



Data on March 2004 riots and follow-up actions

Information updated in March 2005

BACKGROUND:

On 17 and 18th of March 2004 a wave of violent riots swept throughout Kosovo. The violence appears to have been sparked by events in the days preceding the clashes. The first incident was the shooting of a Kosovo Serb youth in the village of Caglavica (near Pristina) on 15 March, which led to a blockade by Kosovo Serbs of the main Pristina-Skopje road just outside Pristina. The second incident, on 16 March was the death of three Kosovo Albanian children by drowning in the Rivar Ibar near the town of Zubin Potok (Mitrovica region). The cumulative effect of those incidents, made worse by inflammatory and biased media reporting, were demonstrations, which, although apparently spontaneous at the outset, quickly focused on Kosovo Serbs throughout Kosovo and involved primarily established communities that had remained in Kosovo in 1999 as well as a small number of sites of recent returns.

OVERALL DAMAGE CAUSED:

- Properties were demolished, public facilities such as schools and a health clinic were destroyed, communities were surrounded and threatened and residents were forced to leave their homes. The inhabitants of entire villages had to be evacuated and, following their departure, many homes were burned to the ground. In other cases, there were attempts to illegally occupy and, allocate abandoned property.
- A total of 19 persons died in the violence, (11 Kosovo Albanians and 8 Kosovo Serbs), and 954 persons were injured in the course of the clashes. In addition, 65 international police officers 58 KPS (Kosovo Police Service) officers and 61 personnel of the Kosovo Force (KFOR) suffered injuries. Approximately 730 houses belonging to minority communities, mostly to Kosovo Serbs, were damaged or destroyed. In attacks on the cultural and religious heritage of Kosovo, 36 Orthodox churches, monasteries and other religious and cultural sites were damaged or destroyed. The places of worship that were attacked date as far back as the XVI century. Two of them are listed by the UNESCO as major sites of universal significance and a third is listed as a site of regional significance, In addition, UNMIK and KFOR property was damaged or destroyed.

PROSECUTION OF CRIMES RELATED TO THE MARCH RIOTS:

Prosecution of crimes relating to March 2004 Riots

- So far 348 persons have been brought before the courts for riot related offences.
- Of these, 98 are still being investigated, 71 persons are indicted and awaiting trial, and cases against 179 persons have been completed.
- The bulk of these cases have been handled by the local judiciary. These include cases involving theft, arsons, attacks on officials, and other minor offences relating to the riots. In these cases there have been more than 80 convictions with sentences ranging from court reprimands and fines up to €200 through to convictions from two to six months' imprisonment.
- The international prosecutors have handled the more serious crimes arising out of the riots (56 cases at this time), which consist of all riot cases resulting in deaths; cases involving the burning of Serb houses, churches and monasteries; cases against the organizers/leaders of the riots; egregious cases of inter-ethnic violence; and cases involving significant violence against police.

Significant verdicts:

- On 14 January, 2005 a Kosovo Albanian (Adnan Dreni) was sentenced to one year's imprisonment for the offence of participation in a group as a leader that prevented an official person from performing his official duty during the March riots in Peje/Pec. In addition a fine of €300 was imposed on him for falsification of documents.
- On 14 December one Kosovo Albanian (Jeton Zogaj) was sentenced to two years and six months imprisonment in relation to the arson of two Serbian Orthodox Churches in Prizren. Two other Kosovo Albanians received suspended sentences in the same case.
- On 23 November three Kosovo Albanians (Bekim Moskov et al) received suspended sentences of two years imprisonment for participation in the arson and looting of the XIV century religious and heritage site of Bogorodica in Prizren.
- On 15 September a Kosovo Albanian (Driton Zeqiri) received a suspended sentence of 20 months imprisonment for attacking an official person on duty and participating in a crowd committing a criminal offense in Prizren.
- On 18 August a Kosovo Albanian (Orhan Maqiteva) received a suspended sentence of seven months imprisonment for attacking an official person while executing security duties, and for participating in a crowd committing a criminal offence.
- On 12 August a Kosovo Albanian (Haki Mehmeti) in Mitrovica received a suspended sentence of one year and six months for causing damage, attack on official persons and participation in a gathering that commits violence.
- On 9 August, a Kosovo Serb (Zivorad Cvetkovic) was sentenced to five years imprisonment for throwing a hand grenade at two KFOR soldiers, injuring both of them, on the Main Bridge in Mitrovica on 25 March 2004. Defendant has appealed in the Supreme Court.

Significant ongoing trials:

- Six Kosovo Albanian suspects (Sadri Shabani et al) are on trial in Gnjilane in connection with the murder of Slobodan Peric and causing serious injury to his mother Anka Peric on 17 March.
- One Kosovo Albanian (Mehmet Morina) is awaiting trial in connection with the murder of Zlatibor Trajkovic in Kosovo Polje on 17 March.
- One Kosovo Albanian (Naser Shatri) is on trial in Peje/Pec for inciting national, racial, ethnic or religious hatred, leading the riots and related charges.
- One Kosovo Albanian (Xhevdet Sylemani) is on trial in Gjilan/Gnjilane for the arson of a house owned by Serbs and light bodily injury to two of the family members.
- Two Kosovo Albanians (Blerim Sadiku and Shkumbin Hasani) are indicted in Pristina for public incitement, participation in a group that commits a criminal act and causing general danger.
- Five Kosovo Albanians (Qemajl Qilingeri et al) are indicted in Prizren for grand larceny of church bells from the Raska-Prizren Diocese of the Serbian Orthodox Church.

There are several investigations and trials still ongoing.

Security measures

Several proactive security measures have been taken post-riots:

- An understanding was reached in December between the SRSG and COMKFOR on UNMIK and KFOR responsibilities for the maintenance of order. It specifies civil disorder situations when Police would have the operational and tactical lead and disorders threatening overall security when the lead would pass to KFOR. It provides for joint Police-KFOR operations in both situations and extraordinary circumstances when the SRSG may formally ask KFOR to take the lead in maintenance of civil law and order.
- Closer coordination and cooperation has been established between Police and KFOR at all levels. Command, control, communications and liaison arrangements have been strengthened.
- On 22 October a joint operations center for Police and KFOR became operational in UNMIK Police HQ. A new command system for contingencies has been developed.
- Regional Operation Support Unit (ROSU) of the Kosovo Police Service (KPS) has been formed in all five regions of Kosovo. Comprising approximately 40 KPS officers each, ROSU serves as a highly mobile public order unit that is slated to eventually replace the international Special Police Units (SPUs).
- Contingency plans for riot control have been revised and Police and KFOR have conducted joint riot control training.
- Information on criminal activity is being shared on a daily basis between Police and KFOR.
- KFOR has increased its operational presence at the local level through mobile liaison and monitoring teams in each municipality to maintain permanent contact with local police, communities, village leaders, religious leaders and local authorities.

- Military activity has been characterised by a shift in balance from static guard tasks to less predictable and more responsive patrolling.
- Joint planning and operations developed by UNMIK and KFOR, have particular emphasis on security of minority enclaves, cultural sites and creation of a security climate conducive to returns of IDPs.
- In January 2005, under a new community policing initiative, UNMIK Police commenced phased deployment of 350 international civilian police officers to 30 locations across Kosovo that are potential returns sites and areas inhabited by vulnerable communities. This is directed at providing greater focus to the security needs of the communities and adopting a cooperative approach to crime prevention and problem solving.
- Local Crime Prevention Councils (LCPCs) that are now functional in all municipalities, provide a useful interface between the communities and the security establishment.

These measures have contributed to the stabilisation of the security situation while ensuring better security preparedness to address future possible public disorder situations.

RETURNS:

Displacement Data

Approximately 4,100 people were displaced as a result of the March 2004 events. The large majority of the displaced were Kosovo Serbs although members of the Kosovo Roma, Ashkali and Albanian population were also displaced. Prishtinë/Priština and Mitrovicë/ Mitrovica regions were most affected as large numbers were both displaced from and sought refuge in these two regions. 389 persons remained in nearby KFOR camps while the majority of the displaced sought refuge either in neighbouring enclaves or in areas populated by members of their own community. A number of people displaced as a result of March events returned to their homes almost immediately. In a week following the events, approximately 500-600 people were back in their place of origin. As of 28th February, over 1,690 individuals remained displaced with the majority located in Mitrovicë/Mitrovica (862) and Prishtinë/Priština (699) regions, smaller numbers in Gjilan/Gnjilane (98) and Prizren/Prizren (22) regions, and the smallest number (nine) in Pejë/Pec region according to UNHCR statistics.

Addressing the Humanitarian Needs of the March Displaced

In the immediate aftermath of the March events several UN agencies, Red Cross Agencies and NGOs supplied humanitarian items directly to the displaced. In particular, the Serbian and Montenegro Red Cross provided a substantial amount of *ad hoc* assistance in the form of food, shelter and basic humanitarian items. The majority of the humanitarian assistance, however, has been funded by the PISG through the UNDP-managed Government Assistance to Return (GAR) Programme in consultation with UNMIK's Office of Returns and Communities and key partners such as UNHCR. More than €1.9 million has been allocated to address the needs of persons displaced in March. This includes both assistance to IDPs in the location of displacement and assistance to returnees in the location of return and has taken the form of food, essential household

items, short and medium-term shelter, agricultural support, and specific projects which address obstacles to return. Implementation of these programmes has been handled by implementing partner NGOs. The majority of persons who remains in displacement continue to receive humanitarian assistance in the form of food distribution through UNHCR's lead agencies. The PISG has agreed to take over responsibility for humanitarian assistance to the March displaced.

Returns Projects Delayed by March, Now Moving Forward

Following March events, returns projects have been on hold for several months, but now the following organised returns projects are underway in all regions of Kosovo. Over €5 million in Kosovo funds have been allocated for these efforts:

- 50 Kosovo Serb families to Babljak/Bablak village (Ferizaj/Urosevac)
- 68 Kosovo Albanian families to Gornje Bitinje/Biti e Eperme (Štrpce/Shtërpçë)
- 28 Roma families to Abdullah Presheva/Abdula Preseva (Gjilan/Gnjilane)
- 20 Kosovo Serb families to Stajkovce/Stajkovcë (Prizren)
- 28 Gorani families to Radesa and Vranishte (Dragash/Dragaš)
- 8 families to Smac/Smac (Prizren)
- 40 Kosovo Serb families to Bellopoje/Belo Polje (Pejë/Pec)
- 40 Kosovo Serb families to Videje/Vidanje (Kline/Klina)
- 40 Kosovo Serb families to Cige/Siga and Brestovik (Pejë/Pec)
- 30 Roma, Ashkali and Egyptian families to Medvec/Medvec, Hallaq i Vogel/Mali Alas, Mostina/Mostinë Area (Lipjan/Lipljane)
- 13 Ashkali families and 1 Bosniak family to several locations in Lipjan/Lipljane
- 29 Ashkali, Roma and Serb families to several locations in Obiliq/Obilic
- 21 Kosovo Serb families to multiple locations in Fushë Kosovë/Kosovo Polje
- 5 Ashkali families to Korriku/Sitnica and 6 Albanian families to villages in southern part of Mitrovicë/Mitrovica municipality.

Reconstruction & Returns

Of the 897 houses destroyed in March 2004, which were included in the CIMC reconstruction programme, 853 (95 per cent) have been reconstructed. Reports from the field indicate that 450 of reconstructed houses (53%) are unoccupied: 202 of 474 reconstructed houses remain vacant in Prishtinë/Priština region; 204 of 209 houses remain vacant in Mitrovicë/ Mitrovica region; 40 of 125 houses remain vacant in Gjilan/Gnjilane region; 1 of 9 houses remains vacant in Prizren/Prizren region; and three of 31 houses remain vacant in Pejë/Pec region.

Of the initial 4,100 displaced (which was the estimate based on the best information available in the immediate aftermath of March events) it is estimated that approximately 700 people have returned to newly reconstructed houses. In addition, up to 1,700 returned to properties that were not damaged or destroyed.

While the obstacles impeding the return of the March displaced vary from municipality to municipality, negative perceptions of security and freedom of movement in the place of origin are cited by many of the displaced as the most serious obstacle to their return. This

is followed by concerns about the reconstruction programme and, in particular, concerns about technical quality, dissatisfaction with the compensation scheme for secondary buildings and complaints regarding delays in payment of start-up assistance.

Task Forces were established to address the outstanding issues impeding the return of IDPs in Zveqan/Zvecan Municipality (Mitrovicë/Mitrovica region) displaced from Obiliq/Obilic (Prishtina region) and Svinjare (Mitrovicë/ Mitrovica region) as these two caseloads make up the largest groups remaining in displacement.

In some cases, persons displaced in March, decided to sell their properties as reportedly 37 houses/flats were either sold, are in process of being sold or were registered for sale by their owners. Unofficial information, citing more significant numbers of property sales by the March displaced (up to 50%) have been reported, but these reports are unsubstantiated. In Prishtinë/Priština region 29 houses have reportedly been sold or are in the process of being sold. In Gjilan/Gnjilane region 5 houses have reportedly been sold while in Prizren/Prizren region 2 houses are reported to have been sold.

It is expected that some return-related movement of March IDPs will occur during Spring of 2005 as weather conditions improve, as planting season begins, as unfinished reconstruction issues are addressed and as those in temporary accommodation begin to seek longer-term solutions. For those IDPs severely traumatised by the events of last March, it is likely that they will choose to remain in displacement until the negative perceptions of security and freedom of movement are addressed.

Security Measures for March displaced

The majority of houses destroyed in March have been reconstructed. However, many of the displaced have chosen to remain in displacement rather than return leaving their houses unoccupied. As a result, many incidents of vandalism and robbery occurred as houses neared completion further undermining confidence in specific locations. In response, the SRSG authorised the temporary hiring of a private security firm to deter ongoing robberies in Obiliq/Obilic, Svinjare, Slatina and Vushtrri/Vucitrn town until the end of March. This appears to have had a deterrent effect overall although isolated cases of robberies still do occur.

In addition, to support returns and increase confidence among communities Kosovo-wide, the Police Commissioner introduced an initiative to deploy up to 350 International Police Officers in 30 locations across Kosovo as Community Policing Officers. These locations include sites from which people were displaced in March as well as return locations of those originally displaced in 1999. As confidence between communities improves, International Community Police Officers will be replaced by multi-ethnic Kosovan Police Service patrols working from their existing police stations.

Reconstruction of Buildings Destroyed in March

As of 7th of March 2005, the PISG Central Inter-Ministerial Commission (CIMC) on reconstruction reported that out of 897 houses which are part of the CIMC programme, 853 were completed. The programme completion was delayed and could not end at the end of September as originally planned. A number of houses remain to be reconstructed,

especially in Mitrovicë/Mitrovica region, and in Podkalaya (not yet included in the CIMC programme).

Out of 634 beneficiaries eligible for receiving the €2000 for elementary assistance, 552 cases are being processed for payment (87% of the total), but only 175 transfers to beneficiaries' accounts were confirmed so far. This assistance is provided to the beneficiaries whose house furniture, goods and utilities have been completely looted or destroyed by fire to help them purchasing basic house furniture and household goods.

On 27 October 2004, the Commission has initiated the process of compensation of the damaged buildings in each municipality. Confirmed lists from all municipalities have reached the Commission and proceeding with collection of beneficiary account information for compensation payment is ongoing. Out of 338 eligible beneficiaries identified by CIMC for the compensation of secondary buildings (stores, barns, and garages, etc), 188 beneficiary cases from different municipalities have already reached the Commission and are to be processed for payment, and 18 transfers to beneficiaries' accounts were confirmed so far. Inclusion of the damaged commercial buildings on the "Secondary Buildings" package has been recommended as well to the Government along with the overall CIMC programme budget extension.

Church Reconstruction:

- On the basis of damage assessment done by the expert of CoE, PISG has allocated 4.2 million Euro for the initial phase of the reconstruction of churches and monasteries damaged in March riots. After protracted negotiations with Serbian Orthodox a Memorandum of Understanding was signed between PISG and the Church laying down the general principles of cooperation on the reconstruction process.
- On the basis of this MOU an Implementation Committee chaired by the International Heritage Expert was formed with representatives of the Serbian Orthodox Church, the Serbian Ministry of Culture and the PISG to supervise the reconstruction of religious sites. However, the process stalled due to Bishop Artemije of Raska and Prizren withdrew his assent to the MOU and participation in the committee. As result reconstruction process was grounded before even it took off.
- UNMIK officials have made vigorous efforts to communicate with Bishop Artemije to stress the importance of rejoining the process of reconstruction. Several meetings have been held with the Bishop in Gracanica and with the Minister of Culture of Serbia and other officials in Belgrade to persuade them not to block this important process. The SRSG and COMKFOR also appealed to the Bishop to reconsider his decision, but to no avail.
- UNMIK made relentless efforts to generate unified position on this issue with its international partners like CoE, EC and UNESCO to persuade the Church to cooperate PISG in the reconstruction of Churches by utilizing the 4.2 million Euro already allocated. The subject was also discussed at the European Religious Leaders

Conference in Brussels, which adopted a resolution on Kosovo with specific suggestion to begin the reconstruction.

- On 18th February 2005 Holy Synod of Serbian Orthodox Church had meeting with UNMIK on the subject and decided that the reconstruction should begin with PISG allocated 4.2 million Euro on the basis of principle laid out in the Memorandum of Understanding which was signed last year. UNMIK and PISG remains committed to expeditious reconstruction of the 34 Serbian Orthodox monuments that were damaged or destroyed. However, for the process to succeed, full commitment by all sides is necessary.

POLITICAL STRATEGY

Decentralisation

- Significant progress has been made on decentralisation, of major importance in safeguarding the vital interests of minority communities and in particular the Kosovo Serbs.
- The Pristina-based “Working Group for the Reform of Local Government in Kosovo”, jointly chaired by UNMIK and the PISG, finalised a “Framework Document for the Reform of Local Self Government in Kosovo” on 19 July.
- It advocates substantial devolution of power to the local level, empowering citizens to participate fully in local government. A meeting between experts from Pristina (UNMIK and PISG, including a Kosovo-Serb community representative) and Belgrade (Serbian Government and Presidency), chaired by the Contact Group in Vienna on 27/28 September, took place in an open-minded and businesslike atmosphere, focusing on how to move forward in the implementation of local government in Kosovo.
- On 22 February the Government adopted the Local Government Reform – Working Programme, jointly developed by the Ministry for Local Government Administration (MLGA) and UNMIK. The Working Programme paves the way for the implementation of five pilot projects and development of legislation that would lead to overall reform of local government known as decentralisation.
- A Steering Board, co-chaired by UNMIK and the PISG (Ministry for Local Government Administration) will be established and oversee the work of five sub-working groups - WG Legislation, WG Local Finance, WG Pilot Projects, WG Transfer of Competencies, WG Capacity Building. Each WG will be co-chaired by UNMIK and PISG. The Council of Europe is invited to provide technical assistance. International Donor agencies are welcome to assist.

- The terms of reference for the Steering Board and the Working Groups are to be agreed to between UNMIK and the MLGA. Meeting was supposed to take place last week but was postponed due to Haradinaj indictment. A meeting will take place as soon as the new Government is selected.