

## 2. RIGHTS OF COMMUNITIES

<b>Standard</b>	<b>Action</b>	<b>Responsible Authority</b>	<b>Supported By</b>	<b>Timeline</b>
<b>9. The laws of Kosovo provide a full range of protection for human rights and the rights of communities and their members, consistent with European standards.</b>	<b>9.1 International human rights standards, including standards relating to the rights of women and children, are incorporated into domestic legislation, including issuances and directives of the Kosovo Assembly, Ministries, and Municipalities whenever necessary, and all such legislation is implemented effectively and without discrimination.</b>	<i>Incorporated by Office of Legal Support, Kosovo Assembly</i>  <i>Implemented by Ministries, Municipalities, OPM,</i>	<i>Pillars III, I, II, ORC, OLA, UNHCR, OHCHR</i>	<i>Ongoing</i>
	<b>9.2 Anti-Discrimination Law (ADL) consistent with European Union Directives and international standards endorsed by Kosovo Assembly for promulgation by SRSG. Objections to ADL by Koalition Povratak are discussed and resolved.</b>	<i>Kosovo Assembly</i>	<i>Pillars III, I, II, ORC, OLA</i>	<i>15 July 04</i>
	<b>9.3 PISG endorses for promulgation regulations and administrative instructions to implement the Anti-Discrimination Law effectively.</b>	<i>Relevant Ministries</i>	<i>Pillars III, I, II, ORC, OLA</i>	<i>1 October 2004 Ongoing</i>
	<b>9.4 Endorsement and implementation of Equal Opportunity Laws consistent with European Union Directives and international standards adopted by Kosovo Assembly, including implementation of Administrative Instruction NR MSHR/DCSA 2003/12, which establishes Equal Opportunity Officers and instructions to act without discrimination.</b>	<i>Kosovo Assembly, OPM</i>	<i>Pillars III, I, II, ORC, OLA</i>	<i>30.06.04 Ongoing</i>
	<b>9.5 Municipal regulation amended to provide for vital interest clause to protect immutable rights of communities. Procedures for exercising vital interest mechanisms detailed in municipal statutes.</b>	<i>MPS</i>	<i>Pillars II, I, III, ORC, OLA</i>	<i>Fall 2004 Ongoing</i>
	<b>9.6 Training on ADL provided to the judiciary and the legal community.</b>	<i>Pillar III (KJI)</i>		<i>Immediately on promulgation of ADL; Ongoing</i>

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	<b>9.7</b> Effective public information campaign on ADL launched.	OPM, Office of Communities, Relevant Ministry or offices (see below)	DPI, Pillar II, III	Immediately on promulgation of ADL
	<b>9.8</b> Gaps identified and appropriate action taken by PISG to ensure ADL provides effective remedies and sanctions for discrimination.	Relevant Ministries, Municipalities, OPM ( Office of Legal Support)	ORC, Pillar III, II, OLA, UNHCR	Ongoing
<b>10.</b> Kosovo participates in the Council of Europe implementation process for the Framework Convention for the Protection of National Minorities and fully implements recommendations resulting from that process.	<b>10.1</b> Council of Europe, with support from PISG and UNMIK, includes Kosovo in monitoring process for Framework Convention.	Council of Europe	OLA, ORC, Pillar III	
	<b>10.2</b> Appropriate PISG staff allocated and provided with the necessary resources to prepare the reports required under the Framework Convention.	OPM, Office of Communities, Advisory Office on GG, HRs, EO, and Gender, Relevant Ministry or offices (see below)	Pillar II, III, ORC	Ongoing
	<b>10.3</b> All PISG structures cooperate with and provide the necessary data to the drafters of the implementation status report.	OPM, Ministries, Municipalities.	Pillar II, III, ORC	Ongoing
	<b>10.4</b> Reports are prepared and presented to the Advisory Committee in a timely fashion.	OPM, Office of Communities, Relevant Ministry or offices (see below)	ORC, Pillar III, II	Ongoing

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	<i>10.5 Recommendations of the Advisory Committee considering and commenting on the Report are considered and implemented.</i>	<i>OPM, Office of Communities, Relevant Ministry or offices (see below), Ministries, Municipalities</i>	<i>ORC, Pillar III, II</i>	<i>Ongoing</i>
<b>II.</b> <i>A comprehensive and effective structure is in place within the PISG to monitor compliance with human and community rights and to respond to violations.</i>	<b>11.1</b> <i>Central structures relating to human rights and rights of communities and their members are strengthened by OPM, with support from ORC, OCA, UNHCR, OSCE and OHCHR.</i>	<i>OPM, Advisory Office on GG, HRs, EO, and Gender, Office on Communities, Ministries</i>	<i>OHCHR, ORC, EAR, UNHCR, Pillar II, III</i>	<i>Plan agreed by 30 June 2004</i>
	<b>11.2</b> <i>Plan for strengthening central human rights structures is implemented.</i>	<i>OPM, Ministries</i>	<i>Pillar II, III, OHCHR, ORC, EAR</i>	<i>15 August 2004</i>
	<b>11.3</b> <i>Plan for PISG to assume responsibility for humanitarian assistance needs arising from emergency situations and internal displacement, as well as from involuntary repatriation, is developed and implemented, including those elements covered under overall civil emergency preparedness.</i>	<i>OPM, Ministry of Labour and Social Welfare</i>	<i>UN Kosovo Team, UNHCR, ORC, OCA</i>	<i>Plan agreed by 30 June; Capacity building and transition begins immediate; Full implementation by date agreed upon between UNHCR and PISG.</i>
	<b>11.4</b> <i>Full implementation at central and municipal level of Ministry of Public Services AI 2003/12, Implementing AD 2003/2 and Regulation 2001/36. In particular, creation of Equal Opportunities Officer and drafting of EO policy statement and EO implementation policy.</i>	<i>Ministries and Municipalities</i>	<i>Pillar II, III</i>	<i>1st quarter 2004 Ongoing</i>

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	<b>11.5</b> Offices within the PISG tasked with addressing human rights, minority rights and rights of women issues are staffed properly, trained and functioning effectively, in order to ensure provisions of Law on Gender Equality are implemented.	OPM, Ministries, Municipalities	Pillars II, III, ORC, UNHCR	Ongoing
	<b>11.6</b> The reports and the recommendations of the Ombudsperson relating to minority rights and discrimination are taken into consideration and complied with by all PISG structures and municipalities. Mechanism is put in place within PISG to respond to reports promptly, and to monitor implementation of recommendations by responsible authorities.	OPM, Central structures responsible for human rights, all other PISG authorities	Pillars II, III	Ongoing  Mechanism created by 1 November 2004.
	<b>11.7</b> Independent Oversight Board (IOB) is fully functional as well as civil service oversight mechanisms established as per UNMIK Regulation 2001/36 and Administrative Direction 2003/2.	OPM, Ministries	Pillars II, III, ORC	Summer 2004 Ongoing
<b>12.</b> Mechanisms within municipalities responsible for protection of human and community rights (Municipal Community Offices, Municipal Assembly Communities and Mediation Committees) have adequate resources and staff, and are functioning effectively.	<b>12.1</b> Municipal Community Offices fully constituted and supported by Municipal authorities leading to their ultimate integration into mainstream municipal structures, and any revisions in local self-government laws maintain MCO structure as integral part of municipal governments. <ul style="list-style-type: none"> <li>• Specific efforts made to improve cooperation by CEOs with MCOs, and strengthen links between municipal structures and MCOs (potentially through recommendations to be developed by Office on Communities, with support from OCA</li> <li>• Staffing and funding needs of MCOs evaluated and addressed.</li> </ul>	Municipal Presidents, Additional Deputy Presidents, CEOs, Community Representatives	Pillars II, III	December 2004 Ongoing  Recommendations prepared by 15 July 2004.  Evaluation completed by 1 September 2004.

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	<i>12.2 Municipalities ensure the creation and functioning of the Communities Committees and Mediation Committees and offices.</i>	<i>Municipalities, MCOs</i>	<i>Pillar II (Municipal Representative, Local Community Officers, Pillar III, ORC, UNHCR)</i>	<i>December 2004 Ongoing</i>
	<p><i>12.3 Review of Communities and Mediation Committees is undertaken by PISG, with support from UNMIK. Action taken to respond to results of this review:</i></p> <ul style="list-style-type: none"> <li><i>• In cases where financial support for these entities is inadequate, appropriate resources are allocated promptly.</i></li> <li><i>• In cases where the staffing is insufficient, recruitment procedures are initiated and completed promptly in line with proportional representation.</i></li> <li><i>• In cases of insufficient expertise the persons serving in the above institution are provided with adequate training</i></li> </ul>	<i>Municipalities, OPM, Office on Communities, MFE</i>	<i>Pillars II (OCA), III, IV, ORC</i>	<i>Review completed by 1 October. Recommendations implemented by 31 December 2004</i>
	<i>12.4 Full implementation of Pillar II Administration Instructions on the working of Mediation and Communities Committees and Additional Deputy Presidents. Committees meeting regularly, have access to all municipal documents and offices, are well received by CEO and Municipal President, are effectively strengthened through the support of municipal authorities so as to be able to positively represent the interests of communities, and communities address them and participate in their work.</i>	<i>Municipal Presidents, Additional Deputy Presidents, CEOs, Community Representatives</i>	<i>Pillars II, III</i>	<i>Ongoing</i>
	<i>12.5 Municipal Officials enabled to properly acknowledge and address human rights problems</i>	<i>Municipalities</i>	<i>Pillar III, Pillar II</i>	<i>Ongoing</i>

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	<b>12.6 PISG develops mechanism to monitor municipal performance relating to communities, to reward and replicate innovative approaches, and to respond to areas of concern</b>	<b>OPM, Office on Communities</b>	<b>Pillars II, III OCA, ORC,</b>	<b>1 October 2004</b>
<b>13. There is fair distribution of municipal and ministerial resources to all communities.</b>	<b>13.1 The fair share financing requirements are met at all PISG levels. Quarterly reporting requirements regarding Fair Share Financing for Municipalities are met in line with Section 4.6 of Regulation 2003/41 on the 2004 Budget.</b>	<b>MFE, Ministries, Municipalities</b>	<b>Pillars II, IV, ORC</b>	<b>Ongoing</b>
	<b>13.2 KCB and Municipal budgets financing local groups' projects supporting returns, minority rights protection and tolerance building.</b>	<b>Municipalities, OPM</b>	<b>Pillars II, IV, ORC, UNHCR</b>	<b>Ongoing</b>
<b>14. The educational curriculum encourages tolerance and respect of the contributions of all communities to the history of Kosovo.</b>	<b>14.1 Primary and secondary school textbooks are developed as per European standards with tolerant use of language introduced based on recommendations of multi-ethnic Textbook Review Council to be established in accordance with UNMIK Regulation 2002/19.</b>	<b>MEST</b>	<b>Pillars II, III, Council of Europe</b>	<b>Ongoing</b>
	<b>14.2 Existing school history textbooks are screened for their factual accuracy and use of language for removal of inflammatory material and reprint of revised history textbooks.</b>	<b>MEST</b>	<b>Pillar II, Council of Europe</b>	<b>April 2004 August 2004 for reprint</b>
	<b>14.3 Multi-ethnic curriculum is developed with specificities of communities' education addressed, new curriculum implemented and school textbooks reflect diversity and tolerance in accordance with Council of Europe standards.</b>	<b>MEST</b>	<b>Pillars II, III, Council of Europe</b>	<b>Ongoing</b>
	<b>14.4 Tolerance building, human rights to be an integral part of the curriculum for all schools.</b>	<b>MEST</b>	<b>Pillars II, III, Council of Europe, OHCHR</b>	<b>Ongoing</b>