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# ASSESSMENT OF THE STATUS OF THE RIGHTS OF NON-MAJORITY COMMUNITIES IN KOSOVO

2022



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The year 2021 was marked by a number of turbulent events, both on a global and on a local level, that had a substantive effect on the course of socio-political life in Kosovo. Internationally, the COVID-19 pandemic continued to rage but the development of a vaccine promised a gradual emergence from a life over the past year that had been marked and shaped by various restrictions. Furthermore, the dawn of the presidency of Joseph Biden signaled a change of course in U.S foreign policy that had the potential to impact the Western Balkans Region, which emerged as a possible flashpoint between Russia and western powers. Domestically, the year's first major event were assembly elections held in February, which saw Albin Kurti swept to power on a wave of popular discontent with the status-quo.<sup>1</sup> His *Vetvendosje!* Party won 50% of the popular vote, and was able to easily reach a majority of seats in the Assembly, a vast improvement over his previous mandate that lasted only a couple of months.<sup>2</sup>

Kurti's (second) ascension to high office was characterized by a more aggressive tone adapted in the government's dealings with Serbia and the Kosovo Serb community, something that served to generate an atmosphere of apprehension in many sectors of Kosovo's non-majority communities. Furthermore, promises of an 'internal direct dialogue' failed to materialize, something that was perhaps further aggravated by a perception that Kurti's cabinet was prone to undertaking unilateral steps in the near-total absence of prior consultation with non-majority political actors and/or the international community. The continued rise in the number of criminal incidents in Kosovo-Serb communities fueled a precipitous decline in the extent to which their members expressed confidence in the security situation, exacerbating a pre-existing sense of impunity. In a similar vein, the use of force on the part of government actors in Kosovo's four northern municipalities, regardless of the reason, left many community members with the feeling that they were unjustly targeted.

<sup>1</sup> KosSev, *Kosovo snap elections LIVE 2021*, available at: <https://kossev.info/kosovski-vanredni-izbori-uzivo/>

<sup>2</sup> Politico, *Ousted Ex PM wins historic victory in Kosovo Election*, available at: <https://www.politico.eu/article/ousted-ex-pm-wins-historic-victory-in-kosovo-election-albin-kurti/>

It was in this environment that NGO AKTIV began work on its second annual **Assessment of the Status of the Rights of Non-Majority Communities in Kosovo**. Employing a similar format and methodology used for previous research, AKTIV attempted to keep abreast of developments that could potentially impact the implementation of legislation that governs communities' rights, and to measure the extent to which they ushered in tangible changes (be they positive or negative) in institutional practices. In this regard, what is perhaps most noticeable is not change but rather its near-total absence. In fact, and as will be argued throughout the course of this publication, the situation did in many regards worsen over the course of 2021, as many institutional shortcomings pointed out by this report last year remained largely unaddressed by relevant authorities. The question of a potential linkage between a deterioration of public rhetoric employed when discussing, for example, the dialogue process or inter-ethnic relations, and the rise in security incidents is difficult to ascertain from a methodological perspective, but the fact that many non-majority communities members feel less secure and less certain over their futures in Kosovo is an ongoing cause for concern.

Many of the issues described above are, first and foremost, questions of perception and public sentiment, which have arisen due to the changing tone and nature of public statements made by political actors in both Kosovo and Serbia. When it comes to the 'nitty-gritty' of daily institutional life, the situation has remained fairly stagnant in the sense that the same degree of non-implementation of, for example, the Law on the Use of Languages, was noted this year as it was in 2020. Access to basic services continued to prove a challenge, particularly for those citizens living in smaller and more isolated communities. Long-term solutions to questions such as freedom of movement, access to identity documents, and the protection of cultural heritage, continued to remain elusive and often colored by political posturing.

**The Assessment of the Status of the Rights of Non-Majority Communities in Kosovo** for 2021 is a publication that, unlike reports of a similar nature, aims to shed light on the perspective of ordinary citizens on the problems they face daily or periodically and the interests which they think decision-makers should take into greater consideration. In that sense, the research team conducted fourteen (14) focus groups with members of non-majority communities in Kosovo municipalities in which Ashkali, Bosniaks, Egyptians, Gorani, Roma, Turks, and Serbs make up a significant portion of the population. Apart from the focus groups with citizens, an additional eighteen (18) interviews were conducted with representatives of the non-governmental sector and media, as well as with decision-makers from the ranks of the non-majority communities. This research approach aimed to explore the personal attitudes and interests of non-majority communities, about which there is very limited social and political discussion. As was the case with last year's report, this most recent edition will examine the life of non-majority communities through political participation, access to services, socio-economic issues, identity and cultural heritage.

The feedback gathered from the perspectives of ordinary citizens, but also prominent representatives of non-majority communities were included in the report whose goal is to inform the public both in Kosovo and regionally about the obstacles encountered by members of non-majority communities. It is important to emphasize that this report does not seek to cover all issues and key topics of importance to non-majority communities, but to encourage a reaction from central and local institutions, which would without further delay take more seriously the facts that will be presented in the paper.



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## II. OVERVIEW OF RIGHTS IN 2021

### LANGUAGE AND ACCESS TO INFORMATION

The question of language rights, in other words, the institutional respect of legislation that governs official bilingualism, remained in 2021 one of the key challenges faced by non-majority communities. The ossification of the situation stemmed from an ongoing lack of political will to address institutional shortcomings in a comprehensive and holistic manner, and continued to negatively affect the ability of many members of Kosovo's communities to function within institutional structures at all levels of governance. Reports issued by the U.S State Department<sup>3</sup>, the Kosovo Ombudspersons Institution<sup>4</sup>, and the European Commission all noted problems when it comes to adherence to the Law on the Use of Languages. The Ombudsperson Institution also stated that it had received a number of complaints from members of non-majority communities due to non-compliance with official bilingualism.<sup>5</sup> While the reports vary in tone, the question of language rights was generally highlighted as one of the more pressing issues facing non-majority communities.

There were remarkably few developments in terms of language rights over the course of 2021 in that the situation remained fairly stagnant. Members of non-majority communities continued to report challenges in receiving information and services in their native languages, particularly in municipalities that are otherwise Albanian-majority. In fact, many of those who took part in interviews and focus groups expressed the opinion that the situation had actually worsened between 2020 and 2021, particularly when it came to contact, cooperation and service delivery at the level of local governance.<sup>6</sup> One interviewee cited that the Center for Social Work in Peja/Peć as having a particularly poor relationship with local residents of Serb nationality, with employees refusing to communicate and/or provide information in the Serbian language.<sup>7</sup> Similar impressions and experiences were noted by Serb residents of Priluzhje/Përluzhë (Vushtrri/Vuçitër municipality)<sup>8</sup>, and Osojane/Osojan (Peja/Peć municipality). In these areas a frequent complaint is that employees in local institutions 'refuse' to speak to them in Serbian, or that they will not provide them with necessary services. Generally speaking, the feeling and consensus among research participants from the Kosovo Serb community was either that the overall situation remained unchanged between 2020 and 2021 or that it had gotten worse, particularly after Albin Kurti's victory in the February 2022 elections.

<sup>3</sup> State Department, *2021 Country Reports on Human Rights Practices: Kosovo, 2022*, available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/kosovo/>

<sup>4</sup> International Ombudsman Institute, *KOSOVO | Ombudsperson publishes Annual Report 2021, 2022*, available at: <https://www.theioi.org/ioi-news/current-news/ombudsperson-publishes-annual-report-2021#:~:text=The%20Ombudsperson%20Institution%20of%20Kosovo,1%20January%20%2D%2031%20December%202021.>

<sup>5</sup> *Ibid*, pg. 80.

<sup>6</sup> Based on interviews and focus groups conducted for the purposes of this research between August and October of 2022.

<sup>7</sup> Interview with a Kosovo-Serb resident of Peja/Peć in September of 2022.

<sup>8</sup> Based on a focus group conducted in Priluzhje/Përluzhë in August of 2022.

The **Kosovo Serb community's** ability to access services and information is obstructed to a significant degree by continued structural problems when it comes to the respect of bilingual legislation. This is particularly evident in everyday interactions with institutions at the level of central governance as well as local official bodies. NGO AKTIV continued to note problems in the translation of official press releases, ministerial and other official websites, and on platforms such as 'eKosova'. Among these, it should be noted that the **Kosovo Tax Authority** was perhaps one of the worst offenders throughout 2021, with numerous forms and instructions either unavailable in the Serbian language or with extremely poor translations<sup>9</sup> that often contained words that do not exist in Serbian.<sup>10</sup> Furthermore, while the eKosova online portal, designed to streamline various administrative processes and procedures, did indeed have a Serbian version, numerous grammatical and lexical errors were noted, with certain sections only partially and/or incorrectly translated.<sup>11</sup>

The **Bosniak community** notes similar problems when it comes to language usage at an institutional level, particularly in regions in and around Prizren and Peja/Peć.<sup>12</sup> As is the case with the Serbian language, it was reported that the situation in terms of language rights (at the local level) had actually worsened, and that the Prizren municipality in particular does not issue/provide information in the Bosnian language (despite the fact that Bosnian is a 'language in official use' in that municipality). It was furthermore noted among research participants that local authorities, at times, refuse to communicate in their native tongue. One local resident in the Prizren municipality of Bosniak nationality stated that, when reporting an incident regarding their personal property, the police refused to provide them with translations and said that: 'You Bosniaks should learn Albanian'.<sup>13</sup>

Journalists from media portals in non-majority community noted continued and frequent issues throughout 2021 in accessing information in **the Serbian and Bosnian languages**, particularly when it came to translations of press releases, official statements and interpretation during press conferences.<sup>14</sup> This problem was widely discussed in 2020 when Serbian-language media outlets reported that the Kosovo government was not releasing information in the Serbian language, although some journalists stated that they had in fact observed a certain degree of improvement in that area. They also noted reluctance on the part of political and institutional actors at both the local as well as the central level of give interviews, although it was also said that this is an issue faced by their Albanian colleagues as well and is therefore not necessarily specific to journalists from non-majority communities.<sup>15</sup> That having been said, difficulties in accessing official information, frequent lack of translations of communiques from central-level ministries and the Kosovo Police, put non-majority reporters at a comparative disadvantage, in that they are required to invest additional time and effort into securing adequate translations. On the other hand, journalists working for Radio-Television Kosovo's (RTK) Serbian and Bosnian services stated that they had noticed improvements in terms of the provision of translations, and that the situation within RTK 2 is one where official bilingualism is respected.<sup>16</sup>

<sup>9</sup> Based on monitoring visits to the Kosovo Tax Authority Website throughout 2021. (<https://www.atk-ks.org/sr/>)

<sup>10</sup> An example of this is the use of the word 'buton' on the Serbian version of the Tax Authority Website (<https://www.atk-ks.org/sr/>) instead of the correct 'dugme'.

<sup>11</sup> Based on monitoring visits to the 'eKosova' website (<https://ekosova.rks-gov.net/>) throughout 2021.

<sup>12</sup> Based on focus groups carried out with members of the Bosniak community between August and October of 2022.

<sup>13</sup> Ibid.

<sup>14</sup> Based on interviews with journalists of Serbian, Gorani and Bosniak nationality conducted between August and October of 2022.

<sup>15</sup> Ibid.

<sup>16</sup> Based on interview conducted with journalists working for Radio Television Kosovo (RTK) in October of 2022.

Other non-majority communities such as **Gorani, Bosniak and Roma, Ashkali and Egyptians** reported equally onerous hurdles to accessing information in their native languages, a problem that is particularly acute at the municipal level, where languages often have the status of being in official use (such as Romani in Gračanica/Gračanicë), which obligates authorities to provide services in those languages. For example, almost no information regarding COVID vaccinations were provided in Gorani, Romani, Turkish or Bosnian. Furthermore, very few official websites are currently available in any of the above-mentioned languages. Residents who are part of Kosovo's **Turkish community**, particularly those living in municipalities outside Mamuşa/Mamusha/Mamuša, noted repeated instances of linguistic discrimination at the institutional level. This was understood to mean a lack of interpreters employed by the municipal administration in Prizren (including during meetings held by the Office for Communities), and a lack of official communication information provided in the Turkish language, among others.<sup>17</sup>

In late 2021 it was reported by local media outlets that the Language Commissioner (which operates within the scope of the Office of the Prime Minister) had selected the Ministry of Internal Affairs and the Kosovo Police as recipients for a prize for Best *Practices in Implementing the Law on the Use of Languages*<sup>18</sup>. Their selection provoked a strong response from Kosovo Serb civil society organizations, who cited numerous shortcomings in the work of both institutions in that regard, averring that it essentially awarded poor institutional practices.<sup>19</sup>

One positive note was an announcement made in early 2021 that the University of Pristina would open a Balkanistics Program<sup>20</sup> with the support and assistance of the Organisation for Security and Cooperation in Europe (OSCE), the International Organization for Migration (IOM) and the British Embassy, that would include Serbian-language courses for students there. This was considered to be an important step, as it was seen as something that (in the long run) has the potential to improve inter-ethnic communication and equip a new and better qualified generation of translators and interpreters for work in the public sector.

## COVID-19

Throughout 2021, the COVID-19 pandemic continued to pose a challenge to public health authorities, often putting strain on hospitals and interrupting the free movement of goods and persons.

<sup>17</sup> Based on interviews and focus groups with members of the Turkish community between August and October of 2022.

<sup>18</sup> KosSev, Empirika: Review the decision on giving the award for “Best practice in the implementation of the Law on the Use of Language”, 2021, available at: <https://kossev.info/empirika-preispitati-odluku-o-dodeli-nagrade-za-najbolju-praksu-u-primeni-zakona-o-upotrebi-jezika/>

<sup>19</sup> NGO AKTIV, Statement regarding the awarding of the prize of “Best practices in the implementation of the Law on the Use of Languages” to institutions, 2021, available at: <http://ngoaktiv.org/news/statement-regarding-the-awarding-of-the-prize-of-best-practices-in-the-implementation-of-the-law-on-the-use-of-languages-to-institutions>

<sup>20</sup> KosSev, The Balkanistics Programme at the Faculty of Philology in Pristina awaits accreditation, Language Center to be opened, 2021, available at: <https://kossev.info/the-balkanistics-programme-at-the-faculty-of-philology-in-pristina-awaits-accreditation-language-center-to-be-opened/>

Although many measures, such as internal restrictions on the operations of businesses, travel between municipalities and curfews<sup>21</sup> were lifted gradually over the course of 2020, Kosovo continued to be confronted with periodic rises in case numbers.<sup>22</sup> That having been said, initial confusion over entry and exit requirements was somewhat abated by a slow, if not complete, return to pre-pandemic norms. Still, and will be elaborated in the ensuing passages, the advent of a vaccine against the virus, and accompanying questions over how it would change the dynamics of the overall situation, particularly in terms of freedom of movement, proved to be politically volatile and again exposed fissures and shortcomings in the relationship between central-level institutions and Kosovo's non-majority communities.

With the development of a vaccine against COVID-19, an era of promise was ushered in that hinted at a beginning of the end of the global pandemic that had wrought such disruption to nearly every level of public and private life over the past year. Despite the shared euphoria over this news, politics, particularly in the Western Balkans, slowly made its presence felt as questions (logistical and otherwise) slowly arose as to how and to whom vaccine doses would be distributed. The government of Serbia was the first in the region, and among the first in Europe, to begin administering vaccine doses (Pfizer) in December of 2020.<sup>23</sup> That same month, the Serbian government also made available vaccines (also Pfizer) to residents of Kosovo aged 65 and older<sup>24</sup>. This development was met with a certain degree of consternation from the Kosovo government, who responded by seizing vaccines and banning their entry into Kosovo, citing alleged lack of coordination with the government of Serbia.<sup>25</sup> Notably, the Kosovo Police raided the Health Centre in the municipality of Štrpce/Shtërpçë, searching for 'illegal' vaccine stockpiles.<sup>26</sup> Local residents cited feeling intimidated by this action, as well as concerns over access to vaccines (in general), particularly when the government of Kosovo began to introduce vaccine and testing requirements for entry into Kosovo.<sup>27</sup> While this provoked a strong response from the Office of Kosovo and Metohija, the government of Serbia subsequently ceased vaccination efforts in Kosovo itself, instead opening up centers specifically for residents of Kosovo in Raška (for northern Kosovo), Kuršumljija (western and central Kosovo), and Bujanovac (southern Kosovo).<sup>28</sup> Indeed, the vast majority of Kosovo Serbs who elected to receive the vaccine did so in Serbia, where they were able to register through the eUprava online portal.<sup>29</sup>

<sup>21</sup> KosSev, *Kosovo Government: Decision on restriction of movement is revoked*, 2021, available at: <https://kossev.info/kosovska-vlada-ukinuta-odluka-kojom-je-ograniceno-kretanje/>

<sup>22</sup> Kosovo Online, *The EU is preparing restrictive measures for Kosovo and North Macedonia due to the deterioration of epidemiological situation*, 2021, available at: <https://www.kosovo-online.com/koronavirus/eu-sprema-restriktivne-mere-za-kosovo-i-severnu-makedoniju-zbog-pogorsane-epidemioloske>

<sup>23</sup> Atlantic Council, *How Aleksandar Vučić stole the vaccine-diplomacy show*, 2021, available at: <https://www.atlanticcouncil.org/blogs/new-atlanticist/how-aleksandar-vucic-stole-the-vaccine-diplomacy-show/>

<sup>24</sup> NGO AKTIV, *Vaccinations in Kosovo Serb Communities*, 2021, available at: <http://ngoaktiv.org/publication/vaccination-in-the-kosovo-system>

<sup>25</sup> Ibid.

<sup>26</sup> KosSev, *A search was carried out in the Health House in Štrpce/Shtërpçë, Kosovo institutions were looking for vaccines*, 2021, available at: <https://kossev.info/izvršen-pretres-u-domu-zdravlja-u-strpcu-kosovske-institucije-trazile-vaccine/>

<sup>27</sup> Based on interviews and focus groups conducted for the purposes of this research between August and October of 2022.

<sup>28</sup> NGO AKTIV, *Vaccinations in Kosovo Serb Communities*, 2021, available at: <http://ngoaktiv.org/publication/vaccination-in-the-kosovo-system>

<sup>29</sup> Ibid.

What's more, organized transport was provided to and from Serbia for members of the Kosovo Serb, Gorani, Bosniak and Roma, Ashkali and Egyptian communities.<sup>30</sup> Generally speaking, alongside their Kosovo Serb counterparts, members of the **Gorani community** took advantage of early opportunities to receive the vaccine in Serbia, and the majority of those who were vaccinated did so there, rather than in the Kosovo system. Reasons for this can be attributed to a lack of consistent communication between that community and the government of Kosovo, as well as an inability to access information regarding vaccination within Kosovo's institutional system<sup>31</sup> in languages other than Albanian. Here a distinct pattern can be noted, as members of other non-majority groups (such as **Roma and Bosniaks**) made similar complaints.<sup>32</sup> Some of this can be boiled down to a certain degree of passivity on the part of Kosovo's health and other relevant authorities, as they, at least in part, moved from the assumption that Kosovo Serbs in particular would receive their vaccines in Serbia. That having been said, this can be seen as fitting into a larger pattern in which the Kosovo government does not invest sufficient resources into ensuring the availability of essential information in Serbian or other non-majority languages. The situation for the **Bosniak community** was somewhat different due to its geographic distribution, with those living in municipalities such as Prizren received their vaccines in Kosovo and those resident in the four norther municipalities in Serbia.<sup>33</sup> That having been said, members also cited an initial lack of coordination with central level institutions as well as a dearth of information available to them in the Bosnian language.<sup>34</sup> Members of the Turkish community noted that they received information on the vaccine, by and large, through word-of-mouth and text messages received from the Ministry of Health (in Albanian) and online portals. Furthermore, it was also reported the forms and other official information were not made available to that community in the Turkish language.<sup>35</sup> Members of non-majority communities who attempted to make appointments through the eKosova online administration portal reported frequent outages and other technical issues, although this problem was not necessarily experienced only by them.<sup>36</sup> Finally, it should be noted here that that same mechanism (eKosova), which is a wide-ranging hub for accessing information and certain documents and making appointments at government institutions, is available only in Serbian, Albanian, English.<sup>37</sup> Likewise, and as of the publishing of this report, the sub-section for scheduling vaccine doses is available only in the three above-mentioned languages.

The debate around vaccination was, in the **Kosovo Serb community**, often clouded by fairly widespread disinformation and suspicion, with many residents expressing an early reluctance to receive the vaccine, often citing reservations regarding its safety.<sup>38</sup> This can be attributed, at least in part, to a pre-existing lack of trust in mainstream media, governing institutions and international actors such as the European Union and the United States. Similar tendencies were noted in the **Gorani Community**<sup>39</sup>.

<sup>30</sup> Ibid, and based on interviews and focus groups conducted for the purposes of this research between August and October of 2022.

<sup>31</sup> Based on interviews with members of the Gorani community conducted between August and October of 2022.

<sup>32</sup> Based on interviews and focus groups with members of the Roma, Ashkali and Egyptian communities.

<sup>33</sup> Based on interviews with members of the Bosniak community conducted between August and October of 2022.

<sup>34</sup> IBID

<sup>35</sup> Based on interviews with members of the Turkish community conducted between August and October of 2022.

<sup>36</sup> IBID

<sup>37</sup> See: <https://ekosova.rks-gov.net/#>

<sup>38</sup> NGO AKTIV, *COVID-19: Between Reality and Disinformation*, 2020, available at: <http://ngoaktiv.org/publication/covid-19-between-reality-and-disinformation>

<sup>39</sup> Based on interviews with members of the Gorani community conducted between August and October of 2022.

As mentioned previously, the advent of a vaccine changed regional dynamics in terms of the free movement of goods and persons – after a long period of restrictions on travel, it was widely anticipated it would again be made possible as long as an individual had received a certain number of doses of one of the available vaccines. The initial introduction of entry measures that involved vaccine and/or testing requirements throughout 2021 was often met with confusion and anxiety, particularly from members of the **Serb** community.<sup>40</sup> The fact that these new requirements were often imposed in fairly short order (with limited time to prepare for compliance), meant that concerns over renewed constraints over freedom of movement arose, particularly for those residents who had not yet received a dose of a vaccine. Furthermore, it was stated that a concern took root that such measures would serve to inhibit or prevent Serbs from receiving the vaccine because they would not be able to re-enter Kosovo immediately after receiving a first dose.<sup>41</sup> Although the new requirements were not particularly different in their nature and content from other countries in the region, or indeed in Europe as a whole, the fact that this occurred in the absence of communication with non-majority communities fostered a situation of uncertainty, particularly regarding movement between Serbia and Kosovo.<sup>42</sup> This was perhaps further aggravated by an announcement made in December of 2021 that from January of 2022, the Kosovo border authority would begin asking confirmation for a third dose of the vaccine.<sup>43</sup> Despite all of this, practice often strayed from official administrative instructions, with many non-vaccinated residents of Kosovo reporting being able to enter easily, particularly at the northern Jarinje/Jarinjë and Brnjak/Bërnjak crossings.<sup>44</sup>

## PUBLIC RHETORIC

The election of Albin Kurti in February of 2021 brought along with it a significant shift in the tone and tenor of public rhetoric in relation to Kosovo's non-majority communities, particularly Kosovo Serbs. Statements made by political actors representing the Kosovo Albanian community, chiefly President Vjosa Osmani, took on a notably sharper tone from previous administrations, with numerous accusations aimed at Serbia, including that it must 'answer for genocide', that is it the 'main source of destabilization in the region' and that it is a 'cancer' on Europe and that Kosovo won't form the Association/Community of Serb-Majority Municipalities.<sup>45</sup><sup>46</sup><sup>47</sup> The effect this has had on inter-ethnic relations at the ground level remains to be seen and certainly demands further and more detailed research, but it would appear that many residents of Serb-inhabited areas, particularly those living south of the river Ibër/Ibar,

<sup>40</sup> Based on interviews and focus groups conducted with members of the Kosovo Serb community for the purposes of this research between August and October of 2022.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Kosovo Online, As of January 3, *stricter measures for entering Kosovo, with a certificate of revaccination*, 2021, <https://www.kosovo-online.com/koronavirus/ostrije-mere-za-ulazak-na-kosovo-od-3-januara-sa-potvrdom-o-revakcinaciji-1-12-2021>

<sup>44</sup> Based on interviews and focus groups conducted with members of the Kosovo Serb community for the purposes of this research between August and October of 2022.

<sup>45</sup> Irish Times, *Kosovo's new president says Serbia must answer for 'genocide'*, 2021, available at: <https://www.irishtimes.com/news/world/europe/kosovo-s-new-president-says-serbia-must-answer-for-genocide-1.4537358>

<sup>46</sup> President of Kosovo, *President Osmani: Serbia and Vucic's hegemonic regime are the main sources of destabilization in the region*, 2021, available at: <https://president-ksgov.net/en/news/president-osmani-serbia-and-vucics-hegemonic-regime-are-the-main-sources-of-destabilization-in-the-region>

<sup>47</sup> N1, *Kosovo won't form CSM; Serbia is cancer of Europe, President says*, 2021, available at: <https://rs.n1info.com/english/news/kosovo-wont-form-csm-serbia-is-cancer-of-europe-president-says/>



feel that this has 'trickled down' and is 'reflected in local relationships' in the sense that they noted over the course of 2021 (negative) shifts in how they were approached and treated by local authorities.<sup>48</sup> In other countries that have elected governments with a nationalistic political orientation, potential correlations have been identified between increasingly ethno-centric rhetoric and increased incidents of violence (verbal or physical)<sup>49</sup>. Whether or not this is the case in Kosovo will prove to be particularly difficult to establish empirically, but it is nevertheless an area that requires further serious investigation due to its implications for the security of vulnerable communities.

## SECURITY

According to the European Commission's annual report on Kosovo's progress towards the EU accession<sup>50</sup>, the security situation in non-majority communities in Kosovo was stable in 2021, but the increase in the number of incidents in areas inhabited by members of Kosovo Serb community living south of the Ibër/Ibar River was emphasized. Cases of robbery, arson, thefts of livestock and vehicles, as well as bodily injuries, cases of the use of firearms and attempted kidnapping were highlighted<sup>51</sup>. In the period between January 1 and December 31, 2021, the Rapid Response Civic Group (RRCG), led by the NGO AKTIV, closely monitored the development of the security situation in areas inhabited by members of the Kosovo Serb community, but also in parts of Kosovo with a significant presence of other non-majority communities. The research has found that during a one-year period in areas with a significant presence of members of this community, a total of 87 incidents occurred in 25 municipalities throughout Kosovo.<sup>52</sup> Data collected by NGO AKTIV on security in Serbian communities were included in the Department of State's report on Human Rights Practices in Kosovo<sup>53</sup>. Based on the previously defined categorization of incidents and methodology for security situation monitoring, the total number of incidents during 2021 was divided into the following:

- Damage/theft of religious and other property of Serbian Orthodox Church (24).
- Damage/burglary/robbery of households (21).
- Physical attacks (18).
- Provocative graffiti (12).
- Theft/damage of private movable property (6).
- Theft/damage to property belonging to public institutions (6).

Apart from the fact that compared to 2020, a worrisome increase in the total number of incidents (76 in total) was observed<sup>54</sup>, RRCG recorded as many as 18 cases of damage/theft of religious and other property of SOC in 2021, more than in previous year. The most common targets of vandals in these cases were churches, or more precisely burglary and subsequent theft of money and valuable items that were in there.

<sup>48</sup> Based on interviews and focus groups conducted with members of the Kosovo Serb community for the purposes of this research between August and October of 2022.

<sup>49</sup> Edwards, Griffin Sims and Rushin, Stephen, *The Effect of President Trump's Election on Hate Crimes*, 2018, available at: <https://ssrn.com/abstract=3102652> or <http://dx.doi.org/10.2139/ssrn.3102652>

<sup>50</sup> European Commission, *Kosovo\* 2021 Report*, 2021, str. 36, available at: [https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2021\\_en](https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2021_en)

<sup>51</sup> Ibid.

<sup>52</sup> NGO AKTIV, *Security incidents for the period from January 1 to December 31, 2022*, available at: <http://ngoaktiv.org/uploads/files/RRCG%20Bezbednosni%20incidenti.pdf>

<sup>53</sup> State Department, *2021 Country Reports on Human Rights Practices: Kosovo, 2022*, available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/kosovo/>

<sup>54</sup> NGO AKTIV, *Assessment of the Status of Non-Majority Rights in Kosovo*, 2021, pg.18, available at: [http://ngoaktiv.org/uploads/files/Kosovo\(Srb\)web.pdf](http://ngoaktiv.org/uploads/files/Kosovo(Srb)web.pdf)

Furthermore, cases of desecration of Orthodox cemeteries (demolition of tombstones) were recorded in Goraždevac/Gorazhdec (Peja/Peć municipality)<sup>55</sup>, Rahovec/Orahovac<sup>56</sup> and in Fushë Kosovë/Kosovo Polje<sup>57</sup>. The number of cases of physical attacks on Serbs with the use of sidearms or firearms and physical violence is also alarming (20 cases in 2020; 18 in 2021). The use of firearms by ROSU special units and wounding of a resident of Zvečan/Zvečan municipality on October 13, 2021<sup>58</sup> has especially disturbed Serbian residents. Focus groups and interviews conducted during the research process for this year's publication showed that, compared to previous years, Kosovo Serbs perceive the security situation in areas inhabited by members of this community as extremely bad. Findings of the research carried out by NGO AKTIV in this community for six years in a row support this claim, which showed that the perception of the security situation in Kosovo is deteriorating, and that in a period of only three years, the percentage of respondents who believe that the situation is deteriorating further every year increased by more than 10%<sup>59</sup>. According to the claims of security experts from the ranks of Serb community, frequent interventions of special police units in areas inhabited by members of Kosovo Serb community had influenced a significant shift in the perception of citizens<sup>60 61</sup>, especially of those in northern Kosovo<sup>62 63</sup> which received the harshest condemnation of the non-governmental sector from this community<sup>64</sup>. In addition to that, announcements on the construction of what is reportedly the largest KSF base<sup>65</sup> in Kosovo near Serb-majority municipalities (in the north) further undermined the already negative perceptions of personal and collective security.<sup>66</sup>

<sup>55</sup> Radio Goraždevac, *Arrested persons who robbed a tomb in Goraždevac/Gorazhdec*, 2021, available at: <https://www.gorazdevac.com/2021/03/15/uhapsena-lica-koja-su-opljackala-grobnicu-u-gorazdevcu/>

<sup>56</sup> Gračanica online, Office for KiM: *Orthodox cemetery in Rrahovec/Orahovac was desecrated*, 2021, available at: <https://gracanicaonline.info/2021/06/14/kancelarija-za-kim-oskrnavljeno-pravoslavno-groblje-u-orahovcu/>

<sup>57</sup> RTV KIM, *Fushë Kosova/Kosovo Polje: Desecrated monuments in the cemetery, garbage dump at the entrance*, 2021, available at: <https://www.radiokim.net/vesti/hronika/kosovo-polje-oskrnavljeni-spomenici-na-groblju-deponija-smeca-na-ulazu.html>

<sup>58</sup> Euronews Serbia, *Srećko Sofronijević from Zvečan/ Zvečan was wounded by a firearm, he underwent surgery and is now in intensive care*, 2021, <https://www.euronews.rs/srbija/politika/20679/vatrenim-oruzjem-ranjen-srecko-sofronijevic-iz-zvecana-operisan-je-i-sada-je-na-intenzivnoj-nezi/vest>

<sup>59</sup> NGO AKTIV, *Trend Analysis: Attitudes of the Serbian Community in Kosovo 2021*, 2021, pg. 50, available at: <http://ngoaktiv.org/uploads/files/Analiza%202021%20Final%20English%20%281%29.pdf>

<sup>60</sup> KosSev, *New action of Kosovo special forces, RTV Puls: Two Serbian houses were searched in Šilovo/Shillovë*, 2021, available at: <https://kossev.info/nova-akcija-kosovskih-specijalaca-u-silovu-izvršen-pretres-dve-srpske-kuce/>

<sup>61</sup> Radio Goraždevac, *In Štrpce/Shtërpçë 10 people were arrested, among them the former mayor of the municipality*, 2021, available at: <https://www.gorazdevac.com/2021/12/21/uhapseno-10-osoba-u-strpcu-medunijima-i-bivsi-predsednik-opstine/>

<sup>62</sup> Radio Free Europe, *Injured, arrested and barricades in the north of Kosovo*, 2021, available at: <https://www.slobodnaevropa.org/a/kosovo-sever-protesti-krijumcarenje/31506691.html>

<sup>63</sup> KosSev, *After delivery of the containers, special units in northern Kosovo as well*, 2021, available at: <https://kossev.info/posle-dopremanja-kontejnera-na-severu-kosova-i-specijalne-jedinice/>

<sup>64</sup> KosSev, *OPEN Initiative: The use of special forces during the campaign leads to the radicalization of voters*, 2021, available at: <https://kossev.info/inicijativa-open-ovakvi-postupci-lako-mogu-dovesti-do-otvorenog-konflikta-nasagledivih-razmera/>

<sup>65</sup> KosSev, *The largest KSF base in Kosovo is being built in South Mitrovica*, 2021, available at: <https://kossev.info/u-juznoj-mitrovici-se-gradi-najveca-baza-kbs-a-na-kosovu/>

<sup>66</sup> Based on interviews and focus groups conducted for the purposes of this research in the period from August to October 2022.



Contrary to the claims of the European Commission that Kosovo police generally acts swiftly in cases of threats to private and public security and property<sup>67</sup>, monitoring of the process of prosecution of criminal offenses in 87 cases carried out by RRCG and NGO AKTIV showed that, just as in previous years, judicial and law enforcement authorities failed to exercise their powers and take a more proactive approach in suppressing and prosecuting criminal offences. Interviewees have pointed out during research that this was why lack of trust in institutions was increasing and the reason for consequential decisions not to report these cases. It is important to emphasize that during 2020 and 2021 there were no condemnations of incidents by officials at the central level, especially in cases of physical attacks. As a rare example of an exception to this practice one can list the condemnation of MP (and head of caucus of the Vetevendosje party) Mimoza Kusari Lila, condemned the physical attack on a boy in Gojbulja/Gojbujë and the threats directed at the returnee Dragica Gašić from Gjakova/Đakovica<sup>68</sup>.

As in previous years, frequent cases of robbery and theft of private property along the border areas of Dragaš/Dragashi municipality still remain largely unsolved. Citizens of **Gorani** and **Bosniak nationality** highlighted the fact that in this part of Kosovo, this problem has been present for decades<sup>69</sup>, and stated that the local population, due to absence of an adequate and timely reaction of competent institutions, in a large number of cases do not report thefts at all. The latter stems from distrust in the reaction of law enforcement agencies, but also because, as citizens have often emphasized<sup>70</sup>, the porous border with Albania, and the lack of border patrols that would prevent the potential entry of those who, as they opined, threaten their private property. Despite a series of requests submitted to Kosovo police for an increased presence of police officers in the border areas of Dragaš/Dragashi municipality, this did not happen in 2021. Furthermore, the residents of this southernmost municipality expressed their fear that trust in local police units would decrease significantly in the coming period due to the fact that in 2021 the number of members of non-majority communities employed in law enforcement agencies has drastically decreased. **Bosniaks** of Župa/Srecka and Podgora/Podguri noticed an increase in the number of robberies of commercial buildings and mosques in that region and complained about the complete absence of prosecution of perpetrators of criminal acts.

Respondents of Turkish nationality pointed out that the security situation in their communities is peaceful, and that during 2021 and in previous years, they did not witness any cases of threats to security and property. As an exception to this rule, members of this community are particularly concerned about the increase in the number of websites and fake social media profiles, which are sending insulting messages against Kosovo Turks<sup>71</sup>. On the other hand, members of the Roma, Ashkali and Egyptian communities pointed out that they are frequent victims of violent outbursts of ordinary citizens, and that in almost all cases they do not report such threats to their private security to the police or the judicial authorities. As experts from these communities say, this treatment comes solely as a consequence of general discrimination and stigmatization, which are perceived as acceptable in certain parts of Kosovo society<sup>72</sup>.

<sup>67</sup> European Commission, *Kosovo\* 2021 Report*, 2021, pg. 36, available at: [https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2021\\_en](https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2021_en)

<sup>68</sup> KosSev, *Kusari Lila condemned the attack on the Serbian boy in Gojbulja/ Gojbujë and criticized the petition against the return of Dragica Gašić*. 2021, available at: <https://kossev.info/kusari-ljilja-osudila-napad-na-srpskog-decaka-u-gojbulji-i-kritikovala-peticiju-protiv-povratka-dragice-gasic/>

<sup>69</sup> Kosovo Press, *The robberies in Restelica/Restelicë do not stop, two houses were burglarized* available at: <https://kosovo-press.info/2021/11/23/pljacke-u-restelici-ne-prestaju-obijene-dvije-kuce/>

<sup>70</sup> Based on interviews and focus groups conducted for the purposes of this research in the period from August to October 2022.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

## FREEDOM OF MOVEMENT

Unlike 2020, which was marked by numerous restrictions of the freedom of movement due to the COVID-19 pandemic, the citizens of Kosovo welcomed 2021 in significantly more relaxed circumstances, that were more precise and orderly from the legislative viewpoint. After a series of criticisms were addressed to the Government due to ambiguities and previously defined restrictions, the regulation of travel outside of Kosovo was adapted to European tendencies of gradual facilitation of the freedom of movement in conditions of relative stagnation of pandemic's effects. However, the second half of 2021 was marked by an increase in the number of infected individuals, which resulted in the introduction of restrictive measures related to entry and exit from Kosovo. In addition to that, the commencement of the vaccination process in Kosovo further complicated the application and interpretation of those measures vis-à-vis the freedom of movement. Namely, in addition to the curfew that lasted continuously during the observed year, restrictions were set for the entry to Kosovo in the form of required (re)vaccination certificate and/or an antigen/PCR test.

In the period between August 30 and September 12, citizens and persons with temporary or permanent residence, who did not possess any of the aforementioned certificates, were able to enter Kosovo by signing a paper on obligatory self-isolation for a period of seven (7) days. As the research showed, residents of northern Kosovo who traveled via Jarinje/Jarinjë and Brnjak/ Bërnjak in that period, encountered arbitrary and impromptu interpretation of the new measures by police officers, and in many cases, passengers who had the right to an exemption were not allowed to exercise their right to entry with the obligation of self-isolation. After the introduction of stricter measures that came into force on December 6, entry into Kosovo was practically conditioned by full vaccination, which significantly limited vital movement of some members of Kosovo Serb community (who often travel to Serbia). During the research process conducted by NGO AKTIV, members of non-majority communities emphasized that, same as in 2020, the process of communication between the Government and non-majority communities regarding the introduction of measures to combat the pandemic was not at a satisfactory level.

Despite the warnings of non-governmental sector about the possible problems that might arise in absence of an agreement on the continuation of the Agreement on freedom of movement between Belgrade and Pristina for the owners of KS license plates and the implications that it would have for the freedom of movement in Kosovo<sup>73</sup>, the Government of Kosovo, without consulting Belgrade and Brussels, decided to annul the validity of these number plate markings<sup>74</sup>. Compared to 2020, when citizens were largely uninformed about this decision<sup>75</sup>, owners of KS plates who were interlocutors and respondents during the

<sup>73</sup> NVO AKTIV, *Tablice množenja problema*, 2021, dostupno na: <http://NVOaktiv.org/srb/news/multiple-number-plates-multiple-problems-2>

<sup>74</sup> NVO AKTIV, *Procena statusa prava nevećinskih zajednica na Kosovu 2020*, 2021, str. 47, dostupno na: [http://NVOaktiv.org/uploads/files/Kosovo\(Srb\)web.pdf](http://NVOaktiv.org/uploads/files/Kosovo(Srb)web.pdf)

<sup>75</sup> RTV KIM, *Počelo izdavanje probnih RKS tablica*, 2021, dostupno na: <https://www.radiokim.net/vesti/politika/pocelo-izdavanje-probnih-rks-tablica.html>

<sup>76</sup> Glas Amerike, *Serbs Lift Roadblocks in Kosovo as NATO Moves to End License Plate Row (Srbi uklanjaju blokade puteva na Kosovu dok se NATO uključuje da bi se okončao sukob u vezi sa registarskim tablicama)*, 2021, dostupno na: <https://www.voanews.com/a/serbs-lift-roadblocks-in-kosovo-as-nato-moves-to-end-license-plate-row/6254637.html>

research emphasized that during 2021, almost all citizens were informed by the Serbian-language media that publishes news in Kosovo about the obligation to re-register KS to RKS plates. The government's decision made in September on the introduction of temporary plates also showed that the decision on re-registration was counterproductive in terms of restriction of freedom of movement<sup>76</sup>, as it generated the dissatisfaction of citizens in the north of Kosovo who erected barricades<sup>77</sup>. As a consequence of the tensions that followed the implementation of the arrangement on temporary plates, Belgrade and Pristina agreed on a new one, which included the establishment of a sticker regime<sup>78</sup>, which citizens welcomed to a reserved extent as a solution that nevertheless facilitates freedom of movement, with the remark that the (repeated) absence of a proactive and timely approach to resolution of practical problems, left the residents without a choice, i.e. the right to have a say in it (as was the case with the abolishment of the validity of KS plates).

During the celebration of the traditional Gorani holiday Đurđevdan (St. George's Day), members of Gorani community who were traveling to the southernmost part of Kosovo with Serbian license plates in order to take part in the festivities encountered unequal treatment by the police<sup>79</sup>. As they claimed, although they did not violate traffic rules, the patrol units mostly stopped and thoroughly checked vehicles whose owners live and work in Serbia.<sup>80</sup> Respondents emphasized that they did not have this type of treatment during 2021, which led them to conclude that this exception arose from the tensions that were present at the time in relation to the resolution of the issue of license plates issued by the Ministry of Internal Affairs of Serbia and their use in Kosovo. Not a single complaint was made to the police regarding this case.

Residents of **Bosniak ethnicity** in the rural areas of the Prizren municipality complained about the absence of regular police patrols, which would have provided additional security for the local population. The latter stems from claims of residents of this part of Kosovo that they do not feel safe after dark, and that during that period they do not go out of their homes (especially with children) due to the alleged arrivals of "unknown individuals" who "do not inspire confidence" of the local population<sup>81</sup>. Although there is a police sub-station in Rečane/Reqan village, the villagers claim that its activity is extremely low, despite requests to have the police patrol the main village streets.

<sup>77</sup> VOA, *Serbs Lift Roadblocks in Kosovo as NATO Moves to End License Plate Row*, 2021, available at: <https://www.voanews.com/a/serbs-lift-roadblocks-in-kosovo-as-nato-moves-to-end-license-plate-row/6254637.html>

<sup>78</sup> KosSev, KP: *The implementation of the agreement on stickers has begun at all crossings*, 2021, available at: <https://kossev.info/kp-pocelo-sprovodjenje-sporazuma-o-nalepnicama-na-svim-prelazima/>

<sup>79</sup> Based on interviews and focus groups conducted for the purposes of this research in the period from August to October 2022.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.



### III. POLITICAL PARTICIPATION AND ELECTIONS

Despite the fact that Assembly elections were held in February 2021, NGO AKTIV's Research Team decided to include analysis of election results in the report published for the Assessment of the Status of the Status of the Rights of Non-Majority Communities 2020 published in 2021. The reasoning behind this was that the much of the political campaign began before January 2021, impacting the socio-political dynamics in non-majority communities in Kosovo. Therefore, it is recommended that readers consult last year's publication which entails an in-depth analysis of 2021 snap elections and their impact on the representation of non-majority communities in the Assembly.

According to Kosovo's constitution, twenty (20) seats are reserved for political representatives of non-majority communities, with the majority (ten) going to Kosovo Serbs. **After the February 2021 parliamentary elections**, non-majority communities are represented by ten different parties, one being Serb (Srpska Lista), three Bosniak, one Gorani, four Roma, Egyptian and Ashkali and one Turkish. Overall, turnout (48.78%) was relatively low by European standards, but still a 4% improvement on previous assembly elections.<sup>82</sup> Observations reports noted brisk participation on the part of non-majority communities, with a particular rise on the part of members of the Roma, Ashkali and Egyptian community<sup>83</sup>.

- Srpska lista (srpska zajednica) – 10 mesta
- Turska demokratska partija Kosova (Turska zajednica) – 2 mesta
- Koalicija Vakati (bošnjačka zajednica) – 1 mjesto
- Nova demokratska inicijativa Kosova (egipatska zajednica) – 1 mesto
- RI Romska inicijativa (romska zajednica) – 1 mesto
- Nova demokratska stranka (bošnjačka zajednica) – 1 mandat
- Socijaldemokratska zajednica (bošnjačka zajednica) – 1 mjesto
- Ujedinjena goranska partija (zajednica Goranaca) – 1 mesto
- API Aškalijska partija za integraciju (zajednica Aškalijska) – 1 mesto
- Građanska inicijativa – Progresivni pokret kosovskih Roma – 1 mesto

**Local elections were held** on the 17th of October 2021 in municipalities throughout Kosovo, during which residents voted for mayors and local councilors. Of all open seats that were contested during the elections, 191 went to representatives of non-majority communities with around 145 of them being Kosovo Serbs, and 44 seats going to members of other non-majority communities.<sup>84</sup> In terms of participation, it was reported that overall turnout was at 43%, but markedly higher in Serb-majority municipalities, where it averaged 61%.<sup>85</sup>

<sup>82</sup> Central Election Commission (CEC)

<sup>83</sup> National Democratic Institute (NDI), *Post-Election Analysis of February, 14 2021 Parliamentary Election*, 2021. Pg. 8., "CEC data showed a significant increase in turnout of the Roma and Bosniak communities in the 2021 elections, compared to the previous election cycles, and also many votes coming from the Kosovo Serbian majority municipalities. "United Community," the newly formed Bosniak party in the North of Mitrovica, received 83 percent of its votes from Serbian municipalities, garnering one seat, with the newly formed "Roma Initiative" securing 60 percent, garnering two in the Assembly."

<sup>84</sup> National Democratic Institute (NDI), *Kosovo's 2021 Local Elections: Analysis of Inclusion and Information Integrity*, 2021. Pg. 9, available at: <https://www.ndi.org/sites/default/files/Kosovo%27s%202021%20Local%20Elections%20-%20NDI%20Analysis%20of%20Inclusion%20and%20Information%20Integrity.pdf>

<sup>85</sup> European Union, *European Union Election Observation Kosovo 2021: Final Report (Municipal Elections)*, 2021. Pg. 17, available at: [https://www.eas.europa.eu/sites/default/files/final\\_report\\_2021\\_eom\\_kosovo\\_municipal\\_elections\\_-\\_english.pdf](https://www.eas.europa.eu/sites/default/files/final_report_2021_eom_kosovo_municipal_elections_-_english.pdf)

Ten (10) newly elected representatives of the Kosovo Serb community (all members of the Serb List party) and one (1) from the Gorani Community (United Gorani Party) filed a joint appeal to the Constitutional Court asking for the clarification of the procedures and manner in which ministers who represent interests of non-majority communities are appointed in the Government. The reasoning behind this complaint was the fact that Prime Minister Kurti appointed only one (1) minister from the Kosovo Serb community, a decision which was allegedly against the Constitutional norm. Half a year later, the Court found that the challenged Decision of the Assembly of Kosovo on the election of the Government was not in contradiction with paragraphs 3 and 5 of Article 96 of the Constitution. The Court's decision was deduced from the fact that Constitution stipulates that the candidate for Prime Minister has discretion in appointing ministers from non-majority communities in cases where a Government has more than twelve (12) ministers, which consequently obliges the Government to propose a so-called 'third' minister from a non-majority community. In cases where the proposed candidate for the 'third' ministerial position is already an elected member of the Assembly, then the candidate does not have to be a Kosovo Serb.

## PARTICIPATION IN POLITICAL PROCESSES AND POLITICAL REPRESENTATION

In a manner of speaking, non-majority communities were well-represented in the higher echelons of government: As of 2021, A Deputy Prime Minister (Emilija Redžepi) is of Bosniak nationality, while a number of Ministers, including the Minister of Communities and Returns (Goran Rakić), also hail from non-majority communities.<sup>86</sup> In other words, three (3) cabinet-level positions out of a total of 18 were held by minorities in 2021. This is of course not taking into consideration representation in the Assembly, and Deputy Ministerial positions. At the same time, there does appear to be a notable level of dissatisfaction among members of non-majority communities regarding the effectiveness of their political representation<sup>87</sup>. For example, participants in one focus group held with Bosniaks in the Prizren region, said that they felt that political actors from their community, despite being present and active on the overall political scene, generally failed to effectively advocate for the interests.<sup>88</sup> Members of the Gorani community expressed similar sentiments, often citing an impression that politicians have a tendency to ignore or suppress 'real problems', instead opting to use them for their own political benefit rather than for that of the community at-large.<sup>89</sup> This sort of ambivalence, and generalized sense of dissatisfaction with the effectiveness of their political representation was also reflected in conversations with members of the **Turkish community**, who noted the high level of participation and wide-ranging promises during the pre-election campaign in early 2021 that largely failed to materialize.<sup>90</sup>

<sup>86</sup> Elbert Krasniqi, from the Kosovo Egyptian community, is the Minister of Local Administration.

<sup>87</sup> Based on interviews and focus groups with members of the Serb, Bosniak, Gorani, Turkish, and Roma, Ashkali and Egyptian communities conducted between August and October of 2022.

<sup>88</sup> Based on interviews and focus groups with members of the Bosniak community between August and October of 2022.

<sup>89</sup> Based on interviews and focus groups with members of the Gorani community between August and October of 2022.

<sup>90</sup> Based on interviews and focus groups with members of the Turkish community between August and October of 2022.

On a more positive note, members of the Bosniak community in and around Prizren saw the higher level of institutional and political representation that was brought on by Kurti's second administration from February of 2021 as ushering in a new era of opportunity for some young people through the introduction of internship schemes geared at their community.<sup>91</sup>

When it comes to **Kosovo Serbs**, the overall political climate is somewhat convoluted by the complexities of their position between Belgrade and Pristina. Competition in terms of elections is less than in other non-majority communities: despite that fact that Kosovo Serbs constitute the largest non-majority group in Kosovo, it only has one party that represents it at the central level, and which is overwhelmingly dominant in Serb-majority municipalities.<sup>92</sup> As an example of this, during the October 2021 local elections, Srpska Lista won, in some municipalities, over 90% of the vote.<sup>93</sup> Having this in mind, opinions towards political actors are very much shaped by a socio-political context that is overshadowed by questions such as the Belgrade-Pristina dialogue process rather than by local issues facing the Kosovo Serb community.<sup>94</sup> As is the case with other communities, Serbs in Kosovo often express the opinion that their political representation does not always articulate their needs effectively at the political level,<sup>95</sup> this attitude is particularly strong in Kosovo Serb communities south of the river Ibër/Ibar.<sup>96</sup> Serbs living in smaller communities and enclaves, particularly in western Kosovo, have a much greater tendency to feel that they have been 'left behind' or 'ignored' by politicians than their counterparts in the north of Kosovo.<sup>97</sup>

<sup>91</sup> Based on interviews and focus groups with members of the Bosniak community between August and October of 2022.

<sup>92</sup> Anadolu Agency, *Kosovo: The final results of the first round of local elections for municipal leadership and mayors have been published*, 2021, available at: <https://www.aa.com.tr/ba/politika/kosovo-objavljeni-kona%C4%8Dni-rezultati-prvog-kruga-lokalnih-izbora-za-na%C4%8Delnike-i-gradona%C4%8Delnike/2405536>

<sup>93</sup> Anadolu Agency, *Kosovo: The final results of the first round of local elections for municipal leadership and mayors have been published*, 2021, available at: <https://www.aa.com.tr/ba/politika/kosovo-objavljeni-kona%C4%8Dni-rezultati-prvog-kruga-lokalnih-izbora-za-na%C4%8Delnike-i-gradona%C4%8Delnike/2405536>

<sup>94</sup> Based on interviews and focus groups with members of the Kosovo Serb community between August and October of 2022.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.





### EDUCATION

One of the most obvious and indeed jarring effects of the COVID-19 lockdown was its impact on education, as well as the ensuing debates as to when and under what conditions to re-open schools. Aside from this, the concept of 'remote learning' which in turn demanded the possession and access to the technology necessary for such an undertaking exposed (often vast) socio-economic inequalities. Although schools began reopening in Kosovo in the autumn of 2020<sup>98</sup>, they were subject to periodic closures (due to fluctuations in COVID-19 case numbers) up until the second half of 2021<sup>99</sup>. Adding to educational difficulties were questions as to whether or not schools that operate under the auspices of the Ministry of Education of the Republic of Serbia would adhere to guidelines issued by the Kosovo or Serbian government, the resulting situation was somewhat mixed, in which measures (i.e. school closings) were often a hybrid of the two systems.

In general, the community that in 2021 faced, and to this day continues to face, the greatest challenges in terms of primary and secondary education were the **Roma, Ashkali and Egyptian communities**. They faced problems in terms of the physical infrastructure of the schools they attend(ed), as well as a lack of staff and the inability of government-run schools to provide an adequate learning environment, particularly during lockdown periods.<sup>100</sup> Despite official efforts to address these issues in a comprehensive manner, they have yet to bear fruit.<sup>101</sup> Research shows that students from the Roma, Ashkali and Egyptian communities make up between 3-5.5% of primary and secondary school students<sup>102</sup>, but are significantly behind their peers in terms of learning milestones for their given age groups<sup>103</sup>. The ability to paint a fuller picture of the state of education in **Roma, Ashkali and Egyptian communities** is further complicated by the fact that many attend schools within the Serbian system, particularly those living in the municipalities of North Mitrovica, Gračanica/Graçanicë, and Obiliq/ć.<sup>104 105</sup>

<sup>98</sup> Balkan Insight, *NEWS Some Balkan, Central European States Open Schools Despite COVID-19*, 2021, available at: <https://balkaninsight.com/2020/09/01/some-balkan-central-european-states-open-schools-despite-covid-19/>

<sup>99</sup> Radio Free Europe, *Kosovo Delays Start Of School Year Amid Rise In COVID Cases*, 2021, available at: <https://www.rferl.org/a/kosovo-schools-delay-covid/31433978.html>

<sup>100</sup> Based on interviews and focus groups with members of the Roma, Ashkali and Egyptian communities conducted between August and October of 2022.

<sup>101</sup> Ibid.

<sup>102</sup> Action for Reducing Inequalities in Education, *Policy Brief: Kosovo*, 2021, available at: [https://www.arisenetwork.eu/media/filer\\_public/08/b4/08b40e8a-ef4e-4b45-9013-9f7226114f56/policy\\_brief\\_kosovo\\_eng.pdf](https://www.arisenetwork.eu/media/filer_public/08/b4/08b40e8a-ef4e-4b45-9013-9f7226114f56/policy_brief_kosovo_eng.pdf)

<sup>103</sup> Ibid.

<sup>104</sup> Depending on their knowledge of the Serbian language, along with other factors, some Roma children attend so-called 'Roma schools', while others are placed in schools alongside their Kosovo Serb peers.

<sup>105</sup> Kosovo 2.0, *GHOST SCHOOLS, GHETTO SCHOOLS AND SEGREGATED SHIFTS*, available at: <https://kosovotwopointzero.com/en/ghost-schools-ghetto-schools-and-segregated-shifts/>

Members of other communities, such as **Gorani and Bosniaks**, cite a lack of sufficient financial and resource investment in education in their communities. This is particularly true in rural and isolated communities, where local schools tend to be underfunded and understaffed.<sup>106</sup> A similar pattern can be noticed in other non-majority communities as well, who cite a lack of available textbooks as well as insufficient attention paid to language instruction.<sup>107</sup> Additionally, members of the **Turkish community** pointed to not having enough books in the Turkish language in both primary and secondary schools, as well as the fact that there is an overriding lack of interest in studying Turkish as an academic subject.<sup>108</sup>

**Kosovo Serbs** living in rural areas continue to be beset by problems in terms of the ability of local schools to recruit teachers and provide students with adequate learning resources, which is especially visible in more isolated villages.<sup>109</sup> Furthermore, a general problem facing Serbian schools in Kosovo continues to be the difficulties that are faced in the importation of textbooks and other similar learning materials from Serbia.

## HEALTH CARE

The provision of services to non-majority and vulnerable communities and those living in remote settlements was one of the key challenges in 2021 during the COVID-19 pandemic. Obstacles and problems which the members of these social categories were faced with in the pre-pandemic period were multiplied during 2020 and 2021, thus making access to the most necessary services significantly more difficult. The limited capacities of the health care system in Kosovo have significantly prevented members of non-majority communities, as well as other citizens, from accessing medical care and protection services. Delays in procurement of sufficient quantities of vaccines and tests, insufficient numbers of professional medical staff, inherited infrastructure problems are merely some of the challenges which the health system in Kosovo was facing, which affected all communities almost equally.

Members of Serb community who use the services of the health system in Kosovo that is funded by the Ministry of Health of Serbia emphasized that during 2021, medical vehicles operating within this system were stopped at crossings on several occasions, with often rigorous searches of vehicles and medical personnel<sup>110</sup>. Similar obstacles were encountered by funeral transporters who, upon entering Kosovo, were detained for several hours due to the police's alleged claims that it is forbidden to transport the deceased under conditions of the pandemic<sup>111</sup>. On the other hand, same as in 2020, due to the delay in importing the vaccines to Kosovo, citizens of Serbian nationality were forced to travel to Serbia in order to receive the first or second dose. Access to vaccines in Serbia was given to all persons who possessed health insurance cards issued by the Republic Fund for Health Insurance, a right that was also used by members of the **Gorani, Roma and Albanian communities**<sup>112</sup>.

<sup>106</sup> Based on interviews and focus groups conducted between August and October of 2022.

<sup>107</sup> Ibid.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

<sup>110</sup> Based on interviews and focus groups conducted for the purposes of this research in the period from August to October 2022.

<sup>111</sup> Ibid.

<sup>112</sup> NGO AKTIV, *Vaccinations in Kosovo Serb communities*, 2021, available at: [http://ngoaktiv.org/uploads/files/Work%20ENG\\_compressed.pdf](http://ngoaktiv.org/uploads/files/Work%20ENG_compressed.pdf)

During the pandemic, **Roma, Ashkali** and **Egyptians** faced additional discrimination and limited access when trying to obtain health services and insurance, which further marginalized them compared to other communities in Kosovo. Unsatisfactory conditions under which the health system functioned during the pandemic only deepened the problem of vulnerability of this community in terms of access to health care. In addition to rude treatment by medical staff, members of these communities encountered refusals to be provided with services in hospitals and clinics without being given a valid explanation. Experts from these communities emphasized the improvement of the quality of prenatal care as one of the crucial problems which requires an urgent change in the practice of health institutions and according to their claims, the level of such care is worse for members of these communities compared to others.

During 2021, **Bosniaks** living in the areas of Župa/Srecka and Podgora/Podguri did not have adequate access to medical care and primary health care due to the lack of medical personnel, and many were forced to seek help in Prizren, which entailed additional financial costs. Despite of the calls of local communities to the municipality of Prizren to deal with this problem, a solution was not reached during the observed year. **Gorani** living in remote settlements of Dragaš/Drageashi encountered difficulties in accessing health and other services during the winter months, due to snow-covered roads, which, according to the claims of local villagers, were not cleaned regularly and on time.

## IDENTITY DOCUMENTS

In 2021, the issue of access to identity documents and citizenship continues to be a vexing issue, particularly for certain members of the **Serb, Roma, Ashkali and Egyptian** communities. One of this problem's principal sources are administrative instructions<sup>113</sup> issued by the Ministry of Interior Affairs outlining guidelines in line with the Law on Citizenship that regulate the circumstances in which citizenship can be attained and which documents are required for completing the associated procedures. A number of individuals interviewed stated their opinion that these instructions have (seemingly) created an administrative blockade for many who wish to obtain Kosovo identity documents,<sup>114</sup> particularly younger residents who were born outside of Kosovo (i.e. in Serbia).<sup>115</sup> Research conducted for the purposes of this report pointed to (relatively) large numbers of Kosovo Serbs, especially living south of the river Ibër/Ibar, who were denied access to citizenship and who have been unable to effectively address the issue. One interviewee stated that, in their opinion, in Goraždevac/Gorazhdevc alone there were 'at the very least' 25-30 individuals who have had their application for identity documents rejected.<sup>116</sup> In the same situation are a number of individuals in areas in and around Osojane/Osojan, as well as other parts of Kosovo with high numbers of returnees. A number of cases have been brought to the attention of free legal aid services, as well as the Kosovo Ombudsperson Institution, who are currently working on potential resolutions.

<sup>113</sup> Ministry of Internal Affairs, *ADMINISTRATIVE INSTRUCTION (MIA) No. 05/2020 ON CRITERIA AND PROCEDURES FOR ACQUIRING THE CITIZENSHIP OF THE REPUBLIC OF KOSOVO*, 2020.

<sup>114</sup> One of the causes of this is apparently Article 7 of the Administrative Instructions (Acquisition of citizenship by birth outside the territory of the Republic of Kosovo when one of the parents has other citizenship) as it requires that BOTH the applicants parents 'agree' to their child receiving citizenship.

<sup>115</sup> Based on information collected during field research conducted through Serb-inhabited areas of Kosovo. Three (3) cases have been confirmed through direct contact with individuals involved.

<sup>116</sup> Based on an interview conduct with a civil society activist from Goraždevac/Gorazhdevc, in September of 2022.



On a worldwide level, 2021 was marked by a slow economic recovery after COVID-19 lockdowns, and a steady rise in prices of consumer goods that hit the wallets of Kosovo's citizens, regardless of their ethnic affiliation. Although the Kosovo government, like many others across Europe, offered packages of economic aid geared at assuaging the financial impact of the pandemic, it did little to ease long-term economic pain. Kosovo was in an already-vulnerable position, with high rates of unemployment, sporadic employment and work in the 'gray' economy posing a daunting challenge, specifically for young people. Kosovo's non-majority communities, many of which are in a particularly difficult position due to their weak socio-political standing, found the impact of a diminished economy especially difficult. In essence, Kosovo's previously weak economic performance meant that the pandemic wrecked further havoc on its businesses, which suffered due to closures and decreased tax revenues.<sup>117</sup>

According to information gathered during the process of research among members of Serb, Bosniak, Turkish, Roma, Gorani, Ashkali and Egyptian communities, the overall impact of the deteriorating economic climate (that followed the COVID-19 pandemic) was perceived negatively. Interviewees and participants of focus groups have pointed out that waves of layoffs among members of non-majority communities have endangered their already jeopardized financial well-being. What is more, they saw economic aid measures as not taking into account the needs of members of non-majority communities. This created a situation whereby many individuals were increasingly dependent on assistance from the diaspora.<sup>118</sup>

At the ground level, this meant that many families that were dependent on income streams that were previously limited and often tied to relatives living abroad<sup>119</sup> saw their savings depleted. It could be argued that one of the communities most affected by the economic downturn were members of the **Roma, Ashkali and Egyptian communities**, who are often engaged in informal work (collection of secondary raw materials, seasonal work, selling of goods in open markets), all of which were restricted during the pandemic. This resulted in a situation where already-impoverished members of that community found themselves in increasing hardship due to difficulties in providing food, water, hygienic products and in paying utility and other expenses.<sup>120</sup>

<sup>117</sup> European Commission. *Kosovo\* 2021 Report*. 2021. available at: <https://neighbourhood-enlargement.ec.europa.eu/system/files/2021-10/Kosovo%202021%20report.PDF>

<sup>118</sup> Based on interviews and focus groups with members of the Kosovo Serb, Gorani, Bosniak, Turkish and Roma, Ashkali and Egyptian communities.

<sup>119</sup> Ibid.

<sup>120</sup> Based on focus groups conducted with members of the Roma, Ashkali and Egyptian communities between August and October of 2022.

## PROCESS OF RETURNS

There have been a number of factors that had an impact on the extremely limited returns process of displaced people to Kosovo in the past two decades; the most significant of which are the unsafe environment, unresolved property and legal disputes, limited access to institutional services in their native language, limited freedom of movement, usurpation of their private properties, as well as the financially burdensome and protracted court processes related to the return of properties to their owners. One of the key factors that periodically worsen the effect of aforementioned elements is the strengthening of nationalistic discourses that can be observed in Kosovo's public space, and which (in)directly stigmatize the people who belong to non-majority and therefore the returnee communities as well. The central-level decision-makers put out calls to displaced people that often exude insincere messages, followed by claims that are completely contrary to the objective limitations and obstacles that prevent a sustainable return of refugees. According to the claims of returnees, institutional support towards people who decided to return to their homes is not in accordance with legal obligations, especially when it comes to those who are under the jurisdiction of local institutions<sup>121</sup>. Aside from that, there is unequal treatment from certain municipal authorities towards returnees that live on the territory under their jurisdiction.

Within the returnee community, **Ashkali, Egyptians, and Roma** belong to especially vulnerable groups, who live in particularly difficult conditions. Also during 2021, certain municipalities in Kosovo, didn't allocate previously-promised plots of land in municipalities outside of those they were born in and in which they possessed properties before they were displaced<sup>122</sup>. Aside from this problem, the members of these communities had difficulties in accessing documents, education, and other services, even after they had successfully completed the return process to their home municipality, or the one in which the land was allocated to them. Returnees have also been frequent targets of verbal attacks from their neighbors<sup>123</sup>. According to some municipal representatives of these communities, the aforementioned problems were instrumental in preventing the return of around 400 Ashkali, Roma, and Egyptians during 2021, even though they expressed a desire to return and notified the competent institutions<sup>124</sup>.

The process of returns to Kosovo has caught the attention of domestic and regional public after the return of Dragica Gašić, a citizen of Serbian nationality, to her hometown of Gjakova/Đakovica. After a decision was reached by the Property Comparison and Verification Agency, Ms. Gašić was granted the right to return to her apartment which was usurped in the period between her displacement and this decision. Return to the apartment she owned stirred up the public in Gjakova/Đakovica, and thus causing a reaction of Gjakova/Đakovica's organization of representatives of the families of missing persons and certain non-governmental organizations from this town, which urged the institutions not to

<sup>121</sup> SAD Stejt department, *KOSOVO 2021 IZVEŠTAJ O LJUDSKIM PRAVIMA*, 2022, str. 18, dostupno na: [https://www.state.gov/wp-content/uploads/2022/02/313615\\_KOSOVO-2021-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2022/02/313615_KOSOVO-2021-HUMAN-RIGHTS-REPORT.pdf)

<sup>122</sup> Na osnovu intervjua i fokus grupa sprovedenih za potrebe ovog istraživanja u periodu od avgusta do oktobra 2022.

<sup>123</sup> Ibid.

<sup>124</sup> Slobodna Evropa, *Dragica Gašić nepoželjna u Đakovici, Vlada Kosova ćuti*, 2021, dostupno na: <https://www.slobodnaevropa.org/a/slucaj-dragica-gasic-djakovica-povratak-raseljena-lica/31331295.html>

allow Ms. Gašić to return to her apartment<sup>125</sup>. Because of these and similar calls, the municipality of Gjakova/Đakovica launched a lawsuit against the returnee regarding the alleged usurpation of the apartment<sup>126</sup>, which the Basic Court in Gjakova/Đakovica dismissed as unfounded. A rare condemnation for this lawsuit came from Humanitarian Law Center (HLC) and Youth Initiative for Human Rights (YIHR)<sup>127</sup>. However, the public reaction of a smaller number of institutions, international organizations, and diplomatic missions only came after several more cases of intimidation<sup>128</sup> and breaking and entering<sup>129</sup> into Ms. Gašić's apartment<sup>130</sup>.

The latter case caused institutions to react, and the burglar was arrested<sup>131</sup>. On the other hand, Prime Minister Albin Kurti abuse this case in his public address in the context of leveling the accusations against Serbia regarding alleged genocide, which further endangered the safety of the returnee community<sup>132</sup>.

As it will be further elaborated in the section on safety, the practice of pressuring Serb returnees through physical assault and endangerment/theft of private property of returnees continued throughout 2021, especially in western Kosovo. According to interviewed returnees, in addition to the aforementioned, another key factor which demotivates them and hinders a safe, sustainable, and adequate return of displaced individuals are inadequate procedural and protracted court processes of determination of ownership of the usurped properties, which have, especially in the final instance, "made the return process completely senseless". These and various other problems are the cause of the persisting low number of returns, which is corroborated by the fact that, according to UNHCR's data, during 2021, only 368 people successfully returned to Kosovo<sup>133</sup>.

<sup>125</sup> Radio Free Europe, *Dragica Gašić is not welcome in Gjakova/Đakovica, Kosovo Government silent*, 2021, available at: <https://www.slobodnaevropa.org/a/slucaj-dragica-gasic-djakovica-povratak-raseljena-lica/31331295.html>

<sup>126</sup> KosSev, *Gjakova/Đakovica Municipality starts lawsuit against Dragica Gašić for "Usurpation of the apartment"*, 2021, available at <https://kossev.info/petkovic-opstina-djakovica-pokrenula-pannici-postupak-protiv-dragice-gasic-zbog-navodne-uzurpacije-stana/>

<sup>127</sup> KosSev, *FHP i YIRH of Kosovo: Gjakova/Đakovica authorities retract unconstitutional lawsuit against Gašić*, 2021, available at: <https://kossev.info/fhp-i-yirh-kosova-vlasti-u-djakovici-da-povuku-tuzbu-protiv-gasic-u-suprotnosti-je-sa-ustavom/>

<sup>128</sup> Balkan Insight, *Kosovo's Most Famous Serb Returnee Suffers Break-In*, 2021, available at: <https://balkaninsight.com/2021/07/28/kosvos-most-famous-serb-returnee-suffers-break-in/>

<sup>129</sup> KosSev, *Office for KiM: Dragica Gašić's apartment broken into and ransacked, router and security camera stolen*, 2021, available at: <https://kossev.info/kancelarija-za-kim-dragici-gasic-obijen-i-ispreturaan-stan-ukradeni-nadzorna-kamera-i-ruter/>

<sup>130</sup> In different instances, the following have publicly condemned the discriminatory treatment towards Mrs. Gašić and her case: Kosovo OSCE, US, German, and UK Embassies in Kosovo, Ombudsperson, MP in the AoK Mimoza Kusari Lila

<sup>131</sup> Radio Free Europe in Albanian, *The person who broke into the apartment of Dragica Gašić is arrested*, 2021, available at: <https://www.evropaelire.org/a/arrestim-thyerja-e-baneses-se-dragica-gashiqit-/31387053.html>

<sup>132</sup> KosSev, *Kurti in Brussels: Serbia came to Kosovo via genocide and left with genocide Vučić using Dragica*, 2021, available at: <https://kossev.info/kurti-u-briselu-srbija-je-dosla-na-kosovo-genocidom-i-otisla-sa-genocidom-vucic-zloupotrebljava-dragicu/>

<sup>133</sup> Balkan Insight, *Serb Refugee Returns to Kosovo Home, 22 Years After Fleeing*, 2021, available at: <https://balkaninsight.com/2022/03/02/serb-refugee-returns-to-kosovo-home-22-years-after-fleeing/>





## VI. IDENTITY AND CULTURAL HERITAGE

Questions of identity and cultural heritage in Kosovo are often fraught, as they have been utilized as part of larger narrative battles over history and territory, often in the context of wider denials of claims to control over historical landmarks. Despite this, Kosovo's legislative framework provides guarantees of the protection of cultural heritage, as well as the right of communities to freely develop and foster a sense of ethnic identity.

Throughout the year 2021 debates continued to rage on Kosovo's political scene regarding the protection of cultural heritage connected to Kosovo's non-majority communities. First and foremost, 'Europa Nostra's' decision to add the Dečani Monastery to its list of seven 'most endangered' sites created a significant backlash,<sup>134</sup> with political actors representing the Kosovo Albanian community, along with certain non-governmental organizations condemning the move. Also concerning the Dečani Monastery, the local municipality continued to refuse to adhere to a Constitutional Court decision that had ordered them to return land that belongs to the Serbian Orthodox Church,<sup>135</sup> meaning that the conflict is ongoing and unsettled as of the publication of this report. Furthermore, the Mayor of Dečan/Dečani, Bashkim Ramosaj, stated categorically that he would ignore the Constitutional Court's decision. Although Kosovo Law gives wide-ranging protections to places of worship, the willingness of the authorities, particularly at the level of local governance, to implement relevant legislation is often called to question by citizens, civil society organizations and indeed international bodies dedicated to the preservation of cultural heritage. Shortly after Europa Nostra list was made public, Council for the Defense of Human Rights and Freedoms in Kosovo (CDHRF) made a series of accusations against the Abbott of the Dečani Monastery, Sava Janjić, stating that he is a 'possible' war criminal, and that he may have participated in human rights violations during the conflict of the late 1990's.<sup>136</sup> This provoked a response from non-governmental organizations and media outlets in Kosovo Serb communities, who condemned the accusations as unfounded.<sup>137</sup>

Throughout 2021, NGO AKTIV recorded a total of twenty-four (24) incidents (of a criminal nature) that involved damage, vandalism and/or theft of property belonging to the Serbian Orthodox Church (SOC), which took place, by and large, in smaller and more isolated communities. It was not only churches that were targeted; a number of attacks of varying degrees and nature were carried out against mosques and a catholic church, with the motive often being financial (i.e. the theft of a donation box from a mosque in Kačanik/Kaçanik).<sup>138</sup> Likewise, the Kosovo Police also recorded a jump in the number of incidents targeting religious sites (from 56 in 2020 to 87 in 2021), of which 56 targeted Islamic places of worship, 30 SOC and one catholic.<sup>139</sup>

<sup>134</sup> Europa Nostra, *Inclusion of the Dečani Monastery on the 2021 List of 7 Most Endangered heritage sites in Europe*, 2021, available at: <https://www.europanostra.org/inclusion-of-the-decani-monastery-on-the-2021-list-of-7-most-endangered-heritage-sites-in-europe/>

<sup>135</sup> KosSev, "Ali Hadri" opposes the American ambassador's call for the Constitutional Court to implement the decision to return the land to the monastery, 2021, available at: <https://kossev.info/udruzenje-istoricara-iz-decana-manastir-da-se-izvini-za-genocid-spc-i-srbije-pre-nego-sto-trazi-imovinu/>

<sup>136</sup> KosSev, *CDHRF from the „burning“ of Albanians in Trepca in 1999, through to March 17th, to Fr. Sava as a „possible“ war criminal*, 2021, available at: <https://kossev.info/cdhrf-from-the-burning-of-albanians-in-trepca-in-1999-through-to-march-17th-to-fr-sava-as-a-possible-war-criminal/>

<sup>137</sup> NGO AKTIV, *Press Release*, 2021, available at: <http://ngoaktiv.org/news/press-release>

<sup>138</sup> State Department, *KOSOVO 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT*, 2021, Pg. 13, available at: <https://www.state.gov/wp-content/uploads/2022/04/KOSOVO-2021-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>

<sup>139</sup> Ibid.

When it comes to questions of intangible cultural heritage, such as ethno-national identity, the situation is somewhat more muddled. Some members of the Gorani community expressed the opinion that their sense of nationhood is often denied and/or ignored, and therefore their collective cultural heritage underappreciated<sup>140</sup>. Along similar lines, some of those belonging to Kosovo's Turkish Community cited what they view as an uphill struggle to establish a cultural center in Prizren as an example of wider issues faced when it comes to promoting and preserving their culture and history.<sup>141</sup>

<sup>140</sup> Based on focus groups conducted with members of the Gorani and Turkish communities between August and October of 2022.

<sup>141</sup> Ibid.

## VII. SMALLER NON-MAJORITY COMMUNITIES

Unlike similar research, NGO AKTIV has analyzed problems and interests of the smaller non-majority communities - Jews, Croats and Montenegrins, starting with the publication of Assessment of the Status of the Rights of Non-Majority Communities in Kosovo for 2020. When it comes to problems which these communities are faced with in Kosovo, during 2021, there weren't any significant positive improvements vis-à-vis the assessment of the respect for their rights, which were highlighted in the aforementioned publication<sup>142</sup>. Despite of the fact that this is a matter that concerns smaller communities, obstacles and problems which their members are faced with in Kosovo deserve special attention, especially in light of the diminished interest of local and central institutions to improve their rights and living standards, as well as the lack of legal formalization of their status.

At the end of March 2021, the Association of Montenegrins of Kosovo has sent a formal request to the government whose goal was to resolve the problems plaguing the members of Montenegrin community, in which they call for a most urgent drafting of an action plan for the implementation of the "Strategy for affirmation and integration of the Montenegrin community", which was adopted in 2016<sup>143</sup>. The request came as a result of the fact that the relevant institutions have never contemplated that proposal, and the period it covered (2016-2021) has expired. According to the interlocutors from this community, the momentum that could have been created had this Strategy been officially adopted, would contribute in the set timeframe, even to a limited extent, to the improvement of the respect for the rights of this community through the process of legal formalization. The fact that this is indeed an important step for Kosovo's Montenegrins, is best illustrated by the fact that another organization that deals with this community's interests, Union of Montenegrins of Kosovo, has urged the Deputy Prime Minister for Minority Issues, Emilija Redžepi, to start implementing the Strategy as soon as possible<sup>144</sup>. At the meeting between Ms. Redžepi and the president of the Lovćen Association of Montenegrins, it was stated that it is necessary to include one (1) representative of this community who would, in close cooperation and coordination with the government, work to gradually resolve the biggest challenges with which this community is faced every day<sup>145</sup>. However, topics such as respect of language rights, rights of returnees, socio-economic living conditions, access to services, documents and education, as well as preservation of cultural identity, have not found their way to the top of the agenda of institutions, and therefore the aforementioned requests remained unheeded.

<sup>142</sup> NGO AKTIV, *Evaluation of the state of the rights of minorities in Kosovo (2020)*, 2021, pg. 69-73, available at: [http://ngoaktiv.org/uploads/files/Kosovo\(Srb\)web.pdf](http://ngoaktiv.org/uploads/files/Kosovo(Srb)web.pdf)

<sup>143</sup> Kosovo Online, *Montenegrin Association of Kosovo calls on Kurti to arrange their formal and legal status*, 2021, available at: <https://www.kosovo-online.com/vesti/politika/udruzenje-crnogoraca-pozvalo-kurtija-davredi-njihov-formalno-pravni-polozaj-24-3>

<sup>144</sup> Info-KS, *INTEGRATION AND AFFIRMATION OF A COMMUNITY Montenegrin Union in Kosovo send open letter to Emilia Rexepi*, 2021, dostupno na: <https://www.info-ks.net/vijesti/kosovo/124145/unija-crnogoraca-na-kosovu-uputila-otvoreno-pismo-emiliji-redzepin>

<sup>145</sup> RTK2, *Representative of the Montenegrin community should be a part of the government*, 2021, available at: <https://www.rtklive.com/rtk2/?id=2&r=64963>

During the analyzed year, **the Croatian community** was still facing major ongoing problems: poor socio-economic conditions, migration tendencies, and a lack of significant institutional engagement in solving them. The population in areas where members of this community reside has described as positive the interest shown by the Republic of Croatia (along with more frequent visits of its officials) regarding the actualization and resolution of some of the obstacles which stand in the way of their full integration into Kosovo society<sup>146</sup>. What's more, the start of the process of revitalization and renewal of the architectural-cultural heritage of Croats in Letnica/Letnicë<sup>147</sup> and Janjevo/Janjevë<sup>148</sup> was assessed as very positive. In contrast, the prominent representatives of this community pointed out that the current situation is alarming due to the big waves of migration from Kosovo, and due to the fact that the social layers that stay are exclusively the elderly and often the vulnerable people. This claim is corroborated by the statements of Janjevo/Janjevë community representatives, who stated that the current number of Kosovo Croats in Janjevo/Janjevë has been reduced to a record-breaking 160<sup>149</sup>. Aside from that, same as with the previous years and three decades, the question of personal and property safety primarily has a decisive say and conditions the decision of the populations to leave from Kosovo<sup>150</sup>.

Members of the Jewish community have welcomed the announcement on the opening of the embassy of Israel as a step that would significantly contribute to the protection of their cultural heritage in Kosovo, and more intensive efforts in looking after their interests and survival of this smaller community<sup>151</sup>.

<sup>146</sup> Ministry of Defense, *Visit of Minister Banožić to the Croatian community in Janjevo/Janjevë* 2021, available at: <https://www.morh.hr/posjet-ministra-banozica-hrvatskoj-zajednici-u-janjevu/>

<sup>147</sup> UNDP, *BREATHING NEW LIFE Restoring cultural heritage in Letnicë/Letnica*, 2021, available at: <https://undpkosovo.exposure.co/breathing-new-life>

<sup>148</sup> RTV KIM, *Janjevo: EU invests two million euros into tourism and preservation of cultural heritage*, 2021, available at: <https://www.radiokim.net/vesti/drustvo/janjevo-eu-ulaze-dva-miliona-evra-u-turizam-i-ocuvanje-kulturnog-nasledja.html>

<sup>149</sup> HRT: Glas Hrvatske, *Only 160 Croats left in Janjevo/Janjevë* 2021, available at: <https://glashrvatske.hrt.hr/hr/izvan-domovine/u-janjevu-ostalo-samo-160-hrvata-3773566>

<sup>150</sup> Based on interviews and focus groups conducted for the purposes of this research between August and October 2022.

<sup>151</sup> Ibid.

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## VIII. THREE KEY INTERESTS OF EVERY NON-MAJORITY COMMUNITY

### Bosniaks

1. It is necessary to improve the quality of education in Bosnian language via an uninterrupted supply of textbooks and by offering more courses in universities (especially in Prizren and Peja/Peć) to improve the developing potential of the Bosniak community in Kosovo. Apart from that, it is necessary to also improve the quality of services that are being provided in Bosnian language by local and central institutions.
2. Improvement of the economic situation by offering subsidies for farmers and businesses.
3. Increasing of the presence of police officers in the regions of Župa/Srečka and Podgora/Podguri.

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### Croats

1. Establish a sustainable framework for political advocacy for the interests of Kosovo Croats on central and local level, by officially acknowledging them as a non-majority community within the Constitution and relevant legislation.
2. Deal with the problem of high unemployment, especially among the younger generations of Kosovo Croats.
3. Improve quality and accessibility of services for the elderly Kosovo Croats.

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### Gorani

1. Strengthening of the economic situation and fight against the unemployment of the members of Gorani community, primarily by overcoming the language barriers as a key issue of competitiveness in the labor market in Kosovo. This also applies to access to institutional services and communication with clerks in their native language.
2. Establishment of sustainable conditions for prevention of migration of members of Gorani community and their migration from Gora.
3. To enable the access to education for the younger members of the Gorani community, as a condition towards full integration into Kosovo society.

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### Jews

1. Preserve and protect Kosovo Jews' cultural and architectural heritage.
2. Enable the participation of members of the Jewish community in the decision-making bodies that are dealing with issues related to the rights of non-majority communities (such as Consultative Council for Communities)
3. To implement the existing plans to build/restore synagogues in Kosovo.

## Montenegrins

1. To record the number of Montenegrins in Kosovo, with the aim of increasing the number of members of this community and to strengthen the support and institutional development.
  2. Undertaking of affirmative actions directed towards the Montenegrin community in Kosovo, with special emphasis on preservation and improvement of their overall position and identity.
  3. Promotion and full integration of the Montenegrin community into society in Kosovo and making them equal to other non-majority communities in Kosovo.
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## Roma, Ashkali, and Egyptians

1. Equal and complete inclusion of Roma, Ashkali, and Egyptian community members into the employment process and enabling of their inclusive access to health care, education, and other public services as key factors of integration into Kosovo society.
  2. Strengthening institutional mechanics in the fight against discrimination which is a crucial problem of Roma, Ashkali, and Egyptian community members in exercising their fundamental human rights.
  3. Enabling the studies of Romani language in educational institutions as an optional subject with a significant presence of members of these communities.
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## Serbs

1. Central and local institutions ought to improve the safety conditions for Kosovo Serbs, especially those living south of the Ibër/Ibar River. This includes processing of criminal cases in which private and property safety were endangered, as well as the public condemnation of these incidents by central and local officials.
  2. Enable a sustainable return of displaced Serbs to Kosovo, with systemic changes in the process of resolution of property and legal disputes when it comes to usurped property.
  3. Ensure the security protection for cultural and historical heritage of Serbian Orthodox Church in Kosovo.
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## Turks

1. To provide the members of the Turkish community with a better education in Turkish language, especially when it comes to higher education. Also, it is necessary to ensure the learning of Albanian language for members of this community on all levels of education.
2. A systemic resolution of unemployment among the younger generation of Kosovo Turks, with the goal of preventing further migration of Turkish youth from Kosovo.
3. Bigger investments of local and central institutions in preservation of culture and language of Kosovo Turks, for instance the construction of the long-promised Turkish Cultural Centre.





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