

4. SUSTAINABLE RETURNS AND THE RIGHTS OF COMMUNITIES AND THEIR MEMBERS

“Members of all communities must be able to participate fully in the economic, political and social life of Kosovo, and must not face threats to their security and well-being based on their ethnicity. All refugees and displaced persons who wish to return to Kosovo must be able to do so in safety and dignity.”

The violence of 17-20 March 2004 dramatically altered the existing realities for advancing the returns process and achieving greater protection of the rights of ethnic communities. These targeted attacks against communities have created a situation in which more than 4100 individuals have been displaced in a matter of a few days and the returns process involving those displaced previously has ground to a halt. Over 800 houses, public buildings, and religious sites belonging to communities have been destroyed or significantly damaged. Many communities have again become isolated enclaves, requiring a constant KFOR or UNMIK Police presence to ensure their protection.

In light of these stark changes, approaches to attaining the standards relating to sustainable returns and the rights of communities must be reviewed and fundamentally altered. In particular, the PISG’s efforts to build a “social contract” with Kosovo’s smaller communities have suffered a serious setback, and innovative approaches to creating a tolerant environment where the rights of all people are protected are needed. Before proceeding to address the standards implementation plan that existed prior to 17 March, several core activities aimed at addressing these immediate concerns must be a priority. The PISG has committed itself to a massive effort to quickly reconstruct the property damages from the recent violence. That campaign must be implemented effectively and transparently, with the involvement of the ethnic communities most affected by the violence. In addition, this effort must entail not only the reconstruction of buildings, which is a key first step, but also the rebuilding the bonds of trust and confidence between the Government and its constituents from all ethnic communities. Government officials at all levels must engage in a systematic effort to promote reconciliation, build tolerance within the Kosovo Albanian community, and condemn those that encouraged or facilitated acts of violence against members of other communities. The PISG should also demonstrate its break from the past through investigating and sanctioning those central, ministerial and municipal authorities and political party branch leaders who contributed to violence against community members through public statements and actions, or who failed to exercise their authority properly.

To reflect the fundamental changes that must follow the violence of mid-March, the implementation plan for the standard on Sustainable Returns and the Rights of Communities and their Members must be thoroughly reviewed and revised. As with the other standards, UNMIK and the PISG jointly drafted the original plan (which is appended herein) to reflect the needs of the landscape before 17 March. While many of the actions contained in that plan remain essential today, the plan should be analysed to ensure that it properly prioritises those steps that are most critical to the present environment, and that it reflects the

fundamental changes that are needed in order to create a sustainable environment in which communities and their members can return home and live in safety.

1.SUSTAINABLE RETURNS AND RIGHTS OF COMMUNITIES – REVISED POST 17 MARCH 2004

<u>Standard</u>	<u>Action</u>	<u>Responsible Authority</u>	<u>Supported By</u>	<u>Timeline</u>
ALL STANDARDS RELATING TO SUSTAINABLE RETURNS AND RIGHTS OF COMMUNITIES AND THEIR MEMBERS	1. The PISG will implement a comprehensive program to ensure full reconstruction of all property destroyed through the violent acts of 17-20 March 2004. These efforts will involve the affected ethnic communities within the assessment, procurement and implementation phases of the project, and will be undertaken in cooperation with UNMIK's Reconstruction Support Team established to provide technical support to the PISG in this effort. A program to compensate victims for loss of personal property as a result of the March violence will also be implemented. The PISG will also work with the UN Country Team to assume responsibility for humanitarian relief efforts involving those displaced as a result of the 17-20 March violence.	OPM, MFE, MPS	Pillar II/OCA, Pillar IV, ORC, OPA	Priority projects completed by 1 June 2004; Reconstruction of homes by 1 September 2004; all reconstruction by 31 December 2004
	2. The PISG will ensure that sufficient funding is set aside for both reconstruction efforts and adequate compensation for loss of personal property.	OPM, MFE	Pillar II/OCA, Pillar IV, ORC	Throughout 2004
	3. The PISG will develop and implement immediately a groundbreaking systematic program to reach out to the Kosovo Serb and other ethnic communities in order to rebuild trust and confidence between the communities. These efforts will also include planning medium and longer-term reconciliation and inter-ethnic dialogue strategies.	OPM, Ministries, Municipal Presidents, Additional Deputy Presidents, CEOs, Municipal Assemblies	Pillar II, Pillar III, ORC	To begin immediately

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	<p>4. The PISG and party leaders will investigate and sanction central, ministerial and municipal authorities and political party branch leaders who contributed to violence against community members through public statements and actions, or who failed to exercise their authority properly from 17-20 March 2004, including by recommending to the SRSB the removal of municipal officials or dissolution of Municipal assemblies, as may be found appropriate.</p>	OPM, Ministries, Municipalities, Party Leaders	SRSB, ORC, Pillar II, Pillar III	Investigations to be completed by 30 April; Recommendations made and sanctions imposed by 31 May 2004
	<p>5. The PISG and party leaders will take immediate steps to publicly condemn reports by print and broadcast media that contributed to ethnic violence from 17-20 March 2004 and will support the recommendations of the Temporary Media Commissioner in relation to his investigation into these reports.</p>	OPM, Ministries, Municipalities, Party Leaders	Pillar II, Pillar III, ORC, DPI	To begin immediately
	<p>6. The joint PISG-UNMIK implementation plan for the standard 'Sustainable Returns and the Rights of Communities and their Members' will be reviewed and revised on an expedited basis given the fundamentally changed environment due to the events of 17-20 March.</p> <p>The original UNMIK/PISG Implementation Plan for 'Sustainable Returns and the Rights of Communities and their Members' is attached as Annex 1 to this revised Implementation Plan <u>for information</u>.</p>	Joint Implementation Working Group on Sustainable Returns, Rights of Communities and their Members and Freedom of Movement		To begin on 1 April 2004 and to be completed by 1 May 2004.

Annex 1

Sustainable Returns and Rights of Communities and their Members Implementation Plan (Pre-17 March 2004)

TO BE REVISED (See Action 6 above)

1.SUSTAINABLE RETURNS

<i>Standard</i>	<i>Action</i>	<i>Responsible Authority</i>	<i>Supported By</i>	<i>Timeline</i>
<i>I. Municipalities and ministries are able to assume responsibility for returns within all communities in a manner consistent with European standards.</i>	<i>1.1 Strategy regarding central structures relating to returns, including the Office of Inter-Ministerial Coordinator for Returns, is developed by a committee. This committee should be established by the Office of the Prime Minister and include ORC, OCA, UNHCR, OSCE and OHCHR (Linked to discussion on OPM proposal for new Ministry, and to anticipated EAR consultancy on central structures).</i>	<i>OPM, Ministries</i>	<i>ORC, Pillar II, III, UNHCR, OHCHR, EAR</i>	<i>Immediate to September 2004</i>
	<i>1.2 Agreed strategy for central returns structures (which will clarify the mandates of the Inter-Ministerial Coordinator's office and define the responsibilities of the Ministries) is implemented as per the recommendations of the committee above.</i>	<i>OPM, Ministries</i>	<i>ORC, Pillar II, III, EAR, UNHCR</i>	<i>Immediate from development of the strategy to December 2004 Ongoing</i>
	<i>1.3 Office of the Inter-Ministerial Coordinator for Returns has adequate resources and staffing to fulfill its responsibilities within current mandate and mandate to be developed as part of agreed strategy for central returns structures.</i>	<i>OPM, Ministries</i>	<i>Pillar II, ORC, EAR</i>	<i>Ongoing Initial Assessment: 03.06.04</i>

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	<i>1.4 Each ministry has a focal point to support returns process, and works effectively to implement its responsibilities consistent with the agreed strategy for central returns structures.</i>	<i>OPM, Ministries</i>	<i>Pillars II, III, ORC, UNHCR</i>	<i>Ongoing Focal Points established by: 30.04.04</i>
	<i>1.5 Ensure community, returnee and IDP women representatives are involved in decision-making and planning for returns at all levels.</i>	<i>OPM, Advisory Office on GG, HRs, EO, and Gender, Ministries and Municipalities</i>	<i>Pillar II, UNHCR</i>	<i>Ongoing</i>
	<i>1.6 Each municipality (except Glogove/Glogovac) develops a municipal returns strategy for 2004 and subsequent years, and the returns strategies are implemented effectively</i>	<i>Municipal Presidents, Additional Deputy Presidents, CEOs</i>	<i>Pillar II (Municipal Representatives, Local Community Officers), Regional Returns Units, Pillar III, ORC, UNHCR</i>	<i>2004 strategy developed by June 2004 Future strategies by 31 December on a yearly basis Ongoing</i>
	<i>1.7 Each municipality with ongoing or projected returns has established and filled a Municipal Returns Officer post.</i>	<i>CEOs of Municipalities</i>	<i>Pillar II (Municipal Representatives, Local Community Officers), Regional Returns Units, ORC, UNHCR</i>	<i>June 2004</i>

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	<i>1.8 Municipal Working Groups and Municipal Assemblies (including Municipal Directorates) provide ongoing support for returns in the municipality at a level consistent with the demand for return and including a commensurate level of resources, including ultimate assumption of responsibility for MWGs by municipality.</i>	<i>Municipal Presidents, Additional Deputy Presidents, CEOs, Municipal Returns Officers, Municipal Assemblies (including Municipal Directorates)</i>	<i>Pillar II, Municipal Representatives, Regional Returns Units, Pillar III, ORC, UNHCR Joint: MWG</i>	<i>Ongoing per performance Municipality chairing pilot MWGs: 31.08.04</i>
	<i>1.9 Task Forces, including representatives from the returning community, have been established and function effectively to address individual organized returns projects, where necessary. (Task Forces report to the Municipal Working Group).</i>	<i>Municipal Presidents, Additional Deputy Presidents</i>	<i>Pillar II (Municipal Representatives, Local Community Officers), Regional Returns Units, ORC, UNHCR</i>	<i>Ongoing Task Forces established for appropriate projects on RCG List by 31.03.04</i>
<i>2. The number of municipalities with sustainable returns increases, including an increase in returns to urban areas, the pace of returns overall accelerates, and the level</i>	<i>2.1 Municipalities supporting returns through local structures wherever needs have been identified through IDP demand.</i>	<i>Municipalities</i>	<i>Pillar II (Municipal Representatives), Regional Returns Units, ORC, UNHCR</i>	<i>Ongoing</i>

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<i>of unmet demand for return has been substantially reduced.</i>	<i>2.2 All returnees are provided with adequate identification documents in a timely manner. The responsible authorities provide, to the extent possible, returnees with any other documentation necessary in order for them to exercise their right to return.</i>	<i>Municipal MCROs</i>	<i>Pillar II (Municipal Representatives)</i>	<i>Ongoing</i>
	<i>2.3 Returns projects that are consistent with the Manual for Sustainable Return are developed and implemented in all locations where sufficient demand is identified.</i>	<i>Inter-Ministerial Coordinator for Returns, Municipalities, NGOs, Displaced Persons Associations</i>	<i>ORC, Regional Returns Units, Pillar II (Municipal Representatives), UNHCR Joint: MWG</i>	<i>Ongoing</i>
	<i>2.4 Returns projects in urban areas involving repossession of residential property developed and implemented. (Concept papers for at least 5 projects in addition to the 3 already underway should be developed by 15 March)</i>	<i>Inter-Ministerial Coordinator for Returns, Municipalities, HPD, NGOs, Displaced Persons Associations, Pillar I/Police</i>	<i>SB: Pillar II (Municipal Representatives), Regional Returns Units, ORC, UNHCR Joint: MWG</i>	<i>Ongoing</i>

Standard	Action	Responsible Authority	Supported By	Timeline
	<i>2.5 Individual and small group returns effectively and promptly served by mechanisms to support their sustainable return (including BPRM and UNHCR programs, and the RRRF), and responsibility for those mechanism is ultimately assumed by municipalities.</i>	<i>Inter-Ministerial Coordinator for Returns, Municipalities, UNHCR, UNDP, NGOs</i>	<i>SB: Pillar II (Municipal Representatives), Regional Returns Units, ORC Joint: MWG</i>	<i>Ongoing</i>
	<i>2.6 When there is resistance to return at municipal or local level, it is responded to promptly and eliminated through coordinated action (including dialogue).</i>	<i>Municipal authorities, Central authorities (OPM, Presidency, Assembly, Inter-Ministerial Coordinator for Returns, Political Parties), NGOs</i>	<i>ORC, SRSR, Pillar II (Municipal Representatives, Local Community Officers, Regional Representatives), Regional Returns Units, Pillar I/Police, UNHCR</i>	<i>Ongoing</i>
	<i>2.7 Community members accurately informed through established contact with relevant PISG officials about the prospect for return.</i>	<i>Municipalities</i>	<i>Pillar II (Municipal Representatives, Local Community Officers), Regional Returns Units, ORC, UNHCR</i>	<i>Ongoing</i>

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	<i>2.8 Revised edition of the Manual for Sustainable Return is completed and distributed. Changes reflected in the revised Manual are implemented.</i>	<i>ORC, UNHCR, Inter-Ministerial Coordinator for Returns, NGOs</i>		<i>Manual completion: March 2004 Distribution and Implementation: April to June 2004</i>
	<i>2.9 Rate and location of returns and extent of demand closely monitored and reported in transparent manner, including information on ethnicity and gender of returnees.</i>	<i>Current: ORC, UNHCR Mid-term: OPM, PISG central returns structures</i>	<i>Pillar II, Advisory Office on GG, HRs, EO, and Gender</i>	<i>Ongoing</i>
	<i>2.10 Information database regarding displaced population, demand within displaced population, and level of returns is improved.</i>	<i>Current: UNHCR, ORC, HPD Mid-term: PISG central returns structures</i>	<i>IDP Associations, NGOs, Pillar II, Pillar III</i>	<i>December 2004 and ongoing.</i>

Standard	Action	Responsible Authority	Supported By	Timeline
<p>3. Returnees to Kosovo are able to participate in the economy and job market without discrimination and limitations based on the freedom of movement.</p>	<p>3.1 Minority employment in both central and municipal levels of government, civil service, and public utilities in accordance with proportional ranges and with equitable distribution of ethnic communities in senior-level positions. Full implementation of Section 10 of Administrative Direction 2003/2 implementing UNMIK Regulation 2001/36 (Fair Representation in Civil Service), UNMIK Regulation 2001/19 and UNMIK Regulation 2001/36. Civil Service Law is strictly enforced in cases of discrimination and unethical conduct.</p>	MPS, MFE, MLSW; Public utilities	Pillars II, III	Ongoing
	<p>3.2 Continued inclusion of income generation components in concept papers supporting returns projects, and development of regional approaches to income generation.</p>	Municipalities, NGOs	Pillars II, IV, ORC, UNHCR Joint: MWG	Ongoing
	<p>3.3 Identify and remove barriers to the participation of community members in the economy and job market, including those obstacles deriving from gender-biased procedures, practices and behavior. Ensure returnee and IDP participation in vocational/professional training and programs, promoting a gender-sensitive approach.</p>	Municipalities	Pillars II, IV, ORC, UNHCR, Advisory Office on GG, HRs, EO, and Gender (OPM)	Ongoing
<p>4. Health care, social services, education and public utilities are available to returnees on a level equal to that of the rest of the population.</p>	<p>4.1 Ministries develop and implement centrally coordinated measures/policies to improve communities' access to essential services.</p>	MPS, MLSW, MEST, MH, OPM, Municipalities	Pillars II, III, ORC	Summer 2004 Ongoing
	<p>4.2 Education in one's own mother tongue is made available throughout Kosovo to communities that meet the criteria and the desire for such education has been expressed.</p>	MEST	Pillars II, III	Summer 2005 Ongoing
	<p>4.3 Minority students are able to attend mixed or shared schools.</p>	MEST	Pillar II	Summer 2005 Ongoing

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	<i>4.4 All schools offer teaching of minority language courses where sufficient demand exists, including qualified teachers and textbooks in minority languages.</i>	<i>MEST</i>	<i>Pillar II</i>	<i>Summer 2005 Ongoing</i>
	<i>4.5 Administrative Direction on past public utilities debt relating to properties of displaced persons has been adopted and implemented.</i>	<i>Pillar IV, KEK</i>	<i>Pillar II, III, IV, ORC, OLA</i>	<i>March 2004 and ongoing</i>
	<i>4.6 Connection and supply of public utilities to returnees is provided efficiently and without discrimination.</i>	<i>Pillar IV, KEK</i>	<i>Pillar II, III, IV, ORC, OLA</i>	<i>June 2004, and ongoing</i>
	<i>4.7 Monitor returnee access to social services, education and public utilities, using a gender-sensitive approach, and ensure that all barriers preventing the equal access to services are effectively removed.</i>	<i>OPM, MPS, MLSW, MEST, MH, Advisory Office on GG, HRs, EO, and Gender</i>	<i>Pillar II, III, ORC</i>	<i>Summer 2004 Ongoing</i>
	<i>4.8 Implementation of actions undertaken to dismantle, or integrate into PISG structures, parallel structures for the provision of services according to the implementation plan on Functioning Democratic Institutions.</i>	<i>See Implementation Plan on Functioning Democratic Institutions</i>	<i>See Implementation Plan on Functioning Democratic Institutions</i>	<i>See Implementation Plan on Functioning Democratic Institutions</i>
<i>5. Returnees face no greater risk of violence than the population as a whole, and police and the judiciary respond promptly and without discrimination to crimes, irrespective of the ethnic background of the victim.</i>	<i>5.1 Development of crime prevention councils in municipalities with significant inter-ethnic population or potential returns and effective implementation of these councils.</i>	<i>Pillar II and Municipalities, Pillar I/Police</i>		<i>October 2004 Ongoing</i>
	<i>5.2 Meet standards relating to security within the transition strategy towards professional, impartial and multiethnic KPS.</i>	<i>Pillar I/Police, Pillar I</i>		<i>Ongoing</i>
	<i>5.3 Political leaders at all levels publicly encourage all Kosovans to cooperate with police in solving all crime, including inter-ethnic crime.</i>	<i>PISG/Municipal authorities</i>	<i>Pillar I/Police</i>	<i>Ongoing</i>

Standard	Action	Responsible Authority	Supported By	Timeline
	<i>5.4 In addition to what may be accomplished through regular operational activities, increase public confidence in police through community policing, proactive public information strategy and better public understanding.</i>	<i>Pillar I/Police</i>	<i>OPM, Kosovo Assembly</i>	<i>Ongoing</i>
	<i>5.5 Judiciary provides high-level of rights protection, including equal access to justice and adherence to fair trial standards for communities and effective enforcement of laws relating to ethnic discrimination. (See Rule of Law Implementation Plan)</i>	<i>Pillar I/Judiciary, Pillar I</i>	<i>Pillar III</i>	<i>Ongoing</i>
	<i>5.6 Community members are able to travel without restriction or escort as a result of improved security environment through community policing, visible support by PISG and access to safe transportation (as per 16.1 below).</i>	<i>Pillar I/Police, All PISG</i>	<i>Pillar II</i>	<i>Ongoing</i>
<i>6. Funding is allocated from the KCB to support returns projects and smaller communities.</i>	<i>6.1 Sufficient funding regularly allocated from KCB to support returns projects and communities, including the earmarking of funds to support municipalities constructively engaged in returns projects and minority integration,</i>	<i>MFE, OPM, Kosovo Assembly</i>	<i>Pillars II, IV, ORC, UNHCR</i>	<i>Ongoing</i>
	<i>6.2 Funding is distributed fairly to address returns priorities, and projects funded through Kosovo budget are implemented effectively.</i>	<i>Current: ORC for RCG List and RRRF; Municipalities for MCF Future: Central Returns Structures, Municipalities</i>	<i>Pillar II, UNHCR</i>	<i>Ongoing</i>

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<i>7. Visible support of the returns process by community leaders and public information and education efforts supported by the PISG create a climate of tolerance and support for the right to return.</i>	<i>7.1 PISG developed and funded public information campaigns and initiatives in support of minority rights, multi-ethnicity and tolerance, including a gender perspective, and initiatives at municipal level, are implemented.</i>	<i>OPM, Advisory Office on GG, HRs, EO, and Gender, Ministries, Municipalities</i>	<i>DPI, Pillars II, III, ORC, UNHCR</i>	<i>July 2004 – Ongoing</i>
	<i>7.2 UNMIK supported information campaign developed and implemented, including component involving local NGO initiatives in municipalities.</i>	<i>ORC, DPI</i>	<i>PISG, III, UNHCR</i>	<i>January-December 2004 Ongoing</i>
	<i>7.3 Visible support by majority community leaders at all levels, including positive regular public declarations enhancing minority rights, and encouraging returns as well as visits to community areas and returns sites.</i>	<i>Ministries, Municipalities, party leaders, OPM</i>	<i>Pillars II, III, ORC, DPI, UNHCR</i>	<i>Ongoing</i>
	<i>7.4 Visible engagement by PISG officials from all parties and both executive and legislative branches.</i>	<i>Ministries, Municipalities, party leaders, OPM</i>	<i>Pillar II, ORC, DPI, UNHCR</i>	<i>Ongoing</i>
	<i>7.5 Relevant PISG authorities in direct contact with the IDP community and its representatives, including through involvement in ‘Go-and See Visits’ and ‘Go-and-Inform Visits’ and through producing public information for the displaced.</i>	<i>Municipalities, relevant Ministries, OPM, Inter-Ministerial Coordinator for Returns, Government offices</i>	<i>Pillar II, ORC, UNHCR</i>	<i>Ongoing</i>

Standard	Action	Responsible Authority	Supported By	Timeline
	<i>7.6 Successful central-level intervention in cases where municipal authorities or community leaders are obstructing the process, which leads to a removal of the obstruction or resolution of the dispute and successful advancement in the process.</i>	<i>OPM, party leaders, Ministries, Inter-Ministerial Coordinator for Returns, Municipalities</i>	<i>Pillar II, ORC, UNHCR</i>	<i>Ongoing</i>
	<i>7.7 Civil society engagement in and support for returns and integration projects are supported by PISG and that support extends to all qualified NGOs without discrimination.</i>	<i>OPM, Ministries, Municipalities, NGOs</i>	<i>Pillars II, III, ORC, UNHCR</i>	<i>Ongoing</i>
	<i>7.8 Civic instruction on coexistence and tolerance in mixed communities is increased and systemized in all schools.</i>	<i>OPM, Ministries, Municipalities, NGOs</i>	<i>Pillars III, II, ORC</i>	<i>Ongoing</i>
<i>8. PISG support for returns, including financial assistance, is distributed equitably to all communities.</i>	<i>8.1 Reporting on spending (both distribution and utilization) is reviewed to ensure equitable distribution of funds to all communities, consistent with size of community, needs of community members, and demand for return.</i>	<i>ORC, Inter-Ministerial Coordinator for Returns, MFE, OPM</i>	<i>Pillars II, IV, UNHCR</i>	<i>Ongoing</i>

2. RIGHTS OF COMMUNITIES

Standard	Action	Responsible Authority	Supported By	Timeline
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Standard	Action	Responsible Authority	Supported By	Timeline
9. <i>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.</i>	9.1 <i>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.</i>	<i>Kosovo Assembly, Ministries, Municipalities, OPM, Advisory Office on GG, HRs, EO, and Gender</i>	<i>Pillars III, I, II, ORC, OLA, UNHCR</i>	<i>Ongoing</i>
	9.2 <i>Anti-Discrimination Law (ADL) consistent with European Union Directives and international standards endorsed by Kosovo Assembly for promulgation by SRSG. (Endorsed on 19.02.04)</i>	<i>Kosovo Assembly</i>	<i>Pillars III, I, II, ORC, OLA</i>	<i>15.02.04</i>
	9.3 <i>PISG endorses for promulgation regulations and administrative instructions to implement the Anti-Discrimination Law effectively.</i>	<i>Relevant Ministries</i>	<i>Pillars III, I, II, ORC, OLA</i>	<i>30.04.04 Ongoing</i>
	9.4 <i>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.</i>	<i>Kosovo Assembly, OPM</i>	<i>Pillars III, I, II, ORC, OLA</i>	<i>30.06.04 Ongoing</i>
	9.5 <i>Legislation at municipal and central level include vital interest clause that provides special provisions in the protection of immutable rights of communities.</i>	<i>Kosovo Assembly, Municipalities</i>	<i>Pillars II, I, III, ORC, OLA</i>	<i>Fall 2004 Ongoing</i>
	9.6 <i>Training on ADL provided to the judiciary and the legal community.</i>	<i>Pillar III (KJI)</i>		<i>Summer 2004 Ongoing</i>

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	9.7 Effective public information campaign on ADL launched.	OPM, Office of Communities, Relevant Ministry or offices (see below)	DPI, Pillar II, III	Summer 2004 Ongoing
	9.8 Gaps identified and appropriate action taken by PISG to ensure ADL provides effective remedies and sanctions for discrimination.	Relevant Ministries, Municipalities, OPM	ORC, Pillar III, II, OLA, UNHCR	Ongoing
10. 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.	10.1 Council of Europe, with support from PISG and UNMIK, includes Kosovo in monitoring process for Framework Convention.	Council of Europe	OLA, ORC, Pillar III	March 2004
	10.2 Appropriate PISG staff allocated and provided with the necessary resources to prepare the reports required under the Framework Convention.	OPM, Office of Communities, Relevant Ministry or offices (see below)	Pillar II, III, ORC	Ongoing
	10.3 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
	10.4 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>
<i>11. 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>	<i>11.1 Strategy regarding central structures relating to human rights and rights of communities and their members is developed by a committee established by OPM and include ORC, OCA, UNHCR, OSCE and OHCHR.</i>	<i>OPM, Advisory Office on GG, HRs, EO, and Gender, Ministries</i>	<i>OHCHR, ORC, EAR, UNHCR, Pillar II, III</i>	<i>Immediate to September 2004</i>
	<i>11.2 Agreed strategy for central human rights structures is implemented as per the recommendations of the committee above.</i>	<i>OPM, Ministries</i>	<i>Pillar II, III, OHCHR, ORC, EAR</i>	<i>April to September 2004 Ongoing</i>
	<i>11.3 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>
	<i>11.4 Offices within the PISG tasked with addressing human rights, minority rights and rights of women issues are staffed properly, trained and functioning effectively.</i>	<i>OPM, Ministries, Municipalities</i>	<i>Pillars II, III, ORC, UNHCR</i>	<i>Ongoing</i>
	<i>11.5 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.</i>	<i>OPM, Central structures responsible for human rights, all other PISG authorities</i>	<i>Pillar II</i>	<i>Ongoing</i>

Standard	Action	Responsible Authority	Supported By	Timeline
	11.6 Oversight boards are established and are functioning efficiently.	OPM, Ministries	Pillars II, III, ORC	Summer 2004 Ongoing
12. 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.	12.1 Municipalities ensure the creation and functioning of the Communities and Mediation Committees and offices.	Municipalities, MCOs	Pillar II (Municipal Representative, Local Community Officers, Pillar III, ORC, UNHCR)	December 2004 Ongoing
	12.2 In cases where financial support for these entities is inadequate, appropriate resources are allocated promptly.	Municipalities, OPM, MFE	Pillars II, III, IV, ORC	December 2004 Ongoing
	12.3 In cases where the staffing is insufficient, recruitment procedures are initiated and completed promptly in line with proportional representation.	Municipalities	Pillar II	December 2004 Ongoing
	12.4 In cases of insufficient expertise the persons serving in the above institution are provided with adequate training	Municipal Presidents, Additional Deputy Presidents, CEOs, Community Representatives	Pillars II, III	December 2004 Ongoing
	12.5 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 and communities address them and participate in their work.	Municipal Presidents, Additional Deputy Presidents, CEOs, Community Representatives	Pillars II, III	Ongoing

Standard	Action	Responsible Authority	Supported By	Timeline
	12.6 <i>Municipal Community Offices fully constituted and supported by Municipal authorities leading to their ultimate integration into mainstream municipal structures.</i>	<i>Municipal Presidents, Additional Deputy Presidents, CEOs, Community Representatives</i>	<i>Pillars II, III</i>	<i>December 2004 Ongoing</i>
13. <i>There is fair distribution of municipal and ministerial resources to all communities.</i>	13.1 <i>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.</i>	<i>MFE, Ministries, Municipalities</i>	<i>Pillars II, IV, ORC</i>	<i>Ongoing</i>
	13.2 <i>KCB and Municipal budgets financing local groups' projects supporting returns, minority rights protection and tolerance building.</i>	<i>Municipalities, OPM</i>	<i>Pillars II, IV, ORC, UNHCR</i>	<i>Ongoing</i>
14. <i>The educational curriculum encourages tolerance and respect of the contributions of all communities to the history of Kosovo.</i>	14.1 <i>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.</i>	<i>MEST</i>	<i>Pillars II, III</i>	<i>Ongoing</i>
	14.2 <i>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</i>	<i>MEST</i>	<i>Pillar II</i>	<i>April 2004 August 2004 for reprint</i>

Standard	Action	Responsible Authority	Supported By	Timeline
	<i>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.</i>	MEST	Pillars II, III	Ongoing
	<p>5.2 Full support of the privatisation process by the PISG and KTA Board members, on the basis of the existing legal framework (add footnote: The KTA Regulation and the guidance provided by UN HQ), demonstrated by:</p> <ul style="list-style-type: none"> • Agreement on legally and commercially sound Operating Policies; • Constructive approach of KTA Board members in the decision making process; • Public awareness campaign to improve media coverage of privatisation process and ensure public support, including role of the Special Chamber as an appeal mechanism for KTA related matters. 	KTA Board	PISG, PIV, PII	February 2004 Ongoing Ongoing
	5.3 Establishment and enforcement of KTA control over SOE's, including land and non-land assets, including assets usurped by municipalities and individuals.	PISG, Municipalities	KTA	Ongoing
	5.4 Achievement of smooth land property rights transfer to owners after privatisation.	Municipalities	KTA, PISG	Ongoing

<i>Standard</i>	<i>Action</i>	<i>Responsible Authority</i>	<i>Supported By</i>	<i>Timeline</i>
6. Restructuring of POEs, based on independent audits, is progressing and fully backed by the PISG	6.1 Endorsement and implementation of an action plan on incorporation and restructuring of POEs, taking into account audit findings and ensuring non-discriminatory hiring practices.	KTA Board	PIV, PISG	December 2004 and in accordance with time frames specified in the action plan
	6.2 Full support, in line with legal requirements, for professional, effective, and apolitical governing structures of POEs	PISG	KTA, PIV	Ongoing
7. Supervision over commercial banking, insurance and pension scheme is reliable and effective.	6.3 Adequate and planned allocation of funds from KCB for successful restructuring.	PISG-MFE	KTA, PIV-FAO, SRSG, EFC	November 2004, and ongoing
	6.4 Commitment to restructuring process and sustainability of POEs is clearly demonstrated with a particular emphasis on POEs which have received significant donor support, such as KEK.	PISG, KTA Board	PIV	Ongoing
	7.1 Strengthening and further development of financial sector supervision, including aspects supporting economic development, through the creation of: (a) a Credit Information System; (b) an Insurance Communication Platform; and (c) Non-cash Payment Methods, including electronic banking and electronic bill payment	BPK	MFE	October 2004
	7.2 Develop and implement early warning mechanisms to enable pre-emptive enforcement actions.	BPK	PISG	May 2004
	7.3 Integration of BPK into economic policy analysis, including management of monetary instruments to achieve economic objectives.	BPK	MFE	Ongoing

Standard	Action	Responsible Authority	Supported By	Timeline
	7.4 Full commitment to the independent role and multiethnic composition of BPK, including appointments of apolitical independent representatives to the Governing Board of BPK.	PISG	PISG	Ongoing
	7.5 Fostering development of local financial markets to allow for an increasing amount of local savings to be invested in the Kosovo economy, without posing a threat to asset security.	BPK	PISG	Ongoing
	7.6 A review of the appointment procedure to the Kosovo Pension Savings Trust and of the reporting regime is undertaken.	BPK, KPST	PISG	June 2004
8. Kosovo-wide billings approach 100% of the services provided by KEK, PTK and water sector utilities and approach the levels of neighbours	8.1 Establishment of appropriate and non-discriminatory regulatory and judicial procedures to support bill collection by public utility service providers.	PI, MPS (DJA), PIV	KTA, PIV, PISG	January 2005
	8.2 Implementation of action plan with strong PISG participation for bill collection and enforcement (<i>revenue collection strategy</i>).	PISG, OPM	KTA, PIV	April 2004, and ongoing
	8.3 Broad public awareness campaign regarding importance of paying bills.	OPM, PISG	KTA	Ongoing
	8.4 Non-discriminatory provision of services and treatment by public utilities providers.	KTA	PISG, PI, PII, ORC	Ongoing
9. Tax revenue fully funds the recurrent budget, and an increasing share of the public investment	9.1 Increased percentage of the KCB 2005 investment budget funded by tax revenues compared to KCB 2004.	MFE	PIV	December 2004
	9.2 Recurrent spending trend in line with recommendations of IMF and other development partners.	MFE	PIV, PISG	Ongoing

<i>Standard</i>	<i>Action</i>	<i>Responsible Authority</i>	<i>Supported By</i>	<i>Timeline</i>
10. Tax compliance indicators are substantially improving.	10.1 Development of a system of measuring compliance indicators with Kosovo's taxes and customs duties complemented by detailed compliance estimates produced on a semi-annual basis.	PISG, MFE	PIV-FAO, PISG	July 2004
	10.2 Implementation of property tax and profits tax, in compliance with the European Convention on Human Rights (ECHR).	MFE	PIV-FAO	Ongoing
	10.3 Effective and functioning internal excise tax and enforcement regime in place.	Customs	PISG	December 2004, and ongoing
	10.4 Internal VAT system is operating and following the EU Directive on VAT.	MFE	Customs	July 2004, and ongoing
	10.5 The operation of VAT rebate system is reviewed and improved.	MFE	PIV	July 2004
11. Revenue raising is free from political influence	11.1 Multi-ethnic and increasingly professional Customs service in place, free from political interference, demonstrated through: <ul style="list-style-type: none"> • Monitoring of appraisals and reported performance of ethnic communities monitored for discrimination; • Non-interference by political institutions in matters relating to staffing and competencies 	Customs	PIV, PISG	December 2004
	11.2 Multi-ethnic and professional Tax Administration in place, free from political interference, demonstrated through: <ul style="list-style-type: none"> • Opening of TA offices in all ethnic areas; • Employment of all ethnic communities in TA offices 	MFE	PIV-FAO	March 2004 onwards

<i>Standard</i>	<i>Action</i>	<i>Responsible Authority</i>	<i>Supported By</i>	<i>Timeline</i>
	11.3 Fair and equitable implementation of the tax system across business sectors, regions of Kosovo and ethnic communities.	MFE	PIV-FAO	Ongoing
	11.4 Transparent and efficient procurement processes demonstrated through independent external audits performed on a regular basis.	MPS	PIV	Ongoing
	11.5 Regular publication of public accounts including POE's.	PISG	PIV-FAO, KTA	Ongoing
	11.6 Advertisement of Government procurement processes in all official languages.	PISG-MPS	PII, PIV	January 2004, and ongoing
	11.7 Measures undertaken by the Government to fight corruption and fraud.	PISG-OPM	PIV, PI	Ongoing
	11.8 Establishment of an independent Tax and Customs Review Tribunal, to act as a second level appeals tribunal against administrative actions and decisions bearing a fiscal impact by UNMIK Customs Service and the Tax Administration of Kosovo.	PISG-MFE	PIV, OLA	July 2004

GLOSSARY:

BPK	Banking and Payments Authority of Kosovo
EFC	Economic and Fiscal Council
EIB	European Investment Bank
GDP	Gross Domestic Product
IFI	International Financial Institution
IMF	International Monetary Fund
KEK	Kosovo Electric Company
KTA	Kosovo Trust Agency
MFE	Ministry of Finance and Economy
MPS	Ministry of Public Services (DJA: Department of Judicial Administration)
MTC:	Ministry of Transport and Communications

MTI	Ministry of Trade and Industry
OLA	Office of the Legal Adviser, UNMIK
OPM	Office of the Prime Minister, PISG
ORC	Office of Returns and Communities, UNMIK
PIV-FAO	Pillar IV- Fiscal Affairs Office
PIV-CRU	Pillar IV- Central Regulatory Unit
POEs	Publicly Owned Enterprises
PTK	Post and Telecommunications Kosovo
SMEs	Small and Medium Enterprises
SOEs	Socially Owned Enterprises