

3. FREEDOM OF MOVEMENT

“All people in Kosovo are able to travel, work and live in safety and without threat or fear of attack, harassment or intimidation, regardless of their ethnic background. They are able to use their own language freely anywhere in Kosovo, including in public places, and enjoy unimpeded access to places of employment, markets, public and social services, and utilities.”

The ability of members of ethnic communities to travel, work and live safely in Kosovo has been fundamentally undermined by the violence of 17-20 March. In addition to the reestablishment of fixed military checkpoints around enclaves and villages in which ethnic community members live, the violent attacks against Kosovo Serbs, Roma, Ashkali and minority Kosovo Albanians in Mitrovica, have greatly exacerbated already existing fears held by ethnic communities. While such fears have always been the product of both objective fact and perception, the events of March realized the worst fears of some communities, and have destroyed the small amount of confidence that had been built. Communication between communities has been silenced.

Beyond the provision of security by KFOR and police, clear and unequivocal actions by Kosovo’s leaders are essential to establishing a secure environment for all communities and addressing those fears. As described in the section “returns and the rights of communities”, the PISG will undertake an immediate and proactive campaign to reach out to the Kosovo Serb and other communities in order to rebuild trust and confidence between the communities. Much of this work must be implemented at the municipal and local levels where direct communication between the authorities and ethnic communities will yield the greatest result.

The original PISG/UNMIK implementation plan for Freedom of Movement (which is appended herein) must be fully reviewed and revised as a result of the violence of 17-20 March. While many of the actions included in the original plan may continue to be relevant, the actions identified must be thoroughly reconsidered in order to ensure that they most effectively addresses the new reality and needs of ethnic communities.

I. FREEDOM OF MOVEMENT AND FREE USE OF LANGUAGE - REVISED POST 17 MARCH 2004

<u>Standard</u>	<u>Action</u>	Responsible Authority	Supported By	Timeline
ALL STANDARDS RELATING TO FREEDOM OF MOVEMENT	1. The 5 priority actions detailed in section “returns and rights of communities” (Standard 4) of this plan must be implemented in order to build a more tolerant climate and improve freedom of movement.	See section on “returns and rights of communities” (Standard 4)	See section on “returns and rights of communities” (Standard 4)	See section on “returns and rights of communities” (Standard 4)
	2. The joint PISG-UNMIK implementation plan for the standard Freedom of Movement will be reviewed and revised on an expedited basis given the fundamentally changed environment due to the events of 17-20 March. The original UNMIK/PISG Implementation Plan for Freedom of Movement is attached as Annex 1 to this revised Implementation Plan <u>for information.</u>	Joint Implementation Working Group on Sustainable Returns, Rights of Communities and their Members and Freedom of Movement	Pillar II/OCA, ORC, Pillar I/Police	To begin on 1 April 2004 and to be completed by 1 May 2004

Annex 1
Freedom of Movement Implementation Plan (Pre-17 March 2004)

TO BE REVISED (See Action 2 above)

I. FREEDOM OF MOVEMENT

<i>Standard</i>	<i>Action</i>	<i>Responsible Authority</i>	<i>Supported By</i>	<i>Timeline</i>
<i>1. All communities are able freely to exercise rights to social, cultural and religious expression, including attending ceremonies and access to relevant sites.</i>	<i>1.1 Majority community leaders show public support for the ability of all communities to exercise these rights and actively discourage and respond to acts that are counter to social, cultural and religious expression.</i>	<i>Municipalities, Ministries, OPM, party leaders</i>	<i>Pillar I/Police, Pillar II, UNHCR</i>	<i>Ongoing</i>
	<i>1.2 Ensure the ability of all people, regardless of ethnicity, displacement, or gender, to participate in religious and cultural ceremonies through the provision of safe transport.</i>	<i>Municipalities, Ministry of Public Services, OPM, Advisory Office on GG, HRs, EO, and Gender</i>	<i>Pillar II, Pillar I/Police</i>	<i>Ongoing</i>
	<i>1.3 Municipalities exercise responsibility under Section 3, Regulation 2000/45 to maintain graveyards and draw up legislation to govern use, maintenance and procedures regarding 'Go-and-See Visits'.</i>	<i>Municipalities, Ministries, OPM</i>	<i>Pillar I/Police, Pillar II</i>	<i>Ongoing</i>
<i>2. Military and police escorts are no longer needed; members of all ethnic communities have access to safe and public transportation.</i>	<i>2.1 Humanitarian bus service operates effectively and provides service where there is both demand and need from a security standpoint.</i>	<i>Ministry of Transport</i>	<i>Pillar II (OCA)</i>	<i>Ongoing</i>

Standard	Action	Responsible Authority	Supported By	Timeline
	<p>2.2 Attempts made to start integrated public transport. Kosovotrans should hire minority drivers and open experimental lines. Minority operators to be issued licenses without undue delay and function on equal terms.</p> <p>Support also given to private companies operated by ethnic communities.</p>	Ministry of Transport	Pillar II (OCA)	Ongoing
	<p>2.3 Incidents in which freedom of movement is obstructed or threatened are addressed effectively and promptly, including through prosecution of alleged perpetrators (see below) and proactive public awareness campaigns to support freedom of movement and tolerance.</p>	Pillar I/Police, Pillar I/Judiciary, DoJ, PISG authorities	Pillar I, DPI	Ongoing
<p>3. Public employees from minority communities are able to work in majority areas without difficulties.</p>	<p>3.1 Transport service for public employees is provided until freedom of movement is fully in place.</p>	Ministry of Public Services	Pillar II (OCA)	Ongoing
<p>4. The number of crimes specifically related to movement by minorities (e.g. stoning incidents) is significantly reduced and infrequent.</p>	<p>4.1 Such crimes at all levels of seriousness are systematically investigated and the perpetrators are sanctioned.</p>	Pillar I/Judiciary, Pillar I/Police, DoJ		Ongoing
	<p>4.2 Community policing initiatives systematically focus on such incidents.</p>	Pillar I/Police	DoJ	Ongoing
	<p>4.3 Political leaders encourage all Kosovans to cooperate with police in solving such crimes.</p>	Government offices, Kosovo Assembly, party leaders, Municipalities, OPM.	Pillar I/Police, Pillar II, ORC	Ongoing
<p>5. Political leaders, without prompting, condemn and take actions against acts of violence against ethnic communities and their members.</p>	<p>5.1 The leaders of the majority communities make timely public statements condemning such crimes. Ethnic community leaders avoid making public statements that would raise tensions and discourage other members of their communities from making such statements.</p>	Government offices, Kosovo Assembly, party leaders, Municipalities, OPM.	Pillar I/Police, Pillar II, ORC	Ongoing

Standard	Action	Responsible Authority	Supported By	Timeline
	<i>5.2 Majority and ethnic community leaders proactively engage with Municipal and local authorities in responding to such incidents.</i>	<i>Government offices, Kosovo Assembly, party leaders, Municipalities, OPM</i>	<i>Pillar I/Police, Pillar II, ORC</i>	<i>Ongoing</i>

2. FREE USE OF LANGUAGE

Standard	Action	Responsible Authority	Supported By	Timeline
<i>6. Meetings of the Assembly and its Committees are conducted in all official languages.</i>	<i>6.1 Language units are established and are functioning effectively for the Assembly and all its Committees.</i>	<i>MPS, Kosovo Assembly, Ministries, Municipalities, OPM</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004 Ongoing</i>
<i>7. Official Municipal and Ministry documents are translated in a timely manner into all official languages.</i>	<i>7.1 The PISG has developed and implemented a system to monitor whether all official documents are translated in a timely manner into all official languages.</i>	<i>MPS, Ministries, Municipalities, OPM</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004 Ongoing</i>
	<i>7.2 In cases when official documents are not translated or are not translated in timely manner, the responsible authorities are identified and sanctioned.</i>	<i>MPS, Ministries, Municipalities, OPM</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004 Ongoing</i>
	<i>7.3 Adequate language units are established and are functioning effectively in all Ministries and Municipalities.</i>	<i>MPS, Ministries, Municipalities, OPM</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004 Ongoing</i>
	<i>7.4 Implementation of the findings of the Task Force on Language Standards Compliance, including allocation of sufficient resources to ensure and support language compliance</i>	<i>OPM, Ministries, Municipalities</i>	<i>Pillars II, III, ORC</i>	<i>Ongoing</i>

Standard	Action	Responsible Authority	Supported By	Timeline
8. Municipalities and Ministries provide adequate interpretation and translation services for minorities, including translation of all official documents and interpretation for all official meetings in relevant minority languages.	8.1 <i>The PISG has developed and implemented a system to monitor whether adequate interpretation and translation services are provided.</i>	<i>MPS, Ministries, Municipalities, OPM.</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004; Ongoing</i>
	8.2 <i>In cases when official documents are not translated or are not translated in timely manner the responsible authorities are identified and remedial action is taken.</i>	<i>MPS, Ministries, Municipalities, OPM.</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004; Ongoing</i>
	8.3 <i>Adequate language units are established in all Ministries and Municipalities.</i>	<i>MPS, Ministries, Municipalities, OPM</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004</i>
9. Personal documents are issued in the native language of the recipient.	9.1 <i>Adequate staffing and resources are allocated by responsible authorities to ensure that personal documents are translated into the official languages of Kosovo, as well as into the native language of the individual belonging to any of the main ethnic groups.</i>	<i>MPS (Department of Registration Services), Ministries, Municipalities, OPM.</i>	<i>Pillars II, III, ORC</i>	<i>Ongoing</i>
10. Official signs inside and outside municipal and ministerial buildings are expressed in all official languages.	10.1 <i>The relevant authorities ensure that official signs inside and outside all public buildings are expressed in all official languages.</i>	<i>MPS, Ministries, Municipalities, Public utilities, OPM.</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004</i>
	10.2 <i>In cases when signs outside public building are not expressed in all official languages the responsible authorities are identified and remedial action is taken.</i>	<i>MPS, Ministries, Municipalities, Public utilities, OPM.</i>	<i>Pillars II, III, ORC</i>	<i>Ongoing</i>
11. Names of streets, cities, towns, villages, roads and public places are expressed in Albanian, Serbian and any other language of a community that lives there in a significant number.	11.1 <i>The relevant Ministry establishes a system where the local communities live in significant numbers in a municipality may request names of the streets, cities, towns, villages, roads and public places to be expressed in the language of these communities.</i>	<i>MPS, Ministries, Municipalities, OPM.</i>	<i>Pillars II, III, ORC</i>	<i>Summer 2004</i>