



Assessment of the Situation of Ethnic Minorities in Kosovo **(Period covering November 1999 through January 2000)**

Executive Summary

This is the fourth joint UNHCR/OSCE assessment on the situation of minorities in Kosovo, covering the period November 1999 through January 2000. The last assessment published on 3 November 1999 concluded that "*The overall situation of ethnic minorities remains precarious.*" Regrettably, three months later this statement still holds true. Kosovo continues to be volatile and potentially dangerous, with ethnicity often remaining a determining factor in the risk of falling victim to crime.

The publication of this report coincides with the disheartening resumption of violence in Kosovska Mitrovica/Mitrovice and several other ethnically motivated attacks elsewhere in the province. As this report was being finalised events in the Kosovska Mitrovica/Mitrovice area included the 2 February attack against a UNHCR bus, leaving two Kosovo Serb passengers dead and a further three injured. This incident triggered further violence resulting in the killing of at least eight people in north Kosovska Mitrovica/Mitrovice the victims being Kosovo Albanian and Turk and a grenade attack against a Kosovo Serb café in north Kosovska Mitrovica/Mitrovice, injuring fifteen Kosovo Serbs.¹ This violence represents a serious setback to UNMIK's efforts to promote freedom of movement and to protect minorities.

Although, as the report shows, serious crime rates have decreased from levels recorded in the previous minority reports, they remain unacceptably high and indicate that ethnically motivated crime continues on a regular basis across the province. One recurring message from the leaders of minority communities is the desire not to be labelled as a minority, as this in itself may lead to increased security risk and hostility.²

The report provides a breakdown of minorities by municipality, illustrating how each community has fared during the period under review. Overall, with some limited exceptions, the situation has not improved since the last report was issued and in many instances deteriorating conditions were noted. Minorities remain vulnerable to attack and they do not enjoy the same quality of life experienced by the majority. However the experience has not been uniform for all the minority communities. For the Kosovo Serbs and Muslim Slavs, there are few signs of improvement, while for other communities such as the Roma, Ashkaelia and Egyptian there are some examples of progress having been achieved.

¹ Because events are still unfolding as this report is being completed a comprehensive account of the Mitrovica events is not included.

² This holds particularly true for Roma, Ashkaelia and Egyptian communities but was articulated by other ethnic groups as well.

Horrific incidents such as the one on Albanian Flag Day, 28 November 1999, when an elderly Kosovo Serb man was dragged from his car in central Pristina/Prishtina and killed by a mob while his wife and mother-in-law were severely assaulted; the killing of a family of four Muslim Slavs (Torbesh) in their home in Prizren on 12 January; the triple murder of three Kosovo Serbs near Pasjane/Pasjan (in Gnjilane/Gjilan municipality) on 16 January; and, the double murder of two Roma in Djakovica/Gjakove on 15 January as they attempted to protect Roma owned property from unwarranted attack, are a chilling reminder of the dangers faced by minorities in Kosovo. There are numerous and regular other non-fatal attacks and incidents of harassment and intimidation of varying degrees recorded daily. Against this hostile backdrop the minorities of Kosovo struggle to carry on their daily lives.

The report provides an overview of several mechanisms in place to afford protection to minorities. Static security (meaning a permanent KFOR presence in minority areas) continues to be an essential component of minority protection. Although it has had a positive impact on minority communities, these concrete benefits are often not sustainable in the longer term. Nonetheless, in the absence of the acceptance of minority rights on the part of the majority, static security will have to continue.

On the policing front, the report notes that although UNMIK Police continues to benefit from inter-institutional co-operation and comprehensive KFOR support, demand often outstrips supply. Echoing repeated calls from UNMIK, the report highlights that the establishment of the rule of law will be severely hampered if the international police contingent is not brought up from half to full strength. A feature that emerges from the report is the continuing reluctance on the part of minorities and witnesses to crimes against minorities to speak out and report these crimes. This only adds to the wall of silence that is being constructed and puts another obstacle in the path of police efforts.

Alongside physical violence and other criminal acts perpetrated against minorities, the report examines a range of less tangible key issues which impinge on the daily lives of minorities: efforts to establish a functioning judiciary; capacity to participate in political structures and public life; freedom of movement; access to humanitarian assistance; employment and access to essential public services, such as health and education; and property issues.

Efforts to redress the ethnic imbalance in the composition of the judiciary have been hampered by security concerns and reported intimidation. Of a total of 387 judicial appointments announced on 29 December, 90 minority appointments as judges, prosecutors and lay judges were included but a disappointingly low number of these attended swearing-in ceremonies that were held throughout the province in January. Unfortunately for those who did attend, the proceedings were conducted only in the Albanian language. The small number of those who were sworn in, is an indication of the low level of trust and high level of fear still felt by minorities. The report also examines the reverse of the judicial coin: the treatment of minorities suspected of being involved in criminal activities. Although the information to date is not systematic, informal indications point to the greater likelihood of minorities being remanded in custody than members of the majority ethnic group. Fears have also been expressed that minority detainees have in some instances been held in custody with majority detainees, or guarded by a warden of another ethnic group. In summary, the findings illustrate that the lack of a fully independent and impartial judiciary has particularly grave consequences for members of the minority communities.

The extent of political involvement on the part of minorities is seen as an important indicator of the normalisation of life for minority communities. The predominant political issue is currently the establishment of the Joint Interim Administrative Structure (JIAS), a power sharing arrangement between UNMIK and local Kosovars. Although the participation of minorities has been foreseen, this has yet to be achieved. The enlargement of the Kosovo Transitional Council is an additional measure to ensure a greater reflection of the pluralistic nature of Kosovo society at the political

level. Efforts at the local level to include minorities in the Municipal Councils and Administrative Boards have varied from region to region.

The degree of minority participation in several institutions, ranging from the Kosovo Police Service (KPS) and the judiciary, to the newly formed Joint Interim Administrative Structure (JIAS) are documented. Concerted efforts to solicit suitable applications from members of minorities for the KPS have met with limited success so far. Ten per cent of the Kosovo Protection Corps (KPC) has been reserved for minorities. So far, there have been approximately one hundred applications from amongst Muslim Slavs, Turks and Roma but none from Kosovo Serbs.

Minorities across the province continue to face serious restrictions on their freedom of movement and their access to employment. Few minorities in the province today have jobs. As a result, many are heavily dependent on humanitarian assistance for survival. Similarly, minorities continue to face enormous obstacles in accessing health and education services.

The report highlights several areas where there is a need for concerted efforts to realise long-term strategies designed to address specific issues, such as the mechanism to deal with property restitution under the Housing and Property Directorate and Claims Commission.

The methodology used to produce the joint UNHCR/OSCE reports does not extend to census taking or systematic recording of population figures. Figures, where available are drawn from a variety of sources, including, community leaders, KFOR, UNMIK Police, and beneficiary records for specific projects, and are estimates only. They should not be taken to represent a consensus amongst international or local actors. Estimates for the number of Kosovo Serbs remaining range up to over 100,000. Similar estimates for other communities include around 30,000 Roma (although many more may be present but unreported); up to 35,000 Muslim Slavs; over 20,000 Turks; up to 12,000 Gorani; and some 500 Croats. Final and definitive figures will not be available until such time as a complete civil registration exercise has been undertaken.

Finally, the document presents conclusions and recommendations on action which needs to be taken to address the problems faced by minorities in Kosovo.

In many respects, the protection of minorities remains the litmus test of peace in Kosovo, as it has in all of the wars in the former Yugoslavia. The current lawlessness and culture of impunity regarding ethnic attacks which is documented in this and earlier reports constitutes one of the most crucial gaps in Kosovo today. Until it is brought under control, it will be extremely difficult for UNMIK to achieve its overall mission, or for real development, both political and economic, to move properly forward in Kosovo.

The difficulties confronting UNMIK in rebuilding the rule of law and fostering tolerance in Kosovo are enormous. UNMIK continues to struggle to get a few thousand international police, and has a limited budget to meet widespread costs of administering the province, or to properly repair basic infrastructure. A major investment in the resources needed to establish a basic system of law and order and governance is also urgently needed.

The sustained involvement and support of donor governments, UN agencies and NGOs in these areas will certainly be critical, if any longer-term stability is to be achieved in Kosovo this year. But whatever the international efforts, they can not succeed without more direct, active and responsible engagement of all Kosovars in the whole process of re-establishment of law and order, tolerance, and a pluralistic society. Undue expectations that "the internationals" will do it all must be replaced by a proper sense of reality and shared responsibility, if these major and pressing challenges in Kosovo are to be met, and if we are not to continue publishing reports such as these for the foreseeable future.

Methodology

1. This report, represents the joint efforts of UNHCR and OSCE to monitor and assess the prevailing situation for ethnic minorities remaining in Kosovo, and in doing so attempts to draw certain conclusions about their current predicament and to suggest ways forward that would address their protection needs. It is the fourth in an ongoing series produced by UNHCR and OSCE.³
2. The report draws widely on field reports compiled by UNHCR Protection Officers and OSCE Human Rights Officers, in response to a specific questionnaire sent out for this purpose. Field staff were encouraged to reach out into the minority communities and record the daily realities of their lives. Reporting covered not only the violent crimes that continue to be perpetrated against the lives and property of individuals and communities as a whole, but also the obstacles that they face in exercising their most basic of rights. Obstacles of such a nature that daily life becomes difficult and in some cases impossible, ultimately leading to insurmountable fear and ongoing displacement.
3. Field staff were similarly encouraged to highlight examples of tolerance and inter-ethnic co-operation whenever and wherever they came across such. It is important to recognise instances in which inter-ethnic co-existence has been sustained, even where these may be limited in impact. We do not want to overlook the potential which exists within some communities, in certain locations to regain stability and return to a more normal existence. In addition, the report draws on complementary information in the form of reliable media analysis and other relevant sources and benefits from knowledge gathered through the working mechanism of the Ad Hoc Task Force on Minorities⁴, an inter-agency group comprised of representatives of the key institutions involved in different aspects of minority protection.

Issues of particular relevance and concern

4. In the fulfilment of their respective mandates UNHCR and OSCE understand the term protection to encompass the full range of basic rights that any individual, regardless of ethnicity, sex, race, religion, political affiliation or any other social, economic or physical distinction, is entitled to have respected permitting them to live in conditions of safety and dignity. It is against this backdrop that UNHCR and OSCE approach the subject of the protection of minorities in Kosovo. Crimes committed against minorities are perhaps the most visible evidence of their predicament in Kosovo today but a far wider range of issues has to be looked at to grasp the full extent of the challenge faced by Kosovars, with the support of the international community as a whole. We highlight here the more relevant issues in this regard. Those that require particular attention if Kosovo is to become a functional society, within which the rights and obligations of all citizens can be exercised. Immediately following on from these brief snap-shots of the main issues of concern, we set out information by ethnic minority group which will serve as an overview of how each group has fared over the intervening period since the last report, both in the negative and the positive sense, illustrating this by examples cited by our field staff.

³ The Preliminary Assessment of the Situation of Ethnic Minorities in Kosovo was produced on July 26th 1999, followed by a Second Assessment on 6th September 1999 and an Overview of 3rd November 1999. This fourth updated Assessment should be read in conjunction with previous editions.

⁴ The Ad Hoc Task Force on Minorities (hereafter referred to as the Ad Hoc Task Force) was constituted in early July, 1999, under the chairmanship of Mr. Dennis McNamara, UNHCR Special Envoy/ Deputy Special Representative of the Secretary General, Pillar I, Humanitarian Affairs (SE/DSRSG). One of its first initiatives was to task UNHCR and OSCE with the production of a joint report assessing the situation faced by ethnic minorities as referred to in Footnote 4 above.

Static guards

5. Static guards, as exemplified by KFOR patrols permanently assigned to protection duties, continues to be needed to safeguard lives and property. On January 18th KFOR stated that their most important mission is to provide a safe and secure environment for all the people of Kosovo. KFOR informs, that around the clock in communities throughout the province there are some 750 patrols on foot and in vehicles. In addition static guards are deployed at 550 important sites such as churches, homes and businesses and over 200 checkpoints at permanent and varying locations. Every day two out of three soldiers are assigned to security operations aimed to crack down on crime and violence. It should be noted that whilst efforts of this magnitude are not exclusively for the benefit of minorities, in large part they are for all intents and purposes geared towards minority protection.
6. However the benefits of such activities, both real and perceived, can be short lived. As such high levels of static security are unsustainable, over reliance on them can lead to a false sense of security that can not be maintained. For instance, as a result of a strategy discussed by the Ad Hoc Task Force in early November 1999, it was recommended that a permanent KFOR checkpoint be installed close to Recane/Recan, in the Zhupa region, to protect the interests of the Kosovo Serb minority there. This recommendation was made in view of the fact that existing efforts to provide security through regular patrols had proved ineffectual, since the wrongdoers simply waited for the patrol to pass before carrying out acts of violence and intimidation. During September and October 1999 a string of serious incidents had been recorded⁵ but the situation was calmed considerably after the installation of the checkpoint. The checkpoint was well received by the local population who commended the performance of the soldiers manning it. However, it was withdrawn on December 18th apparently because KFOR perceived it to be ineffectual. Locals expressed their concern that the service had been withdrawn so suddenly without their having been consulted or informed. In this instance concerns that the situation would revert to pre-checkpoint conditions were allayed through the use of alternative KFOR patrolling mechanisms and the establishment of an UNMIK Police sub-station. In another example however, the Orthodox church in Cernica/Cernice, Gnjilane/Gjilan Municipality was damaged in a bomb attack on the night of January 14th shortly after KFOR had withdrawn a static guard.
7. The fact that KFOR is obliged to maintain such intensive efforts to safeguard minority protection is indicative of the security situation still faced by minorities. There is no doubt that continued KFOR involvement is demanded by the harsh realities on the ground and their efforts in this regard are welcomed by minority communities. Budgetary and personnel constraints, however, mean that it is not possible to provide the levels of static security that would be needed to fully safeguard the lives and property of all minorities province-wide. Static guarding however, as a response to imminent threats is often the only way to protect such overriding rights, as that to life and liberty. The immediate impact of this on the beneficiaries is generally welcomed but if such measures have to be continued to the extent that normal life is not possible, these same beneficiaries are likely to come to resent the fact that they have to live under constant guard and may opt instead to move to a safer location within Kosovo or further afield. Such security efforts can not succeed in isolation. They have to be seen as an integral part of broader efforts to improve the overall security situation encompassing acceptance of minority communities by their majority neighbours, including full respect for their rights.

⁵ Refer to paragraph 19 of the Overview of the Situation of Ethnic Minorities in Kosovo of November 3rd 1999 where these are set out.

Policing

8. Kosovo is a post-conflict area struggling to re-establish rule of law. The essence of protection being the ability of all citizens to fully exercise their basic rights, it follows that this can only occur within the framework of a stable society which accepts this principle and collectively determines to respect it. Rule of law is of primary importance in this regard since it is only through effective policing and subsequent administration of justice, that the efforts of civil society to fulfil their obligations can be supported or their failures addressed and punished.
9. The brunt of the work required to re-establish rule of law is naturally borne by the police. They in turn need to be adequately supported by the judiciary. UNMIK police, continues to benefit from the comprehensive back-up of KFOR, many of KFOR's activities in this regard having been highlighted above. This inter-institutional co-operation is vital in maintaining levels of policing capable of responding to the heavy demands. Unfortunately, the demand is such that it threatens to outstrip the supply. As of January 31st some 1,970 police officers of various nationalities were available province-wide. This includes deployment of 208 officers to Pristina/Prishtina Main HQ, 599 in the greater Pristina/Prishtina area, 311 in the Prizren area, 101 in the Pec/Peje area, 258 in the Kosovska Mitrovica/Mitrovice area, 181 in the Gnjilane/Gjilan area and 199 at border points with the balance of officers in training and other activities. This number is well below the figure of some 4,718 officers authorised, and whose full deployment the SRSG has repeatedly called for.
10. Members of the newly established Kosovo Police Service (KPS), have already taken up policing activities. These local officers undergo a five week course at the Kosovo Police Service School in Vucitrn/Vushtrri, followed by a 19 week field training programme, mentored by international officers. Concerted efforts have been made to solicit suitable applications from minority groups and to fully support their incorporation into the KPS since any properly functioning police force has to draw on all sectors of the community. Of the first 173 graduates there were eight Kosovo Serbs, three Muslim Slavs, three Roma and three Turks. A further intake of 177 persons is undergoing training including a greater number of minorities (27 Kosovo Serbs, three Muslim Slavs and seven Turks). The establishment of a local police force is a major step forward. From the point of view of minority protection, however, it poses some challenges, namely that of instilling in the KPS majority recruits an understanding of the need to protect minorities and of having all sectors of the population respect a multi-ethnic police force.
11. A few members of the KPS have been dismissed from their duties for unacceptable behaviour including in some cases the commission of acts amounting to victimisation of minorities. KPS members themselves have faced difficulties in the performance of their duties. In an incident in Kosovska Mitrovica/Mitrovice on November 2nd a female Kosovo Albanian cadet had her nose broken and her international tutor was relieved of his weapon during a scuffle involving Kosovo Serbs. This incident highlights the difficulties that will be faced in having minority groups accept the authority of a police force largely comprised of members of the majority ethnic group. In another incident a Kosovo Albanian cadet was abducted for a brief period in late November, possibly indicating the type of pressure KPS members can expect from their own community.
12. An important aspect linked to the question of policing is that of widespread reports that former members of the KLA and/or provisional members of the Kosovo Protection Corps (KPC, TMK by it's Albanian acronym), or persons claiming to be such, continue to be engaged in irregular and illegal policing activities. Reports from the field frequently refer to cases of illegal detention and interrogation at the hands of persons claiming to be KPC members, or suspected as such by victims, due to the fact that they are uniformed. However, the source of information is often unconfirmed and even when direct victims of such crimes can be identified they are too afraid to report them for fear of reprisals. This fact makes it very

difficult for KFOR or other relevant authorities to pursue these cases and take appropriate action where it can be confirmed that KPC members are involved.

13. UNMIK Police deployment varies from place to place, determined by the number of officers available. The lack of sufficient personnel hampers the ability of the police to serve the needs of the population, minorities in particular. For instance at time of writing, with only nine officers on the ground in Djakovica/Gjakove, a town of approximately 120,000, with a substantial Roma population, frequently targeted as crime victims, UNMIK Police response mechanisms prove inadequate. Similarly in Urosevac/Ferizaj repeated calls for the establishment of a sub-station to benefit the remaining Roma minority in the urban centre, have not been met with a response due to lack of available resources. Despite the very real obstacle of lack of resources, UNMIK Police do recognise the need to ensure effective deployment in areas of sensitivity for ethnic reasons. Through their active participation in the Ad Hoc Task Force, a mechanism has been attained whereby recommendations, akin to those directed to KFOR on static security, are welcomed by UNMIK Police and efforts are made to respond accordingly.
14. KFOR and UNMIK Police jointly produce statistical information on crime rates including some information specific to the impact on minority groups. Crime rates alone, however, do not tell the full story and given the potential for fluctuation from week to week or from area to area, can sometimes even lead to a false sense of security only to be followed by a crushing setback. For instance an anticipated increase in ethnically motivated crime over the holiday period⁶, was successfully contained by concerted and co-ordinated efforts on the part of KFOR and UNMIK Police. The figures for mid January however, put the holiday calm in stark relief. Thirteen persons were reported murdered from January 12th through 17th including the murder of a family of four Muslim Slavs (Torbesh) in their home in Prizren on January 12th, the triple murder of three Kosovo Serbs close to Pasjane/Pasjan, in Gnjilane/Gjilan on January 16th and the double murder of two Roma in Djakovica/Gjakove on January 15th while they attempted to protect Roma owned property from unwarranted attack. There can be little doubt that the ethnic factor was an important, if not the sole motivation in some of these incidents. Furthermore such figures serve to underline just how volatile the situation remains in spite of the fact that clear improvements in re-establishment of the rule of law can be cited.
15. Organised crime elements appear to be taking hold. While organised crime for economic gain is unlikely to recognise ethnic distinctions, putting Kosovo Albanians equally at risk, this development is particularly worrying for ethnic minorities since crime tends to disproportionately affect the vulnerable and there is no doubt that ethnic minorities face heightened degrees of vulnerability. The rising spectre of organised crime for power based reasons is more worrying still. Again all ethnic groups could be at risk, but minorities more so, suffering not only the direct consequences of being the victims of such crime but also the negative impact of a decreasing level of potential solidarity and condemnation coming from within the majority population, increasingly concerned for their own safety and afraid to speak out. There is already talk of a silent majority within Kosovo, who reject the violent acts committed against minorities by the masked and the unidentified claiming to act in their name and on their behalf. There is a serious risk that this important sector, which could reasonably be expected to be a moderating influence for the good of all will be silenced further still by the threat of violence. If this transpires, it will be a high price indeed for all of Kosovo's residents to pay but will be particularly hard-felt by the minorities.

⁶ The "holiday period" in this context refers to the period from end of December through mid January, during which time a number of festivals of importance to different ethnic groups fell, including 25th December for non-Orthodox Christian Christmas, New Year's Day, 7th January for Serb Orthodox Christmas and Eid al-Fitr, commonly known as Bajram to Kosovo Albanian Muslims and 13th January for Serb Orthodox New Year. It had been widely feared that the combination of numerous holidays could prove a flashpoint for ethnically motivated violence. A highly visible KFOR and UNMK Police operation province-wide served to stem the worst manifestations of violence with physical assaults successfully contained but with attacks against property prevalent.

Functioning of the legal system⁷

16. The absence of a functioning judicial system is one of the greatest challenges facing Kosovo. The impact is felt acutely by all but the lack of a fully independent and impartial judiciary has particularly grave consequences for members of the minority communities. If there is no means of addressing the violence against them or providing redress, those members of minority communities suffer from a double violation of their rights. Moreover with no avenue of redress there is no deterrent to those who wish to perpetrate crimes against the minority population. That creates the conditions in which a vicious cycle of impunity emerges.
17. During the first stages of this reporting period the Emergency Judicial System continued to operate with thirty criminal law judges, five civil law judges and twelve prosecutors covering the entire province. Of these, there were only three Muslim Slavs and one Turk, none of the Kosovo Serbs appointed to the Emergency Judicial System having remained in their posts beyond early October 1999. Efforts to redress the composition of the judiciary and to improve minority participation were taken in the recent rounds of judicial appointments. During the process leading up to the appointments however, the difficulties of persuading minority members to participate in the judiciary became apparent. For example whilst the administration in Gnjilane/Gjilan had hoped to receive up to six Kosovo Serb candidates for judge and prosecutor posts and up to twelve as lay judges, in the event only five Kosovo Serbs filed applications and these were concerned about their safety in attending for interviews in Gnjilane/Gjilan without security escort.
18. Despite difficulties of this type by December 29th 1999 UNMIK was able to announce the appointment of 387 judges, prosecutors and lay judges province-wide, including, 11 Kosovo Serbs, five Muslim Slavs, one Turk and one Roma appointed as judges and prosecutors and 35 Kosovo Serbs, 23 Muslim Slavs, eight Roma and six Turks appointed as lay judges. The initial swearing in ceremonies took place during January 2000, with a disappointing low number of the appointed minority judges attending the ceremony. Of a total of 180 judges sworn in only 8 were minorities, of 73 lay judges only 13 were minorities and of 39 prosecutors only 2 were minorities. Moreover, for those who did attend the swearing in ceremonies, the proceedings were conducted only in Albanian and the oath was not translated into Serbo-Croat. The shortfall between the number of appointed judges from minority groups and those actually sworn in belies high levels of fear for their personal security.
19. At the time of writing, the swearing in of members of the judiciary for Kosovska Mitrovica/Mitrovice is still outstanding. In the initial appointments, two Kosovo Serbs and one Muslim Slav were appointed to the District Court and one Kosovo Serb to the Municipal Court. The announcement of the appointments was followed by a series of demonstrations against what was seen by the Kosovo Serb community to be under representation of Kosovo Serbs amongst the appointees. The demonstrations were at times violent, resulting in one person being injured and a window in the court building being broken. On January 21st an agreement was reached between the Kosovo Serb representatives and the UN Civil Administration that would result in greater Kosovo Serb representation in the judiciary. The swearing in of the judges has been postponed until agreement is reached with the Kosovo Albanian community and the approval of the SRSG is given.
20. There has been no systematic analysis undertaken as to how minorities are treated when they are the suspected perpetrators of crime. However observation in the field indicates differing treatment meted out to minority and majority population when it comes to decisions

⁷ This is the first time the position of minorities in the judicial system has been covered in the OSCE/UNHCR reports on minorities. The information provided in this section is based on the monitoring to date conducted by the Legal Systems Monitoring Section (LSMS) in OSCE, and information from OSCE Rule of Law and Human Rights Officers in the field. The analysis presented here is limited in its scope but is indicative of the problems which have been noted as requiring careful monitoring in the future.

on detention and prosecution. In mid January figures for arrest, detention and release revealed that of a total of 3,747 persons detained by KFOR, only 271 remained in the 5 detention facilities operative in Kosovo. Within the Emergency Judicial System, from July 1999 through to January 17th, 862 persons were brought before investigating judges, and 368 of them were released (42.6%).⁸ In some cases detainees were being released or alternatively subjected to prolonged detention, on what would appear to be the basis of their ethnicity. This tendency not only brings the judiciary into disrepute, it undermines the ability of the police to do their job effectively. Minorities appear to be more likely to be kept on remand in custody while members of the majority ethnicity may be released even where the evidence against them is strong. It is perceptions of this type that have undermined the authority of the judiciary in the eyes of many members of minority communities, leading to questions about their impartiality. In the current climate where local judges may be subject to pressure in sensitive cases involving suspects or victims of different ethnicities, the ability of the judge to administer justice fairly and impartially, and solely on the basis of legal considerations may be called into question. As an interim measure the introduction of international judges and prosecutors particularly for ethnically related crime would add legitimacy to the judicial process, pending the establishment of a fully functional local system.

21. Disputes over the codes and procedures to be upheld by the judiciary have also hampered UNMIK's ability to rapidly establish an effective judiciary. Initially Kosovo Albanian judges and prosecutors rejected the decision that the applicable law in Kosovo should be that in force March 24th 1999 (at the beginning of the NATO air campaign), subject to observance of internationally recognised standards. Subsequently on December 12th, the SRSG passed Regulation No. 1999/24 and Regulation No. 1999/25, repealing Section 3 of Regulation No. 1999/1 and providing that in "criminal proceedings, the defendant shall have the benefit of the most favourable provision in the criminal laws which were in force in Kosovo between March 22nd 1989 and the date of the present regulation." This regulation enables the application of the Kosovo Criminal Code and other regional laws which had been suspended in previous years. The reaction of judges and prosecutors from minority communities on the question of applicable law has not been welcoming.
22. Another factor that has impeded the capacity of the judicial system to offer effective protection to the minority community is the rule whereby the written statements of witnesses, or witness statements taken by members of KFOR or UNMIK Police, are not admitted in evidence as they have not been verified orally before an investigating judge. Where witnesses and/or victims have fled Kosovo, as has happened with minority victims fearing for their future safety, their evidence is excluded from the prosecution file. The same applies where a KFOR soldier or UNMIK Police Officer who made or took a statement has been rotated out of the province at the time the investigating judge comes to examine the case file. This can result in cases being dismissed and the perpetrators of crimes going free.⁹
23. With reference to minority detainees, fears have been expressed that their safety could be jeopardised if they are kept in detention facilities, staffed by Kosovo Albanians and where they mix with detainees from the majority group. This problem may be resolved by transfer to another area as was the case with Kosovo Serb detainees moved from Prizren to Kosovska Mitrovica/Mitrovica. This however can have the knock on effect of complicating access by family visitors and/or legal representatives.

⁸ The Emergency Judicial System operated with Mobile Units of Investigating Judges travelling throughout the province. With the establishment of provisional district courts and prosecutors offices in Pristina/Prishtine (since 30th June 1999), Prizren/Prizren (since 17th July 1999), Kosovska Mitrovica/Mitrovica (since 31st August 1999), and Pec/Peje (since 7th September 1999) the Mobile Units operating out of Pristina/Prishtine gradually ceased operating in those areas and only covered the areas such as the district of Gnjilane/Gjilan which were not served by the provisional system. Other detainees were released by prosecutors prior to the transfer of the case to an investigating judge, by KFOR prior to hearings conducted by the Mobile Units and judges and prosecutors working outside the Mobile Units system.

⁹ A draft regulation to address this problem has already been prepared and is under consideration by UNMIK.

24. The extent to which minority communities have access to legal advice and representation would appear to be limited, although it is difficult to draw conclusions in the absence of clear information on practising lawyers from minority communities. The UNHCR funded Legal Aid and Information Centres operated by the Norwegian Refugee Council (NRC) is one example of an attempt to cover this need.¹⁰

Access to political structures

25. An important indicator of the normalisation of life for minorities is the extent to which they are politically active or have access to public life. At the time of writing the predominant political issue on the agenda, is the establishment of the Joint interim Administrative Structure (JIAS). JIAS was created through agreement signed on December 15th 1999 between the SRSG and three Kosovo Albanian political parties, the Democratic League of Kosovo (LDK), the Party of Democratic Progress in Kosovo (PPDK), and the United Democratic Movement (LBD). Whilst the Kosovo Serb political representatives were informed and invited to participate in the discussions leading to this initiative to date they have not signed the agreement. Efforts are ongoing to encourage full minority participation in this important political forum.
26. The regulation establishing the JIAS, Regulation No. 2000/1, provides that “all communities of Kosovo shall be involved in the provisional administrative management” and that there shall be “a fair representation of all communities”. To achieve this the framework provides that there shall be one seat for a member of the Kosovo Serb minority in the Interim Administrative Council (IAC) and four of the nineteen Administrative Departments will be co-headed by members of the minority communities: two by Kosovo Serbs, one by a Turk and one by a Bosniak. The Departments that minorities will co-head are Labour and Employment, Transport and Infrastructure, Agriculture, and Environment. There is also provision for a Special Expert Committee on Security composed of UNMIK and local experts to be directly attached to the Interim Administrative Council. The remit of this Committee will include the situation of minorities. Efforts to ensure full the participation of minorities are mirrored at the Municipal level where administrative functions are to be performed by a Municipal Administrative Board, appointed by the UNMIK Municipal Administrator, which is to consult with a Municipal Council. The members of the Municipal Council should represent the citizens of the municipality and be appointed by the Municipal Administrator. The establishment of both of these bodies across the province is currently underway, and as such there is no clear picture at the time of writing of what the final composition in each municipality will be.
27. The Kosovo Transition Council will be enlarged to include more minorities. This means that there will be at least three extra places for Kosovo Serb representation, and possibly four. The fourth place may be for ‘independent Serb’ representation. There will be two places for Turks and two places for Muslim Slavs; most likely one will be drawn from the Gorani community, the other from the Bosniak community. There will also be one place for a Roma representative.
28. The Kosovo political scene is characterised by many fractious parties from the two main communities – the Kosovo Albanians and the Kosovo Serbs and a number of smaller parties which represent other minority communities. The Kosovo Serb population is in the main represented by two coalition groups – the Kosovo Serb National Council (Srpsko Nacionalno Vece: SNV) and the Kosovo Serb National Assembly (SNA). The leading representatives of the Turkish population are the Turkish Democratic Union (Turk Demokratik Birligi Partisi:

¹⁰ The Norwegian Refugee Council operates a number of Legal Aid and Information Centres throughout Kosovo as an implementing partner for UNHCR. These centres provide an outreach service to minority groups through the use of mobile teams which periodically visit isolated communities and those affected by restrictions on their freedom of movement. These teams comprised of international and local, mainly Albanian, lawyers have been welcomed in most minority communities that they have visited proving that it is possible to provide essential services such as legal advice and assistance across the ethnic divide in a fair and balanced manner.

TDBP) and the Turkish People's Party (Turk Halk Partisi: THP). The Bosniak community is represented by the Party of Democratic Action (Stranka Demokratske Akcije: SDA) and the Muslim Reform Party. The Roma community has the least obvious representation or at least not in the form of an ethnic specific party. Given the diverse nature of the Roma population, it is not clear that any one party could represent the diverse interests of the constituent communities— the Roma, Ashkaelia, and the Egyptians. However in December 1999, a political party was established in Urosevac/Ferezai, the Ashkaelia Democratic Party of Kosovo whose stated aims include representation for the entire Roma population.

29. Beyond formal political fora, encouragement is also being given to minorities to participate in broader aspects of civil society. The creation of new NGOs which include or cater for minority communities, combined with the provision of capacity building for them is one such development. Plans are in place to hold training and capacity building programmes for those NGOs from minority communities in Spring. In Prizren there is movement from within both the Muslim Slav community and the Turkish community to establish and register NGOs and from the Kosovo Serb communities many requests from youth groups have been received. The youth groups are seeking advice on how to establish and run different types of associations. One concern expressed by some NGOs however is the policy whereby NGOs based in other parts of FRY and operating in Kosovo have to register as new Kosovo NGOs or as international NGOs if they want legal recognition in Kosovo. This causes problems for the Kosovo Serb minority in particular
30. Encouragement to the Roma community to strengthen their voice through the establishment and creation of civil society institutions is of particular interest. With support from OSCE, the Ashkaelia community in Podujevo/Pudujeve, has created an NGO called "Democratic Hope", currently in the process of being registered with UNMIK. This organisation is already carrying out several activities, in the fields of education, culture and employment and a mediators has been appointed to interact with local authorities. Similarly in Djacovica/Gjakove the "Albanian-Egyptians of Kosova" organisation was recently inaugurated¹¹. An OSCE initiative to establish "Citizenship Forums" is another means of allowing minorities access to power structures. Pilot programmes for the "Citizenship Forums have commenced.

Access to and treatment by the Media¹²

31. Another essential indicator in civil society for gauging the capacity of minority communities to participate in public life is the media. Consideration needs to be given on the one hand to the extent to which minorities have a voice through the media, and on the other hand how the media portrays minorities, through the way they report on their communities and issues affecting them. There have been incidents during the reporting period of inflammatory articles appearing in the print media. One recent example involved the publication of a list of persons, minorities and Kosovo Albanians alike, accused by the article of collaborating with the police and military forces against the interests of Kosovo Albanians, before and during the conflict. The author in that case was a provisional member of the KPC, now conditionally holding a senior post in the Information Department. Regulation No 2000/4 of February 1st on the Prohibition against Inciting to National, Racial, Religious or Ethnic Hatred, Discord or Intolerance may help to address problems of this type.
32. In the print media the Muslim Slavs have two publications based in Prizren, one *Selam*, a bi-monthly review dedicated to the Bosniak community and the other a new publication *Kosovksi Avaz*, a weekly Bosniak publication. The Turkish community also have their own paper called *Yeni Donem*. The Roma do not have any identifiable specific access to their own

¹¹ This organisation may emerge as a political body.

¹² Systematic media analysis, including treatment of minorities in the media has recently been initiated by the OSCE to complement the media monitoring tasks which have to date been conducted. At the time of this report it is too early to identify clear trends or patterns on the basis of the analysis, and comments should therefore be taken only as indicative of the current situation subject to more systematic analysis in the future.

print media. In the broadcast media, indigenous TV broadcasting, still nascent in post-war Kosovo, is provided by Radio Television Kosovo (RTK) which has a 10 minute news programme in Serbo-Croat scheduled in its three hour daily broadcast. Radio broadcasting has a broader base. There are essentially two different types of radio broadcasters: radio stations which broadcast wholly in one language, for one particular population, and radio stations which have slots in their main programming for news or cultural programmes targeted at the minority populations. For the Kosovo Serb population, the largest concentration of radio stations, eight in all, is in Northern Kosovska Mitrovica/Mitrovice. Radio Gracanica, broadcasting in Serbo-Croat from Gracanica, is part of Grupe S, a Belgrade based conglomerate that owns a number of radio stations operating in Kosovo. In Gnjilane/Gjilan, Radio Max also serves a Serb audience¹³. There are also a number of stations, supported by sectors of the international community, that broadcast in both Albanian and Serbo-Croat, for example Radio Galaxy (run by KFOR) and Radio Bluesky (run by UNMIK). Radio Kaminica, created by KFOR in October 1999 also broadcasts in both Albanian and Serbo-Croat and Radio Contact a local Pristina/Prishtina station broadcasts in Albanian, Serbo-Croat and Turkish. In Pasjane/Pasjan there is a proposal for another station which would broadcast in both Albanian and Serbo-Croat. For the Muslim Slav population, *Radio Sharri*, broadcasts in both Albanian and Gorani but employees have expressed their concerns that there is some danger in broadcasting songs in Gorani. *Radio Prizren* reserves one hour of its daily schedule for Turkish language programmes and half an hour for Serbo-Croat programming.¹⁴

Freedom of movement

33. Minorities continue to suffer from serious restrictions on their freedom of movement, as is illustrated in the sections by ethnic group to follow. Limitations on freedom of movement can range from being totally housebound in the absence of a security escort to being able to move within a restricted area inhabited by members of the same group but needing a security escort to venture further afield in ethnically mixed areas.
34. Freedom of movement is a basic right, the availability of which will determine one's ability to exercise a whole range of other rights, such as access to health care, education and other services. Where freedom of movement is restricted, life can become difficult, unbearable and ultimately unsustainable, leading people to seek other alternatives. Unfortunately this is a factor that continues to contribute to ongoing displacement within Kosovo and also to long term departure. Departures from Kosovo have drastically reduced from the levels witnessed in earlier reporting periods but continue nonetheless on a lesser scale. Many minority communities have now stabilised having survived a traumatic period of displacement but now find themselves faced with unacceptable restrictions on their freedom of movement leading them to question whether there is any future for them within Kosovo. Freedom of movement requirements need to be addressed on two levels: freedom of movement within Kosovo itself and cross boundary freedom of movement further normalising links with other parts of FRY.
35. In an effort to alleviate the hardships of the most affected communities UNHCR has provided bus services to facilitate freedom of movement. As this report was being finalised a fatal attack on one of these services, on February 2nd, resulted in the death of two Kosovo Serb passengers and has led to the suspension of all services pending further investigation and security review. The Danish Refugee Council, UNHCR implementing partner for this project operated eight bus routes at different locations around Kosovo, all of these requiring KFOR security escort. Some of the routes were able to introduce an inter-ethnic component as a small step towards confidence building between the different communities, by virtue of the

¹³ Following threats against the Radio station in December 1999, Radio Max has received increased KFOR protection to assist it to continue broadcasting.

¹⁴ In addition to all the preceding, international stations such as BBC World and Deutsche Welle also broadcast both Albanian and Serbo-Croat programmes.

fact that they service passengers of different ethnic groups. Progress in this regard has been limited with little evidence of passengers of differing backgrounds interacting socially while riding the bus and some indications that they choose not to board the bus if they consider the ethnic balance of the passengers not to be in their favour. Other routes are entirely mono-ethnic and operate under difficult security conditions simply to allow people to move and avail themselves of basic services, in an attempt to contribute to a general calming of tensions and breaking down the siege mentality that is so strong in some places. While operational these services provided a much needed lifeline to isolated minority communities and were much appreciated by the population. The February 2nd attack represented a major setback to UNHCR's efforts to promote freedom of movement and to UNMIK's efforts to protect minorities more generally. The re-activation of this project is under consideration at the moment.

36. In addition to UNHCR efforts there also exist initiatives on the part of other actors, for example KFOR provides security escorts to commercial bus lines serving minorities and periodically provides specific escorts to minorities travelling in their own vehicles.
37. As an additional measure to alleviate the sense of isolation and abandonment felt by many minority communities facing freedom of movement difficulties, UNHCR funds a project operated by Telecoms sans Frontieres to make satellite phone services available on a periodic basis. This project has benefited many communities throughout Kosovo and was particularly welcomed in the aftermath of the fatal bus attack when many Kosovo Serb families were desperate to communicate with their relatives elsewhere to assure them that they were safe.

Humanitarian assistance

38. UNHCR and a range of other actors continue to provide humanitarian assistance to minority groups, on the basis of need. Monitoring mechanisms have been developed to ensure that minorities have appropriate access to such assistance. In stark contrast to the majority population, some minorities have been so cut off from the possibility of employment or agricultural production, that they have been reduced to the status of welfare cases with no option but to seek out assistance from whatever sources are available. This situation presents a major challenge not only because of the difficulties that will be faced by humanitarian agencies in sustaining adequate levels of assistance in the long term but also because of the demoralising effect it has on the beneficiaries, who will inevitably grow restless at the fact that they have lost control over so many simple aspects of their lives. This type of resentment can also manifest itself on the part of the majority population sometimes jealous of assistance given to minorities which they perceive to be not equally provided to them. In addition, in certain high risk areas providing assistance can often identify minority members who are otherwise keeping a low profile and expose them to risk. Humanitarian agencies such as UNHCR and others will have to be alert to such sensitivities in ensuring the delivery of appropriate humanitarian assistance that genuinely serves the interests of minority groups. A joint WFP/UNHCR assessment on the Food Needs of Minorities in Kosovo, conducted during November 1999 and based on extensive field monitoring bears out many of these concerns with respect to the delivery of food aid in particular.
39. Field based research highlighted the difficulty faced in some areas in finding reliable local partners to assume responsibility for the delivery of assistance to minorities and to do so in an impartial and sensitive way. At present in Kosovo, UNHCR has been obliged to rely heavily on international NGOs for this task. This makes distribution more labour intensive and complicated. UNHCR constantly monitors the performance of its implementing partners, to ensure that they are up to standard and where problems of discrimination in delivery of assistance are detected, moves rapidly to rectify this. This in turn is a labour intensive and demanding task but one which is undertaken as a matter of routine in order to ensure that

assistance is delivered exclusively with reference to humanitarian and apolitical criteria and does not become the subject of further discrimination.

40. Shelter is another important component of humanitarian assistance which may be required by minorities. In some instances minorities have been displaced, requiring the provision of temporary emergency accommodation on an individual or group basis, whilst in others they have managed to remain in their homes, albeit under very difficult security conditions but they require basic repair materials to patch up the structural damage caused by attacks against their property.
41. This reporting period saw some improvement in the living conditions of displaced Roma who had been living in tented camps in, Obilic/Obiliq and Zvecan. These persons have been moved to hard shelter better able to withstand the harsh winter conditions but they remain in a state of displacement with little prospect of returning to their homes of origin in the near future. Many displaced persons have witnessed or subsequently heard of the destruction of their homes, as was the case with a group of Roma displaced to Coloni within Djakovica/Gjakova municipality in early November as a result of constant harassment culminating in the non fatal shooting of one member of their community. Having initially expressed a desire to return home quickly with the benefit of KFOR security presence they were given the sad news that some of their homes had already been burnt, in the short space of time they were left unoccupied. This group opted to remain in the relative safety of Coloni under permanent KFOR guard, for the duration of the winter and will reassess the possibilities of returning home in the spring.
42. UNHCR and other actors will continue to try to satisfy the immediate needs of minorities, with emergency rehabilitation assistance pending the provision of durable reconstruction programmes by other actors. However it has to be noted that in many instances these persons will not enjoy the same possibilities as many of their Kosovo Albanian counterparts to look forward to reconstruction in the spring. They face the sad reality of continued displacement because it is not only the destruction or illegal occupation of their property that prevents them from going home, but the intolerance of their neighbours and overriding security concerns.

Property issues (Housing)

43. The need for a long term strategy in terms of property restitution is also apparent. UNMIK regulation No. 1999/23 dating from November 15th on the Establishment of the Housing and Property Directorate and the Housing and Property Claims Commission, marks the most important step forward in this direction. The mandate of the Directorate and Commission will obviously be far reaching for minorities recently displaced and for Kosovo Albanians and others whose property rights were violated over the past 10 years. By focusing first on mediation rather than adjudication, it is hoped to provide a less confrontational means of resolving property disputes, in particular where they arise between minority and majority owners. For minorities who have been displaced the establishment of an independent body to determine property claims will play an important role in their ability to either return to their homes, to be able to sell them or receive fair compensation.
44. Funding shortages delaying the implementation of Regulation No. 23 have been partially overcome by a six month funding commitment on the part of the Finnish government. This money will allow the relevant authorities to activate the Housing and Property Directorate and Claims Commission by establishing premises, hiring staff and starting on the task of receiving and adjudicating claims. There is no doubt that this will be a lengthy and difficult process, in view of the loss and destruction of much supporting documentation, but a process that will prove crucial to the longer term objectives of respecting individual and communal rights regardless of the ethnicity of the beneficiary. It is urgent that the implementation of Regulation No. 23 be accelerated and be accompanied immediately by a comprehensive campaign of

public information directed to the public at large and minorities in particular. Field experience as recounted by UNHCR and OSCE staff, clearly underlines that property restitution continues to be in the forefront of the minds of minorities, who frequently seek clarification as to the methods and form that this will take

Employment

45. Access to gainful employment at acceptable rates of remuneration will be vital to ensuring a sustainable future for minorities. Freedom of movement is again of relevance. Minorities restricted to their own homes or to very limited geographical areas obviously have little prospect of holding down a job and being able to support their families.
46. Within the UNMIK structure and the wider humanitarian framework concerted efforts have been made to encourage employment of minorities. Institutional actors and the NGOs by the very nature of their work with minorities, have hired a certain number of translators, assistants and technical personnel drawn from within the groups that they work with. However, many of these opportunities are limited to working within a mono-ethnic environment and can even require security presence to guarantee that they can be carried out. This is the case even for minority staff engaged by the major institutions with cases of intimidation and harassment at the hands of other local staff of differing ethnicity being recorded. If this can occur within institutions actively working to promote ethnic tolerance, it does not bode well for how minorities would fare in the more open commercial employment market.
47. With respect to employment within the public sector UNMIK takes the lead in ensuring that minorities are given fair access. Only limited success has been achieved so far with respect to functions such as judges and other public servants due to a combination of factors. Efforts to maintain open access for minorities within public service jobs are fraught with difficulties. On the one hand minorities are reluctant to put themselves in a position that would be a potential risk for them, working side by side with another ethnic group that they do not feel confident with. On the other hand Kosovo Albanians may block the path of minorities, through open resistance or more subtle means. While this more frequently affects non-Albanian minorities, in the particular circumstances of Kosovska Mitrovica/Mitrovice, Kosovo Albanians have fallen victim to similar practices with the hospital and other services being dominated by Kosovo Serb staff who steadfastly refuse to countenance working with Kosovo Albanians. Despite these difficulties some gains have been made in favour of minorities in the public sector. During the reporting period for instance it was recorded that some 14 minorities had been successful in regaining their former jobs thanks to intervention on their behalf by UNHCR funded, Legal Aid and Information Centres, and support from UNMIK.
48. On the open job market, a determining factor is often the personal relationship between employer and employee before the conflict and the perception of the employee's behaviour during the conflict. On this basis some Kosovo Albanian employers confident of the fact that minority employees took no part in atrocities will re-employ them whereas collaborators, real or imputed, can have no hope of employment from the majority population. Those that have managed to retain or recover their jobs are few however, given the overriding concept of collective guilt that is attributed both to Kosovo Serbs and the Roma. In some cases persons have lost their jobs because they have been displaced and have no way of getting to them even if they were welcome there. In others minorities have been let go in favour of Albanians, not always on grounds of ethnic intolerance but rather to favour the interests of relatives and friends in need of a job. The continuing influx of Kosovo Albanian returnees may aggravate this situation for minorities since the limited job market will be flooded with available labour and minorities will find it increasingly hard to compete against the ties of kinship and potentially higher qualified candidates returning from abroad with more advanced skills.

Health services

49. Access to adequate health services is life sustaining and a major factor in determining if minorities remain where they are or seek other alternatives. Access to health care is frequently cited to UNHCR as a supporting ground in minority requests for assisted departure from the province.
50. The stated policy of UNMIK to maintain multi-ethnic health facilities has run into serious difficulties in many areas. Kosovska Mitrovica/Mitrovica sets the tone and is the headlining case. In that instance it is the Kosovo Albanian population that is effectively denied health care at the main hospital which is entirely staffed by Kosovo Serbs. During the reporting period this dispute reached such levels that UNMIK took the step of removing the UN flag from the hospital building, given that it is an institution that fails to meet the most basic standards on ethnic tolerance. Elsewhere in Kosovo while hospital facilities exist and are theoretically open to minorities the reality can be very different. Again restricted freedom of movement impedes ready access to health care as with all other services. Frequently KFOR escort is needed for patients to make it to the hospital. On arrival they may well be faced with security concerns emanating from the staff and/or visitors. This may necessitate KFOR security presence to be maintained whilst the patient remains in the hospital. This is unacceptable and it is highly questionable whether minorities can reasonably be expected to avail of healthcare in an environment where they fear for their own safety.
51. Kosovo Serbs are particularly vulnerable to restricted access to medical facilities and increasingly resort to KFOR military hospitals where security and impartiality of service is effectively guaranteed. While these may provide life saving services at present, it is obvious that this type of response can not be maintained in the longer term and that alternatives must be found. A specific medical facility has been installed in Gračanica/Ulpiana to attend to the needs of Kosovo Serb patients there. Kosovo Serbs often opt to leave Kosovo either temporarily or permanently in order to avail themselves of health care in other parts of FRY.
52. In contrast other minorities tend to enjoy much more flexibility but it has been noted in field assessments that up to 20% of identified concentrations of Roma face difficulties similar to Kosovo Serbs. The situation varies from place to place and according to the ethnicity of the patient and health providers. In some locations an effectively parallel medical system has had to be established in recognition of the fact that minorities do not enjoy the benefits of basic health care services. The realities in this regard will be illustrated in the sections by ethnic group that follow.

Education

53. Education is a basic right that must be available if minorities are to see a sustainable future in Kosovo. Adults who may well be able to endure the hardships of marginalisation and intimidation, blanch at the idea of their children being denied such a basic right and all that that ensues. Non-availability of education under acceptable conditions was often cited to field staff as a reason tipping the balance in favour of departure.
54. UNMIK envisages a multi-ethnic education system where children of different ethnic groups would share school facilities within an education system that accommodates different language streams. What this means in effect, is that students would rotate the use of classrooms according to the language stream in which they are receiving education. UNMIK recognises five languages of instruction; Albanian, Serbo-Croatian, Bosniac, Turkish and Roma. In addition there is a choice of either the Albanian or the Serb curriculum of the 1998/99 period. Use of either Latin or Cyrillic alphabet is permitted.
55. Many schools have been destroyed or damaged. Reconstruction efforts are underway and will continue to rehabilitate sufficient class-room space for all of Kosovo's children. Pending

completion of this programme there is pressure on the available resources to be able to deliver adequately for the student's needs. Within this context minority students are particularly hard hit. In addition they have to overcome the barriers, of rejection and intolerance, to be able to avail of their right to education.

56. In some locations displacement and/or limited freedom of movement has made availing of regular school services impossible and parents of minority children have had to resort to ad hoc measures to ensure that their children are given at least some minimal education. Witness the establishment of "home schools" in some isolated Serb enclaves and the establishment of an informal schooling system within the Roma camp in Plemetina/Plemetine, supported by as yet unqualified education promoters, who aspire to being teachers but lack the necessary training input at present. It should be noted that Roma children have an additional hurdle to overcome, that of traditional rejection of the need for formal education. Roma parents in the Djakovica/Gjakova municipality reported that they would like their children to attend school but then conditioned this by stating that the child must want to go. The children in turn stated that they would go to school if their parents made them. The reality behind this informality about the obligation/right to education is that Roma children frequently do not attend school or do so on such an irregular basis that they fail to progress through the grades. These problems have been exacerbated by the current instability, violence and intimidation of minorities within which the right of a child to education is not necessarily considered of primacy by others.
57. It is often said that education is one of the best approaches in breaking the vicious circle of ethnic hatred. Such a statement is premised on the hope that the younger generations nurtured in an environment of tolerance and acceptance, within which the education system should play a very important role, can break free of the injustices and resulting prejudices that befell their parents. Kosovo is a long way from reaping any potential benefits in terms of improved inter-ethnic relations, fostered by the education system. However initiatives should be taken now if the attainment of this long term goal is to be set in motion. Incorporation into the official curriculum of what is variously referred to as tolerance, human rights or peace education merits consideration and follow up. It is consistently reported from the field that children are the perpetrators of acts of harassment and intimidation against minorities, such as stone throwing and insults and in some isolated cases even more violent behaviour. This type of behaviour on the part of young children requires a response coming from both the education and the juvenile justice system.

Ethnic Serbs

58. The number of Kosovo Serbs remaining in **Pristina/Prishtina City** is estimated to stand at approximately 700 to 800, as compared with some 20,000 estimated by UNHCR during 1998, dropping to an estimate of 5,000 in late July at the time of the preliminary assessment and falling further to 1,000 - 2,000 by the time of the second assessment in September. It is worth noting that the current estimate represents an increase over the 400 to 600 estimate cited in early November. This is less attributable to return than to the fact that KFOR and other actors have improved their mechanisms for communication with and support to the Kosovo Serb community and have consequently identified more persons and revised population estimates accordingly. KFOR have noted a gradual decline in the number of Kosovo Serbs requesting security escort to depart the city permanently.
59. The situation for Kosovo Serbs remaining in **Pristina/Prishtina** continues to be precarious. They continue to bear the brunt of verbal harassment and stone throwing often at the hands of children. In many cases they are terrorised to leave their homes and rely on deliveries of foodstuffs and other essential items from UNHCR and other agencies. KFOR continue to provide security to Kosovo Serbs concentrated in various locations around town. Static guard arrangements are subject to ongoing review and adaptation by KFOR in order to provide maximum security in the most flexible manner possible. KFOR with UNHCR support also

provides door and window repairs and re-enforcement to Kosovo Serb homes which have come under attack. Over the holiday period KFOR conducted repeat visits to all Kosovo Serb households included on their beat, not only for security reasons but also for reassurance and morale boosting. Healthcare is supported by periodic house calls supported by a medical team from the Centre for Peace and Tolerance (CPT, a Belgrade Serb NGO). CPT premises were relocated during the reporting period to maximise their own security and to facilitate improved security for their beneficiaries. More serious medical needs involving recourse to Pristina/Prishtina hospital are a matter of concern since security escorts are required and safety and treatment at the hospital have been questioned where minority patients are concerned. Rumours persist of insecurity for minority patients in the hospital and one Kosovo Serb nurse reported having received death threats. While many Kosovo Serbs remaining within the city are the old and the infirm, there are also families with children present. However these families report serious difficulties in securing education for their children, a factor which would ultimately cause them to leave. KFOR have been providing security escort to a communal bus taking children to school in a nearby Kosovo Serb village.

60. The circumstances surrounding the death of a Kosovo Serb university professor and the serious wounding of his wife and mother-in-law in the aftermath of Albanian Flag Day celebrations, November 28th, left the Kosovo Serb community particularly shaken. Having remained at home all day, the family was obliged to venture out in the early hours of the morning, in an attempt to seek medical assistance for the mother-in-law, apparently suffering from stress and tension as a result of a long day of firecrackers and gunfire. Having become entangled in the midst of a crowd the professor was dragged from his car, severely beaten and shot. The two women were badly beaten before UNMIK Police and KFOR could gain control of the situation. Initially no witnesses came forward in this case despite the presence of a very large crowd of onlookers and only after intensive efforts on the part of KFOR and UNMIK Police, was a suspected accomplice to this shocking crime, arrested. The suspect later escaped from a KFOR detention facility.
61. Despite dramatic limitations on their quality of life many of the remaining Kosovo Serbs have expressed their determination to stay in Pristina/Prishtina, some stating that they have lived here all their lives and that they have neither the resources nor the motivation to start anew elsewhere. According to CPT estimates, of 140 Kosovo Serb families remaining within the city and known to them, some 20% will simply leave while another 20% may be successful in selling their properties. CPT complain that there are many Kosovo Serbs within the city limits who are not benefiting from KFOR protection. In contrast a snapshot survey by another actor covering 37 Kosovo Serb homes in early December revealed that 70% would like to stay, 14% intend to leave in the near future and 64% have friends nearby or elsewhere in the city. On the more negative side it also revealed that 81% never leave their homes, 86% have been subjected to some form of intimidation, 63% of which is carried out by children and teenagers, 69% of intimidation is low-level but of the serious attacks 77% involved violence. More than 50% of recent incidents cited in this brief study had occurred up to a month previously giving some indication that harassment can be contained with increased KFOR and UNMIK Police deployment on the streets. The deployment of specific human rights officers in UNMIK Police stations city-wide was noted as a positive step towards improving the protection of minorities.
62. In the greater **Pristina/Prishtina municipality**, it is estimated, often by the Kosovo Serb communities themselves, that somewhere between 12 to 15,000 Kosovo Serbs remain in a number of villages. These include some ethnically mixed Albanian/Serb villages: Devet Jugovica/Nente Jugoviq, where the Kosovo Serb population is reported to have been reduced with houses being sold to Kosovo Albanians; Kishnica, where the situation has deteriorated since the last report with increased attacks and a general lack of security leading to the departure of up to 20 families in one month. Children are bussed to school in Gracanica/Ulpiana and it is reported that some departing families are relocating there permanently since it is perceived as a more secure location; and Lebane where MDM France

reported in mid November that some 34 elderly Kosovo Serbs, some with chronic diseases did not manage to see a doctor since June. In addition Kosovo Serbs are also to be found in several exclusively Kosovo Serb or mixed Serb/Roma villages. Laplje Selo/Fshati Llap has an estimated 1,400 Kosovo Serb residents, and 150 internally displaced persons (IDPs) reportedly all Kosovo Serb whereas previously Roma were also noted here. The prevailing security situation is poor with many people not daring to venture far from their homes fearing opportunistic attacks from the main road nearby. Medical services are provided by NGOs through periodic visits but these are limited. Emergencies are referred to the KFOR hospital in Kosovo Polije/Fushe Kosove from where patients are sometimes referred on to Nis for longer term treatment. Despite the current difficulties residents expressed their hope, perhaps over optimistically, that others would return in the spring. Preoce/Peroc continues to house about 750 Kosovo Serbs and an apparently increased number of Roma. The situation here has been calm with the exception of an intra-community dispute over the burial of a Roma woman which the Kosovo Serbs objected to. Caglavica/Cagllavice has an estimated 2,000 Kosovo Serbs and a small number of Roma. Gracanica/Ulpiana has somewhere between 4,000 to 5,000 Kosovo Serbs including 150 IDPs, and a small number of Roma. Deriving strength from numbers the Kosovo Serbs have stoned passing buses carrying Kosovo Albanians. This led to a conflict on December 21st when 200 Kosovo Serbs protested at a perceived "arbitrary arrest" which in fact amounted to no more than a stone throwing child being delivered to his parents by UNMIK Police. Kosovo Serbs here complain of limited health care and access to employment. There is a health house which will be supplemented by a general clinic being build by MDM Greece. ICRC has also provided additional services here. December witnessed an increase in the number of Kosovo Serb IDPs visiting family and friends, availing of commercial bus links with Nis and Belgrade. These buses are escorted by KFOR but are regularly stoned nonetheless, when transiting Kosovo Albanian areas en route. The visitors cite harsh economic conditions in Serbia but generally conclude that the ongoing security incidents in Kosovo are not conducive to their return at this stage.

63. Only two Kosovo Serb women were recorded as remaining in **Podujevo/Podujeve** town under 24hr KFOR guard. It is not anticipated that Kosovo Serbs would return to the surrounding villages in the foreseeable future, with the possible exception of effecting visits to Sekiraca/Sekirace which also has around the clock KFOR presence.
64. In **Obilic/Obiliq Municipality**, there are still Kosovo Serbs living in the villages of Babin Most/Babimoc, Plemetina/Plemetine, Crkvena Vodica/Palaj, Milosevo and in the town of Obilic itself. Total population figures are estimated to be down from the 3,600 previously reported in September. It was difficult to confirm figures over the holiday period as there was some evidence of Kosovo Serbs returning to visit family and/or assess their property but not remaining. In Obilic town itself the population appears to have stabilised at or around 1,000 after a prolonged period of departures. News of the availability of schooling for Kosovo Serb children prompted some small scale return in early January. The general security situation fluctuated through the early winter months with periods of calm disrupted by incidents of arson, grenade attacks and assaults on Kosovo Serbs. The town is dominated by the two power stations, previously a major employer, but with an entirely Kosovo Albanian staff now in place Kosovo Serbs are facing serious problems vis a vis employment and economic self sustainability.
65. **Babin Most/Babimoc** houses 860 Kosovo Serbs living alongside but separated from Kosovo Albanians. The village is relatively isolated and overall security has been calm but conflicts have arisen over Kosovo Albanians purchasing Kosovo Serb property, which is strongly opposed by the Kosovo Albanian community. **Plemetina/Plemetine** is a predominantly Kosovo Serb village (approx. 1,000) which also houses a sizeable population of Roma. Kosovo Serbs from elsewhere have migrated towards Plemetina/Plemetine attracted by the relative security offered. The ongoing question of a separate Serb school has been a point of conflict. Crkvena Vodica/Palaj also has a mixed population with 381 Kosovo Serbs (including the neighbouring hamlet of Janina Voda). Freedom of movement is limited both within the

village and further afield. Verbal intimidation and harassment is commonplace with no serious incidents since early autumn. The Kosovo Serb population in Milosevo remains drastically reduced from pre-conflict levels, the location of the village along side the main road leaving it particularly prone to opportunistic drive by shootings. Fortunately these have not resulted in deaths but leave the population in a state of constant fear. Empty Kosovo Serb houses have been systematically looted in a way that suggests a high degree of organisation.

66. In **Kosovo Polje/Fushe Kosove Municipality**, numbers appear to have dropped to approximately 3,500 to 4,000, spread out between the town and the villages of Kuzmin, Batusa, Ugljare/Uglare and Bresje. There has been a wave of departures from **Kosovo Polje/Fushe Kosove town** during the past two months. Around 130 Kosovo Serb houses have reportedly already been sold and an estimated 60% of remaining houses are for sale. Reports persist about attempted evictions but at a decreased level than previously. Arsons are down from a high of two to three a day in September to a total of eight in November, seven in December and only one reported in January, perhaps because there is now more interest in occupying properties rather than destroying them. Departing Kosovo Serbs tend to be those who established residence in the area over the past 10 to 15 years, leaving behind those who have lived there for generations. In one neighbourhood CPT noted a reduction from ten to two Kosovo Serb families over the space of two weeks. A significant number of elderly Kosovo Serbs remain, living alone after other family members have departed for Serbia. Relying on pensions paid from Serbia they have found it difficult to cope with local shops refusing to accept Yugoslav Dinars or refusing outright to serve Kosovo Serbs. A recurring problem has been the high incidence of harassment, stone throwing and beating of elderly Kosovo Serbs, often at the hands of school children. In one incident on December 27th a 65 year old woman, on her way to the Yugoslav Red Cross (YRC) to collect assistance, reported being beaten to the ground by a 10 year old boy outside the school. While on the ground the woman was spat on by some small girls. In separate incidents two railroad workers were abducted and killed during the course of November. The mutilated body of one victim was found on November 8th in a forested area in Srbrica/Skendaraj municipality. The second victim died of chest wounds after being shot with two 9mm rounds on November 19th. The fact that both victims were railway workers prompted local fears of targeting in revenge for Kosovo Albanians having been dismissed from railway jobs. Neither case has been resolved and in general Kosovo Serbs complain that criminals even when caught are being released after 72 hours.
67. On a more positive note the Council for the Defence of Human Rights and Freedoms (predominantly Albanian NGO) and the Centre for Peace and Tolerance (Serb NGO) work side by side in the same building and communicate regularly, attempting to reach out into both communities. Concrete projects are being developed such as joint efforts for a Human Rights Awareness/Tolerance Promotion campaign in local schools.
68. In comparison the population in the village locations around the municipality has remained more stable with some evidence of the Kosovo Serb leadership urging resistance to sales. At the same time having waited patiently over the past months for the situation to stabilise many Kosovo Serbs appear to have lost hope for a better future in Kosovo. When speaking to ordinary people the sense of despair and hopelessness they feel at being confined to their homes is notable. KFOR presence has helped to instil some confidence and villagers benefit from escort services to allow them to travel to Kosovo Polje/Fushe Kosove. One case of drive-by shooting in Uglare and two attempted kidnappings in Batusa are being investigated by UNMIK Police. On January 6th a Kosovo Serb male was shot in the leg by unknown attackers while in the garden of his house in Bresje. Three days previously he had been beaten up at the same location. The latest incident prompted the villagers to request a night time curfew which was not instituted but KFOR did respond by stepping up temporary checkpoints and patrols.

69. Around 9,500 Kosovo Serbs are estimated to remain within the Kosovo Albanian-dominated **Lipljan/Lipjan Municipality**, but there has been displacement with Kosovo Serbs regrouping in the villages where their numbers are highest. Outflow from the town itself has been constant as a result of harassment, each violent incident provoking the departure of a few more families. Vacated apartments are quickly taken over by Kosovo Albanians claiming authorisation from self-appointed local authorities. KFOR and UNMIK Police are taking action to stem off illegal occupations. Increased security has served to achieve an overall decrease of violent incidents but grenade attacks, arsons and other security incidents continue to be reported. Many incidents have been linked to the secondary school, including the shooting of a 19 year old Kosovo Serb on January 15th. Novo Naselje, west of Lipljan/Lipjan town has suffered frequent grenade attacks and attempted abductions, in reaction to which KFOR has set up a checkpoint at the entrance of the village. The village of Dobrotin to the west is a hotspot since Kosovo Albanians from neighbouring Slovinje, transit frequently and drive by shootings threaten to spark more serious violence. Many of the Kosovo Serb villages have managed to harvest at least some of their summer crops and have some stocks for winter. Access to health care has been improved with an MDM Greece initiative to provide a mobile medical team.
70. **Kosovska Mitrovica/Mitrovica town** is divided, the extent and permanence of that division remaining to be decided. Overall population figures for both Kosovo Serbs and Kosovo Albanians have remained stable but the violent disturbances which occurred at the time this report was being finalised have resulted in population displacement on both sides of town. Despite repeated calls from the leadership, there has been no clear evidence of Kosovo Serb return to the north. The Kosovo Serb community remains sceptical about the Joint Interim Administrative Structures, noting that there was no Kosovo Serb representation at the signing of the initial agreement. The establishment of Joint Interim Administrative bodies is underway. As yet there is no functioning joint municipal board but UNMIK Civil Administration continues to be involved in extensive negotiations to produce a workable, balanced board that is acceptable to all sides.
71. The tense situation affects all ethnic groups but reported incidents more frequently affect the Kosovo Albanian population living in the Kosovo Serb-dominated northern sector. A very small and isolated Kosovo Serb community is found in the south of the city around the Orthodox church which is under permanent KFOR guard. Some elderly Kosovo Serbs also remain in their apartments. These few remaining Kosovo Serbs were adversely affected by the violence of the past week. Freedom of movement for Kosovo Serbs in the south is severely restricted and in the absence of KFOR escort they are likely to be subjected to violent attacks, as occurred on November 4th and January 1st, as a result there is almost no movement of Kosovo Serbs in this area. A similar situation applies for Kosovo Albanians in the northern sector where people leaving their homes even for a few hours to go shopping may well find it occupied on their return. The opening of an office of the Albanian Republican Party in the ethnically mixed Bosniac Mahalla neighbourhood of north Mitrovica, adjacent to a Mother Teresa Society (MTS) distribution point, during November 1999 was considered a provocation by the Kosovo Serb community and the office was attacked on a number of occasions, including a bombing on December 13th. Following the bombing a KFOR search of the premises yielded a number of heavy weapons. Education and health care are segregated, with access to the hospital for Kosovo Albanians being impossible. In late December the UN flag was removed from the building in protest at Kosovo Serb intransigence over the return to work of Kosovo Albanian staff.
72. The series of villages along the north bank of the river Ibar alternate isolated pockets of Kosovo Albanian and Kosovo Serb populations. The security and freedom of movement of these villages is inter-dependent. If a problem occurs in one village a knock on effect occurs to prevent movement down the chain of villages. UNHCR initiated a bus route to service the Kosovo Albanian populations and KFOR regularly provides escorts to Kosovo Serbs travelling in private vehicles. Following a security incident which resulted in restricted

movement for a number of days in early January, community leaders were brought together for the first time since the conflict to discuss their inter-related security issues and assurances were given on both sides that freedom of movement would be respected allowing each community access to town. Over the holiday period UNHCR responded to a request for transport allowing members of each community to visit family graves, the respective graveyards being on the other side of town. This event passed off successful and was much appreciated by both sides. A similar proposal during the summer had been rejected for security reasons.

73. The February 2nd attack on another of UNHCR's bus routes which had been facilitating freedom of movement for the residents of isolated Kosovo Serb villages west of Kosovska Mitrovica/Mitrovice has resulted in the suspension of all such bus services province wide. This fatal attack left two elderly Kosovo Serb passengers dead and marked the first occasion on which the activities of a humanitarian agency were directly targeted in such a deliberate and violent way. The potential for re-establishing these bus services, so much appreciated by the minority communities they serve, is currently under review.
74. North of Kosovska Mitrovica/Mitrovice, the situation for Kosovo Serbs in **Leposaviq** and **Zubin Potok**, where they are in the majority, continues to be calm with few major incidents reported. Protests were sparked by perceived lack of action on the part of KFOR and UNMIK Police in relation to the kidnapping of Kosovo Serbs from the battery factory in Kosovska Mitrovica/Mitrovice south in late October. An attack on two Kosovo Serbs villagers in the south of Zubin Potok provoked a rapid KFOR response with the installation of a checkpoint and patrols. More positively a municipal advisory board was initiated involving representatives of different communities, thus enabling exchanges on points of common interest between Kosovo Serb and Kosovo Albanian representatives. Meanwhile in **Zvecan**, a Kosovo Serb dominated municipality, Kosovo Albanian villagers require KFOR escort to exercise freedom of movement. KFOR has been involved in mediation efforts between Kosovo Albanian villagers neighbouring an Orthodox monastery where four Kosovo Serbs remain. These efforts aim to reach agreements on peaceful co-existence.
75. In **Srbica/Skenderaj Municipality**, Suvo Grlo/Suhogerlle has a population of 100 Kosovo Serbs (down from pre-conflict figure of 142) and 523 Kosovo Albanians. This village was one of those serviced by the UNHCR busline and in the violent aftermath of the attack on the bus, Kosovo Serb homes here came under attack. Banja/Baje, another mixed village, still has a population of 182 Kosovo Serbs (down from the pre-conflict figure of 233). There are also nine nuns/monks in the Orthodox monastery in Device. All three locations are under permanent KFOR guard and inhabitants do not move without escort. Powerlines to the monastery have been regularly cut and KFOR provided power from a generator.
76. In **Vucitrn/Vushtrri Municipality**, there are a number of villages housing Kosovo Serbs (some mixed including Roma and Albanians, others exclusively Serb). Freedom of movement is a problem for many of these villages, and can only be partially addressed by UNHCR sponsored bus services (pending determination on the future of these services). In Banjska/Banjske, Kosovo Albanians outnumber Kosovo Serbs by 635 to 135. Both groups have experienced displacement due to the conflict and it's aftermath and neither has returned to pre-conflict population levels, with some former residents living as IDPs in Kosovska Mitrovica/Mitrovice. Local Kosovo Serbs were known to have protected Kosovo Albanian houses during the conflict but after the conflict they still faced threats and intimidation appearing to originate from Kosovo Albanians in surrounding villages. Narrow access roads can not be passed by the 50 seater UNHCR bus. A minibus would be more appropriate for villagers needs. Meanwhile KFOR is providing twice weekly escorts to allow villagers to move about. Gojbula/Gojbuje is exclusively Kosovo Serb and the population is estimated at 500, a rise from the pre-conflict figure of 406, although the village representatives inform that there has been no influx of IDPs from other locations. Grace which housed around 900 Kosovo Serbs now has a population of only 189. Some small scale return was noted during

December. Returnees state that they would rather stay in “their” village than face economic hardships elsewhere. In the large village of Priluzje/Prelluzhe, predominantly Kosovo Serb before the conflict (estimated 1,900 Kosovo Serb, 200 Roma and 90 Kosovo Albanians) the population has risen to include 3,000 Kosovo Serbs and 160 Roma. Kosovo Serb representatives cite a figure of 400 for IDPs absorbed by the village. In Slatina/Sllatine only 26, mainly elderly, Kosovo Serbs remain and there is little expectation that others will return in the near future, put off by the unstable security situation. In addition the few remaining Kosovo Serbs complain that Kosovo Albanians have appropriated their lands and livestock making it difficult for them to survive.

77. It is estimated that the number of Kosovo Serbs remaining in **Gnjilane/Gjilan Municipality** stands at approx. 12,500. In **Gnjilane/Gjilan town** itself the number of Kosovo Serbs continues to fall, due to ongoing migration towards the Kosovo Serb dominated villages spread out across the municipality. Kosovo Serb property vacated in the urban centre is quickly occupied by others. Population figures in the villages have remained stable with some variations upwards as a result of displacement from the town and some small scale return noted. Overall the number of serious incidents is down but the security situation remains volatile. One serious incident after months of relative calm can represent a serious setback. Witness the triple murder of Kosovo Serbs committed on January 16th while they were en route from Preshevo to Kosovo, and the fear, anger and insecurity that this provoked within the Kosovo Serb community. Intimidation, harassment and threats continue to be commonplace but are increasingly met with resolve on the part of the minority populations to remain despite the very difficult conditions under which they continue to live. UNHCR operates two bus routes to facilitate freedom of movement of minorities within the municipality. Access to health care is adversely affected by the limitations on freedom of movement with many Kosovo Serb communities having little or no access to local services and dependant on KFOR escort to the boundary line allowing them to travel onwards to attend to their needs. With respect to education, facilities are shared between different ethnic groups in some locations
78. Other serious incidents recorded within Gnjilane/Gjilan town and the wider municipality include the murder of a 66 year old Kosovo Serb man in Bobrcane on November 1st. The victim was reported to have been travelling in a private vehicle without escort when the vehicle was ambushed. Two other male passengers and one female survived the attack. Another Kosovo Serb male aged 67 was killed by mortar fire in Pasjane on November 7th. KFOR detained two Kosovo Albanian suspects in relation to this crime. The wife of the former mayor of Cernica/Cernice, was killed in a bomb explosion at her home on December 3rd. This killing had a major impact within the village which had previously enjoyed three months of relative calm. Again in Cernica/Cernice there was an explosion at the Orthodox church on January 14th. On December 8th a group of men, including two Kosovo Serbs and four Kosovo Albanians were released from the KFOR base and dropped off near the bus station in Gnjilane/Gjilan. Both Kosovo Serb men were subsequently abducted and beaten. One survived but the other died of strangulation. On December 12th a Kosovo Serb out cutting wood between Ugljare/Uglare and Pasjane/Pasjan was shot dead. On January 9th a Kosovo Serb male was shot in broad daylight close to his home in Gnjilane/Gjilan. Occurring as it did close to a KFOR checkpoint this incident significantly increased security concerns among the Kosovo Serb community.
79. Within **Novo Brdo/Novo Berde Municipality**, the Kosovo Serb population is estimated to have fallen to between 1,500 to 1,700, to be found in Bostane/Bostan (approx. 120) Jasenovik (approx. 170) Manisince/Manishince (approx. 100), Novo Brdo/Novo Berde town (approx. 100), Izvor (approx. 400), Prekovce (approx. 250), Trnjicevce (approx. 120), Labjane (approx. 100) and Zebince (approx. 250). In general the minority populations enjoyed freedom of movement (as compared with urban Gnjilane/Gjilan and Vitina/Viti) although this is limited to the confines of the municipal area and not beyond. In **Kosovska Kamenica/Kamenica Municipality**, the pre-conflict Kosovo Serb population of 13,000 is

currently estimated to stand between 10,000 to 11,000 having been estimated at approx. 8,000 at the time of the First Assessment report. Freedom of movement is relatively good but similarly confined to the municipal area.

80. In **Vitina/Viti Municipality**, the number of remaining Kosovo Serbs is estimated at between 3,800 and 4,000, down from an estimated 4,900 in September 1999, when continued departures from mixed villages were noted. Tentative moves towards possible return, with KFOR escorting Kosovo Serbs to inspect their abandoned properties, have been met with rejection and even violent opposition. The pattern of serious incidents in Vitina/Viti has differed from Gnjilane/Gjilan in that some of the victims have been Kosovo Albanian but with indications that they may have been targeted as a warning to perceived collaborators. On December 20th a Kosovo Albanian, a former judge and investigating officer with the MUP was shot dead. The following day another Kosovo Albanian male was killed. The victim had recently purchased a house from departing Kosovo Serbs. On December 27th a Kosovo Serb owned café, suffered a hand grenade attack, injuring nine Kosovo Serb customers, three of them seriously. This incident coincided with the KFOR facilitated visit bringing some Kosovo Serbs to see their homes. The café owner is perceived locally as a leader, holding the remaining Kosovo Serbs together. He may have been singled out for this reason. The incident does not appear to have provoked further departures. There have been numerous reports of Kosovo Serbs being pressured to sell their properties including one where a below market price was paid in false banknotes. In the more rural parts of the municipality, Kosovo Serbs complain that their timber stocks have been devastated by Kosovo Albanians, that they have been prevented by security concerns from working their land and that cattle and tractors have been stolen despite their efforts to safeguard their property. In a December 4th attack the 14th century monastery of Saints Archangels Michael and Gabriel was destroyed by explosives, having been previously damaged by fire on June 26th but left unharmed in the intervening period.
81. **Urosevac/Ferizaj** town is predominantly Kosovo Albanian and only 23 Kosovo Serbs were recorded in and around the urban centre and neighbouring villages. The majority of these people are elderly and live under 24hr KFOR guard. A Kosovo Serb woman from Zasok/Zaskoc village was murdered on December 4th, her body remaining in the morgue for some time since there were no family members remaining to recover it for burial. Some Kosovo Serb IDPs living in Strpce/Shtrepce, availed of KFOR services to visit their homes in Urosevac/Ferizaj but declined to return under currently conditions. **Kacanik/Kacaniku** has not seen any Kosovo Serb return either. In **Stimlje/Shtime** the number of remaining Kosovo Serbs has fallen further still with only 30, mainly elderly Kosovo Serbs remaining in their homes, others having departed to Serbia for medical and security reasons. Stimlje Special Institution currently cares for around 200 Kosovo Serbs. One Kosovo Serb patient was murdered after wandering into the town in November. Freedom of movement is severely curtailed in both Urosevac/Ferizaj and Stimlje/Shtime. A regular biweekly KFOR escort between Urosevac/Ferizaj and Strpce/Shtrepce somewhat eases the sense of confinement and isolation. Access to medical facilities is very limited and house visits by a KFOR doctor in Urosevac/Ferizaj and a Serb doctor from Lipljan in Stimlje are the mainstay of a largely old and weak Kosovo Serb population. In Urosevac/Ferizaj, humanitarian assistance is delivered using separate door to door delivery channels. From early November this system also had to be adopted in Stimlje/Shtime as distribution through the Mother Teresa Society (MTS) regular network was shown to expose the beneficiaries to harassment.
82. **Strpce/Shtrepce** continues to be divided between Kosovo Serb and Kosovo Albanian villages with four purely Kosovo Albanian villages remaining and five previously mixed villages now populated only by Kosovo Serbs, with the exception of Vica/Vice where a few Kosovo Albanians remain in a separate part of the village high on the hillside. The Kosovo Serb population by estimates calculated in November continues to stand at about 9,000 including IDPs. Some 952 IDPs are registered with the Yugoslav Red Cross (YRC) from a highpoint of 1,800 immediately after the conflict. This subsequently went down due to

departures to other parts of FRY but current indications are that some people have returned (to conditions of internal displacement) citing difficult economic conditions there. Freedom of movement within the municipality is relatively easy but travel further afield requires a security escort. Regular commercial bus lines linking up with destinations in FRY and FYROM benefit from KFOR security escort. Kosovo Albanians, a minority within this municipality, also face freedom of movement constraints in certain areas.

83. **Suva Reka/Suhareke** has not witnessed any return of the 500 strong pre-conflict Kosovo Serb community. Meanwhile in **Prizren town**, the number of remaining Kosovo Serbs is thought to have dropped from about 150 in September to about 120 now. The security of some of these families was compromised by the erroneous publication in early January of a beneficiary list including personal data. KFOR immediately responded with increased security coverage to preclude any adverse consequences. In addition some 44 Kosovo Serbs of a total population of 76, continue to take refuge in the Prizren seminary. Some of these people are in the process of preparing for departure to other locations in FRY to live with relatives. In early January two Kosovo Serbs turned to the seminary for safety having been evicted from their homes. During the holiday period a total of eight unoccupied Kosovo Serb houses were burnt in the old town.
84. In the **Zhupa Valley region**, south east of Prizren, of a total of 16 villages, only one, Bogosevac, remains purely Kosovo Serb with a population of seven persons (previously 35 to 40) under permanent KFOR protection. Other villages are home to a mixed population of Muslim Slavs and Kosovo Albanians and overall the Kosovo Serb population has fallen to about 120 persons. Many of these are entirely dependent on humanitarian assistance due to severely restricted freedom of movement and the fact that Muslim Slav store owners are fearful to sell to them having received threats to the effect that their shops will be burnt if they offer services to Kosovo Serbs. Four villages, Sredska/Sredske, Stajcovce, Milacici and Zhiviniane are totally abandoned. As a confidence building measure for the benefit of the dwindling Kosovo Serb population, KFOR installed a checkpoint at the entrance of Zhupa valley. This was well received locally but was subsequently withdrawn in favour of a UNMIK Police sub-station at Recane/Recan, supported by intensive patrolling.¹⁵ The minority population have expressed their appreciation of these efforts on their behalf but the prevailing conditions continue to leave them fearful and nervous. In the **Podgor Region**, north east of Prizren, there used to be up to 700 Kosovo Serbs spread out across six villages but now a negligible number remain.
85. In **Djakovica/Gjakove Municipality**, few Kosovo Serbs remain from the pre-conflict estimate of 1,800. The seminary at **Decani/Decane** continues to house a small number of monks under 24 hour KFOR protection and while they occasionally extend refuge to displaced Kosovo Serbs, the monks confirm that no other Kosovo Serbs remain in the area.
86. **Orahovac/Rahovec** still houses some 2,000 to 2,200 Kosovo Serbs, including original residents and IDPs living in very difficult circumstances in the upper part of the town and nearby Velika Hoca/Hoce e Madhe village. Numbers have decreased gradually as UNHCR has facilitated departures of IDPs desperate to join family members in Serbia. A regular UNHCR bus service linking Orahovac/Rahovec to Kosovska Mitrovica/Mitrovice was initiated in late December, somewhat easing the severe limitations on freedom of movement. This route like all others is currently suspended pending investigation of the recent attack. This service is subject to complex security arrangements given the very vocal opinions of local Kosovo Albanians that war crimes suspects live in Orahovac/Rahovec. The easing of the Kosovo Albanian blockade of the Russian troop deployment has allowed for some progress on inter-ethnic meetings although so far this has only amounted to getting the parties around the table with little substance yet addressed.

¹⁵ Previously referred to above under the section Static Guards

87. A number of serious incidents during the reporting period serve to highlight how tense the situation remains. In late October four Kosovo Serbs and one Roma disappeared from Orahovac/Rahovec en route to or after arrival in Djakovica/Gjakove. Amid persistent rumours of provisional KPC involvement in their abduction, KFOR undertook a search of various buildings in and around a barracks used by the KPC, but without success. Further inter-agency follow up failed to resolve the case. On December 3rd two Kosovo Serbs were shot dead while out cutting firewood close to Velika Hoca/Hoce e Madhe. Shortly afterwards, on December 17th a grenade and firearms attack on a café within Orahovac/Rahovec left one Kosovo Serb dead and a further seven in need of temporary evacuation for medical treatment. Given the severe restrictions on movement, Kosovo Serbs face difficulties in accessing a wide range of vital services including health and education.
88. The attitude towards the small Kosovo Serb minority remaining in **Pec/Peje** continues to be characterised by aggressive rejection. The attack on a KFOR escorted UNHCR evacuation convoy of Kosovo Serbs from Orahovac/Rahovec to Montenegro, in late October¹⁶, while transiting through Pec/Peje, appears to have been sparked by the perception that the group was returning. The possibility of KFOR facilitated visits for Kosovo Serbs to assess the potential for return to some specific locations, that would be subject to 24hr guard, may run the risk of similar reaction. Some 50 Kosovo Serbs live in the Patriarchy, amongst these 25 monks and nuns. The residents and the buildings themselves are permanently guarded by KFOR. A Kosovo Serb male suffering from a mental illness left the Patriarchy in mid December and was later found dead in Vitomirica/Vitormirice on January 1st 2000. Two abandoned Kosovo Serb houses were set alight on January 17th. In **Pec/Peje Municipality**, the greatest concentration of Kosovo Serbs is to be found in Gorazdevac/Gorazhdec, with an estimated 800 persons, comprising original residents and IDPs. KFOR presence is constant. A small number of Roma and Kosovo Albanians also live in this village. The population has fluctuated as people have availed of a regular Yugoslav Red Cross bus service to/from Montenegro and Belgrade but during the reporting period this service was temporarily suspended due to weather conditions. As a result freedom of movement is very limited. The Kosovo Serb community was shaken by two mortar attacks launched from a neighbouring Kosovo Albanian village in early January. Kosovo Serbs continue to be found in small numbers in **Istok/Istog Municipality** (as few as 185) whereas none were recorded in **Klina/Kline Municipality**.

Croatian / Bosnian Serbs

89. The situation for the Croatian and Bosnian Serb caseload present in Kosovo prior to the conflict has notably deteriorated since. As mentioned in previous reports UNHCR continues to locate and counsel the remaining Croatian and Bosnian refugee caseload, seeking appropriate durable solutions to their problems in keeping with its Protection Mandate. We have excluded more detailed information on this group in this edition of the report in recognition of the fact that, while they do face problems akin to ethnic Serbs originating from Kosovo, their status as refugees demands a different response, particularly on the part of UNHCR.

¹⁶ Referred to at Paragraph 28 of the Overview of the Situation of Ethnic Minorities in Kosovo, as of November 3rd.

Roma¹⁷

90. The update on minorities in November 1999 indicated that overall there had been a decline in the numbers of Roma and, as with other minorities, a tendency in some areas to move into Roma enclaves perceived to offer greater safety. In other locations it was noted that the Roma continued to live in their own homes but faced difficulties in accessing vital services such as health and education and security continued to be a concern. During this reporting period no group departures of Roma were noted, the last major departure being that of a group of 266 IDPs from the Obilic/Obiliq camp to FYROM in mid September. Living and security conditions continue to be precarious for many Roma and displacement is ongoing. It was noted during the research for this update, that across the province there are examples of Roma families who are well integrated with their Kosovo Albanian neighbours, to the extent that they do not wish to be separately identified as a minority. Such examples are often positive but also serve to indicate that in some instances safety may depend on a denial of their ethnic origins. Some cases of individual return (family groups) were noted. However, this should not be taken to mean that the situation is anywhere near acceptable for Roma. The continued tension and hostility in and around Glogovac/Gilogoc, Lipljan/Lipjan, Podujevo/Podujeve and the Plemetina barracks, the killing of two Roma males on December 29th outside Glogovac/Gilogoc and the killing of another two Roma males in Djakovica/Gjakove on January 15th, are a sharp reminder of the continued lack of security for many Roma.
91. In **urban Pristina/Prishtina**, the residual Roma population remains small and predominantly concentrated in one neighbourhood in the north of Pristina/Prishtina, although there are also a few other families living in isolated areas. Current estimates indicate a population of between 115 to 140 persons. This represents an increase on the estimate of 50 cited in September 1999 but it is not thought that there has been any return but rather that current assessments are more accurate as involved actors develop more detailed reporting and follow up mechanisms to attend to the needs of minorities living in Pristina/Prishtina.¹⁸ In an incident in early December a male Roma from Djakovica/Gjakove accompanying his uncle to the Pristina/Prishtina hospital was abducted by unknown uniformed men. The victim reported that he was beaten and interrogated at length about the identities of Roma believed to have committed crimes against the Kosovo Albanian population. He was shot in the back and left for dead on the outskirts of Lipljan/Lipjan but survived and was spotted by KFOR who took him to hospital. In **rural Pristina/Prishtina** there are still small numbers of Roma in most villages living in various degrees of co-existence with Kosovo Serb or Kosovo Albanian neighbours but often times on the outskirts of villages in difficult social conditions.

¹⁷ As has been noted in previous reports (See page 10 of the Second Assessment) the Roma are far from a cohesive group. The so-called 'ethnic Roma' clearly identify themselves as Roma and use Romany as their mother tongue, although they can also speak Albanian and/or Serbo-Croat. They have a proud cultural tradition and links with Roma communities in other countries. By contrast, the Ashkaelia (who are Albanian-speaking), have always identified themselves as Albanian and lived close to the latter community. Nevertheless they are treated as slightly separate by the ethnic Albanians. Another community who distance themselves from the ethnic Roma are the Egyptians (considered by some observers to be Ashkaelia) who speak Albanian but claim to have come originally from Egypt. It is thought that their ancestors may have followed Alexander the Great from India to Egypt where they settled for a period before venturing to Europe. Whatever their origins, they are perceived by the Albanian community to be Roma for whom a separate identity was created about ten years ago by the Belgrade regime in order to promote the image of a multi-ethnic, rather than Albanian-dominated, Kosovo. Nevertheless as time passes the signals are becoming all the more strident that the Egyptians want to be seen as being Albanian, and not as a minority. In those villages where they are integrated they are treated as Albanian by the co-villagers, and this can often make the figures for them unreliable. Both the Ashkaelia and Egyptians follow the Muslim faith. Finally, there are the Cergari Roma who follow the Orthodox faith, speak Serbo-Croat (although they may also be able to converse in Romany) and have a nomadic lifestyle, travelling usually between Serb-populated areas. Most Orthodox Roma, living in and around Kosovo Polje left during and after the conflict, as they were closely aligned to the previous Serbian administration and as such tends to be shunned by other Roma. There are also some Catholic Roma found near the Croat communities in Lipljan/Lipjan. References in this report to specific groups within the wider Roma community generally defer to the description each community ascribes to itself.

¹⁸ UNHCR in conjunction with other actors has a specific monitoring project for minorities in Urban Pristina in an attempt to ensure that their very particular needs in terms of access to services and humanitarian assistance are addressed.

92. The Roma population in **Podujevo/Podujeve** town, suburbs and surrounding villages is thought to currently number about 800 to 900 persons, most of these remaining in their own homes. Persons previously displaced from Batlava village and accused by the local population to have assisted the Serbs in criminal activities, have been unable to return home and remain in conditions of internal displacement. While the overall security situation can be classified as relatively calm, the Roma population does not enjoy full freedom of movement and have expressed fears to travel unaccompanied to other locations, especially to Pristina/Prishtina. Some families have reported constant harassment and accusations of being collaborators, as part of a concerted campaign to drive them out definitively. On a more positive note the Roma population have representation on the Municipal Council and with the support of OSCE and UNMIK have established a local NGO now preparing to undertake activities in the field of education, culture and employment.
93. The Roma in **Kosovo Polje/Fushe Kosove** are estimated to number 1,700 to 2,800 persons with the Ashkaelia leader favouring the upper range municipality wide, citing returns of some 250 to 300 persons since the end of October and expressing his optimism that this trend will continue. Freedom of movement is restricted with people limiting their activities to daylight hours due to security concerns. Especially for the elderly leaving the house can be a terrifying experience. The Ashkaelia avoid entering the centre of town because of security concerns. A Roma male who went missing on November 28th was found dead in the Podujevo/Podujeve area five days later. In another incident a Roma woman living in Kosovo Polje/Fushe Kosove town reported that her family have been subjected to months of harassment and intimidation culminating in a Molotov cocktail being thrown through a window and causing a fire in mid-November. This same family reports that during December the father was kicked and stoned by Kosovo Albanian youths while accompanying his young son to hospital. Access to education is also a problem for the community in Kosovo Polje/Fushe Kosove town. According to the community leader 650 pupils were not attending school because they did not feel safe going to Kosovo Albanian schools. Assurances from the local Kosovo Albanian political leadership that they would be treated with respect did not result in any concrete improvements.
94. Within **Obilic/Obiliq municipality** the Roma population previously accommodated in the camp at Krusevac-Dardhiste have been moved to a new site in Plemetina/Plemetine. In addition Roma continue to live in Crkvena Vodica and in Plemetina/Plemetine proper. In Crkvena Vodica, a few families identify themselves as "Kovaci Roma" as distinct from Roma elsewhere in the municipality and feel alienated from them. This distinction appears to be based on the use of different dialects of the Romany language. In Plemetina itself there are an estimated 400 Roma. Their freedom of movement within the immediate area is reportedly good but they are hesitant to travel further afield. Relations with the estimated 1,000 Kosovo Serbs remaining in Plemetina/Plemetine are good but given the delicate balance with Kosovo Albanians also living in the same area the overall situation is tense.
95. With respect to the IDP camp now located in **Plemetina barracks**, current population stands at 890 persons, the vast majority of these Roma, with some Croatian Serb refugees and Kosovo Serb IDPs also living there. The move from Obilic/Obiliq was effected in December and took place without incident. The new camp offers the Roma improved living conditions as compared with the previous location. Work is ongoing to further develop the site and relieve crowded conditions. Roma children within the site are currently attending an informal school staffed by education promoters but UNHCR and other actors are investigating the possibility of having these informal teachers benefit from some teacher training instruction and in this way strengthen access to education for the IDP children who at present do not attend the local school, their parents citing security concerns. Permanent KFOR presence is ensured since the site is located adjacent to a KFOR base. After an initial period of calm where the residents settled in, some security concerns have started to manifest themselves of late. The site is very close to Kosovo B power station and there have been a few incidents where the residents have come into conflict with station guards having wandered within the complex

area in search of firewood. One Roma male reported being abducted from the camp by unknown men in early January but was subsequently released unharmed.

96. In **Lipljan/Lipjan Municipality**, Roma can be found both in the town and in a number of mixed villages in the rural area. Total numbers are estimated to be in or around 1,500 but given the differing degrees of integration and self-identification in some locations with other ethnic groups precise numbers are difficult to assess. In Mali Alas (approx. 220) most of the Ashkaelia community lives together in the same area of town. A few families live in the nearby village of Konjuh. In Mali Alas in particular there are reports of constant harassment by elements of the majority Kosovo Albanian population towards the Roma. In Radevo there are 60 Romas who identify themselves as Egyptian, living in apparently calm conditions. Janjevo is notable in having a remaining Serbo Croatian speaking, Roma population (estimated 200 persons). The security situation for them in this mixed Kosovo Albanian and Croat village is tense and they tend to remain in their homes located in one area of town. Medvece has quite a large Ashkaelia population, estimated between 350 and 400 persons. In Vrelo there is a Roma Ashkaelia community of just over 100 persons, half of these IDPs from Magura who are currently hosted by other Ashkaelia families. The Roma community in Lipljan town face a tense security situation within which all non-Albanians encounter difficulties. They do not have secure access to health services. The educational situation for the Roma children remains of concern. Only 10 Roma children attend the Kosovo Albanian school. Other Roma children do not want to go due to harassment. Several Roma communities are in continued need of humanitarian assistance, the combination of limited freedom of movement and marginalised social status, making it difficult for them to achieve self sufficiency even where they have managed to remain in their home villages, enjoying varying degrees of integration with the majority population.
97. The Roma population in **Kosovska Mitrovica/Mitrovica** is still very reduced with an estimated 200 remaining as compared to a pre-conflict estimate of 7,000 to 10,000. One Ashkaelia community of approx. 170 persons is to be found in south Mitrovica. The Roma community of north Mitrovica currently consists of a few families, some displaced from their homes in south Mitrovica which were destroyed. The majority of a group of 250 to 300 IDPs housed in a collective centre in Zitkovac, **Zvecan** municipality were relocated to an improved site in early January. Some 50 persons remained behind at the original site but are now housed in a building rather than tented accommodation.
98. The numbers of Roma remaining in **Zitkovac** and **Leposavic/Leposaviq** are difficult to assess accurately given that there is a considerable degree of movement with people visiting Serbia for family and business reasons. Rumours within the Roma community of a major return movement have failed to materialise with only a couple of families returning to stay citing poor living conditions in Serbia but equally concerned about the precarious situation facing them in Kosovo. In Leposavic/Leposaviq approximately 200 Roma (including a group of Egyptians) continue to live in a collective centre while 50 to 60 Orthodox Roma are well integrated in the predominantly Kosovo Serb village of Kamen. The IDP population continue to report incidents of harassment apparently due to the fact that the hosting Kosovo Serb communities do not accept their presence. In late November the Roma occupants of the collective centre in Leposavic/Leposaviq reported being harassed by a Serb male. On December 1st two Roma males reported being threatened by a group of three Serbs in Leposavic town, one of them brandishing a knife.
99. About 130 Ashkaelia can be found in **Vucitrn/Vushtrri** town, an increase on the 70 noted in September. Some small scale returns were noted during September but people now talk of security concerns and restrictions on their freedom of movement which would prompt them to leave. November was characterised by a series of incidents against the community including grenade attacks, intimidation, extortion and threats. The Ashkaelia leader was particularly singled out. The population live in their own houses concentrated in one area of the city. Despite the fact that some local Kosovo Albanian political leaders have spoken out in their

support the community has little freedom of movement and lives under KFOR protection not sending their children to school out of fear of attack. In contrast **Priluzje** a mixed village of Kosovo Serb, Roma and Kosovo Albanian population has maintained a steady number of about 160 Roma living in relative security but faced with freedom of movement restrictions. A UNHCR supported bus shuttle has gone some way to alleviate this problem for both Kosovo Serb and Roma residents of the village. In addition they have access to the train but services have been intermittent.

100. Within the **Gnjilane/Gjilan area**, the Roma population of the town is estimated to have fallen to about 350 persons, with another 50 in Bostane, 100 in Kamenica town, 200 in Berivojce and some smaller groups in other villages. Efforts have been made to improve access to education for all minority groups, including Roma. An initial idea to integrate Roma students within the Serbian language stream was rejected due to security concerns but Roma students now benefit from UNMIK sponsored catch up classes provided at a specific location. Mobile clinics supported by NGOs and KFOR continue to be needed to cover the gap resulting from limited access to hospital services.
101. In **Uroševac/Ferizaj** Town, there are around 4,200 Ashkaelia; some 3,700 live in three areas dominated by Ashkaelia population, and some 500 live in other parts of town. In addition there are about 60 Roma families (300-500 persons) residing in the town. Both groups live mostly in their own houses. Ashkaelia in smaller numbers live in a few mixed villages including: Kosare, Stari Miras, Tankosic, and Zaskok. It should be noted that many of the Ashkaelia have stated a preference to be identified as Kosovo Albanian and have declared themselves as such in the previous census. Some spontaneous return of Ashkaelia has been noted but interestingly enough local leaders state that Roma would have difficulties if they attempted to follow suit.
102. Though some improvements have been observed in these last three months, harassment and intimidation towards Roma and Ashkaelia minorities still continues in Uroševac/Ferizaj Town. Looting is commonplace in their neighbourhoods. Incidents have been reported involving child/youth perpetrators but where these are referred to the police they can do little to follow up since the children are under 14 and fall outside the net of the juvenile justice system. Freedom of movement within the town can generally be exercised but Roma and Ashkaelia minorities express their fear to travel elsewhere. Access to education is variable with Roma children previously education in Serbo-Croatian finding it difficult if not impossible to continue their studies, whereas Albanian speaking Ashkaelia do not face the same obstacles. However even within the Albanian speaking population low attendance rates have been noted in some locations. Access to medical care has improved but access to employment remains a critical issue. Elsewhere in the municipality a series of serious incidents have been reported against Roma and Ashkaelia including, the rape of a pregnant Ashkaelia woman in November and the kidnapping of one Roma and two Ashkaelia originating within the municipality, while travelling from Obilić/Obiliq to Golgovac in December, resulting in the execution style killing of two of the victims.
103. According to local representatives there has been an increase in the number of Ashkaelia in **Stimlje Municipality**, as a result of some small scale return. Estimates cited roughly break down as follows: 400 persons in Stimlje Town, 200 persons in Djurkovce and 150 persons in Vojinovce. These figures are difficult to verify with many people reluctant to identify themselves as Roma or Ashkaelia.
104. In **Prizren** it is estimated that as many as 4,000 to 5,000 Roma still live in and around the city. Increased KFOR and UNMIK Police presence appears to have stemmed the rise in harassment and intimidation previously reported. Immediately after Christmas, however, the Roma community reported a spate of attacks against them, including two robberies where female occupants of the houses reported sexual harassment. In Dushanovo area reconciliation efforts continue, with the Roma and Kosovo Albanian communities having

contact on a regular basis. A Kosovo Womens Initiative Project for Roma and Kosovo Albanian women in the Podrima district has been well received by both communities. Throughout **Suva Reka/Suhareke** municipality some 350 Roma continue to live apparently well integrated with the Kosovo Albanian population. Interviews indicate clearly that many Roma do not wish to be identified as Roma and contest being categorised as being anything other than Kosovo Albanian. It is believed that this is a conscious attempt not to create differentiation between the Roma and the Kosovo Albanian community as a self-protective reaction. It is noteworthy, however, that no serious incidents have been reported over the last 2-3 months.

105. The Roma community in **Orahovac/Rahovec** consists of 85 families with a total 431 people. The population has remained stable, though the atmosphere continues to be tense with Roma seeing themselves trapped between the Kosovo Serbs and the Kosovo Albanians. This was illustrated by a grenade attack on December 17th in the Kosovo Serb quarter. The attack occurred on the boundary between the Kosovo Serb and Roma communities. Afterwards, Roma were accused of co-operating with Kosovo Albanians in this crime. The Roma living in Orahovac/Rahovec face severe restrictions on their freedom of movement.
106. Between **Djakovica/Gjakove** and **Decan**, it is estimated that up to 7,000 Roma may remain, the majority of these identifying themselves as Egyptian and stating that they would prefer to retain a degree of anonymity to avoid any problems. The greater part of the Roma are concentrated in and around Djakovica/Gjakove town itself with smaller groups spread out over as many as 21 villages in Djakovica/Gjakove and Decani municipalities. The pervasive feeling is one of insecurity and general tension for the Roma and Egyptians coupled with a state of silent complacency and unwillingness to speak out about the problems they suffer for fear that this will only make them worse. Serious incidents that have been reported during the past three months include: a rape and attempted rape, committed in November, several robberies and attempted break-ins and at least eight hand grenade attacks. On January 15th two Roma males were shot dead while guarding property which had been subject to an arson attack the previous night. The Roma population concentrated in Coloni, close to Djakovica/Gjakove town now numbers between 350 and 400 persons, including original residents and IDPs. This community is under 24hr KFOR guard. At other locations the Roma, although benefiting from KFOR presence, continue to feel insecure. For example on December 15th the residents of Zefi Shehu street in Djakovica/Gjakove expressed their wish to leave their homes having suffered four grenade attacks in the space of two weeks. On that occasion KFOR responded immediately with increased presence that resulted in a visible improvement of the security situation. However, on January 17th the same community again requested KFOR to strengthen their presence, stating that the security situation had deteriorated once more over the holiday period.
107. Between 3,500 and 4,000 Roma are estimated to live in the **Pec/Peje area**, encompassing the municipalities of Pec/Peje itself (approx. 2,300 persons), Klina/Kline (approx. 800 to 900 persons) and Istok/Istog (approx. 550 to 600 persons). Similar to the situation in Djakovica/Gjakove the population is spread over a number of villages, ranging in size from individual family groups to concentrations of several hundreds. In general the population expressed a preference to be identified as Egyptians or simply as Muslims, reflecting in many locations a high degree of integration and co-existence with their Kosovo Albanian neighbours. Harassment and intimidation were nonetheless reported, often perceived to be motivated by the collective guilt factor attributed to the Roma by the majority population. On November 14th there was a shooting incident in a village in **Istok/Istog** resulting in the wounding of an Egyptian male. Arrests were effected but the victim reported that the aggressors were released and subsequently approached him to apologise and seek reconciliation. The motivation for the attack and subsequent apology remain unclear. Zalc village in Istok/Istog municipality houses some 400 Egyptians and benefits from KFOR presence. The overall security situation appears to be calm thanks to this fact but the population complained of ongoing thefts of building materials and firewood and expressed

some reservations about the future should KFOR withdraw. In Krusheve, **Klina/Kline municipality** there were reports of ongoing looting of abandoned houses and the burning of hay stacks during December. In Pec/Peje itself there were two reported incidents of Roma shooting in self defence having been subjected to intensive harassment and intimidation. In one of these incidents an aggressor was shot dead by a Roma male. Subsequent to the attack the family home was burnt down and further threats were made, necessitating the evacuation of the family once the judicial process was concluded, the judge determining that the death was the result of justifiable self defence.

Gorani¹⁹

108. The Gora region comprises 18 geographically linked villages within **Dragash municipality** inhabited by Gorani. Eighteen Kosovo Albanian villages are also found within the same area. Over the past 10 years the area has administratively been divided in two: Gora Municipality including **Dragas town** (60% Gorani/ 40% Kosovo Albanian) and all the Gorani villages while the Kosovo Albanian villages have been linked to Prizren municipality. Pending UNMIK confirmation of shared administrative functions, a self styled Kosovo Albanian mayor continues to operate in Dragas alongside a Goran deputy. Overall the Gorani population is estimated to stand between 10,000 and 12,000 persons. Variations in population estimates are partly explained by the fact that some Gorani have maintained their registration in the villages where they have their homes and property but continue to work abroad (as was the case before the conflict). Thus they may be included in some estimations but not in others leading to a discrepancy in figures for the number of Gorani actually present and in full time residence.
109. The Gora area was largely unaffected by the conflict in terms of damages to houses and infrastructure and the vast majority of the population have remained in their homes. There are some restrictions on freedom of movement as a result of a very poor transport system and some perception of a general climate of insecurity originating from illegal crossings from Albania resulting in theft of property and cattle. The employment situation for the population is a matter of concern since previously a main employer was the municipality itself and many have lost their jobs. This issue needs to be addressed within the joint administration initiative or it may result in departures of Gorani in the spring. Some specialists and skilled workers have already departed for Bosnia or elsewhere. In the rural areas where agriculture is the mainstay of the population, the Gorani complain of impoverishment of the forestry area due to indiscriminate cutting of firewood. With respect to education the majority have opted for instruction in Bosniac, with Albanian as a second language and with very few villages opting to retain the Serb language and curriculum. For secondary education the only available facility is in Dragas town and since the Bosniac language stream falls in the afternoon, it is difficult if not impossible for students from the outlying villages to attend. This problem is particularly hard felt by female students whose parents are reluctant to let them travel after dark.
110. While the Gorani community appears eager to come to terms with their Kosovo Albanian neighbours, there have been some reports of them coming under pressure on certain issues, such as language and curriculum selection. Similarly some patients reported access problems at the Dragas medical facilities, not receiving medicines for having spoken in Serbo-Croatian or presenting a prescription from a Goran doctor. In addition there have been ten recorded incidents of explosive devices since mid October (eight in Dragas and two in Globocica) which have could be interpreted as a provocation on the part of those interested in disrupting the ethnic balance in the area.

¹⁹ As stated in previous editions of this report, the Gorani community consists of persons of Slav ethnicity from the Goran region who, unlike the Serbs, follow Islam. They are distinct from the group described as Muslim Slavs who are covered by a separate section of this and previous reports. Despite their shared religion, their relationship with ethnic Albanians is not always easy given their ethnic and linguistic links with the Serbs, as well as real and/or perceived ideas about their political opinions attitudes.

111. Elsewhere in the province a small number of Gorani are known to live in **Pristina/Prishtina city**, where they appear to be well integrated with the Kosovo Albanian population. Their children attend classes including some special instruction for Gorani in the late afternoon. Similarly a small Gorani minority (approx. 100) in **Gnjilane/Gjilan municipality**, appear to be well integrated with their neighbours, no incidents having been reported. In **Kosovska Mitrovica/Mitrovica** some 120 Gorani continue to live both north and south, most in their own homes, although some were reported damaged or occupied by Serbs or Albanians. Part of the community has moved to north Mitrovica citing harassment, confiscation of property and restrictions on freedom of movement in the south of the town. Those remaining in the south appear to be tolerated but maintain a very low profile and avoid any collective organisation or public use of their language.

Muslim Slavs

112. This group consists of Serbo-Croat speaking Slavs who are associated with the “Muslim nationality” created within the former Socialist Federal Republic of Yugoslavia. Although many of them describe themselves as Bosnian/Bosniak, this does not necessarily mean that their ancestors were from that geographical area but rather that Bosnians are seen as the successors to the old Muslim nationality group. In reality, these communities originate from a variety of regions, including modern-day Bosnia, Sandzak and even Macedonia. Although some are dispersed within towns, most of them live in predominantly Muslim villages. Within the Muslim community, there is a distinct group of Torbesh/Torbesi, found mainly in the Prizren and Orahovac/Rahovec areas.²⁰

113. The current estimate for Muslim Slavs within **Pristina/Prishtina city**, stands between 1,600 and 1,800 persons (pre-conflict estimate of 3,500 to 4,000, falling to 3,000 by September). In **Kosovska Mitrovica/Mitrovica**, a Bosniak community (up to an estimated 1,750) is dispersed both north and south. The community resides mostly in their own homes, although some were destroyed during the conflict causing displacement to the homes of relatives. Bosniaks in the north have been the subject of individual incidents of harassment akin to that suffered by the Kosovo Albanian and Turkish minorities in the same location, however no serious incident has been recorded during the reporting period. In mixed neighbourhoods the three groups communicate and interact regularly, in particular in the formation of “neighbourhood watch” groups for mutual support and security. Bosniaks in the south seem to be more or less tolerated by the majority Kosovo Albanian community but the use of their Bosniac/Serbo-Croatian language on the streets is avoided for security reasons.

114. The **Prizren area** is home to a substantial Muslim Slav community numbering somewhere between 23,000 to 25,000 persons between Prizren town and municipality (includes Zhupa region and Podgor). This group largely identifies themselves as Torbesh but also as Bosniaks or simply as Muslims. Generally they tend to live in co-existence with the Kosovo Albanian population with whom they share a common religion, however, the fact that they normally speak only Serbo-Croatian or Bosniac can single them out as different and certainly limits their access to the job market. One instance of discrimination was noted in education where a shared facility school in Ortakol offered five hours of Albanian classes in the morning followed by only two hours for the Torbesh in the afternoon, in Bosniac. Follow up is still being pursued with UNMIK Education Unit.

115. The most violent incident was the murder of a Torbesh family of four in their own home in Prizren town in the early hours of January 12th. A police investigation is ongoing and no clear information has emerged about a possible motive for this crime. The Muslim Slav

²⁰ Throughout this section we have attempted to be coherent in coherent approach in the use of descriptions but at the same time deferring as appropriate to the classification which the communities chose to ascribe to themselves. Variations in spelling have been noted in other texts between Bosniac/Bosniak with the former generally used to refer to the language or dialect spoken whilst the latter refers to members of the ethnic group.

community as a whole was shocked by this crime and there have been fears that displacement would follow in its wake. It is difficult to assess the extent to which displacement may have resulted. There were unconfirmed reports of two buses departing for Bosnia on January 14th and UNHCR operations in FRY reported Muslim Slav IDPs seeking assistance on or about these dates, saying they left Kosovo recently as a result of increased harassment. The crime was universally condemned by all actors from different political and ethnic backgrounds. The Muslim Slav community organised a peaceful gathering on January 12th to draw attention to the insecurity they face and Bosniac classes in schools were suspended for three days to mourn the victims. The funeral service in Jablonica on January 15th was attended by a sizeable number of Kosovo Albanians, similarly shocked by such a senseless crime. At the same time some local Kosovo Albanians talked of the wall of silence that is built up around cases such as this and their frustration at not being able to openly speak out in defence of minority groups.

116. In **Pec/Peje** Muslim Slavs are still to be found both in the town and municipality. Community representatives cite a figure of 1,500 to 1,700, mainly Bosniaks but also including several Gorani families in their estimates. While there has been little evidence of violence directed towards this community, verbal harassment is frequently reported and people avoid the use of their language in public place. Across the municipality there are an estimated 2,500 Muslim Slavs comprised of small pockets living in seven mixed villages and a major concentration of up to 2,300 in Vitimirica alone (including some IDPs due to lack of shelter in nearby villages). In early November an elderly Bosniak woman and her family including a 42 yr. old handicapped daughter, in Pec/Peje town, were repeatedly targeted for harassment by unknown assailants. A shooting incident at the home of one of her sons in mid November resulted in the wounding of a Kosovo Albanian who approached at night for unknown reasons. In the municipal areas Bosniaks seem to be tolerated in the mixed villages. Vitimirica has seen some displacement during the reporting period with at least seven families departing during November but with two returning in late December as the security situation improved. On November 4th an elderly couple were beaten during the night by masked men and the man later died in hospital. Later in November and in early December there was a wave of incidents in which Bosniak families were visited at night by Kosovo Albanians (sometimes claiming to be KLA) demanding to search for weapons and subsequently stealing money/jewellery and often beating the occupants of the house. In one case on December 2nd, the victim, a Bosniak teacher was beaten and taken unconscious to the hospital where he remained for several days. There are indications that this may have simply been a spate of common crime where one minority was singled out because they were known to have goods worth stealing and are perceived as an easier target than the Kosovo Albanian majority. Some Bosniaks report that they would prefer to leave if they could sell their property.

117. In **Istok/Istog Municipality**, an estimated 1,100 to 1,200 Muslim Slavs remain in eight mixed villages. There have been reports of people being requested to present their identification documents to the "local police" when heard to speak Bosniac or Serb-Croatian in public. A concentration of Bosniaks (700 persons) living in Dobrusa reports very good relations with their Kosovo Albanian neighbours. However there was one grenade attack on a Bosniak home which fortunately did not result in any casualties. A smaller concentration of about 200 in Pecka Banja report cool relations with their Kosovo Albanian neighbours and fear a possible deterioration if any Bosniaks employed by the previous Serb regime were to return.

Turkish

118. The long-established Turkish community in Kosovo continues to use Turkish as its mother tongue, although most of its members also speak Albanian and Serbo-Croat. In the 1974 Constitution of Kosovo (repealed in 1989 by the federal government) Turkish was recognised as the third official language of the Province. The Turkish community is politically organised, represented mainly by the Turkish Democratic Union and enjoying access to primary and

secondary education in its mother tongue. Many members of the Turkish community left for Turkey or were otherwise displaced by the recent conflict. However, some families are now returning to Kosovo.

119. As reported in the Second assessment the Turkish population in **Pristina/Prishtina** city remain dispersed throughout town and are on fairly good terms with the Kosovo Albanian population. There have been no noted changes or fluctuations in the population, and there are no reports that their security situation has deteriorated. An improvement in access to education was noted, in particular for primary school children. At one school which Turkish children used to attend before the war, there are now 222 Turkish children aged 7 to 14 attending ordinary classes, and 15 of pre-school age. According to a Save the Children Fund survey there are up to 2000 children receiving instruction in Turkish.
120. Small Turkish communities can also be found in **Kosovo Polje/Fushe Kosove** and in **Lipjan/Lipjan** (in the villages of Janjevo and Bandulic). In the same way as other minorities, they are affected by the continued existence of tension and low level harassment against non-Albanians, but there is no evidence to suggest that members of Turkish community as such are being singled out. However the fact that some of the community expressed a wish to be identified as Kosovo Albanian rather than Turkish indicates some degree of insecurity with being identified as a minority.
121. Turkish communities are scattered throughout **Kosovska Mitrovica/Mitrovice, Vucitrn/Vushtrri** and **Zvecan** municipalities. Estimated at 1,100 before the war a population of around 1,000 is believed to still remain. Some Turkish families have spontaneously returned to their homes in north Mitrovica. Two Turks were among the victims of the outbreak of violence in Mitrovica in recent days. Whilst they have not generally been specifically targeted, the Turkish minority in north Mitrovica do experience harassment akin to that suffered by other minorities, simply due to the fact that they are a minority in that location. For example a Turkish woman reported three separate incidents of harassment by groups of Kosovo Serbs, some carrying radios, in late November. These incidents all occurred while accompanying young children to school. The Turkish minority in north Mitrovica however has good relations and contact with the other minority groups in particular in the formation of 'neighbourhood watch' groups in their areas. For the Turkish population outside of North Mitrovica, there is little problem, with reports indicating that their communities co-exist well with neighbours and do not experience overt discrimination.
122. Estimates of community leaders of a population of 1,950 Turks reported as living in **Gnjilane/Gjilan** municipality remain unchanged and there have been no reports of specific attacks against the community during the reporting period. Improvements in the area of access to education have been noted. Two small groups of Turkish children attending Kosovo Albanian primary schools in Gnjilane/Gjilan town and in the village Dobrcane, where approximately 500 Turks live, seem to be well integrated, with classes in the Turkish language reportedly available. The school in Gnjilane/Gjilan has eight primary level classes and, for the first time, a class in secondary school. It has been reported, by members of the Turkish community, that classrooms used by their community are not heated or lit and they are excluded from some facilities such as computers. This may not relate to deliberate discrimination, with schools across the province having been affected by power cuts.
123. A sizeable concentration of Turks is found in **Prizren**. Precise numbers are difficult to assess with the last official census of 1991 citing a figure of 7,226 whereas community leaders estimate anywhere between 15,000 and 25,000 including 5,000 living in the village of Mamusa which is 95% Turkish. Traditionally Turkish has been widely spoken in Prizren with many Kosovo Albanians being fully fluent. In general the Turkish community is considered to enjoy good relations with other ethnic groups while at the same time managing to maintain their own cultural heritage. However, there have been some reports of pressure being applied to desist from the use of the Turkish language and some indications of exclusion

from humanitarian assistance. One Turkish woman reported that she had been unable to renew the lease on her business premises, occupied over the previous 20 years, because of her ethnicity and there have been several reports of Turks being fired from their jobs. A rumour circulated on November 28th 1999, Albanian Flag Day, that the Albanian flag had been burnt in Mamusa. As a result former KLA members visited the village and reportedly beat up six people before dispelling the rumour.

124. There are also some Turkish communities dispersed in **Pec/Peje** town. There were reports during December that Turkish workers in **Klina/Kline** had been threatened. There are no other reports of any incidents or problems with access to facilities, or humanitarian assistance for this population.

Croats

125. The Croat community in **Janjevo, Lipljan/Lipjan municipality** remains stable with approx. 450 persons. They live together with the Roma and Kosovo Albanian community but their houses tend to be concentrated around the centre and the Catholic church. KFOR and UNMIK Police are present and while no specific security incidents have targeted the Croat community they suffer a general sense of insecurity and report that they feel under pressure. Access to acceptable education for their children is a factor of concern to them and could prompt them to leave.
126. In **Vitina/Viti**, almost all the Croat population of Letnica and four surrounding villages left for Croatia in one single movement, on October 29th, sponsored by the Croatian government. The population has dropped from 452 at the time of the Preliminary Assessment report to current levels of only 54. Apparently departing families were unable to sell their properties and these are either left empty or occupied by Catholic Albanian families who stress that they have only moved in temporarily at the request of the departing Croat Catholics. The relationship between the few remaining Croats and the Catholic Albanian community appears to be friendly and while there have been some reports of threats and robbery originating from Muslim Albanians, there have been no documented cases of eviction or illegal occupation of property.

Cerkezi

127. The Muslim Cerkezi community, originally from the Kafkaz mountains in Russia, remains small and continues to reside in Milosevo, **Obilic/Obiliq** municipality. The Cerkezi are Muslim and speak Albanian, Serbo-Croat and Cerkish. A total of eight families remain from a pre-war community of 14. They are concentrated on a specific street in one sector of the village. The Cerkezi maintain good relations with their Kosovo Albanian and Kosovo Serb neighbours, although there was one report of pressure to distance themselves from the Kosovo Serb community. The Cerkezi children attend classes in the Kosovo Albanian school in the village. As Milosevo has been the target of drive-by attacks from the main road, the Cerkezi population has suffered this intimidation in the same way as the rest of the population but in general they report that their situation is calm, stating that incidents of robbery and vandalism which have plagued the village as a whole have originated from outsiders rather than residents.

Conclusions and Recommendations

1. The information documented in this report confirms that minority protection is an issue that goes far beyond human rights monitoring, affecting, as it does, the core of Kosovo's future stability. As recent events have shown achievements can be quickly undone and fragile stability pushed to the brink. The credibility of the UN operation in Kosovo hinges also on its ability to successfully safeguard the interests of minority groups within an acceptable framework for the province as a whole. All actors, working in unison, must be able to come up with successful measures that effectively deliver protection across the board.
2. Static security provided by KFOR will continue to be needed by minorities in a number of locations for some time. The challenge for KFOR and UNMIK is to strike a balance between providing adequate security while avoiding the creation of minority ghettos in enclosed areas. This is a challenge which the Ad Hoc Task Force on Minorities will continue to seek and devise strategies to address.
3. UNHCR and OSCE support the repeated calls of the SRSG for further deployment of international police so that the UNMIK police contingent reaches the strength originally planned of some 5,000. This must be considered as a matter of the highest priority, both to ensure the full protection of the population and to contribute to lasting achievements in the re-establishment of the rule of law. The Ad Hoc Task Force will continue to provide a mechanism to ensure that minority protection needs are taken into account in the effective deployment of available resources.
4. Continued efforts and initiatives to increase recruitment to the Kosovo Police Service of minority community members should be supported. A police force which is representative and draws its members from all sectors of the population is a key factor to building trust in and fostering a sense of identification with the police force. Recruitment tests should be kept under constant review to ensure that institutional bias does not work against minority applicants.
5. Gaps in the judicial and legal framework must be addressed and provisions which provide greater security and protection to minority communities must be rigorously enforced. This includes the enforcement of the regulation on prohibition against inciting national, racial religious or ethnic hatred discord or intolerance, the pending regulation on admissibility of evidence from witnesses residing outside of the province, reform of the juvenile justice system, the establishment of a local War and Ethnic Crimes Tribunal (staffed by local and international judges) and the establishment of an Ombudsperson Office. A witness protection system, especially for vulnerable witnesses from minority communities, is also an urgent priority.
6. Admirable efforts to increase the number of judges and prosecutors, including minorities have been made. To ensure the success of these efforts, the issue of security for members of the judiciary must be addressed. Kosovo Albanian judges are inevitably under heavy pressure to release those arrested for crimes against minorities. In this climate, there is a clear need for international judges to investigate and try ethnically related crimes until a fair and independent judiciary can be fully established. Justice must be seen to be done and any suggestions that the judiciary is unable or unwilling to address the question of minority protection in a fair and impartial manner must be countered with open and transparent action on the part of the relevant authorities. The work of UNMIK Police and KFOR in apprehending suspects must be consistently followed up through a trial process that meets international standards and norms and properly delivers justice.

7. The ongoing efforts to ensure the full and active participation of minorities within the Joint Interim Administrative Structure need to be fully supported. Activities undertaken within the UN Civil Administration to address the special needs of minority groups, such as the appointment of local communities officers tasked to address the needs and concerns of minorities within the broad framework of civil administration also deserve full support.
8. Existing ad hoc training initiatives should be integrated into a comprehensive UNMIK training scheme in human rights and minority awareness for all public officials. In particular, members of the Kosovo Protection Corps should receive training in human rights and minorities awareness to ensure that their mandate is carried out in full compliance with international norms.
9. Some Kosovo leaders have already made public statements in favour of tolerance and co-existence and they should be encouraged to continue to do so. The leadership must make greater efforts to translate these statements into concrete action at the community level. Such actions should include strong condemnation of all attacks on minorities, mobilisation of community support against such actions, identification of those responsible, encouraging witnesses to come forward, suggesting ways to prevent recurring attacks and ensuring the freedom of movement for everyone in Kosovo. International efforts in this area cannot succeed without local commitment; a proactive response from within the community; and a proper sense of shared responsibility.
10. With particular reference to freedom of movement, the recent attack on UNHCR sponsored bus services underlines the security risks faced by minority communities in exercising this most basic of rights. It is unacceptable that such an attack on a clearly marked UN vehicle, escorted by KFOR, should take place in a peacetime environment. UNHCR bus services are an exceptional measure, which will need to be phased out over time in favour of the introduction of normal commercial transport services. This will only be feasible once the security situation can be said to have been fully stabilised. The co-operation of all sectors and leaders of society to ensure that freedom of movement can be enjoyed by all, in a climate of respect and tolerance, is essential.
11. Media, both published and broadcast, must continue to be carefully monitored and analysed to ensure that it is not used as a vehicle to spread false and misleading information adverse to the interests of minorities. Current provocative media must be stopped. Greater encouragement should be directed at all communities to participate in the media.
12. Some sectors of the minority population continue to be in urgent need of humanitarian assistance and this continues to be provided. In the current environment even the provision of humanitarian assistance to minorities can expose them to additional risk. Every care is taken to ensure that it is done in such a way as to meet their needs without putting them at further risk; again, support of all community leaders is essential for this.
13. The question of restitution of property is of great importance to the minority population, especially those displaced within Kosovo and elsewhere, in terms of their ability to return to their homes. UNHCR and OSCE fully support the establishment of the Housing and Property Directorate and Claims Commission and strongly urge that every effort be made to make bodies operational as soon as possible. A comprehensive information and education campaign to assure the minority and general population that their interests will be taken into account and their claims adjudicated or mediated upon in a fair and impartial manner, would be an important initiative.

14. Further efforts need to be undertaken to improve the access of minorities to employment opportunities, and to ensure that unfair dismissals based on ethnic grounds are rigorously prevented. The Administrative Department for Democratic Governance and Civil Society Support should be supported and its resources mobilised to help achieve these aims. One measure would be to allocate responsibility to a body with specific expertise to consider effective measures which can be taken on behalf of minorities who are dismissed from or unfairly excluded from employment or who suffer from discriminatory work practices.
15. Access to basic services, including health and education, on an equitable basis needs to be improved. The prevailing security situation and the related matter of freedom of movement have a major impact on this question. Devising appropriate strategies to meet the needs of minorities in this area remains a major challenge for UNMIK and the JIAS.
16. In the area of education, efforts to maintain a multi-cultural approach through the recognition of various language streams are welcome. This needs to be matched by corresponding efforts in the area of teacher training to ensure that each community has available teachers to service its needs. The introduction of a common curriculum subject encompassing aspects of tolerance, peace and human rights education also needs to be actively considered.
17. Efforts to form civic society groups, either through unions or NGOs, deserve support and encouragement. Working with grassroots organisations and endorsing successful local initiatives which engage members of the minority communities, would be a concrete means of bringing individuals of different ethnic groups together at community level. Initiatives such as the establishment of 'Citizenship Forums' should receive the backing of the international community.
18. The current situation is such that the return of minorities to Kosovo cannot be promoted or facilitated by UNHCR at this time. OSCE joins UNHCR in calling on the international community to actively support efforts for the creation of conditions that will permit sustainable return to be effected in conditions of safety and dignity at the earliest possible opportunity.
19. The present cycle of violence and discrimination against minorities has to be stemmed, if the longer-term rebuilding and reconstruction process in Kosovo is to be effective. Concerted international action is part of the necessary response to this problem, both through UNMIK and KFOR. This is a political, security and pressing humanitarian and human rights issue in Kosovo today. Local leaders and the local community must also be persuaded, more successfully than has been the case to date, to take ownership of this process, if the cycle of violence and impunity is to have any chance of finally coming to an end.

UNHCR/OSCE

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