

**PROJECT ON
ETHNIC
RELATIONS**



International Roundtable on Roma, Ashkali and Egyptians of Kosovo: Challenges and Prospects of Sustainable Integration

Vienna
22 October 2008

Report

Preface

The Project on Ethnic Relations has been involved in Romani issues since 1991. On the 22nd of October, 2008 PER organized a roundtable in Vienna focusing on the integration of Roma, Ashkali and Egyptian communities in host countries and their potential return to Kosovo. The discussion brought together officials from several western countries, the Kosovo authorities, international organizations, and most importantly, Roma, Ashkali and Egyptian (RAE) politicians and civil society activists.

Kosovo RAE face significant challenges. Years after the Kosovo conflict, most Roma, Ashkali and Egyptian communities are seriously affected by its consequences. Thousands remain IDPs in Kosovo or refugees in other Balkan countries and EU states, and many of them remain practically stateless. They are largely voiceless and they fear an uncertain future and forced returns.

The RAE returns to Kosovo is a multi-dimensional process encompassing past and current politics, as well as cultural and economic issues. The underlying presumption is that the declaration of independence has created conditions for their return. However, serious issues persist with regard to the economy and property issues in Kosovo.

These factors prompted the Project on Ethnic Relations (PER) to organize this event, with the support of the Contact Point for Roma and Sinti Issues (CPRSI) of OSCE Office for Democratic Institutions and Human Rights (ODIHR). This roundtable was the beginning of a process of dialogue and consultation that PER facilitates with a wide array of stakeholders for a better cooperation on this issue. Least involved in decision-making processes are RAE groups themselves, which PER tries to address by involving them directly in deliberations with the Kosovo authorities and western European governments. PER does not take a stance on the issue, apart of the fact that if returns occur, they must be sustainable.

This report is organized thematically, largely but not necessarily following the sequential discussion as introduced by participants. Leon Malazogu, Head of PER Office in Kosovo, wrote the report. Participants have not reviewed the text, and PER takes full and complete responsibility for its contents. To encourage frank and open discussion, all of PER's roundtables are closed to the press. The roundtable was held with simultaneous translation in four languages: English, Romani, Albanian and Serbian.

We are grateful to the ODIHR for providing financial and logistical support in making the roundtable in Vienna possible. We would like to acknowledge the contribution of all PER colleagues from the Headquarters in Princeton and the Office in Kosovo. This roundtable will be followed up by one in Prishtina.

Language note. While PER uses RAE throughout the paper, this is only to simplify reading and it does not denote any attempts to cluster them into a single group.

Livia B. Plaks, *President*
Princeton, New Jersey
December 2008

Report

The roundtable was aimed at discussing returns and integration of Roma, Ashkali and Egyptian communities in host countries and in Kosovo. It was set against the backdrop of several recent developments, factors and trends with regard to Roma, Ashkali and Egyptian (RAE) returns. First, the Kosovo authorities were making efforts to come up with a strategy and programs at the municipal level. At the same time, bilateral and multilateral readmission agreements and protocols were signed, most notably one between UNMIK and Serbia. Finally, the international community has been increasingly focused on the Roma (e.g. EU Summit on the Roma in mid-September).

This event was intended as the beginning of a larger process that would continue into the near future. It was supported by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and its Contact Point for Roma and Sinti Issues (CPRSI).

The roundtable served as a unique opportunity to bring together Roma, Ashkali and Egyptian (RAE) activists and representatives to speak directly with host governments and the Kosovo authorities. It was also useful for all stakeholders to hear 'first hand' the experiences of affected individuals living in Kosovo currently or as refugees in other countries. The roundtable deliberated on a roadmap towards sustainable returns and cooperation and sharing of responsibilities amongst countries and local communities.

The discussion first tried to establish if there were significant changes on the ground for the Roma. There has previously been ample talk in the international community about improving the lives of the Roma, but not all the results were encouraging. A large proportion of RAE communities from Kosovo are still internally displaced (IDPs) and refugees. Although the violence in Kosovo has ended, there are still those who are afraid to return and do not see a future life in the communities where they resided previously. At the same time, the western countries that accepted large number of refugees from the Yugoslav wars seem keen on returning many of them to their homelands.

The roundtable focused on the divergence between the two views and how to reconcile them. The chair asked the participants what their obligations are towards these refugees, especially the RAE communities that were hit hard during the war - if they should stay away and whether there are conditions in Kosovo for their return. While PER takes no position, its aim was to have the participants openly discuss these very difficult and sensitive matters in this roundtable meant organized in complementarity with the efforts of other organizations.

The floor was first given to one of the key actors, the representative of UNHCR, who explained that the UN is status neutral and its mandate is to supervise the safe and free return of displaced persons (under UN Security Council Resolution 1244). UNHCR has regularly issued position papers assessing the situation in order to provide recommendations to various countries regarding the Kosovo refugees and share updated facts and figures about Kosovo and recent developments. Generally, the aim of the

PER is an international non-governmental organization that has worked for the prevention and management of ethnic conflicts in CEE-SEE and the former Soviet Union. During 17 years of its existence, PER has been a neutral facilitator in some of the most difficult interethnic issues in the region. During all this time, the issue of the Roma has been very high on its agenda and PER managed to convince governments in many cases to show more political will in addressing the problems of this population. Therefore, PER decided that the issue of the RAE population eventual return needs to be addressed by us as well.

papers is to assess whether conditions have substantially changed to ensure the protection of people, however, whether there are sufficiently sustainable mechanisms in place to ensure returns. UNHCR has a strong field presence, focusing on protection monitoring, intervention, monitoring.

The representative of UNHCR highlighted that the overall judgment has not changed since the last position paper from June 2006; a position paper is valid until a new one is released. The revision of any such paper goes through a long process including field work and a thorough review conducted at the local level. The development of position papers is very dynamic, with the timing dictated by how the situation changes rather than by set deadlines. The UNHCR representative does not believe that the changes from June 2006 have been substantial enough or entrenched to justify a revision of their position. She acknowledged various positive signals in the situation of these communities, but did not believe that these are substantial or sustainable enough to encourage the return of displaced persons.

UNHCR does not believe that the changes from the last position have been so substantial to change the position.

As in 2006, the situation is still unpredictable. The UNHCR did see progress in providing security and on integrating the RAE. However, there are still some security concerns for Roma, and therefore those Roma that decide to return should do so strictly on a voluntary basis. "We do not say it is bad, or that it is insecure, but we do say that there is a certain level of unpredictability and severe incidents do occur." She reported that despite progress, Roma often do not report the crimes to the police, leading them to believe that there is at least a perceived possibility of retribution.

The first session was chaired by a representative of OSCE-ODIHR and was devoted to possibilities for integrating RAE communities within the host countries. He opened the session by asking if there were any prospects in host countries for some sort of integration. He then reminded the participants of some positive steps taken in Germany to provide members of RAE communities with residence opportunities. The chair also called for more in-depth analysis and discussion, noting that a distinction has to be made between those willing to return versus those who feel integrated in their host countries and willing to live there.

Session I: Roma, Ashkali and Egyptians in Host Countries

What civil or legal status do Roma, Ashkali and Egyptians have in various countries of residence as IDPs or refugees? What are their prospects for integration in host countries and/or return to Kosovo? What agreements govern the bilateral relations for voluntary or forced readmission? What considerations are made for the safety of returnees? What are the opportunities for successful integration? To what degree do the views of Roma, Ashkali and Egyptians groups influence the policies taken by host countries?

One Roma participant displaced in a western European country said that the Roma in Kosovo were highly integrated and had everything. However, they had to leave their homes, and it was really difficult especially because they had everything. "In Kosovo we were all educated, and it is not difficult now to integrate in the West," he added.

One participant of a regional think-tank that deals with Roma issues noted that the Roma left Kosovo in two large groups: those who emigrated before '99, and those after. The RAE who left in the second group were treated with a special status. Some Roma were not given the right to apply for asylum, in violation of international standards and humanitarian principles.

A political representative of the Egyptian community noted that the largest number of

Egyptians left during the nineties. He stressed that most of those who left during this period left for economic reasons, regardless of ethnic origin. He also drew a distinction that, contrary to popular belief, the Egyptian community was used to call themselves Albanians and not Roma. Moreover, he stressed that the conflict was between majority communities (Albanians and Serbs) and that other smaller communities suffered from both.

Integration in Host Countries

One Roma living in a western country pointed out the different conditions that the RAE enjoy in various European countries. A Roma researcher highlighted the importance of steps taken by Germany since they influence other states to do similarly, “although these steps are far from being adequate or supportive for people’s integration.” One specific criticism was that “asylum processes and decisions were taken collectively, although such requests should be reviewed individually,” as laws require. Along with Germany, he also criticized Macedonia for not having integrated the Roma refugees residing there.

A Roma representative of a European organization advised against qualifying the situation as a humanitarian issue, but as a political problem, “that was not created by the Roma.” He recommended that RAE integrate in host countries and not return to Kosovo. “It is not our fault, it was a political game, European politics, and I am now asking from Europe to come up with a Strategy in the next ten years, about who will be sent back and who not.”

A Roma Member of the Kosovo Parliament argued that the Roma are most heavily discriminated against with regard to identity and education, and that this happens not only in Kosovo but is a common problem of all the 15 million Roma around Europe. He challenged participants from western countries whether they have any Roma in senior positions, and boasted that in the roundtable there were three Roma MPs from Kosovo.

The representative of the Ashkali community concurred with the Egyptian colleague that also the Ashkali community was already well integrated in Europe. Many people lived there and got education there, but the main problem they face was obtaining documentation and residence permits in those countries. One problem with potential returnees is that many of their children speak only German or other European languages of their host countries and would find it extremely challenging to adapt in Kosovo.

The country that hosts most of the Kosovo Roma is Serbia. The chair asked the participants to discuss this regional challenge as RAE IDPs in Serbia are perhaps the largest and most disadvantaged, in all dimensions, of the displaced RAE communities. One Roma activist assessed that “Roma in Serbia were desperate and living in destitute situation.” Another Roma activist affiliated with an international organization criticized the Serbian government, saying that it lacks a strategy regarding Roma in general, including returns. Despite the lack of strategy, there are readmission agreements and protocols signed UNMIK and Serbia.

An official of an international organization active in Serbia explained that Serbia is both a host and receiving country of RAE communities. Serbia has signed several readmission treaties, the last one with the EU, and would be receiving a large number of people. However, as in Kosovo, many Roma there lack documentation, and as a result they lack access to basic rights, civic, economic and cultural. Moreover, she argued that they have no prospects of integration in the society they live in.

Their limbo status is further aggravated by the lack of a prospect of return, because their place of return is not legally established (due to the dispute of the Kosovo status). She called for better cooperation among all stakeholders involved in order to make returns sustainable. “It is evident that without

cooperation, exchange of files, data, assistance in this process, no authority would be able to resolve this issue. The same goes with the financial assistance to this process.”

As many Roma have Yugoslav or Serbian citizenship, they are liable to be returned to Serbia. One participant argued that many Roma families who have nothing to do with Serbia (some with property and family in Kosovo) were returned to Serbia. It was assessed by one regional participant that sending back Roma, forcibly, (either to Kosovo or Serbia) “will create big problems, as both countries [are] not prepared to absorb large numbers of people, guarantee their safety and real opportunities for their integration”.

Return Policies by Host Countries

It was also important to hear and discuss the return policies of various countries represented at the roundtable. Generally, past months have seen serious fears by many participants that massive returns were pending. “I know Germany is planning to return 4,000, but where will they take them,” one Kosovo Roma MP wondered.

One international participant located from a mission in Kosovo highlighted that most returns coordinated with the recipient state occur as part of readmission agreements (on the EU side it has to do with visa arrangement). The EU cannot negotiate readmission agreement with Kosovo due to non-recognition, however, the Kosovo Government is going ahead with bilateral readmission agreements with various countries.

A representative from Germany said that his country gives priority to voluntary return. He mentioned that several programs were in place as incentives for voluntary return. Forced return is a last resort, and decisions are taken under rather strict conditions. “Only if no voluntary return is chosen, our Government might choose means of forced return of last resort, but on rather strict conditions and limitations. We are operating based on UNHCR position statement, which last time saw the return of Roma as not desirable.” This means that there are no forced returns of Roma with the exception of criminals.

However, this criteria does not apply to other groups, Ashkalis and Egyptians. The policy of the German Government, according to UNMIK rules and procedures that were in place, is to look at their regional origin (not the ethnic origin), which can mean that we may see forced return. However, there are conditions and limitations for this as well. Each individual case is carefully assessed and based on assessments, it is decided if forced return is possible, with respect to all international rules and standards.

The representative of Montenegro said that the government works with all relevant structures and international organizations, addressing the issue of RAE communities. The authorities do their best to assist these people – everyone commends what they did for them, given the conditions in which they operate. Their motto is ‘sustainable return’ above all.

The motto of the
Montenegrin Government:
‘sustainable return’ above all.

Montenegro has adopted relevant legislation and acts (laws on asylum, citizenship, foreigners). The government still calls them displaced RAEs IDPs and their population in Montenegro is 5,361. The authorities are making efforts to move its IDPs from collective shelters to several new locations, a residential building in Podgorica, a new prefabricated settlement for 197 Egyptians from Kosovo, and provided containers provided also for several families. The lack of financial resources prevented them to do more, although they have intention to further support their integration.

He saw the need and possibility for changes of the legal procedures, as Montenegro recognized independence of Kosovo. They expressed readiness to cooperate not only bilaterally with ministries, but also with local authorities, to assist in the sustainable return and integration of those concerned.

Swiss model: "For each case, we do individual assessment, if there are family links, conditions, and such an individual assessment will continue about every single case."

A senior representative of Macedonia said that his country was open towards RAE communities, received them and also made changes in legislation regarding asylum and temporary protection. The government started to implement these along with a new principle of subsidiary protection. He reported that there is a new department within the Ministry of Interior directly in charge of asylum and legal immigration. The new law attempts to regulate this matter better, considering three types of situations: refugee, right of asylum (humanitarian reasons)

and temporary protection. He expected that by the end of October 2008 the changes would take effect and temporary protection would cease. Most importantly, he assured all those present that "they will not return by force anybody until in their country of origin there will be guarantees for a safe surrounding."

The Swiss representative spoke in the name of the Ministry of Foreign Affairs and the Ministry of Internal Affairs and communicated strong interest by both institutions. He said Kosovo was a priority for Switzerland and within Kosovo RAE issues were a priority. He showed deep understanding of the very difficult situation specifically for this community. He also highlighted that there currently is a very high interest in and influx of asylum-seekers from the RAE community going to Switzerland.

The Swiss representative also reported support and financing for small-scale projects for minorities, which will continue, and committed to try to involve more Roma NGOs, although this is sometimes difficult. He also reported significant measures in a program specifically for communities on voluntary assistance. They were very supportive of the authorities of Kosovo where they saw very big challenges ahead, but were happy to continue with this cooperation in the future.

Most importantly, the Swiss official also addressed widespread fears about returns. Out of a diaspora of 150,000 from Kosovo, about 8,000 are of RAE communities, of whom 6,000 have either citizenship or a permit. Out of the 2,000 that remain under asylum law, around 1,500 have temporary residence permits. Only 500 remain that are either in processing or about to return. But only about 62 members of RAE communities impend immediate return.

He argued for the need to have the possibility of involuntary return as an option, but this meant low numbers of 200-300 returnees yearly, mostly ethnic Albanians. "For each case, we do individual assessment, if there are family links, conditions, and such an individual assessment will continue about every single case." It is on the individual assessment that they differed from the UNHCR position. While they follow the UNHCR position, they "do not agree fully. Return should take on an individual basis and assessment should be made. But it is too far and too categoric [*sic*] that the Roma, Albanians and Serbs when in minority, should not be returned. In some cases the Ashkali and Egyptian cannot, and some Roma can. Thorough asylum procedures are reviewed in the process for each individual concerned."

The representative of Holland declared that they do not conduct forced returns. "Netherlands recognizes the basis of free speech and free movement, and safe heaven for everybody. Netherlands intends to host an expert meeting of the Council of Europe, public hearing with Roma about integration of minorities, especially Roma, in our education system."

Another participant criticized the UNHCR for bad diagnosis. He argued that the conditions were poor all over Kosovo, including the north, and stressed that UNHCR's position is essential for influencing government decisions. Another participant took note of a more refined message by UNHCR. "The fact that UNHCR advises them not to return, if they can, shows best that the conditions have not been met," argued a Kosovo MP.

Roma, Ashkali and Egyptians in Kosovo

After the first session on integration possibilities abroad, the discussion shifted to the situation in Kosovo. While deliberations on integration and rights of RAE in Kosovo presented a mixed picture, the biggest obstacle appeared to be the economy. One participant brought up key figures as 35,000 RAE currently live in Kosovo, of which some 10% were refugees and 18% IDPs. Some 23,000 are displaced in Serbia, and 1,800 in Macedonia. A number of issues were discussed, primarily dealing with property, and civil documentation.

All communities faced one common issue: property issues, that is documentation, assertion, and legalization of informal communities. One RAE participant from a Serbian area argued that around 7,000 properties of RAE are occupied currently in Kosovo, and nothing has been done to repair this.

Two international representatives defended the functioning of the Kosovo Property Agency as having worked well and organized campaigns. The figures of received requests ranged from 14,000 to 23,600, and with a further 1,000 requests additionally pending, apart of the current 2,000 in process. One international participant tasked with the rule of law in Kosovo complained that many people started to legalize their properties just before conflict and this process was never closed. Another international participant working in Kosovo reminded that the deadline already passed for claims to KPA in 2007, and that people need to be aware of this.

Large numbers of these communities still lack civil and property documents. Many people lost documents during the conflict, or never registered. Without such papers they cannot access social benefits and services. The Government representative agreed that they have had some difficulties with the registration of RAE members. UNHCR assessed that around 4,000 people were identified with different needs regarding documents. She added that the low level of self organization, representation and participation is acknowledged by RAE themselves as a problem and mentioned an initiative of an NGO for a campaign on civil registration, aimed to reach out to around 35,000 individuals.

Participants called for a wide civil registration campaign, not only to protect but also to prevent statelessness. The authorities reported that there is a process and that they were additionally considering mobile teams for civil registration to overcome the current difficulties. The participants called them to speed up this process (which can currently take up to one year), and to also assist people without any kind of documents. Another difficulty that was pointed out by an international participant was the choice of the decisive date for citizenship (1 Jan 1998), which could present a serious problem for many Roma.

Session II: Roma, Ashkali and Egyptians in Kosovo

What is the government policy towards Roma, Ashkali and Egyptians returns and what is the strategy for its implementation? Are Roma, Ashkali and Egyptians returnees able to reclaim and rebuild their property? What are the success stories and what are the challenges that remain to be addressed? To what degree are Roma, Ashkali and Egyptians communities involved in planning their returns? What are the gaps left over during the current transition that may harm sustainable returns?

The representatives of the Kosovo Government argued that Kosovo meets all legal requirements and that its constitution was very friendly to all communities who are protected through several mechanisms at all levels. While most agreed that the Kosovo legislation was impeccable, and that there were many mechanism for protection of people, unfortunately most of these remained on paper only. One opposition Member of Parliament of minority background complained that many people are still living in tents under the eyes of UNHCR and other international organizations and that the authorities should do much more.

What is really needed is rule of law and not only statements of 'open doors' from Kosovo authorities, which are not realized in practice.

A representative of local government in Kosovo disagreed with the assessment that there is no security in Kosovo. There is rule of law in Kosovo and institutions to enforce and guarantee this. He argued that implementation is lax since Kosovo faces a challenge due to low economic development and few opportunities in this sense. He was confident that "those who would like to live in Kosovo, have all the protection of international law, and the laws that have come out of the Constitution." A Roma participant also rationalized some flaws in Kosovo on the basis that it is the newest country in the world, with the rights of communities the same as with the 2 million Albanians there. Nevertheless, he argued that minority members are represented in each and every committee which "proves there is democracy", adding, "we need to understand that good things do not come at once."

The courts were specifically attacked as being in particularly bad shape, not only for the Roma, but for everyone. Overall a good number of participants pointed out a mismatch between statements and the reality on the ground. As one Roma participant put it: "Kosovo presents itself as opened for cooperation and to assist RAE communities and their integration; however, what is really needed is rule of law and not only statements of 'open doors' from Kosovo authorities, which are not realized in practice."

Several international participants working in Kosovo echoed the same criticism. An international participant criticized the situation but did not question the will of the authorities. "The question is why people cannot access their rights and not a matter of *if or not*." She pointed out that the institutional architecture in Kosovo is 'complex' (to avoid the term 'messy') and this does evidently impact on RAE enjoying their rights. Another participant of an international NGO expressed that to whatever degree that it was messy, he would be surprised if it was not, having in mind the early stage of its development and the challenges that it faces. Many other strategies remain unimplemented and this was not unique to Kosovo.

An international participant did not question the will, but criticized the complex institutional architecture in Kosovo.

A number of other issues were mentioned, notably 24h TV broadcasting in minority languages and education as they pertain to the identity of the Roma. One also complained that few Roma were in senior positions in administration and the risk of remaining without electricity for not being able to pay bills. Another complaint was that although doctors were supposed to be present and assist people constantly, the doctor comes once a week and stays for only an hour.

The camps that persist in the north were another cause of dissatisfaction. The bad living conditions continue there and people were unhappy with conditions provided and the promised support never reached them. Another Roma activist added that lead-poisoned people and children in northern Mitrovica were not provided with adequate health care and were not relocated to safe places although their health situation represents a matter of humanitarian crisis. Several participants accused the local leadership and international organizations for this situation.

Integration in Kosovo

Whether returns can occur and what should be the principles driving the process was considered a complex issue entailing social, economic and political aspects. A Roma analyst from a regional institute dealing with Roma issues said that integration was not a problem. He asserted that integration in Kosovo has never been a problem and it will not be now, but asked whether Kosovo could meet their main problems: property and jobs. Members of the Egyptian community also move freely and have no problems of integration as they speak Albanian, but they face social and economic problems, as well as some property issues.

A representative of the local government argued that in Kosovo they have no intention to perpetuate divisions. "We must integrate them and offer them conditions where needed, and to have a positive process. We have suffered ourselves and have no intention to cause divisions," he said. An international participant argued that RAE were not excluded from socio-economic programs, but need to be targeted with special programs to be able to make use of them. Another international participant said that RAE face some marginalization especially in unemployment, education, and much of this varies with their location in Kosovo.

Most argued that security was generally good, apart of some locations, but some incidents do happen sporadically. Most participants agreed that they have security in Kosovo but lack economic prospects. "Not only the Roma are leaving. The Bosniaks are leaving too, every day 30-40 of them. Not because they have no rights, but because the economic situation is extremely bad. The house must be built, but this will give you no food, they need a job. Kosovo does not have the capacity to provide shelter and employment for returned people." A mayor of a municipality in Kosovo seconded this view: "We have completed our duties and will do a lot for the returns. We do not want to give the impression that there is no security. We do have those, but we do not have economic development."

Although most participants claimed that there was security, a participant from an international organization dealing with minority issues argued that "It is clear that the problems that involve the RAE have security implications." However, overall, economic ones dwarf security and integration obstacles. While economic opportunities were modest in Kosovo for all, for RAE they were much worse.

Most participants agreed that in principle, these members should return some day. While Roma representatives had some concerns about identity and integration, the participants from the other two communities downplayed the issue of integration but had serious reservations as to the question if there are conditions to return. One participant said that about 45% people live in poverty (less than 2 dollars a day), and 16% live in extreme poverty. More than 90% of those who live in extreme poverty belong to these communities. Kosovo does not have capacity to provide shelter and employment for returned people and currently has "problems to settle well those already in Kosovo." A Roma activist from Western Europe said, "Kosovo is not yet prepared to absorb returnees, and this will create problems soon. Kosovo is still dependent on foreign support, its economy is weak and soon people returned will start suffering of hunger, lack of jobs, inadequate housing, and all these will contribute to escalation of tensions." An Ashkali MP echoed this view: "Economic and social circumstances are not met even at minimum to ensure return of RAE in dignity and with real opportunities for integration."

In this context, several participants commented on the Strategy for RAE, arguing that the lack of employment, education, informal settlements, property issues and other demands persist and suggested they be included in a strategy as little as 4-5 points. Many strategies were prepared for the authorities only and their implementation is the real problem.

A regional Roma activist proposed that Roma should urgently lobby regarding the use of funds for the integration of RAE in Kosovo. The representative of a large multi-national organizational also expressed

that the strategy should not remain on paper and expressed readiness to provide help. He also said that the real ownership needs to come from the administration. There is no sense for consultants to do this. An Egyptian MP expressed against any strategy, argued that they need strategies to fix Kosovo in its entirety. "We need to solve problems together, and avoid ghettoization," he said.

Most participants agreed that returns of RAE to Kosovo were of political, social and economic nature. The Government produced a Return and Repatriation Strategy in 2007. However, an international participant working in Kosovo raised the doubts over the ownership of this document and noted the deficiency of genuine governmental coordination.

Most of those returned by force tend to migrate again, this time through organized crime networks.

A senior member of the Kosovo Government said "The legal procedure exists, but now we have to talk about practicalities. Kosovo is open for all those who understand the new reality." At a practical level, "We have to be very careful with returns, calling for the return process to be organized one.

Another senior official of an international mission based in Kosovo said that the challenges are very big and complex and therefore substantial changes and improvements are difficult to achieve in short time. There were very serious concerns by countries that were main stakeholders in Kosovo who put millions (perhaps billions) into develop Kosovo institutions and infrastructure. However, he pointed out a paradox: "We have been constantly assessing Kosovo as meeting its standards that were set by the international community. We could not say that Kosovo is progressing steadily, and meeting standards and goals; whereas at the same time Kosovo was not able to accept citizens that originate from there."

He expects that once Kosovo has accomplished its aspiration, that there should be a readmission policy based on international standards, along with re-integration strategy. Kosovo should be ready to integrate people and admit returns. He positively assessed that a reintegration strategy was in place before re-admission policy was approved. He praised the previous government for taking ownership and expressed concern that the current government does not attach enough importance to the reintegration strategy.

Another representative of the Government said that they are developing partnerships with other countries. There was no position yet on readmission and returns, but alerted that one was forthcoming. He also informed the participants that since Nov 1st 2008 all cases of readmission were to go through the Kosovo Ministry of Internal Affairs and that an adequate department was set up and staffed for this purpose. He appreciated UNMIK's activities so far and said that they were in transition from UNMIK to EULEX and OSCE and to the Government. He expressed confidence that the Ministerial department was doing a great job, that the Ministry was ready to take responsibilities coming out of obligations and that they were in the process of developing an action plan for how to implement the strategy. He also expressed regret that the RAE strategy was not included in the medium-term economic framework, which was used as a basis for the donors conference, but "it is never too late."

Local politics was discussed extensively by both a senior representative of the Ministry of Local Government and by a mayor. The mayor expressed that they did much for the RAE, all through local integration strategies that each municipality is supposed to have.

The municipality of Gjakovë was discussed intensively. It has 6,000 members (mostly Egyptians). Over 4,000 are well situated in the town of Gjakova, but there 500-600 of them that live in really bad conditions. "We have given 5 hectares to develop a neighborhood. You can imagine how much it costs to have 5 hectares in urbanized land," the mayor said. With great difficulty, the municipality found some land, and they were accommodated in 86 apartments; members of all three communities no longer live

in camps. Additionally, seven families returned from Montenegro, and the municipality gave them plots of land for the construction of houses and they will not be disconnected from sewage even if they do not pay.

The mayor also mentioned other smaller achievements, from a free sport playground, a joint project with the Swiss Caritas to address civil registration and the implementation of mixed education. He said that 47 members of these communities were employed in various companies and the municipality has created a supportive body, which has yielded positive results after just a few months of its existence. The mayor disagreed with the criticism and called the participants to joining efforts to cooperate instead. "What gives me hope is the private business. Successful businessmen among RAE in Gjakova with contacts to municipal assemblies," adding that his municipality was a model example how members of different ethnic backgrounds should live together. A Roma activist also praised this municipality for giving and legalizing land.

Apart of local government, the role of the international community was also discussed. Not all the participants were satisfied with the efforts of the international community. One MP from Kosovo of Egyptian background stated that this was the first time that he saw a representative of UNMIK in charge of communities. He expressed hopes that EULEX will learn from mistakes of UNMIK.

Ninety percent of forced returns, left Kosovo shortly after their return.

A good number of participants also criticized the international community, from 'wrongly channeled' projects, lack of consultation with RAE communities regarding the use of funds, priorities, etc. Another complained was that many RAE organizations had no access to donations and that their implementers often choose the wrong partners and some donations fall into bad hands. On a more practical level, a civil society Roma activist from Kosovo called for external monitoring of projects, especially the quality of material used in construction of housing. An official of a large international mission in Kosovo assured the participants that there will be assistance, including specific targeted assistance for RAE, as well as recruitment of RAE individuals, but this is often difficult.

One of the most frequently cited criticisms was that due to the Albanian-Serb dispute, most of the assistance goes to the Serb community. "In the last year, over 300 houses were built for the Serbs, but only 30 Serbs returned," one MP from western Kosovo said. Another participant complained that everything possible was done for the Serb community, including hiring members of the Serb community by international organizations. She complained that while no criteria were checked for the Serbs, that international organizations did not do the same for RAE and called them not to marginalize the RAE.

Returns

Some participants showed understanding why western countries wanted to return refugees. Most participants shared the opinion that voluntary returns are much more sustainable than forced ones. Voluntary returns stagnated in 2007, with roughly the same number as in 2006. Forced returns were at the same level in 2008 as in 2007. Most alarming was the statistic that 90 percent of forcibly returned Roma left Kosovo shortly after their return, as reported by UNHCR. There are very few Roma who are returned forcibly, most of them being Ashkali. Nevertheless, one international participant assessed that the sustainability of returned RAE communities is much higher than that of the Serb community.

Apart of the general situation that RAE find themselves in Kosovo, several participants noted the experience of previous returnees as a lesson for further returns. A Roma participant from Western

Europe argued that those who were returned were not given a choice; the decision to return was imposed forcibly.

Several participants criticized unplanned returns. One MP from western Kosovo noted that one hundred families returned to his municipality from Germany, but neither the government nor UNHCR treated them as returnees and no support whatsoever was provided to these people. Forced returns meant in many cases people were simply put on the plane and sent back to Kosovo and practically left at the airport. The situation of these Roma is far from what they have been promised. Most participants cautioned against returns without a sustainable strategy. Most of those returned by force tend to

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migrate again, this time through organized crime networks. One governmental official assessed that it is better to have legal than illegal migrants.

While the Ministry has no resources, UNHCR responded that it did not consider them as refugees or as returnees. UNCHR does not assist forcibly (does not prefer the term 'repatriation')

returned people if it is not perceived that those people are in need for international protection, according to UNHCR's mandate. Another criticism of the UNHCR was that it did not assist returnees, which was refuted since UNCHR has no mandate regarding IDPs, with the exception of new situations of displacement. As UNHCR has no mandate on internally displaced people it seems that many IDPs get too little attention and fall through the cracks of the system. UNHCR does, however, monitor their situation.

The Kosovo authorities are clearly under pressure. One official representative of the Kosovo Government said that are requests for 3,000 people to return, which they proceeded with (the majority of this figure being Albanians). Requests from host countries are made "on a daily basis." An MP added that it "is true that about 4,000 returned, but these came from very poor countries, and had no other solution but to return to Kosovo."

Sustainability depends on various aspects. Most participants assessed that there was generally good security, especially for the Ashkali and Egyptians, but this depends on the location too. Most participants stressed the importance of economic livelihood as most essential. One participant further cautioned that the problem of RAE integration was a structural issue and as such it was long-term and multi-faceted, requiring a cross-sectoral approach and serious mobilization; a situation that Kosovo has little capacity to engage. Moreover, basic demographics paint a gloomy picture. Kosovo has about four times less arable land than all the neighboring countries. Even as it is, without any returns, Kosovo faces more pressure and desire for emigration than any other country.

Conclusions and Recommendations

Counter to widespread fears, most countries present are not planning massive returns. The actions by Germany were rated as most important as they are followed by many other countries. It is encouraging the two immediate neighbors to Kosovo who have many refugees expressed that they will not conduct forced returns.

With regard to integration prospects, the glass looks half-full. No participant accused the authorities of hatred or intolerance and the authorities expressed a strong wish to integrate despite the multitude of problems and serious economic challenge.

No returns for now. Most participants encouraged host countries to regulate the status of RAE members and try to maximize their livelihoods wherever they are. Several participants underlined the

positive practices of Switzerland where 6,000 out of 8,000 have legal status, and the lessons should be shared with other host countries that have significant numbers of this community.

Several participants were of the opinion that there should be no returns at least for the time being, for various reasons from it being a political issue, there not being sufficient possibilities to integrate or to make a living, or since many families depend on their remittances, etc.

No forced returns. Western countries were asked not to force any members to return and to only conduct carefully planned voluntary returns. Moreover, any returns must be dignified and respect the right and opportunities as for all people in Kosovo. Returns should not be enforced especially if conditions for safety and integration are not in place. UNHCR also called to focus on voluntary, informed and assisted return, respecting their past recommendations. Any returns should be phased and coordinated to make them sustainable. For returns the key-words should be “voluntary”, “informed” and “sustainability”, and that does not overwhelm the system with massive returns.

The Kosovo Authorities committed to finish the Final Strategy and the action plan for the education and employment, which will pave the way for them to register at school/university avoiding strict criteria. It was recommended that authorities do more, not only to implement legislation but also to get higher participation by affected communities as well as combat negative perception. The strategy for RAE should be shorter and carried out.

There is great responsibility on the shoulders of UNHCR and the governments that plan to send back RAE refugees to make sure that there are conditions for their return. However, the main responsibility lies with Kosovo authorities who must show not only willingness to accept all returns, but also to provide a safe environment, housing, education and possibilities to earn a living.

Several participants stressed the need to assist people, from obtaining personal documents to other practical needs. Above all, they requested assistance from the authorities to move from camps to formalized settlements.

Clear coordination and leadership among stakeholders. “Too many cooks, the dish remains without salt,” one of the participants said. He was of the opinion that there are currently too many institutions, but that none was sufficiently effective. He called on the authorities to start to look carefully and responsibly on these matters and work towards addressing them immediately and adequately, including with the support of international organizations. The Kosovo government and civil society should be consulted better prior to any returns and this consultation should happen at the Kosovo-wide level, not only municipal. At the local level, municipalities can offer an effective channel as they offer great level of influence. Regular meetings should be organized with RAE communities, to know who does what. Better coordination was needed among international, central authorities, and municipalities as it is up to local capacities that have to deal with returns (both forced and voluntary).

More such meetings. Several participants expressed satisfaction with the format that the issue was discussed and hope that meetings such as this will be organized more often. The Kosovo authorities asked to have the next meeting in Prishtina in order to follow up on the progress made. There is no right time to address these issue and these ‘hot’ issues must be discussed continuously.

The Role of the Diaspora is extremely important. The population in Kosovo depends on those abroad to communicate with those back about the situation back in Kosovo. Authorities forget Roma in the diaspora but they must be consulted regarding matters of RAE communities. Representatives of the diaspora made all their positions, proposals and recommendations available to be shared with authorities and expressed readiness to contribute.

Capacity Building and Recruitment of RAE members. RAE activists called on the international community to hire more RAE members. Even if their knowledge of English was not adequate, there are positions that do not require this. They asserted that the false image that Roma are not educated and have no skills must be combated. The communities should be empowered economically in order to use more benefits. International Organizations expressed interest to hire more Roma and to work more with Roma NGOs.

The chair closed the roundtable by stating that although Kosovo is in a difficult transition, he was confident that, based on the message expressed by the authorities in the roundtable and after hearing such positive examples, the prospects look quite promising.

List of participants

Overall, the list reflected a balance among RAE (including all the three communities) politicians and activists inside and outside of Kosovo, Kosovo authorities, western countries (whether through their ministries of interior, foreign affairs, or through their permanent presence to the OSCE), regional governments, international organizations present in the region and those working on Roma issues, donors, NGOs, etc. The list follows below:

Shpresa Agushi, Leader, Roma Women Network, Pristina

Hetem Arifi, Member, Kosovo Assembly; Ashkali Democratic Party of Kosovo

Ruzica Banda, National Programme Officer, Democratisation Department, OSCE Mission to Serbia

Lorenz Barth, Counsellor, Permanent Mission of the Federal Republic of Germany to the OSCE

Shahzad Bangash, Head, Office of Communities and Returns, United Nation Interim Administration Mission in Kosovo

Dzavit Berisa, Research and Publications Officer, European Roma Rights Centre, Budapest

Xhevat Buci, Deputy Minister of Internal Affairs of Macedonia

Grégoire Crettaz, First Secretary, Migration Attaché, Embassy of Switzerland, Pristina

Marcin Czaplinski, Senior Policy Support Officer, South Eastern Europe Desk, OSCE

Dan Pavel Doghi, Officer on Roma and Sinti Issues, OSCE /ODIHR

Artan Duraku, Principal Adviser, Ministry of Internal Affairs, Pristina

Raif Elezi, Deputy Minister of Local Government, Pristina

Asmet Elezovski, Member, Directorate of Human rights, European Roma and Travelers Forum, Strasbourg

Edin Erkočević, Second Secretary, Permanent Delegation of Sweden to the OSCE

Francesca Friz-Prguda, OSCE Senior Liaison Officer with Vienna-based UN

Judith Gimenez, Legal Officer, Office of the OSCE High Commissioner on National Minorities

Ismet Hashani, Deputy Minister, Ministry of Communities and Return of Pristina

Udo Janz, Deputy Director of Europe Bureau, UNHCR

Mirjam Karoly, Communities Protection Officer, OSCE Mission in Kosovo

Jaroslav Kling, Project Manager, Poverty Reduction Practice, Policy Support & Program Development, UNDP Bratislava Regional Centre

Hillebrand Dirk Knook, Adviser Roma Policy, Western and Central Europe Department; Ministry of Foreign Affairs of the Netherlands

Pal Lekaj, Mayor, Municipality of Gjakove/Djakovica

Josip Madunic, Trainee, Permanent Mission of the Federal Republic of Germany to the OSCE

Xhevdet Neziraj, President, New Democratic Initiative of Kosovo; Member, Assembly of Kosovo

Leon Malazogu, Head of Office in Kosovo, Project on Ethnic Relations

Zylfi Mergja, President, United Roma Party of Kosovo; Member, Assembly of Kosovo
Andrzej Mirga, Senior Advisor on Roma and Sinti Issues, OSCE/ODIHR
Kadri Mumisi, Roma NGO, Germany
Brahim Music, Roma NGO, France
Juliana Olldashi-Berisha, Project Manager, UNDP Roma Regional Project, Pristina
Declan O'Mahony, Property Rights Coordinator, EULEX
Benedetta Di Pasquale, Junior Assistant, Permanent Mission of Italy, OSCE
Dejan Petrovic, Project Manager, Erste Foundation, Vienna
Livia Plaks, President, Project on Ethnic Relations
Vera Pula, Coordinator, Program on Minorities and RAE, Kosovo Foundation for Open Society
Bernard Rorke, Director, Roma Participation Program, Open Society Institute
Gani Rusiti, Roma NGO, Germany
Oliver Schmidt-Gutzat, Head, Communities Division, OSCE Mission in Kosovo
Gazmend Salijevic, Member, Kosovo Roma and Ashkali Forum
Khalidoun Sinno, Head of Political, Economic and EU Integration Section, European Commission Liaison Office to Kosovo
Zeljko Sofranac, Commissioner for Refugees, Government of Montenegro
Bekim Sylja, Manager, Roma Ashkali Documentation Center, Pristina
Job van Ballegoijen de Jong, Junior Policy Adviser, Ministry of Foreign Affairs of the Netherlands
Saranda Zeqiri, Assistant, Kosovo Office, Project on Ethnic Relations

Interpreters

Ukshin Ahmetaj, Interpreter
Nebojsa Arsic, Interpreter
Sejdo Jasarov, Interpreter
Sarita Jasarova, Interpreter
Arben Thaçi, Interpreter

* The roundtable was also attended by a number of delegations to the OSCE and not all have been included above.