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POLICY PAPER ON REPATRIATION OF KOSOVAR ALBANIANS

A fundamental principle underlying international law holds that repatriates should be able to return home in dignity and safety. In view of its humanitarian mandate under Security Council Resolution 1244, UNMIK bears ultimate responsibility for ensuring adherence to this basic standard in all organised repatriation movements. Beyond these considerations, the prevailing conditions in Kosovo¹ argue forcibly in favour of guaranteeing that all repatriation programmes be designed as co-ordinated, phased and orderly movements, in order to take full account of three major concerns:

- the provision of adequate accommodation for all returnees;
- the special requirements of vulnerable groups; and
- the avoidance of any precipitate actions that might trigger an undesirable and unmanageable mass influx of returnees, which would subsequently overload Kosovo's social assistance network and public services, which are still under rehabilitation.

While observance of these considerations ought to create conditions conducive to a return in dignity, the prevailing climate of insecurity would also necessitate a phased and co-ordinated approach to return. The continued hostility and ethnic violence in several parts of Kosovo, as well as the recent indicators of potential renewed conflict elsewhere in the region, suggest that returns require careful planning and co-ordination between hosting countries and UNMIK.

UNMIK therefore strongly recommends a strategy of phased and co-ordinated returns, with optimal information-sharing regarding the number and profile of returnees, alongside greater investments on the part of sending countries, so as to create the necessary conditions for a smooth transition and reintegration into Kosovo. To avoid an uncontrolled mass return from western Europe, governments should

¹ Notwithstanding positive developments and the efforts of the international community, there remain individual Kosovo Albanians who could face serious problems were they to return at this stage. In this regard, UNMIK refers to the UNHCR paper, *Kosovo Albanians in Asylum Countries: Recommendations as regards return* (March 2000). The position taken by UNHCR is fully supported by UNMIK, which urges adherence to the principles outlined therein.

continue to give priority to voluntary returns, by providing the necessary incentives for these to proceed at a manageable, yet steady pace.

1. AVOIDANCE OF UNCONTROLLED MASS RETURN

Mass returns within a short period of time would be counterproductive to ongoing reconstruction and development efforts, potentially reversing the enormous progress made thus far and further heightening insecurity in the region. The need for a phased and gradual return is therefore in the interests of all who wish to strengthen current efforts to rebuild a stable and prosperous Kosovo.

Economy and Employment

Kosovo has undergone ten years of limited investment and poor maintenance of its industries, utilities and infrastructure. During this time, Kosovar Albanians were completely marginalised from employment, education and training opportunities. The conflict last spring inflicted even greater damage on the already ailing economy, bringing all activity to a brief but virtual standstill.

Despite the alarming losses, Kosovars have made fervent attempts to restart their economy. Much of the progress seen thus far can be attributed to remittances from the diaspora. For the immediate future, Kosovo's economic recovery will largely depend on generous support from the international community, as well as from the income and private investment channelled to the territory by Kosovars living abroad.

Ample time is needed for Kosovo's recovery to have a positive impact on the labour market. Although UNMIK is doing its utmost to foster economic growth and generate employment, current estimates point to an unemployment rate of at least 65 percent. Many returnees will therefore return to a situation of prolonged unemployment, hampering their own personal efforts to rebuild their homes and communities.

Social Welfare and Public Services

In view of the prevailing circumstances outlined above, it is unsurprising that social assistance continues to be in high demand. A regulated social assistance system will soon replace UNMIK's emergency financial assistance programme targeting 50,000 beneficiaries from vulnerable groups, whereas the number of beneficiaries receiving food aid will drop from 1.3 million at the start of last summer (1999) to around 250,000 this summer (2000).

Clearly, Kosovo's system of humanitarian assistance and social welfare is in a critical period of transition. The twenty-seven Centres for Social Work (CSWs), which will be crucial for the success of the new system, are only just now re-opening in many locations. Sufficient time is required for the CSWs to develop capacity, attract resources, and hire and train staff. Mass, unco-ordinated returns over a short period could overburden the present and future system, thus derailing the delicate transition from a UN-implemented emergency relief programme to a locally based, more permanent social welfare system.

Any immediate mass movements into Kosovo would likewise strain the capacities of the public utilities sector at a time when the electricity and water supplies are beginning to recover after years of neglect. Enormous investments have already been made in the repair and upgrade of Kosovo's utilities. Returns should therefore be phased in such a way that these achievements are not reversed and improvements can continue at their present pace.

Security and Justice System

Despite pledges from various governments, the international police force at UNMIK's disposal remains woefully understaffed. Of the authorised strength of over 4,700 officers, only 2,548 have been deployed to date. This situation, combined with the absence of a fully functioning judicial system, has given rise to a general climate of impunity and lawlessness in many parts of Kosovo, with alarmingly high rates of common as well as ethnic crime.

In addition to the frequent outbreaks of ethnic tension and violence that continue to cause great concern for the overall stability of Kosovo, attention must also be given to the highly volatile situation in the region as a whole. Further flight of ethnic Albanians across Kosovo's southeastern border from Serbia, which could reach massive proportions in the event of further hostilities, would require a total reassessment not only of Kosovo's absorptive capacity, but also the appropriateness of repatriating people into a potentially explosive security situation.

The situation for members of ethnic communities in a minority situation within a particular location remains precarious. They face serious risk of harassment, violence or death, severely restricting their freedom of movement, often limited to small enclaves, while many continue to leave Kosovo.²

Housing Reconstruction and Accommodation

According to recent assessments, an estimated 83,000 residential units are in need of essential repairs or reconstruction. The historical local capacity of Kosovo to construct no more than 7,000 housing units per year offers some indication of the enormity of the task. The import of construction materials is hampered by the territory's landlocked position and mountainous terrain, as well as by the current limitations of Kosovo's transport infrastructure.

A further important consideration in determining Kosovo's absorptive capacity for mass return is the recent finding that the host-family system is in many areas saturated. Up to 350,000 persons still remain with host families in Kosovo, including those who reside with friends and relatives. The traditional safety net of extended families and strong community ties, which has played an important role in providing at least initial accommodation for returnees, could possibly be overburdened. Attention should be given to avoiding large-scale returns that could potentially give rise to widespread and prolonged displacement, as well as to chronic dependence on humanitarian assistance.

² For more detailed information on the situation of minority communities in Kosovo, please refer to the joint UNHCR/OSCE Reports, the fourth of which was released in early February 2000.

Secondary displacement resulting from the arrival of returnees from western Europe, who wish to reclaim their own property or reside with immediate relatives, is also an unavoidable outcome of mass returns. Based on the limited accommodation and reconstruction capacity, concerns arise that the introduction of massive numbers of returnees without shelter may not only have serious negative repercussions on the viability of recovery and reintegration efforts, but also may place additional pressures on vulnerable individuals and minority groups.

3. PROMOTION OF VOLUNTARY RETURNS

As part of the overall strategy to maintain a phased and co-ordinated approach to return, governments should continue to give priority to voluntary repatriation. Often, the 'voluntariness' of a return is an indication that the individual has identified a 'solution' in his/her country of origin. By creating the necessary conditions for return and developing opportunities for reintegration, individuals will have the necessary incentives to repatriate.

UNMIK itself will be in a better position to create the necessary conditions for successful reintegration if sending countries provide advanced information on the projected number of returnees and their profiles, such final destinations after arrival in Kosovo, skills acquired while living abroad, family size and number of children attending primary or secondary schools. The durability of reintegration efforts will largely depend on preparedness and planning. The countries of asylum should not only strive to phase returns, but should also ensure direct lines of communication with UNMIK, effective information-sharing and full co-ordination.

With regard to the efforts currently underway to support reintegration, UNMIK would urge host-country governments to give serious consideration to expanding assistance programmes to include a broader category of returnees. Repatriation packages focused on people in vulnerable groups should be extended to cover those who may become 'vulnerable' by virtue of their return to Kosovo, despite their circumstances in the country of asylum.

For instance, a returnee family gainfully employed in a host country might well encounter few, if any, economic opportunities upon initial arrival back in their place of origin. As the recovery continues and economic development advances in Kosovo, the jobless rate can of course be expected to decline, but many returnees may face a period of severe hardship due to unemployment. Likewise, even with adequate resources and the highest commitment, housing construction will face logistical constraints that could relegate many returnees to temporary shelter for an unacceptably long period if the repatriations are not properly spaced.

4. CONCLUSION

As concrete steps towards ensuring a dignified and safe return of Kosovar Albanians and their successful reintegration, UNMIK strongly recommends that practical modes of implementing any return programme be designed in close collaboration between the countries of asylum and UNMIK, with particular focus on:

- the spacing of and continued emphasis on voluntary returns to allow the planning for and creation of basic, minimum acceptable conditions in the recipient communities;
- linking funding for reconstruction with a community-based approach in order to promote voluntary return and facilitate the reintegration of returnees into recipient communities, by accommodating existing internally displaced persons as well as new returnees, thereby minimising any negative impact; and
- an increase in funding of the social assistance system, in order to strengthen its ability to meet the increased demands envisaged from the arrival of the returnees.

The gains of the last year since the withdrawal of the Yugoslav military from Kosovo and the inauguration of international custodianship remain fragile in this climate of protracted political and ethnic tension. The restoration of public infrastructure, utilities and services, after years of neglect and lack of investment, has proved a formidable challenge to UNMIK and the donor community. Every effort must therefore be made to ensure that the pace, scale and timing of repatriation from the countries of asylum are the result of careful deliberation and planning. UNMIK would therefore like to invite the host countries to work in close co-ordination and collaboration with its staff and its partners to guarantee not only the voluntary return of these individuals in dignity and safety, but also the ultimate success of all our endeavours to build a prosperous, tolerant and multiethnic society in Kosovo.

BACKGROUND INFORMATION

INTRODUCTION

Kosovo is one of the poorest regions and has the highest population density in the former Yugoslavia.³ Even the return of 120,000 Kosovars over a few months would amount to an eight percent increase in the overall population, and will have a negative impact on programmes and infrastructure already overstretched by current demands. By contrast, a phased and co-ordinated return, with improved information sharing as regards numbers, profiles of returnees and dates of return, will enable UNMIK to prepare and adapt development and assistance plans so as to minimise any disruptive effect the returns might otherwise have.

This paper outlines current conditions and capacities in key sectors of Kosovo. The aim is to provide a clear and realistic picture of the overall situation and the absorption capacity of Kosovo, and to elaborate the reasons behind UNMIK's recommendation for a phased and co-ordinated approach to the return of Kosovars from western Europe.

HOUSING

In order to repair the 83,000 houses that have been damaged or destroyed (categories 3 to 5 in UNHCR assessment),⁴ the housing reconstruction effort will continue for a number of years. Only a limited amount of units will actually benefit from assistance this year. The historical local capacity of Kosovo to construct no more than 7,000 housing units per year offers some indication of the enormity of the task. The import of construction materials is hampered by the territory's landlocked position and mountainous terrain, as well as by the limitations of transport infrastructure.

UNMIK Pillar IV (Department of Housing and Reconstruction) involved international donors, UN Agencies, NGOs, and the Kosovar community in a joint effort to elaborate common guidelines for housing reconstruction. With the agreement of all parties, the housing reconstruction programme for the year 2000 will be devoted to meeting the needs of the most vulnerable families. The selection of beneficiaries, which will be undertaken at the municipal level, will target the most vulnerable families: those not in a position to rebuild their damaged homes; those now accommodated in community shelters or with host families; squatters in public buildings; and returnee families without any shelter. Returnees will be given the same consideration as all other people already residing in Kosovo when applying for housing reconstruction assistance.

Despite widespread shelter damage, the current population managed to find adequate shelter during the winter months. Winterisation efforts, lead by Pillar I,

³ Kosovo has an estimated population of 1.8 million for a landmass of 11,000 square kilometres.

⁴ UNHCR shelter classification: category 1 undamaged; category 2 can be repaired and damage may include broken windows, door locks and hinges, roof tiles, cut-off from electricity; category 3 can be repaired and damage may include light shelling or bullet impact on walls, partial fire damage and up to 30 percent roof damage; category 4 can be repaired and damage may include severe fire damage, floors which need replacing, destroyed windows and doors, and over 30 percent roof damage; category 5 cannot be repaired and is totally destroyed.

allowed families to make temporary repairs to their homes. However, this should not be confused with more sustainable reconstruction, which is only now getting started. A large percentage of the population continues to live with host families; an estimated 350,000 persons reside with host families, including those who have taken up residence with friends and relatives. Responsibility for the eviction of illegal occupants of property and the allocation of vacant housing has been given to the Housing and Property Directorate (HPD). This agency is still heavily under-resourced and therefore several months away from becoming fully functional. Prospects for returnees to recover legal access to their property or vacant accommodation are, in the short term, not encouraging.

PUBLIC UTILITIES

Although Kosovo's power plants were not directly targeted during the conflict, years of mismanagement and poor maintenance have inflicted severe damage. The Kosovo A thermal plant is designed to cover domestic demand through a 220 kV and 110 kV transmission network. Kosovo A, however, is nearing the end of its useful life, compounded by persistent neglect and derelict operating practices. Environmental and safety standards are hazardously low. Only one or two of the five units operate intermittently and at reduced capacity of 90 MW each.

The Kosovo B thermal plant, which generates the greatest supply of power (220 kV and 400 kV, formerly for export), has suffered several setbacks after resuming full production in December. Despite repairs to Unit 1, which produces 250 megawatts of power, Unit 2 was shut down after a serious fire in January. Even with imports from neighbouring countries, all of Kosovo is periodically subjected to a severe regime of power cuts.

Kosovo's water supply, which is crucial for hospitals and a number of key public services, is already inadequate to cover the needs of the current population. This is clear from the fact that the flow of pipe-borne water is subject to frequent interruption throughout the province. As water consumption and the accumulation of waste will increase with a rise in population, large numbers of returnees will place a heavy strain on the water supply system.

TRANSPORT INFRASTRUCTURE

Poor infrastructure, lack of investment and maintenance, as well as some destruction during the conflict, have all combined to create an unenviable situation for the transport sector in Kosovo. Despite much progress in restoring and upgrading roads, bridges and railways during the past several months, these efforts are building upon a relatively low base. Congestion already plagues the sector and many planned improvements will only now begin in earnest with the arrival of spring.

Kosovo's road network consists of about 3,800 kilometres of roads, including 623 kilometres of main roads and 1,300 kilometres of regional roads. Despite continued expansion, road maintenance over the past thirty years has been under-funded, thus resulting in severe deterioration, such as potholes, cracks and water running on the road surfaces.

KFOR engineers and soldiers have built or repaired 200 km of roads that assist both military and civilian traffic alike. They have also rebuilt and reinforced six bridges and have restored much of the rail network. KFOR units have repaired railway tracks along the following lines:

Kosovo Polje – Pe	81 km
Kosovo Polje – Volkovo	74 km
Kosovo Polje – Mitrovica	35 km
Kosovo Polje – Airport Magura	20 km
Klina – Prizren	58 km

PUBLIC HEALTH

Some key public health functions, such as epidemiological surveillance and immunisation, have been re-established. Others, such as water and food testing, have been delayed by slow progress in re-establishing appropriate legislation, while still others such as health information systems and improving laboratory analysis have been hampered by complexities of donor support.

No major outbreaks of infectious disease have occurred thus far, although high levels of hepatitis-A have caused concern. A WHO/Institute of Public Health investigation is currently underway into increasing reports of the animal-borne communicable disease tularaemia, which may be related to accumulations of environmental waste. Several samples of suspected polio (acute flaccid paralysis) have been confirmed negative in international reference laboratories. Basic microbiological tests can be done but work is needed, and planned, to improve standards to modern European levels.

The communicable disease of major concern is tuberculosis, which currently has an incidence three times the rate of the Federal Republic of Yugoslavia. A new TB treatment and prevention programme, incorporating the WHO-recommended DOTS strategy of treatment is being developed.

Routine collection of communicable disease surveillance information has been reintroduced after six months of using an emergency system instigated by WHO and using NGO information. The new system, KO-SURV, will allow for more detailed and accurate analysis of public health risks in Kosovo itself.

Regulations to allow routine water sampling, testing and quality enforcement and the recruitment of inspectors have just been approved by UNMIK. Similar regulations are awaited on food hygiene.

WHO has shepherded the process of re-empowering local contractors to charge fees to collect municipal waste. This has kick-started the process of municipal rubbish collection in Pristina, together with injections of donor-funded equipment and personnel. Several community campaigns have taken place to involve the public in managing rubbish, but these have had no discernible impact on the on the major accumulations of waste in residential areas, with illegal dumps and overflowing tips still remaining. Bringing this situation under control poses a formidable challenge, which will assume greater urgency as temperatures rise. It is already possible that the previously mentioned outbreak of tularaemia may be related to the accumulations of waste, either via contaminated water supplies or rodents.

HEALTH CARE

Through the efforts of UNMIK, Kosovo's health services sector has recovered substantially in the last nine months and is so far managing to meet the needs of the current population, albeit under a great deal of strain. A large, sudden and unco-ordinated return could possibly reverse some of the achievements made thus far.

Although hospitals did not suffer direct damage from the conflict last spring, they have nevertheless sustained 10 to 15 years of poor maintenance and minimal investment. While essential repairs have been completed, inadequate systems for heating, water and sanitation reduce the quality of services and limit overall capacity.

The 29 health centres (health houses) in the municipal capitals are operating, but their diagnostic capabilities are so limited that many cases have to be referred to hospitals. Out of Kosovo's 308 *ambulanta* (small primary health care services in the villages), only some 200 are operative. This is considered an adequate number, but vital equipment is lacking and many *ambulanta* do not have permanent medical staff.

A concerted effort is taking place to develop a stronger primary-care/family-medicine system in Kosovo. This involves the enhancement of skills training for existing general practitioners and, in future, the development of new specialist training in family medicine. Courses will start in June, so more skilled family practitioners should be available in approximately another twelve months.

The health care system seems capable of providing satisfactory treatment for most conditions. However, conditions requiring complicated treatment or long-term management are beyond current capabilities. The following are examples of conditions that cannot be satisfactorily treated in Kosovo:

- cancer (requiring radiotherapy or chemotherapy);
- all heart surgery (including installation of pacemakers);
- intraocular surgery;
- severe and chronic mental illness and psycho-social disorders;
- hormonal dysfunctions; and
- HIV/AIDS.

Only drugs for the treatment of minor conditions and common diseases are readily available. Patients with chronic or rare diseases, such as hormonal dysfunctions, HIV/AIDS and haemophilia, are unable to find appropriate medication in public health institutions and pharmacies. It is therefore recommended that Kosovars in non-neighbouring countries being treated for diseases that require intensive or complicated or sophisticated treatments be given the opportunity to complete their treatments before returning to Kosovo. Persons suffering from chronic illnesses (such as diabetes, heart and lung diseases) should at least receive an appropriate stock of the necessary drugs prior to departure.

As a result of the discriminatory policies imposed by the former regime, Kosovo now lacks well-trained medical doctors and paramedical staff. Several key medical specialists are in short supply, particularly anaesthesiologists and psychiatrists (Kosovo has only one fully trained professional psychologist).

The system of psychiatric services in Kosovo is highly centralised and hospital-focused with almost total lack of community services, other than those associated with conflict trauma. Patients are mostly treated pharmaceutically; 'rehabilitation' is virtually non-existent. However, awareness of alternative systems both in terms of treatment sites and types has risen over the past seven months and a strategy for the gradual reform of the system, including increased primary care and community services, is being drawn up.

Initiatives to start informing and re-orientating professionals towards a 'community approach' to mental health are underway, and include workshops and the

development of a relationship with the WHO Community Mental Health Collaborating Centre in Trieste.

Shtimlje/Shtime mental institution has undergone substantial repair and rehabilitation under the international management of the Norwegian Red Cross, who have also recruited international staff to work alongside local staff. At present, however, Shtimlje mental institution cannot accept new patients and will likely downsize as part of the ongoing efforts with WHO to enhance 'community care'.

Pristina hospital's psychiatric department is currently overwhelmed with patients. While it continues to receive new patients, entry must sometimes be refused for lack of available space.

EDUCATION

Since the summer of 1999, approximately 28,000 educational staff and 400,000 students have re-entered the education system at primary, secondary and tertiary levels. Despite many positive developments in the education sector, significant problems remain, particularly as regards educational facilities.

According to a school assessment carried out by UNICEF and seven NGOs, some 45 percent of an estimated 1,000 primary school buildings had been totally destroyed or severely damaged. A total of 872 school buildings have been committed for repairs, of which, 379 have already been completed and 271 are still in the process of being repaired (a remaining 148 are being reassessed). In many locations, winterised tents with stoves and emergency lighting have had to substitute for school buildings. In order to compensate for the shortage of facilities, many classes are organised in shifts to allow access to education for the maximum number of students.

To create the most basic conditions for classes to be held, UNICEF provided essential school supplies including 30,000 desks, 60,000 chairs, 150,000 school bags, 2,000 blackboards, 1,000 classroom kits, 581 winterised tents and 30,000 cubic metres of firewood.

Education programmes in Kosovo are being conducted in Albanian and Serbo-Croatian. The Albanian language schooling uses the same curriculum as the parallel education system that was in place prior to the NATO bombing. Serbian language schooling follows the Belgrade curriculum.

The education system needs time to adapt to the needs of the returnee caseload. As the younger generation of Kosovars currently living in western Europe may have had limited exposure to Albanian language instruction, educators will need to formulate special language instruction programmes to ease reintegration into Albanian society. For returnee children who may suffer reverse culture shock after having spent their formative years outside of Kosovo, programmes to address their particular needs will have to be implemented. A system of establishing equivalence between educational documents earned in western Europe and those issued in Kosovo will also need to be put in place.

ECONOMY AND EMPLOYMENT

Ten years of a repressive Yugoslav regime that withheld investment and marginalised ethnic Albanians, compounded by an economic crisis in the Balkans,

greatly impaired Kosovo's economy. Kosovar Albanians adjusted to this situation in three main ways:

- 1) emigration, mainly to western Europe, building up a diaspora which may play an important role in the region's economic recovery (through remittances);
- 2) return to rural areas, which resulted in more than a doubling of the active population in the agriculture sector between 1990 and 1997; and
- 3) development of a large 'grey' economy (informal activities of a legal nature), and of some 'black' activities (of an illegal nature).

Intense fighting last year inflicted even greater damage on the already ailing economy, bringing all activity to a brief but virtual standstill. For example, around 50 percent of Kosovo's farm assets were lost or destroyed. Damage on this scale is particularly devastating in a region where 70 percent of the population is rural and agricultural production therefore generates a primary source of income.

Most institutions collapsed in the immediate aftermath of the conflict last spring when Serbian Kosovars left their (often key) position in utilities, industry or administration. Archives and technical documents often disappeared in the process. Albanian Kosovars subsequently reclaimed these positions (which they had often held before 1989) but specialists and skilled workers are still in short supply.

Despite an impressive and immediate restart of small-scale trade and services, productivity in agriculture and industry is still relatively sluggish. The current economy consists of three basic components:

- *agriculture* - small private family farms, providing some income to about sixty percent of the population;
- *private enterprise* - a relatively large number of privately owned enterprises, mainly in the trade and services sectors; and
- *public enterprise* - about 200 publicly-owned enterprises, including 66 'large' enterprises, mainly engaged in mining and metallurgy (in particular the Trepça mining complex), production of raw materials and semi-finished products (lead, coal, zinc and some textiles) - but also agro-business and construction. Most of these enterprises are in poor condition and are not operating.

Given the current condition of the economy, unemployment is presently estimated at over 60 percent. In Kosovo's present environment, the lack of jobs could possibly lead to increased social tension and crime.

The outlook for minority groups is extremely bleak. Largely confined to very limited enclaves, members of minority ethnic groups suffer even lower living standards than those of the general population. Their access to health, education and other public services is restricted, so that many remain heavily reliant on humanitarian assistance.

Mass returns within a short time period could result in sudden and serious reductions in income for the many Kosovars who depend on remittances from abroad. Remittances, however, have been a key source (if not the only source) of private

investment fuelling the fledgling economy over the past ten years.⁵ Dramatic reductions in income from abroad will therefore seriously hamper Kosovo's economic recovery.

In Kosovo, where approximately 70 percent of the population is rural, agriculture has always been an important element of the province's food security, particularly at the household level. As a direct consequence of the war in Kosovo from March to June 1999 and prior months of rising tensions in 1998, agriculture production and related processing industries came more or less to a standstill. Losses were widespread: farms destroyed, seed stocks burned, equipment looted, and livestock stolen and killed. According to UNMACC, 3.8 percent of the total estimated municipal agricultural land is considered dangerous because of the suspected presence of landmines or unexploded bombs.

The main concerns expressed by the Food and Agricultural Organisation (FAO) with regard to the returnees revolve around:

- the effects on the rural economy of a significant reduction in remittances sent by Kosovars living abroad, as much household consumption and productivity are dependent on these financial resources;
- the increased pressure on an already fragile agricultural production produced by the additional food demand;
- access to land for the returnees who intend to resume farming activities; and
- the lack of economic opportunities for the returnees in rural areas.

FAO co-ordinated the emergency winter wheat programmes of NGOs throughout Kosovo in the autumn of 1999. The organisation has continued this co-ordination role for the spring 2000 assistance programme of maize and vegetable seed distribution, which covers 70,000-75,000 farming families. The spring campaign is anticipated to be the last free general distribution of agricultural inputs, with a phase-out provisionally planned to take place after the harvest of winter wheat in July. FAO is expecting a significant reduction of the number of recipient families⁶ for the next planting season. However, the size of the winter wheat harvest obtained in July will be a critical factor affecting decisions to be made about future emergency assistance with agricultural inputs.

FAO also initiated and is supervising an emergency support programme for farm machinery, an emergency livestock vaccination programme and support to the forestry sector. Significant livestock and mechanisation programmes initiated by other major agencies are also ongoing or will start this year. The World Bank plans to carry out a livestock and mechanisation programme in three municipalities, to which others could be added in future if funding is available. As part of this initiative, 2,400 cows and 126 tractors will be distributed. In addition, tractor repairs will be conducted by GOAL in most municipalities, with the World Bank carrying out repairs in those municipalities that lack this input. The Swiss Disaster Committee (SDC) is also distributing cattle.

⁵ European Commission and World Bank, *Toward Stability and Prosperity: A Program for Reconstruction and Recovery in Kosovo*, 3 November 1999.

⁶ Based on the potential impact of returnees, FAO may add 10,000 more beneficiaries to its programme, which was originally planned to assist 20,000 to 30,000 households next autumn. Lists of returnees by municipality would enable FAO and other operators in the rural sector to refine their action plans for next autumn, as well as to follow up more accurately on the situation of the returnees.

SOCIAL WELFARE

Given Kosovo's recent past, it is not surprising that social assistance continues to be in high demand. UNMIK's Department of Health and Social Welfare oversees twenty-seven Centres for Social Work (CSWs) based in twenty-five municipalities. These centres are operational, but understaffed (only 220 staff currently employed), and in need of substantial financial, material and training support to be able to assume fully their role in securing a minimum life standard of vulnerable families and individuals. Shortages in trained personnel, physical resources (such as vehicles, computers, furniture) and funding hamper their effectiveness in monitoring and providing social care and assistance. The CSW in Pristina, for example, covers three municipalities and has only nineteen staff for an estimated population of 700,000 and over 11,000 vulnerable persons registered under the Emergency Financial Assistance Programme. Other offices have as few as three staff and no vehicle, thus ruling out opportunities for follow-up 'house' visits altogether.

The current WFP/UNHCR distribution of food assistance will discontinue after 30 June. Beginning in April 2000, the number of beneficiaries is already being reduced from 900,000 to 600,000. As from 1 July 2000, CSWs will assume responsibility for the selection of around 250,000 beneficiaries for food aid.⁷ With these further reductions in food assistance, targeting the most needy will be a priority.

The UNMIK Emergency Financial Assistance Programme, now distributing trial benefit payments to 60,000-70,000 beneficiaries (elderly, single-parent families, and families with a handicapped member) will be replaced by a Social Assistance scheme based on income criteria rather than social/household criteria. The Social Assistance scheme will be divided into two parts: Permanent Social Assistance which will provide a regular monthly cash payment for those people who fall within the criteria and do not have resources; and Temporary Social Assistance to provide single payments or periodic payments to meet emergencies where family resources are insufficient. Under the Permanent Social Assistance scheme, beneficiaries will include those 'families without resources where there is no one capable of work or expected to make himself or herself available for work'.⁸ Payments will be made monthly, for six months, after which recipients are invited to reapply. Unemployed people with no resources will be eligible to apply later in the year.

Clearly, Kosovo's system of humanitarian assistance and social welfare is in a critical period of transition. The twenty-seven CSWs, which will be crucial for the success of the new system, are only just now opening in many locations. Ample time is required for the CSWs to develop capacity, attract resources, and hire and train staff. Although capacity-building initiatives are already underway, the immediate focus will be on registering beneficiaries and implementing the newly planned Social Assistance scheme. In addition, CSWs will need to handle the most pressing issues first, such as the placing of abandoned babies and delinquency among adolescents.

⁷ For those who continue to receive assistance, the monthly food basket per person will (most likely) comprise: 12 kg of flour; 2 kg pulses; 1 litre of oil; and 1 kg of rice. Sugar and salt will be distributed whenever available. The number of recipients is currently under evaluation, and will be modified according to the findings of the joint WFP/FAO crop assessment in July 2000.

⁸ The following people within a family are not expected to work or make themselves available for work: men and women over the age of 65; dependent children in full time education up to the age of 18 or the end of the school year in which they reach the age of 18; adults with a permanent disability who are incapable of work; and single parents, with children under the age of 10 and no other adult living in the household.

The present system lacks appropriate structures and mechanisms to deal with these social problems.

Kosovo has only one home for the elderly which, in the absence of an appropriate alternative, also accommodates severely handicapped individuals. In addition, no orphanages exist or are planned for the future as the Department of Health and Social Welfare continues to give emphasis to foster care and host families.

SECURITY AND JUDICIAL SYSTEM

UNMIK's International Police Force remains seriously understaffed: out of the authorised strength of 4,718, only 2,548 officers have been deployed (as of mid-March 2000). The Special Police Units (SPUs), which should monitor public order, have not yet been deployed.

A climate of impunity and lawlessness reigns in many parts of Kosovo, with alarmingly high rates of common as well as ethnic crimes. According to KFOR, there have been 1,143 incidents of looting, 1,400 incidents of arson, 470 murders and 192 kidnappings reported between 19 June and 5 February 2000. In many areas, crimes are not even reported.

UNMIK Police's limited resources are further stretched by the multiple non-policing tasks they are required to carry out in the absence of other appropriate personnel. Such tasks include guarding official buildings and detention facilities and providing escorts for large money transfers within Kosovo.

Serious human rights abuses continue to occur in Kosovo, and many of them are known to target minorities. Owing to a weak judicial system, these abuses are very often not properly investigated, and their perpetrators are seldom punished. After its complete collapse, the criminal justice system is only just beginning to function. However, the system remains overloaded, and its credibility is still threatened by persistent allegations of bias.

Despite the shortcomings, the criminal justice system compares favourably with the system of civil justice, which is still virtually non-existent. It is not clear when a functioning civil system is likely to be in operation, and it appears it will be a very long time before there is any legal system in place in the territory capable of providing an effective remedy for persons whose rights may have been violated.

Property issues are important across Kosovo, with many overlapping property claims as well as claims that previous contract for the sale and purchase of property had been entered into unfairly. Therefore, many persons have no security of title to the property they live in or wish to return to, particularly if the property is currently occupied by another claimant. A Housing and Property Directorate (HPD) is to be set up soon to address these and other related claims. Given, the number of disputes and the complexity of the issues however, it can be foreseen that property claims will be outstanding for a very long time.

LANDMINES AND UNEXPLODED ORDNANCE

Landmines and unexploded ordnance (UXO) pose serious risks for returnees. Approximately 361 square kilometres of land are considered dangerous because of the suspected presence of landmines and UXO, of which 98.8 percent is not yet cleared. Returnees from western Europe may be less aware of the dangers of

landmines and UXO, particularly if they left Kosovo prior to the armed conflict. It is therefore essential that returnees be properly informed about the mine risks and the mine situation in Kosovo.

Prior to the NATO air strikes, minefields were concentrated along the border between Albania and Kosovo and did not pose a threat to the general population. Mine warfare, however, shifted to the countryside in 1998 and early 1999, becoming a prominent feature of the conflict thereafter. The UNMIK Mine Action Co-ordination Centre (MACC) organises and oversees mine clearance efforts carried out by thirteen NGOs and private companies in Kosovo. MACC also co-ordinates mine and UXO clearance with NATO and KFOR, as well as mine awareness activities with UNICEF. Mine clearance continues but is, by its very nature, a slow process.

