



## UNHCR/OSCE Update on the Situation of Ethnic Minorities in Kosovo (Period covering February through May 2000)

### Executive summary

Security remains the overriding concern for ethnic minorities in Kosovo. This fifth joint UNHCR/OSCE report examines security trends and incidents affecting minorities from February through May 2000. The report also looks beyond the question of security, to focus principally on ways in which lack of security and freedom of movement, as well as such issues as language policy, cause many minorities to be sidelined from Kosovo society in almost all aspects of life. The report examines health care, education, social welfare, public utilities, and other public services, issues which do not catch the headlines, but which illustrate the complexity of the nature of minority protection, and the necessity of paying close attention to minority needs in all aspects of Kosovo's administration. The report comes at a time when notable improvements in minority participation in political structures are taking place, including provisional Kosovo Serb participation in the Joint Interim Administrative Structure, increased dialogue between Kosovo Roma, Ashkaelia, and Egyptian leaders and Kosovo Albanian leaders, and the nomination of a Kosovo Roma representative to sit on the Kosovo Transitional Council. However, it also comes at a time when security problems for minorities continue to be highlighted by incidents of harassment, intimidation, arson, assault, kidnapping, and murder.

Lack of security and freedom of movement remain the fundamental problems affecting minority communities in Kosovo. Criminal activity remains unacceptably high, with a continued shortfall in UNMIK Police staffing, and the lack of a properly functioning and impartial judicial system. Crime continues to affect minorities at levels disproportionate to their numbers. Serbs, who are the hardest hit, were identified as the victims in 105 incidents of arson, 49 incidents of aggravated assault, and 26 incidents of murder reported throughout Kosovo between 30 January and 27 May 2000. In contrast, Albanians, with a significantly larger population, were identified as the victims in 73 incidents of arson, 90 incidents of aggravated assault, and 52 incidents of murder reported during the same period. Of particular concern is the situation in the Gnjilane/Gjilan Region, where a spate of bombings and shootings against Serbs has left many dead, and has led to an overall escalation of violence. In Kosovo Polje/Fushe Kosove and Obilic/Obiliq, there was a significant increase in arson against Serb and Roma property during the past months. The situation in Kosovska Mitrovica/Mitrovice, which was the focus of attention at the beginning of the reporting period, also continues to be of concern, and it is not yet clear whether the establishment of a confidence area in the middle of the divided town will lead to major improvements.

With continued violence and harassment, freedom of movement for many minorities, primarily Serbs and Roma, remains restricted. The KFOR-escorted UNHCR bus lines, which

have helped thousands of people to move beyond the limited confines of their enclaves, were suspended during a large part of the reporting period due to the 2 February rocket attack against one of them, which left two Serb passengers dead and three injured. Most of the lines have now resumed, and KFOR continues to escort commercial buses and convoys of private vehicles. The reality remains that Serbs and Roma in practically every location in Kosovo require a security escort to venture beyond the limits of their immediate surroundings.

**Language policy** has significant consequences on the ability of minorities to participate in public life and access necessary services. While applicable law guarantees the equality of Albanian and Serbo-Croatian languages, as well as Turkish in areas populated by Turks, language policy in practice is far from uniform. The non-simultaneous use of official languages on public documents as well as simply the exclusion of the minority languages in many cases has created added difficulties for minorities.

**Access to health care** remains a problem for many minorities, and serves to separate them from the rest of Kosovo society. Although there are some examples of shared health care facilities, many minorities, and particularly Serbs, must rely on health care services obtained outside of Kosovo's normal health care system. Such services are provided specially by international organisations and KFOR or, in the case of Serbs, often obtained in Serbia proper. All of these options are problematic, with the former being unsustainable, and in some cases inadequate, and the latter encouraging departures from Kosovo.

**Access to education** is a similar problem, in terms of the reliance of minorities on separate systems. Shared educational facilities are still not the norm, with many minority children attending separate schools from the majority population, and requiring security escorts to reach them. In addition to inadequacies in space and equipment, the issue of a common curriculum remains to be addressed. Roma, Ashkaelia, and Egyptian communities particularly suffer from a lack of access to education, and children in these communities largely do not attend secondary school due to both external factors and pressures from within their communities.

**Social welfare services, public utilities, and other public services** are being put in place at a time when obstacles to freedom of movement block minorities from inclusion through the normal systems. As systems are being developed, language problems, and the difficulties in reaching a population which is unable to visit offices located in majority areas are becoming increasingly evident.

Given this situation, *it is essential that the international community find creative and practical ways to ensure that minorities have full access to public services in Kosovo.* The report concludes with a list of recommendations to this effect, stressing the overall point that the onus must be on the providers of the public service systems themselves to ensure minority access.

## Introduction

1. The fourth joint UNHCR/OSCE assessment on the situation of ethnic minorities in Kosovo provided a comprehensive overview of the main issues of concern with respect to the effective protection of remaining minority groups. In addition, it included a municipality by municipality assessment of each minority community in Kosovo. In this fifth report, we concentrate on the question of access to services. As Kosovo moves towards re-establishment of basic services in such areas as health care, education, social welfare, and public utilities, the question of minority access comes to the fore. We highlight the difficulties encountered by minorities in accessing basic services and underline the need for innovative responses to overcome these difficulties, making practical suggestions as to how this can be achieved.
2. The overall security situation and the resulting limitations on freedom of movement continue to be the major stumbling blocks inhibiting a return to normality for minority groups. Regrettably, violence continues to be a prominent feature of minorities' everyday lives. Even against a backdrop of steadily falling crime rates minorities remain victims of crime at levels disproportionate to their numbers. Incidents of violence are cited in this report as illustrative of the gravity of the situation facing minority groups. However, documentation of incidents of physical violence and intimidation against minority groups does not alone illustrate the complexity of the challenge of minority protection. It is necessary to look beyond the violence and concentrate on its effects in order to get a broader picture of the magnitude of problems facing minority communities across the province.
3. The rights assessed in this report are indivisible. Without basic security and freedom of movement, exercise of other rights becomes difficult or impossible. While some improvements in access to primary health care have been noted, these improvements are largely due to provision of special services, not because of improved access to general medical facilities. Separate provision of services by a range of international agencies continues to fill the gap. Roma continue to be particularly affected by problems of access to education. While some progress has been made in Leposavic/Leposaviq, in villages in the Pec/Peje region, and in Gnjilane/Gjilan, Roma children remain outside the system in many locations. The right to work remains an impossibility for many minorities, although unemployment impacts heavily also on the majority population. Exercise of civil and political rights, just as economic, social and cultural rights, remains limited.
4. In looking at access to basic services, the divisions within Kosovo society become strikingly clear. For many communities, we see the continuation of essentially two societies, separate from one another in almost all aspects of life. This is not new to Kosovo (it has been the pattern for the past ten years) but since June 1999, the modality of the separation has changed. Instead of relying on unofficial parallel systems for such services as health care and education, Albanians now dominate official public life and control normal public services. (The exception is, of course, the northern Serb-controlled municipalities, where the situation remains much as it had been over the past ten years, and where Albanians constitute a minority.) Minority groups now find themselves excluded from public life in many ways, and unable to access necessary services through the normal systems. The causes are multiple, including lack of security and freedom of movement, language barriers, discrimination, and intolerance. The end result is that

minorities must often rely on services provided specially by international organisations and KFOR, or those obtained from outside Kosovo.

5. The division is still primarily between Serbs and Albanians, with Kosovo's other ethnic groups falling somewhere in between. In many cases, these groups can rely on one system or another to access necessary services, but they are very conscious of the fact that their choices are perceived as signs of political loyalty. Roma, Ashkaelia, and Egyptians continue to face discrimination and intolerance. Roma and Muslim Slavs suffer from the fact that Serbo-Croatian<sup>1</sup> is generally their primary language, which often causes them to be mistaken for Serbs or serves to reinforce perceptions of their political loyalties, leading to harassment, violence, and discrimination.
6. It is essential that the international community institute policies to ensure full access to essential services by all Kosovars. Such policies must recognise existing barriers to freedom of movement. They must seek flexible ways to provide services in spite of these barriers, relying on outreach services where necessary, until freedom of movement can be restored. A common language policy must be instituted, addressing the rights of groups to preserve their linguistic and cultural identities and participate in public life in a practical way. Public enterprises must enforce codes of conduct incorporating basic principles of ethnic tolerance and respect, and must ensure equitable representation of minorities among their staff. The divisions within Kosovo society will not be easily overcome in the short term. It is, however, the responsibility of the international community to create structures which guarantee the inclusion of all Kosovars, while at the same time working to bridge the gaps between them and move towards mutual co-existence.

### **Access to political structures**

7. Notable improvements have been made with respect to minority participation in Kosovo's political structures. As the interim administrative structures are gradually being developed and assuming greater responsibility for the day-to-day running of the province, the participation of minority populations in their development and operation is crucial. In early April, the Kosovo Serbs, as represented by the Serb National Council in Gracanica/Ulpiana, ended their boycott of the Joint Interim Administrative Structure (JIAS). They nominated one person to sit on the Interim Administrative Council (IAC), three persons to sit on the Kosovo Transitional Council (KTC), and one person to co-head of the Department for Agriculture (pending a second nomination to co-head the Department of Labour). The nominees took up their positions shortly thereafter. It should be noted that the Serb National Council in Gracanica/Ulpiana limited their participation to observer status for a period of three months, after which they will determine their further long-term participation. They have made it clear that this will largely depend on measurable improvements in the overall situation for Kosovo Serbs, with particular reference to their security situation, progress in the return process, and a number of other issues. The Serb National Council in Kosovska Mitrovica/Mitrovice, however, has not agreed to participate, and the seat reserved for them on the KTC remains vacant.

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<sup>1</sup> In this report, the term "Serbo-Croatian" will be used to refer to all of the regional variants of this language, which has now been split into Serbian, Croatian, and Bosnian in both popular usage and in the official terminology of the constitutions of Serbia, Croatia, and Bosnia.

8. During the course of the reporting period, a number of humanitarian round table discussions, held under the auspices of UNHCR, provided Kosovo **Roma, Ashkaelia, and Egyptian** leaders with the opportunity to discuss issues of common concern, both amongst their constituent groups and also with the leadership of the main Kosovo Albanian parties. This process has resulted in the adoption of a Joint Platform of Action, endorsed by the IAC and the KTC on 28 April, which places the concerns of the Roma, Ashkaelia and Egyptian communities firmly on the agenda of the IAC, KTC, and other joint interim administrative structures. The over-riding goal of this programme is to promote the full and active participation of the Roma, Ashkaelia and Egyptian communities in Kosovo society. At the same time, UNMIK and OSCE have undertaken an initiative to increase representation by Roma, Ashkaelia, and Egyptians in Kosovo political structures. On 11 May, Roma community representatives from around Kosovo met and elected a Roma representative to participate in the KTC. This is a major step forward, and will hopefully soon be followed by the election of a representative of the Ashkaelia and Egyptian communities to join the KTC.

### **General security situation**

9. **Deployment of UNMIK Police** has now reached a high point of some 3,030 personnel<sup>2</sup>, as compared to only 1,970 at the release of our previous report. This represents a marked improvement in terms of staffing capacity to respond to the multitude of policing needs, but the number of available officers continues to fall short of the 4,718 authorised. The number of local police officers (Kosovo Police Service) continues to increase steadily as cadets graduate the OSCE police training school and proceed to their on-the-job training under the tuition of UNMIK Police international officers. Of the 798 graduates to date of the police training school, 95 are members of minorities, and 71 members of minorities are currently studying at the school. Co-operation between UNMIK Police and KFOR on policing matters continues, as the former have not yet assumed primacy in all areas of Kosovo.
10. **Criminal activity in Kosovo** remains unacceptably high, and continues to affect minority groups disproportionately more than the majority community, based on population sizes. The lack of a functioning impartial judicial system continues to stand in the way of the establishment of the rule of law in Kosovo, and to allow crimes to be committed, especially against minorities, with a large degree of impunity. Kosovo-wide, rates of reported crimes peaked during the first week of February, with the violence and unrest in Kosovska Mitrovica/Mitrovice, and then peaked again at the end of March and the beginning of April. During both peaks, the number of reported major offences<sup>3</sup> committed against minorities actually exceeded those committed against the majority Albanian community. In terms of the proportion of the population affected by major offences, minorities remained disproportionately more affected throughout the reporting period, and quite seriously so during those peaks.
11. In terms of the types of **major crimes affecting minorities**, arson was by far the most prevalent during the reporting period. Between 30 January and 27 May 2000, there were 105 reported cases of arson committed against Serbs, 20 against Roma, and 5 against Muslim Slavs. In comparison, there were 73 cases against Albanians and 40 cases

<sup>2</sup> As of 28 May, there were 3,032 UNMIK Police personnel deployed, and a total of 3,630 in Kosovo.

<sup>3</sup> Major offences are defined here as: murder, kidnapping, arson, looting, attempted murder, attempted kidnapping, and aggravated assault.

against persons of unknown ethnicity. Arsons committed against minorities were mostly carried out in the Pristina/Prishtine Region, and to a lesser extent in the Gnjilane/Gjilan Region, and elsewhere. The next most prevalent major crime affecting minorities was **aggravated assault**, with 49 reported cases committed against Serbs, 2 against Roma, 2 against Muslim Slavs, 90 against Albanians, and 9 against persons of unknown ethnicity between 30 January and 27 May. The third most prevalent major crime affecting minorities was **murder**, with 26 reported cases committed against Serbs, 7 against Roma, 2 against Muslim Slavs, 52 against Albanians, and 8 against persons of unknown ethnicity between 30 January and 27 May. Grenade attacks appear to particularly affect minorities, but statistics are not available to track the occurrence of such attacks specifically, nor to compare their occurrence based on the ethnicity of the victim. Looting has almost disappeared from the crime statistics with only 3 cases noted in February, none in March, 2 in April, and 1 in May. This may be attributed to a degree of underreporting or simply reflect the reality that there is little left to loot from abandoned properties.

### **Security issues in each region**

12. The situation of particular concern at the beginning of the reporting period was again **Kosovska Mitrovica/Mitrovice**. A wave of attacks on Albanians, Muslim Slavs, and Turks in northern urban Mitrovica on the night of 3 February left eight dead, and prompted a large-scale exodus of minority families (in this case, non-Serbs) from their homes in the North. Over the following weeks, harassment and violence against minorities in northern urban Kosovska Mitrovica/Mitrovice continued, and over 1,700 Albanians, Muslim Slavs, and Turks fled from the North to the South between 2 February and 20 February. Many of those who remained found themselves largely confined to their homes, surviving on their remaining food or that which neighbours brought to them. The confidence area established in the centre of Kosovska Mitrovica/Mitrovice has not stopped the violence and demonstrations that have long typified the situation in this divided city, which flared again at the end of April. Recognising that calm in such a situation cannot be restored overnight, it is too early to say whether the continued efforts to secure and expand the confidence area will improve the situation in the medium term.
13. In the **Serb enclaves** in rural Kosovska Mitrovica/Mitrovice, **Vucitrn/Vushtrri** and **Srbica/Skenderaj** Municipalities, security generally deteriorated in the beginning of February, and communities became increasingly isolated with the suspension of the two UNHCR bus lines and the UNMIK train service (intermittently suspended) which linked these enclaves to northern Kosovska Mitrovica/Mitrovice. The Serb communities in Banja/Banje and Suvo Grlo/Suhogerlle were especially shaken by the 2 February rocket attack on the UNHCR bus, which killed two of their members and wounded three, dramatically highlighting the risks in travelling out of the enclave. Fears were further raised when two grenades were thrown at a Serb house in Suvo Grlo/Suhogerlle on 4 February. The same day, a grenade attack was carried out against two Serb houses in Svinjare/Fraseri i Madh, rural Kosovska Mitrovica/Mitrovice Municipality, injuring one of the Serb occupants. KFOR has is looking into ways of improving security in these enclaves, but problems have continued, including the 19 May murder of a Serb man in Gojbula/Gojbuje, Vucitrn/Vushtrri Municipality.

14. At the end of the reporting period, signs of increased violence and increased retaliation became evident in the south-eastern municipalities of the Gnjilane Region, most particularly in **Vitina/Viti**. Concern here focuses both on the increased number of attacks and on the minority response; early signs are that this response is itself increasingly violent. Vitina/Viti remains of critical concern and Kosovo Serbs continue to call for improved security, threatening and carrying out retaliation where no improvements are seen. On 1 April, a Serb man was shot and wounded near his home in Vrbovac/Urbocf by Albanians in a passing car. There was also a continued trend of attacks with explosives on Serb property and on Serb property recently purchased by Albanians. An explosion in a recently purchased Serb house on 18 April injured a four-year-old girl, and an explosion on 24 April destroyed a Serb house. On 30 April, a Serb man was injured when an incendiary device was thrown into his yard. On 28 April, the Serb Orthodox church in Grncar/Gerncare was blown-up by an anti-tank mine rigged to a timing device. The attack only narrowly missed harming some 150 Serbs because the Easter Friday Mass, initially planned to begin at exactly the time when the mine exploded, had been postponed for an hour. On 4 May, an explosive device partially destroyed a Serb home in Vitina/Viti Town, injuring one of the Serb women inside. On 6 May, a Serb man was shot and killed while fishing near the village of Klokot/Kllokot. On 7 May, a Serb family was attacked by gunfire at while eating dinner in their home in Vitina/Viti Town, badly wounding a woman, a man, and a young girl, and lightly wounding another man. On 15 May, an explosion damaged a Serb house in Binac/Binaq. On 24 May, a fifty-one-year-old Serb man was shot three times and killed in Vitina/Viti Town.
15. In **Urosevac/Ferizaj** Municipality, there was an increase in reported attacks and intimidation against Ashkaelia in the Halit Ibishi neighbourhood of Urosevac/Ferizaj Town, leading to an increased focus on developing better links between UNMIK Police and the community there. The security situation for Ashkaelia in Dubrava/Dubrave village also deteriorated, with a series of shootings, bombings, and physical harassment from 5 to 11 March.
16. Tension rose in **Strpce/Shterpce** Municipality in March with increased pressure for displaced Albanians to return to formerly mixed villages there. After a clash on 12 March, in which a number of Albanian cars were damaged, Albanians disrupted the regular KFOR-escorted convoy of Serbs out of Strpce/Shterpce on 14 March. Since then, however, assessment visits and initial Albanian returns have occurred without major incidents.
17. The security situation in **Gnjilane/Gjilan** Municipality was characterised by continued murders, grenade attacks, arson, and other violence against the remaining Serbs, both in the town and in the rural enclaves. As in Kosovo Polje/Fushe Kosove, the influx of Albanians displaced from southern Serbia increased pressures on Serbs, particularly in Gnjilane/Gjilan Town. Over sixty Serb families sold their houses in Gnjilane/Gjilan Town and moved to Serbia proper between 1 March and 30 April, and it appears that the trend is continuing. Violent incidents in Gnjilane/Gjilan Town included the murder of a sixty-two year old Serb man, who was shot to death in his apartment in front of his wife by three masked individuals on 4 February, and the murder of a prominent Serb doctor, who was shot to death on 16 February. Another Serb was murdered on 9 April by an Albanian posing as an interested house-buyer. A grenade thrown at a Roma house in

Gnjilane/Gjilan, seriously injuring an elderly Roma woman on 27 April, was the first attack of its kind in this Roma neighbourhood since September 1999, and has thus been noted with some alarm. In rural Gnjilane/Gjilan, a Serb man was shot to death while tending his field in Pasjane/Pasjan on 29 April, and a grenade attack caused serious injury to a Serb in Cernica/Cernice on 5 April. Ten Serb families departed Gornji Makres/Makresh in the middle of March, following threats to the Serb community there. Harassment of Serbs in Paralovo/Parlllove continued to be reported. On 9 May, a grenade was thrown into a Serb store in Cernica/Cernice, injuring six Serbs. On 28 May, three Serbs, including a young child, were killed and two were wounded in a drive-by shooting within 100 metres of KFOR troops in Cernica/Cernice.

18. In **Novo Brdo/Novoberde** Municipality, the last remaining Serb in Klobukar/Kllobukar was stabbed in the chest on 14 February, and her body was discovered the next day in her burning house. Eleven Serb families from villages in Novo Brdo/Novoberde fled to Serbia following a shooting incident and the burning of two barns in Sumaci on 28 March. Against this background, the Administrative Board and Municipal Council continued to function with mixed membership of Serbs and Albanians. The situation since the March outflows was relatively calm until the end of May. At that time, however, the Kosovo Serbs began to complain that low-level harassment of their community continued and they threatened to break off participation in the municipal administration if this harassment was not addressed. However in light of the continued mixed representation in the municipal government, Novo Brdo/Novoberde could benefit from projects and investments supportive of both communities that improve quality of life and income generation.
19. In **Kosovska Kamenica/Kamenice** Municipality, an elderly Serb man was attacked and injured in his home in Rajanovce/Rajnoc by a group of men on the night of 7 February. Sixteen Roma families departed from Ogoste/Ogoshte at the end of February, after receiving threats from Albanians displaced from southern Serbia. Displaced Albanians subsequently occupied two of the houses. Concern over the situation on the internal boundary with Serbia proper continues; while the situation was relatively quiet during April, the reported killing of 2 Albanians on 21 April and subsequent incidents during May have increased tension once more.
20. In **Pristina/Prishtine** Town, the remaining Serb population continues to be largely confined to their apartments, harassment continues to be reported, and families continue to depart. On 3 April, the body of a Serb man was found, bound and shot, in the Grmija neighbourhood of Pristina/Prishtine Town. In rural Pristina/Prishtine Municipality, a Serb farmer was murdered while tending his fields in Donja Brnjica/Bernica e Poshteme on 11 March, and a Serb man was found shot to death near Gračanica Lake on 22 April. On 15 May, a Serb UNMIK staff member was found dead in Rimaniste/Rimanishte, after having been apparently abducted and stabbed to death the week before while carrying out his work in Pristina/Prishtine. On 24 May, a Gorani woman was shot and wounded by an Albanian youth in the centre of Pristina/Prishtine, reportedly because she could not speak Albanian. A Serb man was found dead in **Podujevo/Podujeve** Municipality on 18 February, with gunshot wounds to the mouth and eye, and with a car seatbelt wrapped around his neck and his identity card pinned to his chest. His car had apparently been forced off the road while he was attempting to return from Serbia to a village in southern Pristina/Prishtine Municipality.



21. There are indications that the arrival of displaced Albanians from southern Serbia has increased pressure on Serbs in **Kosovo Polje/Fushe Kosove**, and there has been a significant rise in arson against Serb houses in both Kosovo Polje/Fushe Kosove and **Obilic/Obiliq**. Serbs in Kosovo Polje/Fushe Kosove are increasingly selling their property. At least fourteen Serb houses, one Serb shed, and two Roma houses in Kosovo Polje/Fushe Kosove, and eleven Serb houses and one Serb garage in Obilic/Obiliq were set on fire between 1 February and 28 May. In some cases, houses were robbed before being burnt, and in other cases, houses which had been partially destroyed in previous attacks were burnt to the ground. In one case, a Serb family's house was burnt while they were visiting their next door neighbour. Serb houses in Obilic/Obiliq and Kosovo Polje/Fushe Kosove were also looted and subject to grenade and rocket attacks on a number of occasions, including a 26 May grenade attack which injured five Serbs. On the latter occasion, the grenade attack was followed by demonstrations by local Serbs. On 7 March, Albanian rioters smashed scores of Serb windows in Obilic/Obiliq Town, and on 12 March, a tent set up by UNICEF as a temporary school for Ashkaelia children in Kosovo Polje/Fushe Kosove was burned down. On 20 May, a fifty-one-year-old Serb man was shot twice and badly injured while tending his cows near Babin Most/Babimoc.
22. In **Lipljan/Lipjan** Municipality, Serbs, Roma, and Ashkaelia faced continuing harassment and violence, including a number of grenade attacks, arson, shootings, and intimidation. At the 18 February opening of a school for Albanian and Ashkaelia children in Mali Alas/Hallac i Vogel, the Ashkaelia leader and the potential Ashkaelia pupils were attacked by a crowd of Albanians and forced to flee in the presence of KFOR. On the same day, two Serb men were murdered while collecting firewood in Donja Gusterica/Gushterice e Ulet, increasing fears and outrage in the Serb community there. Attacks on Croat and Roma houses in Janjevo/Janjeve increased during March, after the removal of the permanent KFOR presence there, and subsequently decreased when the presence was re-established. Serious incidents of violence against minorities then appeared to diminish, until on 26 May, an Albanian struck a Serb with an axe in Dobrotin/Mirate, which sparked violent protests by the Serb community in the area. In Lipljan/Lipjan Town, the continued pattern of harassment against Serbs by Albanian children has not ceased; verbal abuse, stone throwing, and vandalism, particularly directed against the elderly, remain evident.
23. Security concerns of Roma and Ashkaelia in **Stimlje/Shtime** Town were noted, including a grenade attack on a Roma house on 10 February. An Ashkaelia man went missing from Stimlje/Shtime Town in mid-March, and was found murdered in Urosevac/Ferizaj Municipality.
24. In **Prizren** Town, there was a continuing trend of arsons and grenade attacks, mainly against vacant Serb houses and occupied Muslim Slav houses and businesses. The trend was punctuated by a number of brutal murders and assaults, such as the killing of a Muslim Slav on 11 February and the beating of an elderly Serb woman in her home on 28 March, which resulted in her death. In the latter case, a threatening letter found at the woman's home suggests that the attack was premeditated. Against this, Roma Day celebrations took place in April, bringing Roma in traditional dress out in public. There are some early signs in Prizren that the situation of Roma may be easing slightly. In the Zupa valley, tensions recently rose in the village of Drajcici/Drajciq over the issues of language of instruction in the Muslim Slav school and possible Serb returns.

25. In **Gora/Dragash** Municipality, a prominent **Gorani** man was murdered on 10 February, and there were continued reports of house burnings and intimidation against Gorani. On 1 May, an explosion badly damaged a Serb-owned house in Dragas/Dragash Town after the owner had reportedly received a threatening phone call. The community remains concerned about smuggling over the border with Albania. Initiatives to develop dialogue between Gorani and Albanian village representatives in the municipality are still being developed. Lack of investment and income generating projects remain a problem in this area.
26. In the Serb enclaves of **Orahovac/Rahovec** and **Velika Hoca/Hoce e Madhe**, the suspension of the UNHCR bus service between Orahovac/Rahovec and Kosovska Mitrovica/Mitrovice caused a build-up of pressure within the community. There were three grenade attacks on 12 March, two targeting Serb houses and one targeting a Roma house. A shooting incident on 10 April, and fires in three houses on the edge of the Orahovac/Rahovec enclave on 11 April brought tensions to their peak, with the Serb community threatening to abandon the enclave *en mass*. (Although the 11 April fires may have resulted from electrical faults, they nonetheless affected perceptions of security.) However, with the resumption of the bus service on 26 April, and the beginnings of reconciliation initiatives between the Serb and Albanian leadership, the situation has calmed somewhat.
27. In **Pec/Peje** Municipality, there was an increase in violence from March to April. Attacks were carried out on Roma, Egyptians, Muslim Slavs, and Serbs. Among the more serious incidents were the murder of an elderly Egyptian woman and two Egyptian teenagers near Ljesane/Leshan on 8 April, and the murder of a Roma man in the Pec/Peje market on 15 April. An alarming trend in mortar attacks included five mortar rounds which impacted near a group of Roma houses in the Gorazdevac/Gorazhdec enclave on 10 March, and nine more which impacted in the enclave on 22 April. On 26 April, a Muslim Slav in Vitimirica was attacked with a hand grenade. In neighbouring **Decani/Decan** Municipality, mortar rounds impacted near the Serb Orthodox monastery on 27 February, and four mortar rounds were launched at a Muslim Slav house in Donji Streoc/Strelc i Poshtem on 26 March.
28. In **Djakovica/Gjakove** Town, there was a notable increase in crime during March and April, which appeared to disproportionately affect Roma and Egyptian communities. As elsewhere in Kosovo, the targeting of these minorities appeared to be partly for ethnic or political reasons, and partly for material gain, taking advantage of the fact that repercussions would be unlikely. The largely Egyptian Brekoc neighbourhood was the scene of much of this crime, including night-time shootings, house burnings, and thefts. By the end of April, however, the security situation appeared to be improving.
29. Residents of the Serb enclave in Crkolez, **Istok/Istog** Municipality, continue to have security problems. They complain in particular of intimidation, lack of freedom of movement, and arson, including the 14 March burning of a Serb house. There are also reports of violence and harassment directed at the non-Serb minorities scattered around Istok/Istog Municipality. Muslim Slav houses in Dobrusa/Dobrushe were subject to grenade attacks on 19 March and 16 April. On 27 March, a Roma man was found strangled to death in Istok/Istog.

30. During March, it appeared that Roma settlements in **Klina/Kline** Municipality, especially those in Klinovac/Klinefc village, faced an increase in threats and insecurity, causing KFOR to increase patrols. On 25 February, two Roma children were attacked by young men while waiting at a bus stop in Klina/Kline Town, in front of a number of onlookers. The men dragged one of the children, eleven years old, to a bridge, beat him, and then threw him into the Klina/Kline River. The child was rescued and survived. When two of the men were arrested, they reportedly justified their actions by explaining that the child was Roma and was not from Klina/Kline.

### **Freedom of movement**

31. **Lack of freedom of movement** is the end result of all the cumulative violence affecting minorities, and continues to prevent many minority groups from exercising their basic human rights and accessing public services. Serbs and Roma are most affected, but other minority communities find their movement restricted as well. In the worst cases, minority populations remain trapped in their enclaves or even in their homes, unable to venture out without a heavily armed escort.
32. In the wake of the fatal 2 February **attack on a UNHCR bus** facilitating freedom of movement for isolated Serbs in the Kosovska Mitrovica/Mitrovice area, all such bus services province-wide were suspended, pending investigation and a comprehensive security review. This suspension left many people without a regular and reliable means of transport. The UNHCR buses had helped people to move beyond the limited confines of their enclaves and regain something of a sense of normality.
33. UNHCR was able to reinstate services in the Pristina/Prishtine and Gnjilane/Gjilan areas by 7 March and 14 March, respectively, following the completion of a comprehensive security review. In both areas, the number of passengers using the service once it recommenced increased significantly over the numbers using it before the suspension. This is a clear illustration of the importance of such services in maintaining a lifeline to isolated minority communities. **Resumption of the UNHCR bus service** linking the Serb enclave in Orahovac/Rahovec to Serb-inhabited areas in northern Kosovo took considerably longer due to the complex security concerns affecting this line. Only in late April was substantive progress made, allowing the first shuttle to run between Orahovac/Rahovec and Zvecan on 26 April, carrying 42 passengers. This line now runs weekly, although it was temporarily suspended for a week on 24 May due to the tense security situation. One of the UNHCR bus lines linking Serb enclaves in Vucitrn/Vushtrri with northern Kosovska Mitrovica/Mitrovice has just resumed in the middle of May, but the other two previous lines in the Kosovska Mitrovica/Mitrovice area remain suspended due to the tense situation there. All UNHCR lines currently operating continue to depend on KFOR escorts to safeguard the security of the passengers.
34. KFOR also continues to provide security escorts to commercial bus lines servicing Serb and Roma communities and to convoys of private vehicles moving in and out of Serb and Roma enclaves. This enhances the possibilities for freedom of movement, but the reality remains that Serbs and Roma in practically every location in Kosovo require a security escort to venture beyond the limits of their immediate surroundings.

35. **The problem of limited freedom of movement is not simply one of mobility.** The psychological and social consequences cannot be solved only by the provision of buses under escort. The long term effect of lack of freedom of movement is that many minority populations are sidelined, confined to their enclaves, and excluded from society as a whole. This is occurring in Kosovo at a time when civil society is being rebuilt and a whole range of administrative structures and services are being re-established. Without freedom of movement, income generation and access to the most basic of public services becomes a difficult endeavour. Many minorities can no longer access jobs, and they can no longer bring agricultural produce to mills or markets. In many cases, they cannot even access large tracts of their own land, and must reduce their planting and cultivation. Many minorities cannot visit central offices to obtain social welfare entitlements, or obtain civil documents, or even pay for utilities.
36. Silovo/Shillove, a Serb village in Gnjilane/Gjilan Municipality, serves as an example of the effects which limited freedom of movement can have on all aspects of life. Silovo/Shillove is a fairly typical rural Serb enclave, with an estimated population of 1,500 to 1,600 persons. Residents of Silovo/Shillove can no longer travel to Gnjilane/Gjilan Town, their main area of previous employment, without KFOR escort. They can only safely cultivate fields close to the village, no longer accessing those farther away, and the village is therefore dependent on humanitarian aid. Residents who require medical treatment beyond the primary care provided by the local ambulanta must travel to the hospital in Vranje, Serbia, as they cannot safely access health care in Gnjilane/Gjilan Town. Children who wish to attend secondary school must travel with KFOR escort to the school in a neighbouring village. Students who wish to attend university must go to Serbia proper. Residents can only access local municipal structures with KFOR escort or through the intervention of international organisations. Residents more often travel with KFOR escort to Vranje, Serbia, in order to finalise real estate contracts, access the land register, death certificates, birth certificates, wedding certificates, property documentation, driving licenses, and identity cards. In this way, Silovo/Shillove is essentially forced to subsist independently from the rest of society in Kosovo.
37. The enjoyment of freedom of movement in conditions of safety and dignity for all of Kosovo's residents must be re-established over time. Meanwhile, in providing services to the general public, the onus is on the international community and the local structures of administration to come up with flexible and innovative responses that recognise the fact that freedom of movement is not guaranteed for all and take this into account in proposing solutions that favour and facilitate the inclusion of minority populations as opposed to excluding them or simply ignoring them. Such responses need to be appropriate to the current situation, and will need to be developed and adapted as the situation changes. There are many steps which could immediately be taken, which require few extra efforts or resources. Others may be labour intensive, cumbersome or costly, but ultimately essential to ensuring the rights of minorities in Kosovo.

### **Language**

38. The question of use of official languages is one example of the complexity of the task facing the international community in terms of guaranteeing mutual respect for the different languages used by minority groups in Kosovo. Public usage of Serbo-Croatian and to a lesser degree other minority languages continues to be a risky venture. UN

security officers still advise incoming international staff not to speak Serbo-Croatian or other Slavic languages on the street for their own safety.

39. At an official level, the 1977 Kosovo “**Law on the realisation of the equality of languages and alphabets**” (currently considered as applicable, based on UNMIK Regulations No. 1999/24 and 1999/25). **guarantees the equality of Albanian and Serbo-Croatian languages, as well as Turkish language in areas populated by Turks.** The law provides that official decisions and announcements, education and public signs should be in Albanian and Serbo-Croatian, and in Turkish in areas of Turkish population. In addition, judgements, decisions, and other written documents of the courts and public prosecutors’ offices are to be delivered in the mother tongue of the concerned party. Written requests and complaints to state organs, as well as replies thereto, are to be in the mother tongue of the citizen concerned, be that Albanian, Serbian-Croatian or Turkish.
40. In practice, however, **language policy is far from uniform.** UNMIK Regulation No. 1999/1 states that all regulations shall be issued in Albanian, Serbian, and English. Within the sphere of education, the policy tends towards the recognition of five languages: Albanian, Serbian, “Bosniac”<sup>4</sup>, Turkish and Roma. The practice within the sphere of public utilities is contradictory: the Post and Telecommunications Section of the Department of Economic Affairs and Natural Resources opts for a trilingual English/Albanian/Serbian system for their official documents<sup>5</sup>, while KEK, the electricity company, favours a separate English/Albanian and English/Serbian billing system. Similar confusion and lack of consistency has cropped up in other areas, with reports received of court documents, including summonses, being issued only in Albanian.
41. The question of language usage is far from simple. The acceptance of a number of official languages is one tangible means of evidencing the acceptance of the majority population of the rights of minority populations. Moreover, UNMIK has an obligation to endeavour to accept multiple official languages not only under the applicable Kosovo law, but also under the applicable international law<sup>6</sup>. **The practicalities of multi-language use, however, are fraught with difficulties. There is an urgent need for UNMIK to adopt a formal position on the question of official language and to take practical steps to ensure that a standard and workable policy is applied province-wide.** This

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<sup>4</sup> The term “Bosniac” language, which has been adopted in current education policy, is often used to describe the variant of Serbo-Croatian spoken by Bosnian Muslims. It is fairly similar to the variant known as Bosnian, but presumably includes various expressions and words more commonly used by Bosnian Muslims than other ethnic groups in Bosnia.

<sup>5</sup> Department of Economic Affairs and Natural Resources Decision No. 1999/1 of 29 October 1999.

<sup>6</sup> Article 10(2) of the European Framework Convention for the Protection of National Minorities provides that: “[i]n areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to the real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.” Article 1 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities establishes that “States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their territories and shall encourage conditions for the promotion of that identity. States shall adopt appropriate legislative and other measures to achieve those ends.” Article 33 of the CSCE Copenhagen Document provides that “States will protect the ethnic, cultural, linguistic and religious identity of national minorities on their territories and create conditions for the promotion of that identity. They will take all necessary measures to that effect after due consultations, including contacts with organisations or associations of such minorities, in accordance with the decisions-making procedures of each State.”

has cost implications which donors must be made fully aware of and requested to support.

### **Health care**

42. **Access to adequate health services** has remained a major preoccupation for **minority populations** in Kosovo. Most communities can access primary health care locally, but difficulties arise when further care is needed. Minorities may simply not be able to safely travel to the necessary hospital without a KFOR or UNMIK Police escort. Even when escort is provided, minority patients and their families often have justifiable fears for their safety while in the hospital and are therefore reluctant to avail of public health services outside of their enclaves. The incidents of disappearances from Pristina/Prishtine hospital which occurred in June and July of 1999 serve to reinforce fears, and the whereabouts of several Serb patients remains unresolved to date.
43. **Hospitals themselves may restrict admission or discriminate** in the treatment of some minority patients. UNHCR recently attended to the cases of two Roma patients in need of medical and psychiatric care. Although Kosovo hospitals in general may have limited capacity to deal with psychiatric patients, the manner in which these two patients were treated – left in a room without nursing service, one without even a bed, and surrounded by rubbish and human waste – suggested discrimination on ethnic grounds. Other cases noted by UNHCR and OSCE have raised similar questions as to the willingness of hospitals and medical staff to admit and treat Serbo-Croatian-speaking minority patients.
44. The result is that **many minority communities must rely on health services obtained outside of Kosovo's normal health care system**. This means either creating a separate system, as has been done in upgrading the health facilities in Gracanica/Ulpiana in order to provide accessible services to Serbs, or making use of KFOR health facilities or health facilities outside of Kosovo (or, in the case of Albanians living in Serb-controlled northern Kosovska Mitrovica/Mitrovica and Zvecan, making use of health care facilities south of these areas). The creation of separate systems for health care is costly and prolongs the division within Kosovo. However, it may be necessary for the time being to ensure access to necessary health care. KFOR continues to provide essential services to minority patients, but reliance on KFOR medical facilities is ultimately inappropriate and unsustainable. Already the limitations of KFOR facilities have been highlighted with respect to gynaecological and ante and post natal services – specialist fields that one would not normally associate with a military field hospital but which KFOR have been obliged to provide in the absence of a viable alternative for minority patients. The solution of obtaining care in Serbia proper remains, primarily for Serbs, but often requires KFOR escort, and ultimately encourages persons to depart from Kosovo.
45. The situation does, of course, vary from community to community. Roma and Egyptian communities in Djakovica/Gjakove report that they make use of local ambulantas and the Djakovica/Gjakove hospital, and in fact there are Egyptian doctors and nurses employed in that hospital and Egyptian health care workers employed in Djakovica/Gjakove ambulantas. Likewise, Turks in Mamusa/Mamushe report that they can access their local ambulanta, as well as the Prizren hospital. In contrast, Serbs in the village of Silovo/Shillove, Gnjilane/Gjilan Municipality, (as stated above) must rely on the hospital in Vranje, Serbia, for anything beyond primary health care, because they cannot safely access the Gnjilane/Gjilan hospital. Albanians, Muslim Slavs, and Turks living in

northern Kosovska Mitrovica/Mitrovice and Zvečan are unable to access the Serb-run Kosovska Mitrovica/Mitrovice hospital, and must rely instead on NGO-run mobile clinics and on escorted travel to the health house in southern Kosovska Mitrovica/Mitrovice. Serbs in Kosovo Polje/Fushe Kosove access Serb-run ambulances and a Serb-run health house in the municipality, but must rely on the Russian KFOR hospital or on hospitals in Serbia proper, because they cannot safely access the Pristina/Prishtine hospital. In Orahovac/Rahovec and Velika Hoca/Hoce e Madhe, from where travel to a KFOR hospital or to Serbia proper is much more difficult, lack of access to medical facilities has been a primary motive in requests by Serbs and Roma for UNHCR and KFOR to assist in providing safe transport out of Kosovo.

## **Education**

46. Education services, which had been continually disrupted during the winter months due to erratic electricity supplies, finally established a routine in the early spring months. The vast majority of children across the province are now back to school, although many attend temporary schools pending the completion of the school reconstruction programme. The focus must now shift to ensuring that schools are properly equipped and examining curricula, with the needs and interests of minority students fully addressed.
47. Minority children have, like their Albanian counterparts, resumed their education. **In many cases, however, minorities attend schools in conditions hardly conducive to a normal education.** Serb children in Silovo/Shillove, Gnjilane/Gjilan Municipality, can attend a Serb-run primary school in their village, but must be escorted by KFOR to attend a Serb-run secondary school in a neighbouring village. Serb children in Pristina/Prishtine Town must be escorted by KFOR to Serb-run schools outside the city. 736 Serb pupils in Kosovo Polje/Fushe Kosove squeeze into an overcrowded primary school in the village of Ugljare. Serb secondary school students in Kosovo Polje/Fushe Kosove must travel with KFOR escort to reach a Serb-run school in Gracanica/Ulpiana. Albanian primary school students living in Serb-controlled northern Kosovska Mitrovica/Mitrovice Town either attend unofficial primary school lessons in a private house, or travel to school in the South of the city when security permits, and often at great personal risk. Albanian secondary school students in the northern Kosovska Mitrovica/Mitrovice Town must make the dangerous trip to the South if they wish to attend school at all, and most opt to stay in the South with relatives rather than commute. Turks in the Prizren area can attend primary school in Turkish language, but the lack of a Turkish language secondary school remains a problem which reportedly prompted seventeen Turkish families to move to Turkey during May.
48. On the other hand, Muslim Slavs and Albanians share a primary school in Vitomirica/Vitomirice. Classes are held separately, with the Muslim Slavs receiving instruction in the Serbo-Croatian language, but sports and festivities are held together. Croat and Roma pupils in Janjevo/Janjeve have been sharing a primary school facility with Albanian pupils in shifts since January. In Djakovica/Gjakove Town, Roma and Egyptian pupils attend primary school together with Albanians. Schooling for these groups is, however, not without problems. At the opening of a school for Albanian and Ashkaelia pupils in Mali Alas/Hallac i Vogel, Lipjan/Lipjan Municipality, in February, a crowd of Albanians chased away the Ashkaelia leader and pupils. A UNICEF initiative to provide catch-up classes to Ashkaelia pupils in Kosovo Polje/Fushe Kosove was set back when one of the tents intended for the classes was burned down. Nonetheless, the

classes are proceeding, with the intention of mainstreaming the Ashkaelia pupils into Albanian schools in the fall, and additional teachers have recently been hired to ease overcrowding.

49. **Some parents continue to keep their children at home for security reasons.** This is particularly the case with Roma, Ashkaelia, and Egyptian children. In Djakovica/Gjakove Town, for instance very few Roma and Egyptian children attend secondary school, at least in part due to fear of harassment by Albanian students. For Roma, the question of choice of language in which to have their children educated puts them in the difficult position of having to choose between Albanian and Serbo-Croatian, which can be subsequently interpreted as a sign of political loyalty with serious consequences. Language of instruction has also been an issue for Muslim Slavs and Gorani in Prizren and Gora/Dragash Municipalities.
50. An additional factor for **Roma, Ashkaelia, and Egyptians** is pressure from within their families and communities not to attend secondary school. Many parents, having not attended secondary school themselves, do not see education beyond primary school as important, and encourage children to instead begin working to support their families. This trend, which has kept the Roma, Ashkaelia, and Egyptian communities largely lacking in education beyond primary school, has historically contributed to the poverty of these communities and their exclusion from the rest of Kosovo society. There is an urgent need to reverse that trend by ensuring full access to schools and encouraging education as much as possible within these communities.

### **Social Welfare**

51. The social safety net being developed for Kosovo is by and large to be implemented through the network of **Centres for Social Work (CSW)**. There are currently twenty-seven of these, located in twenty-five municipalities in Kosovo, and a further two are in the pipeline. The current operational capacity of the CSW remains low, as they are still in the process of locating adequate premises, equipping these and hiring sufficient staff. Of those currently operating, only two (Kosovska Mitrovica/Mitrovica and Kosovska Kamenica/Kamenice) directly serve the needs of minority populations. The rest are located in majority Albanian areas and, similar to other public services, potential minority beneficiaries face the obstacle of freedom of movement and inability to access the services to be offered by the CSW. The CSW are committed to the recruitment of minority staff and have made progress in doing so. In the event that they are unable to recruit sufficient numbers of minority staff through open competition, they are willing to consider a certain number of minority staff above and beyond the total number of approximately 400 staff province-wide.
52. The emphasis of the work of the CSW is on child and general social protection. They are the legal guardians of any abandoned babies found in Kosovo. In addition they are responsible for the preparation and presentation to the courts of social assessments for juvenile offenders. They also have a role in mediation in cases of marital breakdown involving custody of minor children. Of more direct relevance to the minority populations is the role of the CSW in developing and implementing a province wide system of **social assistance**. To date the CSW have been involved in the implementation of the Emergency Financial Assistance Scheme introduced by UNMIK from November 1999 to April 2000. This system of emergency cash payments is now being phased out in



favour of a means tested social assistance scheme, initially targeting families not capable of work, and later targeting the unemployed. Lack of security and freedom of movement will of course have to be taken into account in such a scheme, especially with regard to the inability of many minorities to access the job market. The CSW have already highlighted the fact that social assistance payments will be made through the bank and have recognised that this too will represent access problems for minority groups. They are currently looking at ways to overcome this hurdle and ensure that minority communities will be effectively covered by the nascent social security system.

### **Public utilities**

53. As certain services move towards normality in Kosovo the complexity of ensuring that minority needs are covered by the systems put in place has been brought to light. During the harsh winter months, when the electricity supply was extremely erratic, there were recurrent reports of minority populations being singled out for a disproportionate number of blackouts when there was a need for supply to be rationed. Several of these complaints were traced back to deliberate sabotage of supply lines in certain locations, as opposed to a centrally organised policy of limiting minority access to available electricity. Whatever the causes, **minority populations often bore the brunt of electricity shortages.** In addition, many Roma, Ashkaelia, and Egyptian settlements suffer from poor utility services because in the past, investments in the maintenance of necessary infrastructure were often not forthcoming for these communities.
54. **Telephone service** is also an important issue for minorities, both in terms of their ability to contact law enforcement authorities when needed, and also in terms of somewhat reducing their isolation. Although poor telephone service has affected all populations in Kosovo, improvements for minority areas need to be given priority.
55. The question of utilities billing has emerged now that the electricity supply has stabilised and the utilities company (KEK) is able to proceed in implementing a **billing system**. The question has brought forward a whole range of issues that starkly illustrate the need to be sensitive to the needs of minority populations, even for something as routine as the supply and billing of electricity. The bills, as issued by KEK, did not follow the expected format of printing three languages on their face. Rather KEK opted to issue separately Albanian/English and Serbian/English versions, arguing their belief that a large number of Albanian speaking customers would be offended by the appearance of Serbian on their bills and, as a result, would refuse to pay them. This logic conflicts with an overall policy of fostering the simultaneous use of official languages. Moreover it gives rise to the possibility of a substantial number of customers receiving bills in a language they are unable to understand, as KEK does not appear to have any internal system to ensure that the appropriate language bill is delivered to each household. In practice it would appear that a substantial number of bills have not been delivered at all, and where bills have been delivered there have been complaints from minority communities that they have been billed above their actual electricity usage.
56. Apart from the question of language and delivery of bills, an additional problem came to light in that **the payment system** obliges customers to pay in person at their local KEK office. With KEK offices being exclusively located in majority Albanian areas, the eternal question of freedom of movement has become an obstacle to minority populations being able to pay their bills. **In addition, payments made in Yugoslav Dinars**

are subject to a 10% surcharge (in accordance with Regulation 1999/4 and subsequent administrative directions), which raises questions of fairness for communities who may not have access to other currencies.

57. The problems illustrated by the example of electricity bills, which will likely repeat themselves across the board with other services, have given rise to an extensive debate as to how to respond to the difficulties encountered. A utilities **payment exemption scheme** has been devised to provide relief to those sectors of the population unable to cover the costs of their bills due to destitution. In the case of minorities, potential beneficiaries to this scheme, the problem of freedom of movement recurs yet again as the scheme is operational through the CSW to which many communities do not have direct access without the support of a security escort. UNMIK has been alerted to all of the pitfalls in the current scheme, and steps are being taken to devise workable alternatives which will more effectively respond to the specific requirements of minority communities. Time is of the essence in this regard, as KEK has already been issuing warnings and disconnecting electricity to families due to non-payment of bills.

### **Other public services**

58. Even when confined to enclaves, the normal cycle of life events goes on for minorities and needs to be formally documented by the relevant authorities. Birth, marriage and death certificates are required and the service of provision of **civil documents** needs to be sufficiently flexible so that minority populations can avail of them without putting themselves at risk. If such services are centralised in inaccessible locations, minorities will not be able to access them. A more flexible approach, using mobile teams needs to be considered as an alternative means of providing this service.

### **Conclusions and recommendations**

Lack of security and the consequent restrictions on freedom of movement remain the overriding problems for minorities in Kosovo, and need to be urgently addressed. UNHCR and OSCE reiterate the concerns and recommendations expressed in our last report, especially with regard to these issues. Progress has been made in some areas, including notable achievements in the functioning of the Kosovo Police School and recruitment of minorities to the Kosovo Police Service. However, UNMIK Police still lack the necessary personnel to carry out their mission, and UNHCR and OSCE support the repeated calls of the SRSB for further deployment, noting that quality of police is as important as quantity, and that the investigative service particularly needs support.

UNHCR and OSCE welcome and fully support efforts to increase the size and ethnic composition of the judiciary, as well as to bring international judges and prosecutors into the judicial system. Nonetheless, the judicial system still fails to function effectively and impartially, remaining a major obstacle to the establishment of the rule of law and the protection of minorities. For this reason, such initiatives as the establishment of a Kosovo War and Ethnic Crimes Court and an Ombudsperson's office, as well as the further deployment of international judicial personnel deserve full support from the international community.

UNHCR bus services currently help to overcome restrictions on freedom of movement for some minority communities, but will need to be phased out over time. There is a therefore a

need for normal commercial transport services to take on more responsibility for providing service to minority communities, keeping in mind that continued problems of security will likely necessitate armed KFOR escorts for any buses serving minorities.

Recent statements by the KTC and IAC supporting co-existence and condemning violence and intolerance are positive developments, as strong commitment and action on the part of local leaders and communities will be essential to breaking the cycle of violence and impunity in Kosovo.

However, until security and freedom of movement for minorities have improved, steps must be taken across the board to ensure full access of minorities to public services. In the same way that lack of adequate security and freedom of movement underscore the obstacles faced by minorities in accessing services, sensitivity and flexibility must underscore any and all responses devised to overcome these obstacles. Inclusion on an equitable (albeit a different) basis must be an objective that cuts across all discussions and one which cannot be dispensed with on the grounds of costs or complications. The onus cannot be put on minority populations to adapt to systems designed to function under normal circumstances. The onus should be on the systems in place to respond to the particular needs of minority populations. UNHCR and OSCE call upon donors to recognise the cost implications necessary in all such endeavours, and to make funding available accordingly.

The efforts and commitment by the Department for Social Welfare in recruiting minority staff and looking into methods of ensuring access to social assistance payments have been noted as practical and beneficial steps in this regard. We would recommend that the following additional points be looked into urgently:

- A common policy on official languages needs to be developed and applied across the board in all activities undertaken by UNMIK. The use of more than one official language must be a basic premise, and such documents as utility bills and civil documents should be produced in a format that permits different languages to appear on the face of the document simultaneously. The policy should be enforced, with clear consequences for public servants who fail to follow it.
- A standard code of practice, incorporating the basic principles of ethnic tolerance and respect, needs to be devised and introduced in all enterprises working under the auspices of UNMIK or functioning with funding provided by the international community.
- All such enterprises need to re-enforce their efforts to recruit and maintain within their employ an acceptable number of minority employees.
- Outreach services may be essential for the time being in order to ensure access to public services given restrictions on freedom of movement. Outreach services could include mobile teams periodically visiting minority areas to attend to their needs, mobile civil documentation teams, and flexible payment systems for utilities, comprised of a mix of fixed and mobile payment locations.
- The development of a common curriculum for all schools is needed in Kosovo, encompassing aspects of tolerance, peace and human rights education. Shared educational facilities should be looked into and used to the extent possible, with the

objective of integrating minority communities into the normal system and encouraging tolerance among students.

- There is a need to ensure that **teacher-training facilities** are capable of providing a sufficient number of teachers to meet the needs of each community.
- **Initiatives are needed to increase education** for Roma, Ashkaelia, and Egyptian communities in particular. Catch-up schooling and training programs should be given top priority, in order to increase education levels in these communities and to help them qualify for skilled work and professional positions.
- **Improvements to the telephone service** in minority areas need to be given priority, as a way of both improving security and reducing isolation.

The degree to which minorities are able to enjoy their rights and participate in society will be a primary measure of success in the international stewardship of Kosovo, with important implications for regional stability. In addition, the United Nations has the opportunity to set an example for governments around the world by ensuring that respect for human rights is given top priority in all aspects of Kosovo's administration. To this end, we therefore need to and work towards the equality and full participation of all minorities in Kosovo.

UNHCR/OSCE  
31 May 2000