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Post-war Kosovo and its policies towards the Roma, Ashkali, and Egyptian communities

Briefing paper following FXB Field Work in Kosovo, June 22–28, 2013

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A Report from the François-Xavier Bagnoud Center for Health and Human Rights

Harvard School of Public Health and Harvard University

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About the FXB Center at Harvard

The FXB Center for Health and Human Rights at Harvard University is an interdisciplinary center that works to protect and promote the rights and wellbeing of children, adolescents, youth and their families trapped in extreme circumstances throughout the world. The Center pursues this goal by conducting and supporting research, advocacy, and targeted action.



A factory near a Roma community in Obelic. Environmental factors could potentially harm the health and development of children in the surrounding communities.

Report Contributors

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Glossary/Abbreviations

EULEX: European Union Rule of Law Mission

FXB Center: François-Xavier Bagnoud (FXB) Center for Health and Human Rights

IDPs: Internally Displaced Persons

KFOR: The Kosovo Force

OSCE: The Organization for Security and Co-operation in Europe

UN: United Nations

UNDP: United Nations Development Program

UNHCR: Office of the UN High Commissioner for Refugees

UNMIK: United Nations Interim Administration Mission in Kosovo

¹ Brief biographical information is included at the end of this report.

Preface

The FXB Center for Health and Human Rights (the FXB Center) at Harvard University leads an innovative research, advocacy, and capacity-building program focused on two of the most urgent concerns facing the Roma population in Europe: realizing the rights and opportunities of Roma children and adolescents as well as confronting the escalating climate of anti-Roma violence and extremism.

In June 2013, a research team² from the FXB Center conducted a fact-finding mission in Kosovo to investigate the human rights situation of the Roma, Ashkali, and Egyptian minority populations. It included visits to five communities: the Plementina/Obelic district and Gracanica in the Pristina area, the Roma Mahala in Mitrovica, the Leposavic camp in Northern Kosovo and Prizren in South Kosovo, close to the Albanian border. The research team also engaged with leaders of international organizations, diplomats, political officials, members of civil society, scholars and independent experts.

In Pristina, the team met with NGOs: *the Roma and Ashkalia Documentation Center*, *the Network of Roma, Ashkali and Egyptian Women's Organizations of Kosovo*, and *the Voice of Roma, Ashkali and Egyptians*; officials from international organizations such as the *European Union Rule of Law Mission (EULEX)*, the *Organization for Security and Co-operation in Europe (OSCE)*, *United Nations (UN)* agencies, and *the Kosovo Force (KFOR)*; and several political representatives and independent experts. In Plementina/Obelic and Gracanica, the research team met with *Balkan Sunflowers*, a leading NGO that provides youth development and education services to Roma, Ashkali, and Egyptian communities. In Mitrovica, the team met with *Mercy Corps* and the *Danish Refugee Council*, international NGOs that both work with Roma, Ashkali, and Egyptian refugees and returnees and community members. In Urosevac/Ferizaj, the team spoke with the representatives of the *Municipal Roma, Ashkali, and Egyptian Communities Office*. Lastly, in Prizren, the team met with *Durmish Asllano* NGO, a Roma official, and Roma, Ashkali, and Egyptian community members.

We thank them all for their support in drafting this report. We would also like to extend a special thanks to Captain Dr. Bernd Franke at NATO, and our extraordinary translator, Hajrudin Skenderi.

² Jacqueline Bhabha, Margareta Matache, Carrie Bronsther

Introduction

On April 19, 2013, the Kosovo and Serbian Governments signed the “First Agreement of Principles Governing the Normalization of Relations,” (the First Agreement) which was hailed internationally as a historic breakthrough in the standoff between the two neighbors. The agreement consolidated Kosovo’s administrative powers over its territory and granted Serbians living in northern Kosovo some level of autonomy.³ It is broadly perceived as a compromise to the complex system of dual governance adopted by the new Kosovo administration in 1999 after the brutal war between Serbia and Kosovo came to a close. These parallel Kosovo-Serbia administrative structures⁴ catered to the needs of Kosovar Albanians and Serbians with separate schools, police forces, and hospitals that operated in tandem for over 14 years. At the local community level, the First Agreement was meant to mitigate the many difficulties caused by the dual governance system, including those affecting minority communities such as the Roma, Ashkali, and Egyptians.

The Kosovar-Serbian parallel system has a pervasive impact on all citizens living in Kosovo, starting with education. Kosovar and Serbian schools conduct their classes in different languages, teach different curricula (including, significantly, different histories), remunerate their teachers and staff at different rates, and observe different holidays. For example, the Serbian schools in Kosovo follow the Serbian school curricula, the official language is Serbian, and the Kosovar and Serbian administrations support the schools financially. In contrast, the Kosovar Albanian schools follow their own curricula, the official language is Albanian, and the Kosovar institutions support them.

While the First Agreement addresses the role of Serbia in Kosovo, the parallel education system, for instance, is not likely to change. The Serbian schools will continue to teach in Serbian, using Serbian curricula, and similarly the Kosovar Albanian schools will use their own teachers, curricula, and language.

In both systems, schooling is free but secondary school remains out of reach for those who cannot afford the cost of textbooks, transport or accommodation, or who lack information about scholarships. Children who have Serbian birth certificates and who are registered in Serbian

³ Muhamet Brajshori and Ivana Jovanoic, *Historic agreement could pave way for Kosovo and Serbia*, Southeast Europe Times, 20 April, 2013.

http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2013/04/20/feature-01, (accessed 12 Sept, 2013).

⁴ The Organization for Security and Cooperation in Europe (OSCE) defines parallel structures as “bodies and institutions that have been or still are operational in Kosovo after 10 June 1999 and that are not mandated for under the United Nations Security Council Resolution 1244,” the resolution that established the terms of the peace agreement following the conflict. OSCE Mission in Kosovo, Department of Human Rights, Decentralization and Communities, *Parallel Structures in Kosovo*, 2006-2007. <http://www.osce.org/kosovo/24618>.

schools receive financial assistance (like all children in Serbia) in the amount of approximately 20 EUR per child. These stipends are a large incentive for some families to keep their children enrolled in the parallel system. They can attend secondary education in Serbian areas or municipalities but the only university where they can continue studying in Serbian is in North Mitrovica, the Serbian-administered municipality located in the northern part of Kosovo. Meanwhile other Kosovar universities do not recognize diplomas issued by Serbian high schools.⁵

In this climate of complex parallel structures, post-war tensions, and historical prejudice, the FXB research team examined the barriers to Roma, Ashkali, and Egyptian access to education, employment and documentary proof of identity. The team also probed issues of national identity and values, a key set of concerns as Kosovo struggles to integrate minority communities and become a multicultural society.

Roma populations

According to the 2011 census⁶, there are 8,824 Roma, 15,436 Ashkali and 11,524 Egyptians⁷ living in Kosovo, which amounts to 2% of the total population. Over the past few decades, these communities have insisted on the distinction between Roma, Ashkali, and Egyptians, rejecting the homogenizing label “Roma”.

The differences between the three communities are complex and multi-dimensional. Those who describe themselves as Roma are usually Romani-language speakers. They live both in the Serbian-majority area (north of the Ibar River in the northern municipality of Mitrovica and in Serbian enclaves scattered around Kosovo) as well as in the more southern areas of Kosovo. Those who identify as Ashkali and Egyptian are usually Albanian-language speakers and tend to live in ethnic Kosovar Albanian majority areas.⁸ Some Ashkali are Romani speakers; Egyptians are usually not.

In the Kosovo Constitution, the three groups are referred to as distinct communities. In other instances, such as the “Strategy for the Integration of Roma, Ashkali, and Egyptian communities

⁵ Hajrudin Skenderi, interview by Jacqueline Bhabha, Margareta Matache, and Carrie Bronsther, June 27, 2013.

⁶ The census was boycotted by the Serbian population living in North Kosovo. Serbia wanted to conduct its own census for Serbs living in Kosovo. Linda Karadaku, *Kosovo completes 2011 census without data from north*, Southeast European Times, October 16, 2012. Available at: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2012/10/16/feature-04

⁷ European Union Office in Kosovo/European Union Special Representative in Kosovo, *To Engage More Deeply*, July 16, 2013. Available at: http://eeas.europa.eu/delegations/kosovo/press_corner/focus/2013/20130716_en.htm (accessed on September 17, 2013).

⁸ Human Rights Watch, *Rights Displaced: Forced Returns of Roma, Ashkali, and Egyptians from Western Europe to Kosovo*, October 2010. Available at: http://www.hrw.org/sites/default/files/reports/kosovo1010webwcover_1.pdf

in the Republic of Kosovo”, they are grouped together.⁹ The international community and NGOs also jointly target the Roma, Ashkali, and Egyptians in their work. The resulting efforts operate at a discord: they encourage three distinct identities instead of fostering the cohesion of Roma, Ashkali, and Egyptians through common strategies and interventions.

The differences among Roma, Ashkali, and Egyptian groups, families, and individuals as well as the unresolved complexity relating to ethnicity, minority status and the location of borders in post-conflict Kosovo were repeatedly mentioned during our talks with the Roma across the country. Aspects of this topic arose in interviews conducted in the Roma Mahala settlement¹⁰ in south Mitrovica, the Leposavic camp in north Kosovo, the cities of Ferizaj and Prizren, as well as in meetings with international organizations and institutions. In discussions with community leaders and NGOs, certain sensitivities were divulged that had apparently not yet been discussed broadly. A key point made to us was that some leaders would prefer a complete separation of the three groups at policy and social intervention levels while other Roma, Ashkali, and Egyptian spokespersons are disappointed by the lack of unity and do not accept the distinction among the three groups. Some community members blame the war for these separations and see the distinctions as a survival strategy against Kosovar Albanian or Serbian post-war hatred of the Roma community as a whole. “Roma are between two fires because they are...treated like Serbs by Albanians, and treated like Albanians by Serbs,” Shahira, a member of the Roma community in Obelic near Pristina, told us.

These three communities are united by a common exposure to discrimination, economic marginalization, and environmental harm. Like other Roma communities in Europe, Roma, Ashkali, and Egyptians have lower life expectancy, less access to jobs, and greater difficulty staying in school and reaching university-level education. Nevertheless, the Roma, Ashkali, and Egyptians in Kosovo distinguish themselves in many ways from Roma living in the rest of Europe. Issues such as political refugee status, the experience of deportation from Western Europe and the return and reintegration process in Kosovo, a disparate economic situation, and the dual pressures of political blame and racial discrimination all intersect in the unique Kosovar Albanian-Serbian context.

⁹ Republic of Kosovo, *Strategy for the Integration of Roma, Ashkali and Egyptian Communities in the Republic of Kosovo 2009-2015*, December 2008. Available at: http://www.kryeministri-ks.net/zck/repository/docs/Strategy_for_the_Integration_of_Roma,_Ashkali_and_Egyptian_communities_2009-2015.pdf

¹⁰ The Mahala, located in the southwest area of Mitrovica, included about 8,000 Roma, Ashkali, and Egyptians before the war and is known as the largest Roma, Ashkali, and Egyptians settlement. It was destroyed during the conflict and rebuilt in 2007 to resettle the Roma, Ashkali, and Egyptian community who had been living in the lead-contaminated refugee camps in north Mitrovica since 1999.

Post-war immediate issues

Environmental harm

In the months after the ceasefire in June 1999, the retreating Serbians in Kosovo were allowed by French KFOR¹¹ to retain control of the territory north of the Ibar River, dividing Mitrovica and allowing Serbia to assume control of north Mitrovica, within territory known as Kosovo (autonomous region of FRY since 1963). In late 1999, the Office of the UN High Commissioner for Refugees (UNHCR) intervened in a calamitous situation facing Roma, Ashkali, and Egyptians who had fled the Roma Mahala in South Mitrovica after a wave of returning Kosovar Albanians accused them of supporting Serbia during the war and set fire to the settlement. UNHCR established temporary settlement camps in North Mitrovica to house the estimated 8,000 displaced Roma, Ashkali, and Egyptians. It also opened makeshift camps in Cesmin Lug and Zitkovac, while other internally displaced persons (IDPs) (Serbians and Greeks, among others) settled in abandoned army barracks at Kablare (near Cesmin Lug) and in the town of Leposavic, situated 45 kilometers away from Mitrovica. Apart from Leposavic, all of the IDP camps were located in the vicinity of the Trepca complex, a large mining site for lead and other heavy metals. Cesmin Lug and Kablare in particular were situated directly next to “toxic slag heaps of lead-contaminated soil.”¹² In 2005, some IDPs were temporarily transferred to Osterode, a former military base?, which was deemed to be more “lead safe.” Osterode, however, was also located next to the toxic slag heaps, just 150 meters from Cesmin Lug.¹³

From 2000 to 2004, the United Nations Interim Administration Mission in Kosovo (UNMIK) did not take steps to address the issue of lead contamination in this region, despite a report published in 2000 that provided risk assessments and recommendations on mitigation methods.¹⁴ In 2004, local and international Roma rights activities began to shed light on the effects of lead contamination on the children in these camps, pointing to cases of children with black gums and with other symptoms indicative of lead exposure. Shortly after, the World Health Organization tested camp dwellers and concluded that 90% of the children had extremely high lead levels in their blood.¹⁵ A 2007 assessment noted that “these children are at tremendous risk for a lifetime of developmental and behavioral disabilities and other adverse health conditions”.¹⁶ From 2005

¹¹ French soldiers assigned to participate in the NATO Kosovo Force mission, based on the UN Security Council Resolution 1244. See: <http://www.aco.nato.int/kfor/about-us/mission.aspx>

¹² Human Rights Watch, *Kosovo: Poisoned by Lead, A Health and Human Rights Crisis in Mitrovica's Roma Camps*, 2009. Available at: http://www.hrw.org/sites/default/files/reports/kosovo0609web_0.pdf

¹³ Human Rights Watch, *Kosovo: Poisoned by Lead*, June 24, 2009. Available at: <http://www.hrw.org/node/83938/section/2> (accessed on September 17, 2013).

¹⁴ Human Rights Watch, *Kosovo: Poisoned by Lead, A Health and Human Rights Crisis in Mitrovica's Roma Camps*, 2009. Available at: http://www.hrw.org/sites/default/files/reports/kosovo0609webwcover_0.pdf: Pg. 5.

¹⁵ Pulitzer Center on Crisis Reporting, *Gypsy Families in Kosovo on Toxic Land*, May 3, 2009. Available at: <http://pulitzercenter.org/articles/gypsy-families-kosovo-toxic-land> (accessed on September 26, 2013).

¹⁶ Mary Jean Brown and Barry Brooks, *Recommendations for Preventing Lead Poisoning among the Internally Displaced Roma Population in Kosovo from the Centers for Disease Control and Prevention*, U.S. Centers for

to 2008, according to Zoran Savich, a pediatrician with the Health Center of Kosovo Mitrovica, 77 people, including many children, died due to lead poisoning.¹⁷

Between 2007 and 2013, the camps were closed and Roma, Ashkali, and Egyptian families were resettled in the newly constructed homes in Roma Mahala. During our conversation with the medical staff from the Medical Center in Roma Mahala, we were told that 19 out of the 120 children who were identified with high levels of contamination were reported to still have high levels of lead contamination and were receiving medical treatments and food support from Mercy Corp. Given the poor socio-economic situation, the supplemental food is often shared among the family members. With the exception of this targeted intervention, it appeared that institutional stakeholders had little interest in continuing to combat and monitor the eventual developmental and health effects of lead poisoning on children. Instead, many had moved their focus to income generating or educational activities. Some of the parents we talked to in Roma Mahala did not seem fully aware about the issue. Information about consequences and reactions to lead poisoning might help parents better monitor their children's health and development.

Repatriation process and its consequences

As active hostilities came to a close in late 1999 and stability began to return in the early 2000s, Western democracies chose to send the majority of migrants forced from Kosovo back to the region, despite the simmering ethnic tensions and the harsh post-conflict environment. From 1999 to 2007, around 51,000 Roma, Ashkali, and Egyptians were "readmitted" to Kosovo, and this figure will likely rise in the coming years.¹⁸ Since a bilateral treaty between Germany and Kosovo was signed in 2010, about 2,500 Roma originally from Kosovo, but living in Germany, have returned to Kosovo, mostly involuntarily.¹⁹ In Germany, 12,000²⁰ to 14,000²¹ Roma, Ashkali, and Egyptians in 2010 were at risk of deportation to Kosovo. Forcing their return strips them of basic human rights and ensures extensive hardship upon re-entry to Kosovo.

Even children born in EU countries and fully integrated into their German, Swedish or French lives have been "returned" to their parents' war-torn homelands completely against their will. Reports abound of children who could speak only German or French, and had been doing well in their previous schools, now unable to enroll or adapt to completely different educational

Disease Control and Prevention, October 27, 2007. Available at:

<http://www.cdc.gov/nceh/lead/publications/kosovoreport.pdf>

¹⁷ Pulitzer Center on Crisis Reporting, *Gypsy Families in Kosovo on Toxic Land*, May 3, 2009. Available at:

<http://pulitzercenter.org/articles/gypsy-families-kosovo-toxic-land> (accessed on September 26, 2013).

¹⁸ Ibid.

¹⁹ Bahri Cani, *Deported Roma face tough times in Kosovo*, Deutsche Welle, Gregg Benzow, editor, March 30, 2013. Available at: <http://www.dw.de/deported-roma-face-tough-times-in-kosovo/a-16710238>

²⁰ Human Rights Watch, *Rights Displaced: Forced Returns of Roma, Ashkali and Egyptians from Western Europe to Kosovo*, October 2010. Available at: http://www.hrw.org/sites/default/files/reports/kosovo1010webwcover_1.pdf

²¹ Rheinhard Marx: Roma in Deutschland aus ausländerrechtlicher Sicht, APuZ 22-23, 2011

situations, to peers speaking a language they do not understand, to environments incomparably worse than those they had known in Western Europe.²²

The precarious and under-resourced Kosovo infrastructure is ill-equipped to cope with these particularly vulnerable returned migrants. Schools are in no position to adapt their curricula and to train teachers appropriately; families struggle to provide required documents to facilitate school enrollment. Housing and income emergencies compound the extreme hardships facing these involuntary returnees.

A German consular official we met argued that returned families were either welfare dependent in Germany for long periods or criminal offenders and that, in such cases, the host country was under no obligation to provide long term accommodation and support. For those who committed a criminal offense and served the criminal penalty, deportation should not be an additional sanction that doubly punishes them. Nor should populations who have already faced the trauma of war, displacement and relocation be expected to face this again – at least not at the hands of wealthier democracies. Moreover, according to Sian Jones, Amnesty International’s Kosovo expert, “EU countries risk violating international law by sending back people to places where they are at risk of persecution, or other serious harm. The EU should instead continue to provide international protection for Roma and other minorities in Kosovo until they can return there safely.”²³ Kosovar Albanian children and adults have also been forcefully deported from Germany and France.

The returnees face many obstacles, including lack of personal documents or proof of citizenship; limited access to health services, housing, education, employment or social benefits; and difficulties with property repossession.

Documentation

Up to 40% of Roma, Ashkali, and Egyptians who live in Kosovo are not registered as residents and lack personal documents²⁴, including passports and ID cards that are essential for receiving social services, changing one’s civil status, and enrolling children in school.

²² Human Rights Watch, *Rights Displaced: Forced Returns of Roma, Ashkali and Egyptians from Western Europe to Kosovo*, October 2010. Available at: http://www.hrw.org/sites/default/files/reports/kosovo1010webwcover_1.pdf

²³ Amnesty International, *European Countries Should Stop the Forcible Returns of Roma to Kosovo, Says Amnesty International*, September 28, 2010. Available at: <http://www.amnestyusa.org/news/press-releases/european-countries-should-stop-the-forcible-returns-of-roma-to-kosovo-says-amnesty-international>

²⁴ Government of the Republic of Kosovo, *Strategy for the integration of Roma, Ashkali and Egyptian communities in the Republic of Kosovo 2009-2015*, http://www.unkt.org/wp-content/uploads/2012/06/rae_strategy-eng-kos-government.2009-15.pdf

Some identity documents have limited validity. For example, we were told by members of the Serbian speaking Roma community that their children's birth certificates expire after six months, and that renewal was too cumbersome, time consuming and expensive for them to undertake. Vineta, a member of the Obelic Roma, Ashkali, and Egyptian community, is the mother of seven children and explained the difficulties she faces with documentation. "I have seven kids; six are in school. My oldest daughter is a volunteer at the Center [Balkan Sunflowers Center], and she is in her second year of medical high school. The others are in primary school, but one doesn't have a birth certificate and it would be impossible for her to enroll in school," she said.

The two school systems require different proof of legal identity in order to establish eligibility for receipt of services. For the Serbian system, birth certificates issued by Serbian authorities are mandatory prior to enrollment and they are not readily available in municipal offices across Kosovo. Often, families encounter financial obstacles that prevent them from traveling to Nis in Kosovo or Belgrade in Serbia in order to secure or renew children's documents. By contrast, children in the Kosovar Albanian schools can enroll without prior submission of documents and are given a flexible period to submit them. According to a Roma activist, "the parallel systems exist in the life of ordinary people living in Serbian majority areas in Kosovo; therefore they get double ID documents as well."²⁵

Many of the Roma, Ashkali, and Egyptian returnees lack housing or property documents. The 2009 Roma and Ashkalia Documentation Center report, "Helplessness-Roma, Ashkalia and Egyptian Forced Returned in Kosovo," underlines three main causes for these problems. Roma, Ashkali, and Egyptians either sold their properties before leaving Kosovo or their houses were destroyed during the war or occupied immediately after the war by other families who remained or returned to Kosovo earlier.²⁶ In the case of property disputes, EULEX civil judges can take over property related cases for repatriated Roma, Ashkali, and Egyptians who encounter difficulties re-possessing their properties without documentation. However, our assessment is that many of the Roma, Ashkali, and Egyptian families are not aware of this opportunity.

In Central and Southeastern Europe (and Kosovo is no exception), a lack of documentation generates a set of recognizable vulnerabilities, including forced evictions and illegal demolition, particularly in Roma communities built at the margin of cities and indeed, society.

Roma, Ashkali, and Egyptian education

The general educational system in post-conflict Kosovo is in the early stages of development and appears to be quite weak; in the case of Kosovar Albanian schools it is still in the process of

²⁵ Hajrudin Skenderi, interview by Margareta Matache, Jacqueline Bhabha, and Carrie Bronsther, June 27, 2013

²⁶ Milena Tmava and Adem Beha, *Helplessness-Roma, Ashkalia and Egyptian Forced Returned in Kosovo*, Roma and Ashkalia Documentation Center, 2009.

transitioning from home-based schools to public education. There are not enough schools or teachers to accommodate all children and the quality of education is uneven. These issues affect every child in the Kosovo educational system.

School, family, community, socio-economic, and political environments and dynamics all play a role in differentiating educational trajectories. Without fail, Roma, Ashkali, and Egyptian children who are told to sit at the back of the class perform poorly in school, and encounter low expectations from teachers and parents alike. Teachers pass Roma, Ashkali, and Egyptians onto the following grade whether their performance justifies it or not.

Parents and/or community leaders' opinions and support can make a difference. But often parents lack the confidence (and competence) to supervise homework, to advocate on their children's behalf and to provide the support required for educational success. The devastating but pervasive result is the widespread "push-out" of young Roma, Ashkali, and Egyptian adolescents at the point of transition between primary and secondary school. The treatment of girls still greatly depends on individual families or the specific culture of Roma, Ashkali, and Egyptian subgroups. Afrim Osmani who runs a Learning Center for Balkan Sunflowers in Gracanica explained that some families or subgroups understand the importance of education and sending kids, both girls and boys, to school, while others follow more traditional practices and keep their daughters at home. Some marry off their daughters when they are 13 or 14 years old. Local political and spiritual leaders play an important role in setting community trends. For instance, the community leader in the Leposavic camp in Northern Kosovo is the father of eight children, all of them in school. He encouraged his oldest daughter to enroll in high school and when we met him, was struggling to find a scholarship for her to attend university. She might become a role model for other girls and boys living in this very impoverished and ill-equipped camp. In contrast, in the Roma Mahala in South Mitrovica, the local leader of the community strongly supports the tradition of early marriage, and this is reflected in the community's practice.

Equal access to services for Romani girls remains a problem. According to Shpresa Agushi, director of Network of Roma, Ashkali, and Egyptian Women's Organizations of Kosovo, 25% of young Roma girls and women are illiterate, few finish high school, and even fewer graduate from university. Early marriage, poverty, and unemployment dramatically and disproportionately affect Romani girls and women.

Osmani underscores the role of community social capital—mentors, tutors, educators—in changing the educational path of children. He explained that in 1999, about 20 Roma kids were enrolled in primary school and only one in high school in Gracanica. Now, more than 110 Roma, Ashkali, and Egyptian children attend primary school, and 11 to 12 Roma, Ashkali, and Egyptian adolescents attend high school. Seven of these high school students are girls, a tremendous

achievement of which the community is proud, and a dream that was not possible even a couple of decades ago.

Socio-economic factors impact school attendance.²⁷ Many of the families we met told us they could not afford secondary education, let alone university training, for their children. They had no information on scholarship opportunities, and they informed us that many girls still marry before they turn 18 years old. A lack of education in the community, discrimination and inter-ethnic tension in schools, and a dearth of teachers of Roma, Ashkali, and Egyptian origin coupled with the poor quality of education contribute to the low school enrollment and high drop-out rates, especially among girls.^{28, 29}

As mentioned earlier in this report, the political setting of parallel institutions plays a significant role in maintaining the educational deficiencies of the Roma, Ashkali, and Egyptian communities. In Mitrovica, some parents talked about the imperative of keeping their children enrolled in the Serbian school. They explained that their children had always attended Serbian schools and therefore only knew how to read and write in Serbian. The fact that the Kosovar Albanians had forced them out of their homes in the south during the war no doubt colored their opinions. A Roma community member told us that within the majority, “we always swim in the water of discrimination.” Even when their children spoke Albanian, many could not read or write it, so attending school in Albanian would be difficult. A young Roma father-to-be said, “I was educated in the Serbian system and of course my son will be too.” But didn’t he want his son to be fluent in the majority language, we asked? “Yes, of course, and in Romani and English too,” he responded.

Yet few organizations offer scholarship programs for high school and university students in Kosovo and there are significant gaps in the coverage, awareness, and accessibility of these scholarships. The Voice of Roma, Ashkali, and Egyptians, a small NGO run by an enthusiastic young Roma, offered 152 scholarships³⁰ to Roma, Ashkali, and Egyptian youth across the country for the 2012-2013 academic year, 21 of those for university and the rest for high school. Isak Skenderi, the director of the organization, noted that four years ago they were not able to find enough young people to use the available scholarships, but for the 2013-2014 academic year they had a pool of 280 applicants for 150 scholarships. Although the trend is encouraging, Skenderi is concerned that only 500 young Roma, Ashkali, and Egyptians attend high school and

²⁷ Balkan Sunflowers Kosova, *School’s Out: An Education Survey in Ashkali, Egyptian and Roma Communities in 9 Kosovo Municipalities*, Pristina, 2012, pg. 44

²⁸ Organization for Security and Co-operation in Europe (OSCE) Mission in Kosovo, *Contribution to the Progress Review of the Action Plan of the Strategy for the Integration of Roma, Ashkali, and Egyptian Communities in Kosovo, 2009-2015*, September 2012. Available at: <http://www.osce.org/kosovo/94856>

²⁹ UNDP Kosovo, *Youth: A new generation for a new Kosovo*, Human Development Report, 2006. Available at: http://www.ks.undp.org/content/dam/kosovo/docs/KHDR/KHDR_2006.pdf

³⁰ Scholarships from the Voice of Roma, Ashkali and Egyptians NGO provided students with 300 euro per year for high school and 600 euro per year for university.

80 attend the public and private universities. His observations largely correlate with the findings from a 2009 baseline survey carried out by the Kosovo Foundation for Open Society (KFOS – SOROS) in 2009, which concluded that a mere 2% of Roma, Ashkali, and Egyptians had reached university and 12% had completed a portion or all of high school.

Roma, Ashkali, and Egyptian employment opportunities

Unemployment is a serious issue for all Kosovars, and the country struggles with an unemployment rate of 35%³¹ among the general population. Within the Roma, Ashkali, and Egyptian community, this rate rises to 98%.³² According to a 2012 United Nations Development Program (UNDP) report, young Roma, Ashkali, and Egyptians are the most disadvantaged group among Kosovar youth with an employment rate of 17% compared with employment rates of 23% among young Kosovar-Serbs and 29% among young Kosovar-Albanians.³³

The employment opportunities for Roma, Ashkali, and Egyptian members are tied to the country's economic opportunities, but are also affected by discrimination within the labor market and a lack of qualifications within these populations.

Discrimination, in particular “quiet” discrimination, as Roma activists call it, was discussed as a factor limiting Roma, Ashkali, and Egyptian employment opportunities. As one NGO staff member explained, quiet discrimination or administrative discrimination, such as not being selected for a job is common and “very dangerous.” Roma, Ashkali, and Egyptians are reluctant to report discrimination cases due to fear of retaliation, including direct attacks, as well as limited support from police and other institutions. As the anti-discrimination law is currently being amended³⁴, it provides a good opportunity to develop better mechanisms to measure, combat and prevent discrimination in the labor market³⁵. In this process, EULEX and other international bodies dealing with anti-discrimination measures in Kosovo along with the Kosovar

³¹ The World Bank and Kosovo Agency of Statistics, *Labor Force Survey 2012 – Results for the first half of 2012*, May 1, 2013. Available at: http://esk.rks-gov.net/ENG/publikimet/cat_view/16-labour-market?orderby=dmdate_published

³² Council of Europe: Commissioner for Human Rights, *Report of the Council of Europe Commissioner for Human Rights' Special Mission to Kosovo*, March 23-27, 2009. Available at: [http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/383FD9822C97C6EEC1257638003F0F7A/\\$file/report+co+uncil+of+europe.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/383FD9822C97C6EEC1257638003F0F7A/$file/report+co+uncil+of+europe.pdf)

³³ UNDP, *Kosovo Human Development Report 2012: Private sector and employment*, 2012. Available at: http://www.ks.undp.org/content/dam/kosovo/docs/KHDR/KHDR2012_eng.pdf

³⁴ One of the amendments, according to the European Commission is to set up a sanctioning mechanism that includes legal remedies for the victims of human rights violations. (see European Commission, *Report from the Commission to the European Parliament and the Council*, <http://ec.europa.eu/transparency/regdoc/rep/1/2014/EN/1-2014-488-EN-F1-1.Pdf>)

³⁵ European Commission, *Report from the Commission to the European Parliament and the Council*, <http://ec.europa.eu/transparency/regdoc/rep/1/2014/EN/1-2014-488-EN-F1-1.Pdf>

Government can identify standards and legislative measures aimed at specifically tackling discrimination in employment.

Lacking qualifications is another major obstacle preventing Roma, Ashkali, and Egyptians from competing in the labor market. Their limited educational attainments are reflected in their low employment outcomes.³⁶ Few good employment schemes have been implemented by the international community or local NGOs. The Voice of Roma, Ashkali, and Egyptian organization however, developed entrepreneurial initiatives that have supported about 100 small businesses since 2011. They plan to add about 50 additional subsidies in five municipalities. The grants offered by the NGO are between 1,000 and 3,000 euro, and the families have to secure 30% of the money. The NGO monitors the business and offers additional assistance and training. The people who have been targeted for start-up businesses are people with some skills: for instance, tailoring skills to produce sheets and clothes. Electricians, plumbers, and construction workers were also supported to start their own businesses and small shops. However these businesses are not sustainable, as families hardly save anything from the approximately 300 euro they earn monthly.

Discrimination

With an eye toward EU accession, Kosovo has stated its commitment to meeting EU legal standards during the pre-accession process and acknowledged that the current anti-discrimination law is not properly applied and lacks practical guidelines for lawyers and judges. Therefore, the law is now being redrafted and amended by the government of Kosovo, allowing key parties to raise their voices and participate in the process.

In the context of pervasive anti-Roma sentiment after the war, discrimination is a sensitive topic, and activists are hesitant to address it. It was our understanding that this insecurity relates both to possible extremist reactions, but also to relations with public officials, especially in the EU accession context. Documentation of human rights abuses and complaints are missing, although many NGO leaders have encountered stories of discrimination in their work with Roma, Ashkali, and Egyptian communities. Most NGOs have focused on increasing educational, housing and employment opportunities, yet both NGOs and international organizations have chronicled cases of segregation in the classroom, refusal of local communities to accept Roma families into their neighborhoods, and employers' resistance to hiring Roma.

Although EULEX can intervene in criminal cases that affect the rights of the Roma, Ashkali, and Egyptians, including violent attacks and hate motivated crimes, they do not receive complaints. The Ombudsman provides another example of an underutilized infrastructure. Established ten

³⁶ UNDP, Kosovo Human Development Report 2012: Private sector and employment, 2012. Available at: http://www.ks.undp.org/content/dam/kosovo/docs/KHDR/KHDR2012_eng.pdf

years ago, the Ombudsman can represent these parties in the court or can issue recommendations to the institutions, provided they first receive complaints. However, NGOs do not appear to have submitted complaints on discrimination grounds to the court, Ombudsman or EULEX.

Reflections

Our experiences interacting with Roma, Ashkali, and Egyptian community members, as well as their representatives, allowed us to look through a particular lens regarding this complex issue of parallel systems. The parallel administrative system has implications for Roma identity, both cultural and legal. Different education systems generate different affiliations, loyalties, and attitudes. A national symbol that to one community is a sign of safety and reassurance symbolizes hostility and threat to another. Particularly within tense post-conflict situations, this bifurcated reality can generate challenges for the construction of the multicultural society that Kosovo aspires.

In regard to school participation, given that the majority of Kosovo operates in Albanian, Roma, Ashkali, and Egyptian children who learn primarily or only Serbian in school face reduced competitiveness for higher education and employment. While it may be too early to consider due to the recent legacies of war, bilingual education might be a solution for Serbian-speaking minorities in Kosovo, allowing them to be competitive in Kosovo's market.

Policies and projects that support Roma, Ashkali, and Egyptians' equal access to education are needed. We witnessed some successful small scale projects that address issues related to education. For example, Learning Centers, which are typically managed by NGOs in Roma, Ashkali, and Egyptian communities, offer after-school, mentoring, and leisure programs for children and have proven successful at lowering dropout rates and increasing enrollment rates at the kindergarten and primary education levels. However, these services are limited and hamstrung by short-term funding. National and local policies are not modeled accordingly, and local municipalities rarely involve NGOs to implement these schemes on a longer term basis. Grassroots policies that promote Roma, Ashkali, and Egyptian school enrollment and performance (e.g. mentors, after-school classes, scholarships, and role models) should be implemented and scaled up to the national level.

It is also necessary to implement explicit laws and regulations designed to foster interethnic relations in Kosovo, so that members of the majority and minority communities feel safe enough to fill out complaints against human rights violations without fearing negative consequences. The general population may prove more understanding and receptive towards the importance of the rule of law and implementation of human rights standards in Kosovo than in other countries due to Kosovo Serbs and Albanians continuing to feel oppressed by neighboring Serbia.. Both

majority and minority communities could contribute to developing a strong foundation of human rights safeguards that protect all citizens.

In democratic societies, including countries transitioning to democracy, the monitoring of human rights abuses and the application of sanctions against violators contribute to the establishment of good governance and rule of law. In Kosovo, there is a need for a larger and more active presence of international human rights groups, such as Human Rights Watch and Amnesty International, to support the local activists in gaining the skills and the support to submit discrimination complaints. Given the complex situation in Kosovo, many international human rights groups have avoided working directly in the country, but the level of human rights abuses and chilling silence from local human rights groups makes their presence all the more necessary. These human rights groups can independently monitor the violation of human rights in Kosovo, as they do in other European countries such as Hungary or Romania, but they can also contribute to the empowerment of local groups and support Kosovo human rights institutions in their work to establish good governance.

Roma, Ashkali, and Egyptian leaders, emboldened by limited written historical evidence, bring into conversation many hypotheses about Roma, Ashkali, and Egyptian commonalities and difference. Those contradictory arguments illustrate not only the lack of communication, unspoken tensions, and identity struggles but also the complexity and sensitivity towards ethnicity and minorities in post-conflict Kosovo.

Recommendations

Roma, Ashkali, and Egyptians have little access to healthcare and education, face enduring discrimination, and live in the worst housing conditions in Kosovo.³⁷ The basic building blocks for establishing a rights respecting life for the Roma, Ashkali, and Egyptian minorities in Kosovo are missing: identity papers, facilities, and access to services. Constantly trapped in this circle of barriers, families cannot break the intergenerational poverty and prevent discrimination. A series of measures and interventions that involve various stakeholders are necessary. Based on our visit and research in Kosovo, we have outlined several recommendations, as follows:

Kosovar institutions

- One of the best ways to combat extreme poverty and inequalities is to invest in young children, especially those who belong to marginalized groups. A comprehensive early childhood development program at the national level for all children in Kosovo, including Roma, Ashkali, and Egyptians and their cultural specificities, should be considered by the Government and the intergovernmental allies investing in Kosovo's wealth.
- The quality of education in Kosovo is still due to the consequences of the war. Part of the solution to the poor quality of education although difficult to implement at immediately, is to employ teachers with a higher level of education.
- Rethinking and reforming the entire educational system by aiming to improve the quality of education as well as to reduce the gaps produced by the parallel system is a necessary, albeit sensitive, step. Neither the Kosovar nor the Serbian governments seem willing to tackle the challenging question of how to create direct communication between the next generations of Serbian and Kosovar children within the school system.
- Bilingual education, as an option not only for Roma, Ashkali, and Egyptian children, but for Serbian and Albanian children, is a shift that could involve drastic developments in terms of teacher trainings, manuals, and curricula, yet it could also be considered in the context of the First Agreement implementation.
- There is a stringent need to adapt the school curricula to standards and democratic values of non-discrimination and cultural diversity.
- The constant challenge of early marriage and other so-called cultural issues that relate to gender emphasize the need for increased attention to these issues from members of the Roma, Ashkali, and Egyptian communities and an integration-oriented attitude from state institutions to reduce the problems Roma, Ashkali, and Egyptian girls face. Greater

³⁷ European Union Special Representative/Office in Kosovo, *To Engage More Deeply: For Kosovo Roma, Ashkali and Egyptian Communities* July 16, 2013. Available at: http://eeas.europa.eu/delegations/kosovo/press_corner/focus/2013/20130716_en.htm

investment in education, particularly girls' education, should be a priority for both the government and for the civil society, given the low participation of Roma, Ashkali, and Egyptian adolescents in secondary and tertiary education. Scholarship and mentorship schemes designed for Roma, Ashkali, and Egyptians are yet to be considered by local and national educational institutions, but these types of programs could prove successful.

- More generally, robust policies and projects to support Roma, Ashkali, and Egyptian access to equal education and employment are urgently needed.
- We also believe that the creation and implementation of a national program in Kosovo geared toward ensuring the equitable distribution of property and the settlement of Roma, Ashkali, and Egyptian documentation issues more broadly could prevent forced evictions and reduce other vulnerabilities to which Roma, Ashkali, and Egyptians are exposed.
- The policies towards Roma, Ashkali, and Egyptians have been "pushed" by various international fora and have been conducted superficially, without in-depth analysis of the community situation, without consideration for the differences between Roma, Ashkali, and Egyptian voices, and without consulting the civil society. Effective public policies for Roma, Ashkali, and Egyptians require real political will and engagement of the state institutions at the community and national levels, expertise, and financial resources, in addition to the application of concrete indicators and monitoring mechanisms at regular intervals.
- The idea of an integrated, community based approach, which spans education, health, and economic empowerment, should be considered by policy makers and intergovernmental organizations while designing and implementing policies targeting the Roma, Ashkali, and Egyptian families in Kosovo. This approach has been discussed for decades in other European countries but has yet to be implemented in practice.

Communities

- The health consequences of those exposed to lead poisoning in the UNHCR camps located in toxic areas remains an important issue. There is still the need for increased awareness and measures to combat and monitor the eventual developmental and health effects of lead poisoning in children. Many donors and organizations have moved their focus to income generating or educational activities, and very little effort is being expended toward diminishing or monitoring the damages of the lead poisoning. Moreover, many parents of children in Roma Mahala do not seem fully aware about the side effects of lead poisoning. Information should be provided to these parents about consequences and reactions to lead poisoning in order to help them better monitor their children's health and development.
- Members of majority and minority communities should identify support mechanisms in order to develop the confidence to lodge complaints against discriminatory individuals or organizations and to rely on their public servants for equitable redress.

- Mobilization, empowerment and participation of Roma, Ashkali, and Egyptian communities are key factors in achieving inclusion. The more prominent members/leaders of those communities should together with donors and organizations aim to motivate the communities to protect their rights and to negotiate their agendas with the institutions.

Civil society

- In the context of the Government's interest in joining other EU countries in working towards increased rights of minorities, we think that the Kosovar Roma, Ashkali, and Egyptian leaders should use this unique moment to create their own agenda. This agenda should move beyond North and South interests to instead take responsible advantage of the window of opportunity afforded by the prospect of ongoing EU negotiations and prioritize the human rights of the whole community.
- There is a need for in-depth analysis of the history of the Roma, Ashkali, and Egyptian communities. Although in the case of Egyptians and Roma, there are academics and advocates involved in some level of research, we are not aware of comparable historical or archival work on the history and cultural heritage of the Ashkali community. Also, during our research we sensed a need for an open conversation among the Roma, Ashkali, and Egyptian communities about the commonalities and distinctions between the three groups. Roma, Ashkali, and Egyptian communities and leaders could exercise their rights to self-identification and/or freedom of association by progressively engaging in these questions.

European Governments

- Between 1999 and 2007, around 51,000 Roma, Ashkali, and Egyptians were "readmitted" to Kosovo. Despite the strong objections due to the inhumane impact of such repatriations on already vulnerable populations, European governments have continued to forcibly and routinely remove these populations to states where they are unwelcome and lacking in familial or social support. Instead of pumping financial incentives into Kosovo to reintegrate these families, European Governments, including the German, Swedish and French, should consider the integration of Roma, Ashkali, and Egyptian families into their countries, especially when those families have children who were born in these countries.
- Financial support for local non-profit organizations involved in Roma related issues and human rights in general should be considered by European Governments.

Intergovernmental and international organizations

- We sensed a need for better coordination between the international community working in Kosovo and the Roma, Ashkali, and Egyptian communities.
- In order to ensure the sustainability of the projects run by international organizations, a higher level of cooperation with and involvement of the local and national authorities is needed. The international community's increased engagement with the local and national authorities would also help ensure the inclusion of Roma, Ashkali, and Egyptian population.
- In order to ensure effective implementation of policies and laws targeting Roma, Ashkali, and Egyptians, the international community should actively support the Kosovar Government in regularly monitoring and assessing the impact of their measures at the community level.
- Combating discrimination in education or in the labor market could be considered a priority for local human rights groups and institutions. The new anti-discrimination law could forbid any form of discrimination in education and in labor market and propose standards and indicators to measure discrimination. The international community that already works in Kosovo—EULEX, UN, OSCE—should work with the local institutions and NGOs to create mechanisms that independently track and document cases of discrimination in the interim. Training and supporting human rights monitors along the lines of the model in Romania but adapted to the Kosovo context³⁸ could be an option. However, these monitors may need different types of protection and safety regulations. The same situation might apply for the establishment and empowerment of human rights organizations.

³⁸ See Romani CRISS network of human rights monitors established in 2002



Romani children in the Kosovo Laposavic camp. About 160 families were placed in the Laposavic IDPs camp in 1999, and currently 42 families still live in small one-room containers lacking clean water, access to education, and health facilities. These extended families live together in dark cramped rooms.

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