
UNMIK



PISG

Additional Guidance on the Municipal Returns Strategy

Subsequent to the Municipal Returns Strategy Policy Paper circulated in July, many municipalities have begun the work of developing Municipal Returns Strategies. This is consistent with the Kosovo Standards Implementation Plan which explicitly requires municipalities and ministries to assume responsibility for returns within all communities in a manner consistent with European standards.

The 2005 mid-year review will include an assessment of municipal performance with regard to Municipal Returns Strategies. Thus far, progress has varied from municipality to municipality. A number of municipalities have already endorsed Strategies while many are in various stages of development. Still others have achieved little to no progress at all.

The purpose of this additional guidance is to further assist those municipalities which have already begun working on the Strategy while emphasizing to those that have not that the Municipal Returns Strategy remains a fundamental component of the Kosovo Standards Implementation Plan that each municipality is expected to develop and implement. The hiring of Municipal Returns Officers in many municipalities should serve to move the Municipal Returns Strategy process forward. Development of the Municipal Returns Strategy should be a priority task for newly hired Municipal Returns Officers.

Content of the Municipal Returns Strategy

The Municipal Returns Strategy is intended to serve as the framework for the activities of the Municipal Working Group during the year. It is therefore suggested that the Chief Executive Officer devise an implementation plan for each proposed action in the Municipal Returns Strategy specifying key activities and timeframes and tasking the relevant directorate or municipal authority. The Chief Executive Officer would be assisted by the Municipal Returns Officer in coordinating and monitoring these activities. It is further recommended that the Chief Executive Officer and/or the Municipal Returns Officer regularly report on the status of implementation plans for each proposed action at meetings of the Municipal Working Group.

Development of the Municipal Returns Strategy is a fundamental part of the Sustainable Returns Standard and, as has been previously mentioned, is to be framed within the larger

context of achieving greater protection of the rights of all ethnic communities in Kosovo. As such, Municipal Returns Strategies are specifically intended to ensure that municipalities work toward creating conditions for the voluntary return of non-majority communities. While forced returnees, i.e., those individuals forcibly repatriated to Kosovo, are also the responsibility of municipalities, support to this group is typically limited to humanitarian assistance and should be handled outside of the Municipal Working Group and Municipal Returns Strategy processes.

Municipalities are reminded that the endorsed Municipal Returns Strategy is an official public document. As such, municipalities are advised to avoid the use of inflammatory language, the conditioning of returns on the resolution of other issues such as missing persons, selective support for types of return, i.e., organized versus spontaneous return, rural versus urban return, as they contravene the returns principles and policies which have been agreed by the PISG and UNMIK, and which are required by the Standards Implementation Plan.

Review of the Municipal Returns Strategy

Municipalities are strongly encouraged to engage in a review process for the Municipal Returns Strategy similar to the process undertaken for return concept papers. Draft Municipal Returns Strategies should be submitted by the Municipal Assembly President through the chair(s) of the Municipal Working Group to Municipal Working Group members. Municipal Working Group members should be given adequate time to provide input and comments prior to endorsement. It is particularly important that IDPs or their representatives be included in the review process. The Municipal Assembly President, through the Chief Executive Officer or the Municipal Returns Officer(s), should ensure that IDP representatives who participate in the Municipal Working Group have an opportunity to review and provide input to the Draft Municipal Returns Strategy prior to endorsement. The Draft Municipal Returns Strategy should be discussed in the Municipal Working Group and a final decision to endorse the Municipal Returns Strategy should be reached by consensus.

As has been previously noted, municipalities are also encouraged to seek the input of Heads of Municipal Community Office, Additional Deputy Presidents, Communities Committees and Mediation Committees as well as draw from the experience of UNHCR Field Officers and UNMIK Local Community Officers and Regional Returns Units during strategy development.

Municipalities may also choose to share ideas with one another during Strategy development and implementation. UNMIK Regional Returns Units are available to facilitate meetings among Municipal Presidents, Chief Executive Officers, and/or Municipal Returns Officers within a given region in order to share best practices and discuss ways to move the Strategy development process forward on a regional level. Municipalities of origin in Kosovo are further encouraged to create links with municipalities of displacement by sharing endorsed Municipal Returns Strategies for the

purpose of joint working to facilitate return and/or address the needs of displaced persons.

Endorsement of the 2005 Municipal Returns Strategy

Many municipalities did not begin work on the Municipal Returns Strategy until late in the year while others have not begun strategy development at all. Endorsed 2004 Strategies should be updated for 2005, reviewed by Municipal Working Group members and endorsed by 31 December 2004 as has been previously advised. Municipalities which have not yet drafted strategies should develop 2005 Municipal Returns Strategies as early as possible for endorsement by 31 December 2004. Municipalities will be expected to submit endorsed Municipal Returns Strategies to the central level pending further guidance.