and difficulties encountered during the implementation process, as well as specific recommendations to remove obstacles observed during the process of fulfilling specific and strategic goals. Primary responsibility for the preparation of this report rests with the Ministry of Communities and Returns. This Ministry will, through a form that will be drawn up in the first months of implementing the Strategy, regularly request and collect data from all institutions for the implementation of measures and activities foreseen in the action plan of this Strategy. After that, the collected information will be processed, and the monitoring report will be prepared, based on the indicators defined in the activities, as well as at the level of specific and strategic goals. Likewise, data will be requested and collected from civil society organizations and international partners, which work on the issues of non-majority communities and their return, as well as from international organizations and donors who focus on this problem.

Monitoring the implementation of the strategic document and its effectiveness are essential in order to:

- (i) ensure the achievement of goals,
- (ii) monitor contributions and activities,
- (iii) ensure that the implementation takes place in the prescribed manner,
- (iv) warn the institutions responsible of potential problems/delays or problems before the situation becomes critical;
- (v) propose corrective measures or revise the Strategy based on the experience gained.

By monitoring the Strategy and performance indicators, the institutions will be able to create a certain overview of the situation, i.e. at which stage the Strategy currently is in terms of achieving the set goals, learning lessons, undertaking corrective actions and, if possible, in terms of the process of its review. Monitoring has been found to be most useful when lessons are learned from the elaborated process and then used for future processes. Therefore, when monitoring the effectiveness of the Strategy implementation, this should be considered. In this sense, the Strategy will be a dynamic document, which will adapt to changing goals, circumstances and acquired experiences.

Although monitoring reports are intended to be semi-annual and annual, it is important to carry out a process of mid-term evaluation of the implementation of the Strategy, before its final evaluation. This assessment, which can be planned to be carried out, for example, in the second half of 2024, can be used to carry out the reorganization of forecasts in the action plan of the



Strategy, depending on the medium-term progress in its implementation. This would help to achieve both the medium and long-term goals set in the Strategy. In addition to the mid-term evaluation, it is planned to carry out a process of full evaluation of the fulfillment of the goals, in the last year of its implementation, as a preparation for further actions after 2026.

## VIII. BUDGETARY IMPACT OF STRATEGY IMPLEMENTATION

The action plan for the implementation of the Strategy for the Protection and Promotion of the Rights of Communities and Their Members 2022-2026 has a total implementation cost of **EUR xxxxxx** for the three years of implementation (2022-2024).

The largest part of the costs (about 00% of the budget) will be used for current expenditures related to building resources, support and strengthening of specialized services, regulation of monitoring and reporting systems related to the protection and improvement of the rights of communities and their members, as well as activities related to return of displaced persons, etc.

**Table 1** presents a summary of the budget for the implementation of the Plan by types and years, and is based on detailed expenditure calculations for each planned goal.

The implementation of the action plan for the first 3 years will require financial resources in millions of euros, as shown in the table below (CB - Capital budget for the action plan, CC - current costs, C - capital, SG - subsidies and grants).

**Table 2** presents a summary of the budget for the implementation of the Plan according to funding sources.

**Table 3** presents the distribution of expenditures by sector and by year for the implementation of the Plan.

**Table 1.** Budget summary by goals and years.

Strategic goals	2023				2024				2025			
	CB	CC	C	SG	CB	CC	C	SG	CB	CC	C	SG
Return, reintegration, integration and provision of sustainable settlement opportunities for displaced persons and non-majority voluntary returnees, with the following specific goals:	1,258,000	258,000	1,000		5,650,916	227,000	5,423,916		5,699,166	224,500	5,474,166	
Stabilizing communities and improving their well-being by providing equal employment	5,134,600	134,600	5,000		5,125,349	125,349	5,000		5,166,600	116,600	5,000	

opportunities, social and protection services, as well as education, with the following specific goals:												
Proportional representation of minority communities in public administration, with the following specific goals:	8,000.00	8,000.00	-		-	-	-		-	-	-	
Development of mechanisms and services for the use of languages	2,500.00	2,500.00	-		-	-	-		-	-	-	
	6,405,600.00				10,776,265.00				10,699,166.00			
	27,881,031.00											

**Table 2.** Structure of expenditures according to the years planned by the Action Plan and sources of financing

Years	Total expenses		
	BRK	Donors	Total:
2023	7,672,606.00	1,644,575.85	<b>9,317,181.85</b>
2024	12,255,518.80	1,932,382.90	<b>14,187,901.70</b>
2025	12,365,222.24	1,901,178.40	<b>14,266,400.64</b>
<b>Total:</b>	<b>32,293,347.04</b>	<b>5,478,137.15</b>	<b>37,771,484.20</b>

**Table 3.** The distribution of expenditures by category according to sectors and years is as follows:

Years	2023	2024	2025
Salaries and wages	941,691.30	571,011.80	779,126.40
Goods and services	710,398.70	670,318.20	719,193.60
Capital costs	<b>9,317,181.85</b>	<b>14,187,901.70</b>	<b>14,266,400.64</b>
<b>Total</b>	<b>10,969,271.80</b>	<b>15,429,231.70</b>	<b>15,764,720.60</b>

**IX. ACTION PLAN FOR THE IMPLEMENTATION OF THE STRATEGY FOR THE PROTECTION AND PROMOTION OF THE RIGHTS OF COMMUNITIES AND THEIR MEMBERS 2023-2027**

No.	Strategic and specific goals, indicators and actions	Core value	Interim goal [2025]	Last year's goal [2027]	Result
<b>I.</b>	<b>Strategic goal: Return, reintegration and opportunities for a sustainable solution for displaced persons and non-majority voluntary returnees</b>				
<b>1</b>	<b>Indicator:</b> Number of measures taken by the relevant levels of the Government in order to improve sustainable solutions for displaced persons within the framework of regional cooperation (Skopje Process)	Data from 2016 to 2021	Three actions implemented within the action points (within the framework of the Skopje Process)	All actions carried out according to the action points (within the framework of the Skopje Process)	The Skopje Process was important in initiating and ensuring ongoing dialogue and cooperation in the region, in order to find solutions for people who are still displaced. The regional initiative aims to find sustainable solutions for displaced persons from Kosovo, including the return and integration of displaced persons in places of displacement.
<b>2.</b>	<b>Indicator:</b> Development of municipal action plans for returnees and displaced persons	10	20	28	All municipalities develop action plans according to Regulation No. 02/2010 on Municipal Offices for Communities and Return
<b>I.1</b>	<b>Specific goal: Intensified involvement of relevant institutions in providing services for the return and reintegration of displaced persons</b>				
<b>I.1.1.</b>	<b>Indicator:</b> Institutions involved in regional cooperation (the Skopje process) participate in regional meetings.	1.1.1. Eleven meetings of high-level forums and technical	1.1.1. At least two regional meetings were held	1.1.1. At least four regional	1.1.1. Discuss the progress made at the regional level in finding sustainable solutions for displaced persons from Kosovo, including the

			working groups, including six bilateral meetings since 2015		meetings were held	return and integration of displaced persons in places of displacement.			
I.1.2.	Indicator: number of trained persons (report based on types of training)		91 persons (for database)	120	150	Trained persons			
I.1.3.	Indicator: functionalization of the database		Ongoing	Operational databas		The database has been operationalized, where all DPs can apply for their return and registration.			
	Indicator: The number of coordination meetings at the central level (OPM, Line Ministers and relevant Agencies)		0	1	2	Organization of two coordination meetings per year with the relevant actors at the central level.			
No.	Action	Final deadli ne	Budget			Financial sources	Managing and supportin g institution s	Output	References in documents
			2023	2024	2025				
I.1.1.	Development of municipal Action Plans for sustainable solutions, which must be included in municipal	2023-2025	1,500	1,500	1,500	Budget of Kosovo, Municipaliti es, Donors	Municipali ties	28 action plans developed	Regulation No. 02/2010 on Municipal Offices for

	<b>budget plans;</b>								Communitie s and Return
<b>I.1.2.</b>	<b>Advocating for the identification and offer of sustainable solutions for IDPs without property</b>	2023-2025	1,600	1,600	1,600	Budget of Kosovo, Municipalities, Donors	Municipalities	Number of identified cases	Law no. 06/1–092 on allocation for use and exchange of municipal immovable property
<b>I.1.3</b>	<b>Advocating for the inclusion of IDPs and returnees in social housing programs</b>	2023-2025	1,500	1,500	1,500	Budget of Kosovo, Municipalities, Donors	MCR MESPI Municipalities	Number of identified cases for social housing	Law no. 03/1-164 on housing financing specific programs
<b>I.1.4</b>	<b>Organization of three meetings of the Technical Working Group and at least two measures to find sustainable solutions for displaced persons from Kosovo, including the return and reintegration of displaced persons in places of displacement.</b>	2023-2025	0 (online form)	500	500	OSCE	MCR OSCE UNHCR	The parties met and discussed measures to improve sustainable solutions for displaced persons.	Minutes of the meeting, action points - reports.

<b>I.1.5.</b>	<b>Organization of nine sub-implementation working group meetings (security and dialogue, property rights, personal documents, data management and solution planning) and three implementation working group meetings</b>	2023-2025	3,500	3,500	3,500	OSCE	MCR OSCE UNHCR	Representatives of Kosovo institutions participated in the meetings and reported on the progress achieved.	Action points of the five sub-implementation working groups, minutes of the meeting.
<b>I.1.6.</b>	<b>Construction and renovation of houses for returnees, as well as for IDPs, who are interested in local integration</b>	2023-2025	750.000 MCR	1,500.000 MCR	1,500.000 MCR	MCR	MCR	Number of built and renovated houses.  A detailed annual report on the number of persons/families assisted with sustainable solutions (for return from the region and within the country) as well as those who are waiting due to lack of funds.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
I.1.7	Project RRK-VI Return and Re-integration in Kosovo phase VI (within IPA funds)	2023-2025	0	2,000.000 EU	2,000.000 EU 660.666 MCR	EU	EU MCR	Number of built and renovated houses	International agreement within the framework

				660.66 6 MCR		MCR			of IPA funds
<b>I.1.8</b>	<b>Provision of heating material for the winter season</b>	2023-2025	300 m3 = 40,000 0 EUR	300 m3 = 40,000 EUR	300 m3 = 40,000 EUR	MCR	MCR	Report on the number of beneficiary families.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
<b>I.1.9.</b>	<b>Organization of monthly meetings by the OCR in connection with the coordination of the process of return of displaced persons</b>	2023-2025	1 meeting x 15 MOCR = 250 EUR	1 meeting x 25 MOCR = 250 EUR	1 meeting x 30 MOCR = 250 EUR	MCR	MCR MLGA OCA MOCR	Published report of the meetings on findings, achievements and plans to address the identified challenges.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
<b>I.1.10 .</b>	<b>Release of occupied property for the return of displaced persons and their members who wish to return or integrate in the place of displacement.</b>	2023-2025	2,000	2,000	2,000	KPCVA	Property Comparison and Verification Agency Kosovo police	Number of freed properties.	Administrative Instruction (GRK)- No. 06/2017 on exemption of property/user right holders from public

									<p>utilities arrears for occupied properties and properties under the Administration of the Kosovo Property Comparison and Verification Agency, was approved on 149 meeting of the Government of Kosovo</p>
<b>I.1.11 .</b>	<b>Provision of construction materials for returnees and vulnerable communities</b>	2023-2025	20 families = 250,000 EUR MCR	50 families = 250,000 EUR MCR	50 families = 300,000 EUR MCR	MCR	MCR	Report on the number of returnees, beneficiaries.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions



<b>I.1.12 .</b>	<b>Provision of food and hygiene packages, including emergency situations</b>	2023-2025	40 packages = 42,000 EUR	50 packages = 4.500 EUR	50 packages = 4.500 EUR	MCR	MCR	Report on the number of packages or number of beneficiary families.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
<b>I.1.13 .</b>	<b>Provision of inventory (furniture and appliances) for homes for returnees and members of vulnerable communities</b>	2023-2025	30 families = 75,000 e MCR	50 families = 85,000 e MCR	50 families = 95,000 e MCR	MCR	MCR	Report on the number of beneficiary returnees, followed by a general report.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
<b>I.1.14 .</b>	<b>Organizing regular meetings at the central and local level regarding the return and reintegration process (3-4 meetings per year, maximum 4)</b>	2023-2025	4 meetings = EUR 5,000	4 meetings = EUR 5,000	4 meetings = EUR 5,000	MCR Municipalities Donors	MCR MOCR Donors	Held meetings.	The inter-institutional initiative - the Skopje process for sustainable solutions for displaced persons from Kosovo

<b>I.1.15</b> .	<b>Functionalization and updating of data in the new database on the number of displaced persons</b>	2023	30,000	30,000	30,000	The budget of Kosovo	MCR MOCR	Number of displaced persons, determined.	Administrative Instruction MCR - No. 01/2023 for the Case Management System for the Protection of Personal Data in the Ministry for Communities and Returns, signed by the Minister of the Ministry for Communities and Returns
<b>I.1.16</b> .	<b>Organization and realization of visits Go - See</b>	2023-2025	3 = EUR 4,200	3 = EUR 4,200	3 = EUR 4,200	MOCR and Donors (DRC, IOM, UNHCR, etc.)	MCR MOCR	Report on visits, published.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions

<b>I.1.17</b> .	<b>Organization and realization of visits Go - Inform</b>	2023-2025	3 = EUR 4,500	3 = EUR 4,500	3 = EUR 4,500	MCR and Donors	MCR MOCR	Report on informative visits, published.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
<b>I.1.18</b> .	<b>Strengthening coexistence through joint community projects and awareness campaigns</b>	2023-2025	4,000	7,000	8,000	Municipalities Donors	Municipality /MOCR-MCR Municipalities representatives NGOs	Number of community-based projects, implemented.  Number of awareness campaigns, implemented.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
<b>I.1.19</b> .	<b>Providing training resources for capacity building of members of municipal commissions for return and MCR officials</b>	2023	2,500			MCR Donors	MCR MLGA NGOs	Increasing efficiency in examining cases.  Number of trained persons.	Law no. 06/1 - 114 on public officials
<b>I.1.20</b> .	<b>Assistance in arranging personal and property documents for displaced persons</b>	2023-2025	500.00	500.00	500.00	MCR Municipalities Donors	Government MCR Municipalities	Number of assisted persons.	Regulation (GRK) - No. 01/2018 on the return of displaced

									persons and durable solutions
<b>I.1.21</b>	<b>Legal assistance regarding access to social and pension schemes for persons in need and permanent disability</b>	2023-2025	950.00	950.00	950.00	AFLA Donors	AFLA NGOs	Report on the number of beneficiary persons.	Law no. 04/I-017 on free legal aid
<b>I.1.22</b>	<b>Assessment and profiling of the skills of IDPs and returnees in order to enable socio-economic integration</b>	2023-2025	10,000.00	10,000.00	10,000.00	Donors	MCR MOC Donors	Report on profiling and the number of beneficiary families.	Profiling of Internally Displaced Persons in Kosovo Review of the direction for sustainable solutions for IDPs in Kosovo January 2018
<b>Total budget for the specific goal I.1:</b>			<b>1,229.000</b>	<b>4,613.166</b>	<b>4,674.166</b>				
<i>Of which capital:</i>			1,000,000	4,410.666	4,460.666				
<i>Of which currently:</i>			229,000	202,500	213,500				

I.2		Specific goal: Improving the legal framework in the field of integration of returnees and communities in Kosovo							
1	Indicator: Number of drafted and adopted laws and by-laws	One law and two amendments to the law, as well as a by-law	One regulation and one AI	NA	Drafted legal acts				
No.	Action	Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
			2023	2024	2025				
I.2.1	Drafting of amendments to the Law on the Protection and Promotion of the Rights of Communities and Their Members in Kosovo	2023	3,000	3,000	3,000	Donors	MCR	The Law on the Protection and Promotion of the Rights of Communities and Their Members in Kosovo, drafted with applied amendments.	Law no. 03/1-047 on the protection and promotion of the rights of communities and their members in Kosovo
I.2.2.	Drafting of by-laws arising from the Law on the Protection and Promotion of the Rights of Communities and	2023	3,000	-	-	Government (MCR) Donors	MCR	By-laws, drafted.	Law no. 03/1-047 on the protection and promotion

	<b>Their Members in Kosovo</b>								of the rights of communities and their members in Kosovo
<b>I.2.3.</b>	<b>Re-evaluation of the implementation and amendment of the regulation on Return and Durable Solutions 01/2018</b>	2023-2024	2,500	2,500	-	Government Donors	MCR	Report on the re-evaluation of the implementation of the regulation 01/2018.	Law no. 03/1-047 on the protection and promotion of the rights of communities and their members in Kosovo
	<b>Total budget for the specific goal I.2:</b>		8,500	5,500	3,000				
	<i>Of which capital:</i>		0	0	0				
	<i>Of which currently:</i>		8,500	5,500	3,000				
<b>I.3.</b>	<b>Specific goal: Strengthening coordination between local and central government in terms of sustainable solutions (strengthening municipal offices for communities)</b>								
<b>1</b>	<b>Indicator: Established interdepartmental and intermunicipal coordination group for sustainable solutions for displaced persons</b>		0	1	1			Establishment of an interdepartmental and intermunicipal coordination group for sustainable solutions for displaced persons.	

2	Indicator: Number of organized inter-ministerial and inter-municipal coordination meetings		0	2		3	4	Organizing inter-ministerial and inter-municipal coordination meetings.	
No.	Action	Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
			2023	2024	2025				
I.3.1	Establishing the inter-ministerial and inter-municipal coordination group for sustainable solutions for displaced persons and organizing its meetings (in accordance with ERA II);	2023	2,500	2,500	2,500	Government Donors	MCR MLGA Municipalities	Established inter-ministerial and inter-municipal coordination group for sustainable solutions for displaced persons	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
I.3.2.	Organizing inter-institutional meetings for the coordination and strengthening of the activities of the MOC (number of annual meetings - 3)	2023-2025	1,500.00	1,500.00	1,500.00	Government Donors	MCR MLGA OCA MOCR	Report on inter-institutional meetings, published.	Regulation (GRK) - No. 01/2018 on the return of displaced persons and durable solutions
I.3.3	Development of an action plan related to the coordination of	2023-2025	2,500.00	1,000.00	1,000.00	Government Donors	MCR MLGA OCA	Action plan, prepared.	Regulation no. 02/2010 for the municipal

	inter-institutional activities						MOCR		offices for communities and return
I.3.4	<b>Planning and organizing meetings of the Working Group within the inter-institutional initiative for displaced persons from Kosovo (the Skopje Process) for 5 thematic areas: property rights; security, dialogue and reintegration; personal documents; solution planning and data management;</b>	2023-2025	3,000.00	3,000.00	3,000.00	Donors	MCR OPM MoJ MIA-CRA	Number of held meetings.	The inter-institutional initiative - the Skopje process for sustainable solutions for displaced persons from Kosovo
	<i>Total budget for the specific goal I.3:</i>		9,500	8,000	8,000				
	<i>Of which capital:</i>		0	0	0				
	<i>Of which currently:</i>		9,500	8,000	8,000				
<b>I.4</b>	<b>Specific goal: Voluntary and urban return</b>								
<b>1</b>	<b>Indicator: Number of returnees in the urban centers based on the DP application form</b>						<b>Returnees in the urban centers based on the DP application form</b>		
No.	Action	Final deadline	Budget			Financial sources	Managing and supporting	Output	References in documents
			2023	2024	2025				



							institution s		
<b>I.4.1</b>	<b>Provision of funds for the construction of urban housing and preparation of apartments for voluntary returnees in the urban areas, including international organizations to support urban construction process</b>	2023-2024	0	1,000.000 MCR	1,000.000 MCR	MCR	MCR	Housing for voluntary and urban returnees, created	Regulation (GRK) - No. 01/2018 for the return of displaced persons and durable solutions, was approved at the 23 <sup>rd</sup> meeting of the Government of the Republic of Kosovo
<b>I.4.2.</b>	<b>Provision of locations for the construction of apartments for urban return</b>	2023-2024	10,000	10,000	-	Municipalities Donors	Municipalities	Allocated locations	Relevant Legislation in force for the Financing of Special Housing Programs
<b>I.4.3.</b>	<b>Evaluation for the selection of potential beneficiaries between</b>	2023-2024	1,000	1,000		MCR EU	Municipalities	Selection of beneficiaries by the Municipal	Regulation (GRK) - No. 01/2018

	local and central institutions in the process of selecting potential beneficiaries					Municipalities Donors	MCR	Commission and the Central Review Commission	for the return of displaced persons and durable solutions, was approved at the 23 <sup>rd</sup> meeting of the Government of the Republic of Kosovo
I.4.4.	Construction of infrastructure in urban housing zones (construction of roads, lighting, water supply)	2023-2024	0	13,250	14,000	MCR EU Municipalities Donors	Municipalities MCR EU	Selection of companies for carrying out works	Legislation in force on Public Procurement
	<i>Total budget for the strategic goal I:</i>		1,258.000	5,650.916	5,699.166				
	<i>Of which capital:</i>		1,000.000	5,423.916	5,474.166				
	<i>Of which currently:</i>		258,000	227,000	224,5000				
No.	Strategic and specific goals, indicators and actions		Core value	Interim goal [2024]	Last year's goal [2026]	Result			

<b>II.</b>	<b>Strategic goal: Improving the well-being of communities by providing equal employment opportunities, social services and protection services, as well as general education and vocational education and training.</b>				
<b>1</b>	<b>Indicator:</b> Number of families in the community from vulnerable groups that are part of social programs	The current number among communities in the social programs			Reducing the number of families in the community from vulnerable groups that are part of social programs through their employment
<b>2</b>	<b>Indicator:</b> Number of children from non-majority communities with positive changes in their socio-economic status, life and sustainable solutions. Reformulate this indicator.	700 (Statistics and reports created by the MCR/MOCR , agencies of the UN, OSCE, IOM and other local and international stakeholders)	800	900	Increasing the positive perception of non-majority communities based on their socio-economic status
<b>3</b>	<b>Indicator:</b> Number of community members leaving pre-university education	70 (Ashkali, Roma and Egyptian) 2021	45	20	Reducing the number of community members leaving pre-university education
<b>II.1</b>	<b>Specific goal: Increasing employment opportunities for non-majority communities with special focus on vulnerable groups such as returnees, women, youth and persons with disabilities.</b>				
<b>1</b>	<b>Indicator:</b> Number of new or existing entrepreneurs from non-majority communities supported to create/increase production and	700 (Statistics and reports	850	1050	Created or supported 200 start-ups and existing businesses in the target areas through the distribution of aid until the end of the program.

	processing in economically advanced sectors with high potential, with a special focus on community groups and returnees.	created by the MCR/MOCR , agencies of the UN, OSCE, IOM and other local and international stakeholders)			
<b>2</b>	<b>Indicator:</b> Number of non-majority and inter-ethnic business associations/cooperatives/community initiatives and/or social enterprises supported to meet community needs and create employment opportunities (reported by gender, ethnicity)	15  (Statistics and reports created by the MCR/MOCR , agencies of the UN, OSCE, IOM and other local and international stakeholders)	25	37	12 business associations/cooperatives were established and supported in the target areas in order to create new production with higher added value as assistance in the value chain.  1 smaller business fair with the participation of up to 70 companies.
<b>3</b>	<b>Indicator:</b> Social (re)integration of members of non-majority communities is facilitated by community actions of common interest. (Reported by gender, ethnicity)	196  (Statistics and reports created by the MCR/MOCR , agencies of the UN, OSCE, IOM and other local and	220	256	At least 35 priority and tailored community development projects, funded for the benefit of communities.

			international stakeholders)						
<b>4</b>	The number of diplomas verified by the Commission for the Verification of Diplomas from the university in North Mitrovica	1765	57 applications (March-July 2023)				Diplomas verified by the Commission for the Verification of Diplomas from the university in North Mitrovica		
No.	Action	Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
			2023	2024	2025				
II.1.1	Evaluating and approving potential beneficiaries for work	2023-2025	0	0	0	MCR	MCR MFLT MOCR Donors	List of beneficiaries, published	Regulation (GRK) - no. 01/2018 for the return of displaced persons and durable solutions
II.1.2	Development of the database for data management of applications and verifications of diplomas of the University of Northern Mitrovica	2023	10,000	-	-	MESTI Donors (ECMI)	MESTI Commission for verification of diplomas	The database is functional.	Regulation (GRK) - no. 01/2018 for the return of displaced persons and durable solutions

II.1.3	<b>Organizing campaigns to raise awareness about affirmative labor market measures</b>	2023-2025	2,200	2,200	2,200	MCR Donors	MCR MFLT MOCR Donors	Number of implemented campaigns	Law no. 03/1-212 on labor
II.1.4	<b>Increasing employment opportunities for non-majority communities and returnees for 2023 by re-functionalizing the Commission for the Verification of Diplomas from the University in North Mitrovica.</b>	2023-2024	1,000	1,000	-	Government Donors	OCA	Number of employees from non-majority communities through the recognition of diplomas	Regulation GRK - No.21/2015 on procedures and criteria for the issuance of certificates to citizens of the Republic of Kosovo who have obtained degrees from the University of Mitrovica/ Mitrović North, for the purpose of applications for jobs, obtaining

									professional licences and taking professional examinations with public institutions
II.1.5	<b>Employment of the non-majority community through grants for NGOs to increase employment (e.g., through internship and various trainings)</b>	2023-2025	3,000	3,000	3,000	Government	OCA	The number of organizations (NGOs) that have benefited from the grant	Regulation MoF - no - 04/2017 on criteria, standards and procedures on public funding of NGOs
II.1.6	<b>Selection of NGOs through a public call for financing the activities of the NGO sector that aim to increase the level of employment of non-majority community members and improve capacities to promote the protection of community rights.</b>	2023-2027	1,000.000	1,000.000	1,000.000	MCR	MCR	The number of organizations (NGOs) that have benefited from the grant	Regulation MoF - no - 04/2017 on criteria, standards and procedures on public funding of NGOs
II.1.7	<b>The selection of projects for the financing of the activities of the sector, the Grant Scheme:</b>	2023-2027	1,000.000	1,000.000	1,000.000	MCR	MCR	Start-ups and existing businesses from non-majority	Decision of the Government of the

	<b>"Economic Recovery - strengthening the competitiveness of Agriculture in Kosovo with the aim of increasing the level of employment of members of the non-majority community and improving the capacities to promote the protection of the rights of communities"</b>							communities in the target areas created	Republic of Kosovo No. 21/140 of 26 April 2023, which amends and supplements Government Decision No. 13/19 of 14 July 2021, Government Decision of the Republic of Kosovo No. 17/143 of 24.05.2023 for the amendment and supplementation of Government Decision No. 21/140 of 26 April 2023
II.1.8	<b>The selection of projects for the financing of the activities of the sector, the Grant Scheme:</b>	2023-2027	1,000.000	1,000.000	1,000.000	MCR	MCR	Business associations/cooperatives established	Decision of the Government of the



	<b>“Economic Recovery – measure 1.9” 2023 (generation of new jobs resulting by the growth of existing companies as well as the establishment of new companies)</b>							and supported in target areas	Republic of Kosovo No. 21/140 of 26 April 2023, amending and supplementing Government Decision No. 13/19 of 14 July 2021, Government Decision of the Republic of Kosovo No. 17/143 of 24.05.2023 for the amendment and supplementation of Government Decision No. 21/140 of 26 April 2023
II.1.9	<b>The selection of projects for the financing of the</b>	2023-2027	1,000.000	1,000.000	1,000.000	MCR	MCR	The number of natural and legal	Guidelines for

	activities of the sector, for subsidizing projects/requests and activities of natural and legal persons.							persons who have benefited from the subsidy	subsidizing projects and activities that promote the rights of communities and their members in the Republic of Kosovo, and points 2, 3, 4 of the Supplement ation and Amendment of Guideline No. 857 dated 15.09.2020 for subsidizing projects and activities that promote the rights of communities and their members in
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									the Republic of Kosovo
II.1.10	<b>EU Community Stabilization Program (CSP phase IV and V)</b>	2023-2027	700,000 300,000	833,333 166,666	833,333 166,666	EU MCR	EU MCR	Number of projects supported for Communities	International agreement within the framework of IPA funds
<b>Total budget for the specific goal II.1:</b>			<b>5,016.200</b>	<b>5,006.199</b>	<b>5,005.200</b>				
<i>Of which capital:</i>			5,000.000	5,000.000	5,000.000				
<i>Of which currently:</i>			16,200	6,200	5,200				
<b>II.2</b>	<b>Specific goal: To increase opportunities for general education, vocation and education training of non-majority communities with a special focus on vulnerable groups such as women, youth and persons with disabilities.</b>								
1	<b>Indicator: Number of members of non-majority communities, graduates in protection schemes and pre-university education (in ethnically based social services)</b>		1755					Graduation of members of non-majority communities in pre-university education has increased	
2	<b>Indicator: Number of members of non-majority communities, certified in vocational education (by ethnicity)</b>		1170					Certification of members of non-majority communities in vocational education has increased	
No.	Action		Budget			Financial sources	Managing and supportin	Output	
			2023	2024	2025				

		Final deadli ne	2022	2023	2024		g institution s		References in documents
II.2.1.	<b>Organizing a working group for certification, completion and translation of school documents of children returned from abroad (certificates, etc.)</b>	2023	5,000	5,000	5,000	Donors	MCR MESTI MOCR	Working group, realized	Law No. 02/L-37 on the use of languages
II.2.2	<b>Organizing campaigns to raise awareness about pre-university education with a focus on non-majority communities.</b>	2023-2025	1,000	1,000	1,000	Government	MCR MESTI Municipalities Donors	Number of awareness raising campaigns, organized	Education Strategy 2022-2026
II.2.3	<b>Organization of trainings in certain areas of professional education for members of communities from sensitive groups, based on the requirements of the labor market</b>	2023-2025	700	700	700	Government Donors	MCR MESTI Municipalities Donors	Number of community members from sensitive groups, certified	Strategy for the Advancement of the Rights of the Roma and Ashkali Communities in the Republic of Kosovo 2022-2026,

II.2.4	<b>Awareness raising campaigns for the purpose of career guidance (posters, flyers, brochures and meetings with students)</b>	2023-2025	1,500	1,500	1,500	Government Donors	MESTI	2 implemented campaigns per year	Education Strategy 2022-2026
II.2.5	<b>Organizing informative sessions with the communities of Roma, Ashkali and Egyptians regarding AI in force, providing possibilities and benefits for the inclusion of children from these communities in the services of ECE.<sup>104</sup></b>	Q3/2023-Q4/2026	11,250.00	11,250.00	11,250.00	Kosovo Budget Donors	MED	Number of organized information sessions for Roma, Ashkali and Egyptian communities  Number of children from Roma, Ashkali, Egyptian communities involved and benefiting from ECE services, by gender.	Reports of MESTI and EMIS
II.2.6	<b>Monitoring the organization of remedial classes for reintegrated students.<sup>105</sup></b>	2023-2024	Planned in the strategy of MESTI	Planned in the strategy of MESTI	Planned in the strategy of MESTI	Government	MESTI MED	Preparation of a report related to the attendance of remedial classes	Administrative Instruction (MEST) 01/2016 Determination of Conditions,

<sup>104</sup> Ibid.

<sup>105</sup> Ibid.

									Criteria and Procedures on Organization of Supplementary Learning for Repatriated Students
II.2.7	<b>Prevention and effective response to abandonment and forced, dangerous child labor<sup>106</sup></b>	Q3/2023- Q4/2026	11,250.00	15,500.00	7,750.00	Donors	MESTI MED	<p>Reports of school and municipal PRTAN teams. The percentage of dropouts from primary and lower secondary education remains below 0.1% or 1%.</p> <p>The percentage of girls dropping out of school is decreasing.</p> <p>The percentage of children involved in forced and dangerous labor is decreasing.</p>	Reports of PRTAN and EMIS

<sup>106</sup> Ibid.

II.2.8	<b>Support to the participation of students from vulnerable social categories and underrepresented groups in specific fields/profiles of education and professional training.<sup>107</sup></b>	Q3/2023- Q4/2026	73,000	65,000	65,000	Kosovo Budget	MESTI	<p>Number of scholarships awarded to students from vulnerable social categories and underrepresented groups.</p> <p>Number of scholarships awarded to students with disabilities.</p> <p>Number of scholarships awarded to outstanding students.</p> <p>Number of scholarships awarded for enrollment in some of the deficit courses.</p> <p>Number of scholarships awarded for technical courses for girls.</p>	Education Strategy 2022-2026
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<sup>107</sup> Ibid.

II.2.9	<b>Support to participation from the category of non-majority communities and underrepresented groups in adult education (hereinafter: AE).<sup>108</sup></b>	Q1/2023-Q4/2026	-	6,000	6,000	Donors Kosovo Budget	MESTI	The number of beneficiaries of scholarships and other incentives for AE, divided by gender.  Number of implemented affirmative measures for beneficiaries of marginalized groups and girls	List of beneficiaries of scholarships
II.2.10	<b>Providing financial support to students, Roma, Ashkali and Egyptians, at the level of upper secondary education.<sup>109</sup></b>	Q3/2023-Q4/2024	3,000	3,000	3,000	Kosovo Budget	MESTI MED	500 scholarships for Roma, Ashkali and Egyptian students, according to gender.  The number of girls from the Roma, Ashkali and Egyptian communities, who benefit from scholarships, within the framework of	Published invitations Lists of beneficiaries  Annual reports

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.



								affirmative measures.	
II.2.1 1	<b>Registration and financial support to learning centers (support to organizations/projects that run learning centers).</b> <sup>110</sup>	Q3/2023- Q4/2026	200	200	200	Kosovo Budget Donors	MESTI MED	<p>The inclusion of students from Roma, Ashkali and Egyptian communities in primary, lower secondary and higher education has increased.</p> <p>Number of registered and supported learning centers (supporting organizations/projects that run learning centers).</p>	<p>List published by MESTI for registered and supported learning centers</p> <p>MESTI Inclusion Reports</p>
II.2.1 2	<b>Support to students from Ashkali and Egyptian communities studying at the Faculty of Education</b> <sup>111</sup>	2023-2025	Planned in the strategy of MESTI	Planned in the strategy of MESTI	Planned in the strategy of MESTI	Government	MESTI MLGA	100 beneficiary students	Education Strategy 2022-2026
	<b>Total budget for the specific goal II.2:</b>		106.900	109,150	101,400				

<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

	<i>Of which capital:</i>		0	0	0					
	<i>Of which currently:</i>		106.900	109,150	101,400					
II.3.4	Specific goal: Support to the development, nurturing and preservation of cultural diversity, cultural and national identity of non-majority communities and intercultural dialogue									
1	Indicator: No. of organized cultural activities of non-majority communities	?				Organization of cultural activities of non-majority communities for the promotion of non-majority community values.				
No.	Action		Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
				2023	2024	2025				
II.3.1	Supporting awareness-raising and promotional activities/campaigns of the history and culture of non-majority communities.	2023-2025	5,000	5,000	5,000	MCYS	MCYS Municipalities	Number of completed campaigns	Strategy for the Advancement of the Rights of the Roma and Ashkali Communities in the Republic of Kosovo 2022-2026	
II.3.2	Support of authors from non-majority communities: literary publications, magazines	2023-2025	1,500			MCYS OCA	MCYS Municipalities	No. of the media that have benefited	Law no. 04/l-046 on Radio	

	in the languages of non-majority communities.					Municipalities Relevant institutions			Television of Kosovo
<b>II.3.3</b>	Supporting cultural, sports and youth activities for non-majority communities in our country and abroad.	2023-2025	5,000	5,000	5,000	MCYS OCA Municipalities	MCYS Municipalities	No. of activities that have been supported regarding the marking and celebration of the flag day of non-majority communities.	Regulation MoF - no - 04/2017 on the criteria, standards and procedures of public financing of NGOs
	<b>General budget for Specific goal III.1:</b>		11,500	10,000	10,000				
	<i>Of which capital:</i>		0	0	0				
	<i>Of which currently:</i>		11,500	10,000	10,000				
	<b>Total budget for the strategic goal II:</b>		<b>5,134.600</b>	<b>5,125.349</b>	<b>5,116.600</b>				
	<i>Of which capital:</i>		<b>5,000.000</b>	<b>5,000.000</b>	<b>5,000.000</b>				

	<i>Of which currently:</i>		134,600	125,349	116,600				
No.	Strategic and specific goals, indicators and actions		Core value		Interim goal [2024]	Last year's goal [2026]	Result		
III.	Strategic goal: Proportional representation of minority communities in public administration								
1	Indicator: % of employees from non-majority communities (reported based on communities)								
III.1	Specific goal: Establishment of a government body for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo								
1	Indicator: Establishment of a governmental working body for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo		0		1	1	The governmental working body established for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo		
No.	Action	Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
			2023	2024	2025				
III.1.1	The development of a cross-cutting study of the current situation	2023	2,000	-	-	MCR Donors	MCR	Completed analysis	Respective legislation on public officials

III.1.2	Establishment of a governmental working body for the development of the legal-institutional framework for the integration of non-majority communities in the public administration of Kosovo	2023	3,000	-	-	MCR Donors	MCR	Development of legal-institutional framework	Respective legislation on public officials
<b>Total budget for the specific goal III.2:</b>			8,000.00	-	-				
<i>Of which capital:</i>			0	-	-				
<i>Of which currently:</i>			8,000.00	-	-				
<b>III.2</b>	<b>Specific goal: Provision of legal and technical assistance for monitoring program implementation</b>								
<b>1</b>	<b>Indicator:</b> Advancing and defining the reporting methodology of all public institutions, as well as public access to reporting.								
No.	Action	Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
			2023	2024	2025				
III.2.1	Provision of legal and technical assistance for	2023-2025	-	-	-	MCR Donors	Assembly of Kosovo	Increasing the employment of	Relevant legislation

	monitoring program implementation						<p>Central governme nt (Governm ent and Ministries)</p> <p>Justice</p> <ul style="list-style-type: none"> <li>- All levels of judiciar y</li> <li>- All levels of prosecut ion</li> <li>- Ombuds person</li> <li>- Local govern ment (Munici palities)</li> <li>- Kosovo Police</li> <li>- Public enterpri ses</li> <li>- Internati onal organiz ations and</li> </ul>	communities in Kosovo Institutions	for public officials
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							institutions OPM MCR MIA		
	<i>Total budget for the specific goal III.3:</i>								
	<i>Of which capital:</i>		-	-	-				
	<i>Of which currently:</i>		-	-	-				
	<i>Total budget for strategic goal III:</i>		8,000	-	-				
	<i>Of which capital:</i>		0	-	-				
	<i>Of which currently:</i>		8,000	-	-				
No.	Strategic and specific goals, indicators and actions	Core value		Interim goal [2024]	Last year's goal [2026]	Result			
IV.	Strategic goal: Development of mechanisms and services for the use of languages								
1	Indicator: Advancement of mechanisms and services for the use of languages, providing adequate infrastructure for translation								
IV.1	Specific goal: Improving bilingual harmonization during the drafting of legislation in Kosovo								
1	Indicator: Advancing the actions of mechanisms related to bilingual harmonization during the drafting of legislation in Kosovo;								

No.	Action	Final deadline	Budget			Financial sources	Managing and supporting institutions	Output	References in documents
			2023	2024	2025				
IV.1.1	Establishment of a unit for translation, editing and harmonization	2023-2024	5,000	-	-	OPM OLC MCR	OPM OLC MCR	Established unit for translation, editing and harmonization	Law No. 02/L-37 on the use of languages
<b>Total budget for the specific goal IV.1:</b>			<b>5,000.00</b>	-	-				
<i>Of which capital:</i>			0	-	-				
<i>Of which currently:</i>			5,000.00	-	-				
<b>Total budget for the specific goal IV.1:</b>			<b>5,000.00</b>	-	-				
<i>Of which capital:</i>			0	-	-				
<i>Of which currently:</i>				-	-				
<b>Total budget for the Action Plan:</b>			<b>6,405.600</b>	<b>10,776.265</b>	<b>10,699.166</b>				
<i>Of which capital:</i>			6,000.000	10,239.913	10,474.166				
<i>Of which currently:</i>			405,600	536,352	225,000				



