



Freedom of Movement



SAFETY MATTERS
SIGURIA MBITË GJITHA
SIGURNOST PRE SVEGA

Freedom of Movement Report

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Executive Summary

The expansion of freedom of movement for communities (in Kosovo minorities are called communities, and communities throughout this document will be used interchangeably for minorities) depends on their integration in the Kosovo society and polity, and also impinges on the conditions for the return of the displaced. Although well aware of this context, for the purpose of this report we shall understand freedom of movement in narrower terms, as freedom of traveling across Kosovo.

I will adopt a broader background for explanatory reasons, because understanding that ethnic separation does not harm cohabitation per se, while politics does, is relevant to this issue. In the survey conducted by UBO Consulting in June 2009 for UNDP (See Appendix) as well as in other polls, Kosovo Serbs in particular continue to express strong feelings of fear and insecurity. The record shows that since the last major incident of the March 2004 riots, they have been increasingly free of traveling across Kosovo by private and public transportation. Yet, their anxieties are totally legitimate. They are justified by the legacy of inter-ethnic conflict, the volatile history of Kosovo in the post-conflict period, and the sudden possibility of violence, as in the recent occurrences that are discussed below.

Since 1999, threats to freedom of movement for communities have always arisen along with escalating tensions in the political arena, which have principally to do with contested structures of government over the Kosovo territory. The brief survey of the Secretary General reports to the Security Council that I conducted for this study, together with other studies on minority rights, show exactly this connection, and its relevance for threats to freedom of movement.

The other broader political issue is the solution to the problem of communities representation, which is crucial for their rights, including freedom of movement. The legal and institutional framework to protect communities rights is in place, but implementation lags behind. For implementation to catch up, two things must occur: that Kosovo Serbs participate in local politics, and delegate authority to representatives figures in their community; and that the Kosovo Albanian leadership fully embrace its obligations according to the law and fulfill them.

After mentioning these more general problems, we shall move to routine problems for freedom of movement, which are due to equally political, but more tractable issues: the poor quality of public services, language barriers, and generally reactive law enforcement. Focusing on these issues will not guarantee freedom of movement once and for all, but will help remove concrete obstacles to the freedom of traveling for work and pleasure across Kosovo.

Based on these considerations, opinion polls and comprehensive monitoring of public transport for by the OSCE, this report makes the following recommendations:

- 1. A narrower understanding of freedom of movement as freedom of traveling must be placed in the much broader notion of safety for all the citizens of Kosovo from a human security perspective.**
- 2. There will be no expansion of freedom of movement without taking very seriously the idea that local safety strategies need to be designed and implemented in partnership with police, institutions, and the people.**
 - The newly appointed Municipal Community Safety Councils (MCSCs) and Local Public Safety Committees (LPSCs) are the natural loci to review issues related to freedom of movement, including the harassment to returnees' property, and design strategies for ensuring that this right is respected.**

- **The police must fully adopt community policing, and intervene strategically and pro-actively in trouble spots whenever freedom of movement is challenged.** This will be done by grading areas according to security risk, establishing priorities, and adopting a “broken window” and “zero tolerance” approach.¹ For example, the police should immediately stop any minor incident – the stoning of a bus by school children for example - from repeating itself, but also should be able to prevent analogous occurrences.
 - **Police and institutions should work to enforce rights, not just maintain order.** If a small minority of criminals uses violence to impede freedom of movement, they should be stopped and arrested.
 - **Communities have the rights and the protection ensured by a legal and institutional framework that follows international standards. They must learn how to use it,** where to go to make a complaint, where to talk to be heard by the authorities, and where to file for appeal when their rights are not respected.
 - **The Office of Community Affairs (OCA) within the Office of the Prime Minister should coordinate a public information campaign about the structure and functioning of all communities legislation and offices. It should use for this purpose a grassroots approach,** that is, it should involve community organizations to talk to the people directly, rather than through the media.
- 3. As the humanitarian bus transport is now fully managed by Kosovo institutions, these same institutions must provide the monitoring until now conducted by the OSCE.**
- **The Ministry of Transport and Communication (MoTC) must make sure that the service works efficiently,** covering the needs of the communities; information on schedule and timetable is provided in different languages; drivers are equipped with radios; and vehicles are not substandard.
 - **The (MoTC) must install a hotline, a free-of-charge number easily accessible to speakers of different languages, where requests or complaints can be quickly processed and referred to the proper office.**
 - **OCA must ensure that the above is executed in a timely and effective fashion,** coordinating the relevant institutions – the Consultative Council of Communities (CCC) and the Ministry for Community and Returns (MCR), to mention the most important.
- 4. Negotiations should take place between Kosovo and Serbia, with the mediation of UNMIK under the authority of UN Res. 1244, to re-establish a train service in Kosovo.**
- **Recognizing that an agreement on the issue might not be forthcoming in the short term, a pragmatic solution, albeit unsatisfactory, could be a train service until Mitrovica, with a bus connecting the stations of Mitrovica and Zvecan.** More important than the symbolic link between two divided parts of Kosovo is the service to groups, such as the RAE (Roma, Egyptian and Ashkalia) communities, that feel safest on the train.
- 5. Finally, efforts shall be put into finding a solution on handling car registration, if possible by achieving a compromise on allowing license plates different from Kosovo, and establishing co-operation among insurance companies in Kosovo and Serbia.**

¹ See Community Safety Report, 2009

I. The Legal and Institutional Framework for the Protection of Community Rights, among them Freedom of Movement

The “*Constitution of the Republic of Kosovo*”² protects human rights, but communities enjoy special protection because of their vulnerability. When the “*Constitution*” was voted by the Assembly of Kosovo in June 2008, following the declaration of independence in February 2008,³ a *Law on Communities* accompanied it, to elaborate all the provisions on fundamental rights and interests of minorities.⁴ This legal framework incorporates all the recommendations established in the *Comprehensive Proposal for the Kosovo Status Settlement* (the 2007 Ahtisaari Report).⁵ This also means that while operating in Kosovo, the formalization and implementation of the law remains subject to the supervision of an *International Civilian Representative (ICR)*, who holds the simultaneous mandate as the *European Special Representative*, and the monitoring of the European Union Rule-of-Law Mission (EULEX).⁶

Kosovo has the obligation to “respect the standards set forth in the *Council of Europe Framework Convention for the Protection of National Minorities* and the *European Charter for Regional or Minority Languages*.”⁷ that is, it must create the necessary conditions for the effective participation of minorities in the entire life of the national community. Freedom of movement has precise meanings in international law and is well recognized in the “*Kosovo Constitution*” as a universal right.⁸ The Kosovo institutions have the additional obligation to ensure that minorities are entitled both to freedom of movement and safety throughout the country.⁹

The “*Constitution*” provides for institutions responsible for safeguarding these rights and addressing specific needs of minorities: the *Ombudsperson*, the *Committee on the Rights and Interests of Communities (CRIC)* within the Kosovo Assembly, and the *Consultative Council for Communities (CCC)*.¹⁰ At the time of writing, the ICR’s scorecard on the implementation of the *Comprehensive Settlement Proposal (Matrix)* shows that Kosovo has fulfilled all its legislative obligations.¹¹ The same matrix records this accomplishment, but also the unfinished business as far as the implementation of the law is concerned.

The institution that has the broadest mandate on the promotion and protection of the rights of communities is the *Ministry of Communities and Returns (MCR)*, established in 2005 by UNMIK Regulation 2005/15. It is the MCR that is responsible to “ensure that policy at central and municipal level includes provisions for the protection of community rights, human rights and the interest of returnees, including in the areas of freedom of movement, use of languages, freedom of expression, fair representation, education, employment, and equitable access to justice, housing and public utilities and service.”¹² It is a mandate that it

² The UN is status neutral and conventionally refers to the “*Constitution of the Republic of Kosovo*.”

³ The Assembly of Kosovo declared independence after two years of UN-led talks to determine the political status of Kosovo. Kosovo has been a United Nations administered territory since 1999. At the time of writing, 62 countries have recognized the Kosovo, including most NATO members countries. Serbia has declared Kosovo’s independence illegal and asked the International Court of Justice to give an opinion on the matter. A decision is expected from this Court in 2010.

⁴ Law on Protection and Promotion of the Rights and Interests of Communities and their members in the Republic of Kosovo (Law 03/L-047)

⁵ Chapter XIII. Art. 143-145.

⁶ Chapter XIV Art. 146-147

⁷ Art. 58.2

⁸ Article 29 [Right to Liberty and Security]: Everyone is guaranteed the right to liberty and security. Article 35 [Freedom of Movement], see in particular, 35.1: “Citizens of the Republic of Kosovo and foreigners who are legal residents of Kosovo have the right to move freely throughout the Republic of Kosovo and choose their location of residence.”

⁹ See Law on Communities, Art 3.5: “The Republic of Kosovo shall protect the freedom of movement and safety and security of members of communities throughout the country.”

¹⁰ See European Center for Minorities Issues (ECMI) in Kosovo, *Institutions for the Protection of Communities*. 2009.

¹¹ *Comprehensive Settlement Proposal – Implementation* <http://www.ico-kos.org/d/CSPMatrix2009WEB.pdf>

¹² Under Annex XII paragraph VI of UNMIK Regulation No. 2005/15, Amending Regulation No. 2001/19, On the Executive Branch of the PISG in Kosovo.

partly shares with the *Ministry of Transport and Communication (MoTC)*, which is responsible “to support the provision of humanitarian and other special services “ in the sector of road transport of persons and goods.¹³

The focus of the MCR has been on returns, in accord to its mandate, but perhaps too narrowly. This appears to have been a limit to the effectiveness of the government in its dealings with communities. Furthermore, top positions in the Ministry have been predominantly filled by Kosovo Serbs, and in the post-war conflict climate of mutual mistrust, with a persistent Kosovo Serb boycott of Kosovo self-government institutions, the MCR has suffered from lack of wider support.

Other holdovers of the *Provisional Institutions of Self-Government (PISG)*, as Kosovo institutions were called until 2008) that deal with human rights and community issues are: the *Advisory Office of Good Governance at the Office of the Prime Minister (AOGG)* and the *Advisory Office on Community Affairs (AOCA)*, both established in 2001 with *UNMIK Regulation 2001/19*;¹⁴ the *Ministerial Human Rights Units and the Human Rights Coordinator*, created in 2007.¹⁵ Each of these institutions contributed to the promotion of human rights, including freedom of movement, but an overall evaluation by the *European Center for Minority Issue in Kosovo (ECMI)* points to evident shortcomings in leadership and capacity, often caused by over-stretched mandates and overlapping authorities.

While a discussion of broader political changes to improve the functioning of these institutions is beyond the scope of this report, we can follow the recommendations formulated by ECMI. In particular, ECMI points to the newly established office OCA within the Office of the Prime Minister as the best agency to coordinate and support legislation for communities, but also the government’s approach to community needs. A fully functioning OCA would work together with the CCC to make the institutional structure on communities comprehensive and responsive.¹⁶

¹³ Under Annex VIII paragraph X of UNMIK Regulation No. 2001/9, On a Constitutional Framework for Provisional Self-Government in Kosovo.

¹⁴ The first is mandated with monitoring and advising ministries, drafting and recommending policies in the areas of good governance, Human Rights, Equal Opportunities and Gender Issues; the second with monitoring the specifically community issues and making recommendations to the government on how to address those issues.

¹⁵ Administrative Instruction 4/2007. The coordinator was created by the Prime Minister to monitor the compliance of each ministry with human rights standards

¹⁶ ECMI- Kosovo. Strengthening the Institutional System for Communities in Post-Independence Kosovo, January 2009

II. Provisions for Transportation Services Dedicated to Communities

Until January 1, 2007, the implementation of the right of freedom of movement was entrusted to the Department of Civil Administration of UNMIK. The DCA successfully supported public transportation in lieu of the local authorities:¹⁷

1. The humanitarian bus transportation service, a network of seventeen bus routes connecting predominantly Serbian-inhabited areas (only one connected Leposavic to Mitrovica South, serving Albanian villages in the north, but was interrupted in June 2006),¹⁸ managed since 2003 by the local transport consortium Kolasin Prevoz.¹⁹
2. The Freedom of Movement Train, connecting Kosovo Polje to Leshak and managed by UNMIK Railways.
3. The bus transport service for Kosovo civil servants, managed by two operators, Merkatori Gjilan and Travel Agency 038 and initially funded by the contingency fund of the Special Representative of the Secretary General (SRSG).

In 2007, these responsibilities were transferred to the PISG. The MoTC and the MCR took over the humanitarian bus transportation system. The document that regulated the transfer of this responsibility to the Kosovo authorities is the *Operations Arrangement for the Transfer of Responsibilities for Humanitarian and Special Transportation Services for Minority Communities in Kosovo (Arrangement)*.²⁰ This *Arrangement* provides for the creation of a *Transport Advisory Committee (TAC)*, with representatives of the two relevant Ministries, UNMIK, OSCE and the *Ombudsperson*. The TAC has final authority to approve routes and schedules prepared under a methodology put in place by the Ministries.²¹

The MoTC issued the first guidelines (*Administrative Instructions 2007/6*) on routes and schedule selection methodology only in December 2007.²² According to OSCE monitors, mandated by the *Agreement* with checking its implementation, by mid-October these guidelines had not been adequately publicized and several interested municipalities had not been informed of this important document. Delay and lack of information were combined with poor inadequate communication between the Ministries mandated with the development and management of the system (MoTC and MRC, in collaboration with the MLGA), and the TAC.²³

Important actions taken by the MoTC have been the termination of the contract with Kolasin Prevoz, the hiring of five companies (both Albanian and Serb) with their own fleets of buses, and the opening of seven new routes in August 2008.²⁴ Currently there are 25 routes, which have not been formally approved yet by the TAC, as requested by the *Arrangement*. The OSCE maintains that in the absence of new laws or regulations, the *Arrangement* still stands, but there is reluctance on the part of the Kosovo Ministries to share the management of the transportation system.²⁵

¹⁷ On the importance of such subsidized services, Brookings, *Protecting Internally Displaced Persons: A Manual for Law and Policymakers*, October 2008, p. 87 and 90.

¹⁸ The people from the villages of Koshtovë/Kosutovo, Cerajë/Ceranja and Bistricë e Shalës/Saliska Bistrica (about 250), were boarding the bus on the main road from Leposavic at a checkpoint manned by KFOR. In the spring 2006 the International Organization of Migration (IOM) donated a minibus to the Municipal Community Office which was capable of reaching the villages and the bus service was discontinued.

¹⁹ The system started in 1999 under the aegis of the UNHCR and was transferred to UNMIK DCA on 1 July 2001. It was managed by the Danish Refugee Council until September 2003.

²⁰ This document was signed by UNMIK and PISG on 31/6/06. See OSCE, *Humanitarian Minority Bus Transportation in Kosovo after Transfer to Kosovo Institutions. Monitoring Findings, Report No. 4*, June 2008.

²¹ Art 5.2 of the *Arrangement*.

²² *Administrative Instruction 2007/6 on the Procedure for the Submission and Assessment of Requests for Humanitarian Bus Transportation (Procedure)*.

²³ OSCE, *Humanitarian Minority Bus Transportation, Report No. 4*, *ibid*.

²⁴ S/2008/692

²⁵ Conversation with OSCE officer on August 2009.

After the transfer to the Kosovo authorities, the humanitarian bus transportation system has continued to provide an indispensable service to vulnerable groups of passengers with a satisfactory level of performance. A series of OSCE monitoring reports shows that despite having inherited a twenty-year-old fleet of vehicles, the system worked efficiently and in a timely fashion. In the monitoring period, from 2006 through 2008, no serious attack against the buses was recorded, but a consistent level of intimidation.²⁶ The most common incident reported was the stoning of buses by school children, and apparently was dealt appropriately by the police and the relevant municipalities.

By all accounts, the major problems identified by the OSCE monitors were due to poor planning and lack of public information on services and how to file complaints. Despite questions raised by monitors on all the problems listed below, there has been no progress made in solving any of them. There still appears to be no written information on buses on schedules and routes in the languages relevant to their users. Nor is there any information on how to lodge complaints and to whom they should be addressed. Radio communication is either not existent or does not function well. Finally, as OSCE monitors report through 2008, local safety institutions such as MCSCs and LPSCs, which should take a pro-active approach, rarely have addressed issues related to the humanitarian bus system.²⁷

Nevertheless, the humanitarian transportation system has been providing a very needed service especially after the Freedom of Movement train stopped connecting the southern part of Kosovo with the north. After the declaration of independence in February 2008, on 3 March 2008 the Serbian Railway Company seized the Kosovo Railway in the northern region and interrupted all rail traveling to the south, causing considerable restrictions for freedom of movement.²⁸

The problems outlined above require prompt and flexible intervention from the institutions. Here OCA shall test its capacity to coordinate and support legislation across different areas. It should take up the task of solving the stall between MoTC and TAC, and oversee MoTC's management of the humanitarian transportation system.

On its part, MoTC should establish effective monitoring of this system, and a free-of-charge hotline, maybe a three digit number, where operators conversant in relevant languages would be available to hear complaints and requests and direct them to the appropriate offices. While the use of all institutional levels of communities representation is advisable, a direct, user's friendly relationship with the public might be the most effective solution.

²⁶ OSCE. *Humanitarian Minority Bus Transportation in Kosovo after Transfer to Kosovo Institutions. Monitoring Findings*, Reports No. 1 (21 November-22 December 2006); No. 2 (January-march 2007); and No. 3 (April-June 2007).

²⁷ OSCE, Report No.4, *ibid.* p. 6

²⁸ S/2008/458

III. Freedom of Movement in Kosovo since 1999. Official Reports.

A review of the reports on Kosovo by Secretary General to the Security Council from July 1999 through July 2009 shows that restrictions affecting all communities eased out considerably during the post-conflict period, from the high of the ethnic un-mixing of 1999-2000. Yet, this longer-term picture is much more complex when examined closely, revealing a non-linear trend for what regards freedom of movement. Other studies, as detailed below, are more explicit on the political and regional complexity of the problem.

Throughout the decade, there were reports of a persistent climate of intimidation and harassment that are especially localized in certain areas. However, what is more threatening is the sudden resurging violence after periods of relative peace, which targets not only specific ethnic groups, but also the international presence. As the security situation improves, the occurrences mentioned above fully justify the feeling of vulnerability that continues to affect minorities. Although influenced by strong feelings of social distance between ethnic groups other than one's own,²⁹ perceptions of insecurity are grounded in the reality of this low-intensity violence and the perception that law enforcement is also a target.

What makes tempers flare and violence erupt is very often the flash-point of Mitrovica, or the line of demarcation between an overwhelmingly Serbian northern region and a predominantly Albanian southern region.

A case in point is the resurgence of violent acts in 2008 and 2009, after a long period of lull, precisely in the northern region, where immediately after the declaration of independence there have been attacks on international premises, vehicles, and law enforcement personnel.³⁰ This past August, the attacks have targeted Albanians working on the reconstruction of houses destroyed in 1999 in the village of Kroi i Vita-kut/Brdjani, municipality of Mitrovica, and construction work was halted for a while.³¹

Within two weeks from that incident, for the first time in years, a group of 80 Serbs traveling in a pilgrimage from central Serbia to Velika Hoca were prevented by the KP to reach their destination.³² The justification provided was bureaucratic. It would be too speculative to establish a causal connection between this event and the wide opposition to the signing of a protocol on police and custom in the northern region of Kosovo between EULEX and Serbia. Yet, renewed threats to freedom of movement for both Albanian and Serb minorities in Kosovo happen today in a persistently tense climate over sovereignty.³³

A brief review of UNMIK Reports 1999-2009

After the conflict, a substantial movement of people resulted in the relocation of Serbs from the region south of the river Ibër/Ibar (by December 1999, 150,000 registered with the Serbian Red Cross) and of Albanians from the region north of the river (1,600 transferred to the south in February 2000).³⁴ This ethnic un-mixing was a consequence partly of the conflict, partly of the climate of intimidation, harassment and violence on both sides that followed.³⁵ Since then, it is a fixture of Kosovo politics and security.

²⁹ A recent report focuses only on stereotypes to explain the problems of freedom of movement. See Freedom House. *A Joint European Vision: Free Movement for Goods and people in Kosovo and Serbia*, 2009, p. 25

³⁰ Mobs attacked the UNMIK court and detention center, and burned down the UNMIK police and custom facilities at the crossing points with Serbia on the Administrative Boundary Line in Northern Kosovo. See S/2008/211 (28 March 2008). On March 14 the UNMIK courthouse was forcefully seized by Kosovo Serb judicial employees, asking to be reinstated in their positions. Three days later UNMIK police and KFOR re-established control of the courthouse but clashed with protesters. Among the many injured officers, one casualty, an UNMIK police from Ukraine. See S/2008/458 (15 July 2008).

³¹ Besiana Xharra, "Kroi i Fesateve," *Express*, 26 gusht, 2009

³² "Serbs Prevented from Reaching Memorial," B 92, 11 September, 2009

³³ At the same time that the construction work in northern Mitrovica came to a halt, protesters of the protocol in Prishtina damaged several EULEX vehicles. Faton Osmani, "Demolojne Protokollin," *Express*, 26 gusht, 2009

³⁴ S/1999/1250 and S/2000/177.

³⁵ OSCE. *Kosovo/Kosova. As Seen As Told*, part II, 1999; ICG Reports No 74/1999. *The Policing Gap: Law and Order in the New Kosovo*; and No. 78/1999. *Violence in Kosovo: Who's Killing Whom?*

By 2001, continued attacks against Serbian property and persons caused a number of fatalities, most seriously in the bombing of the bus traveling from Nis in Serbia, with 10 casualties among the passengers and many more wounded.³⁶ This and other incidents gravely endangered freedom of movement, as well as discouraged displaced Serbs from returning. Traveling north for Albanians who had not decided to remain resident of that region came to a complete halt.

As attacks against minorities decreased and became more random during 2002, freedom of movement also expanded with the launch of the Freedom Train in December and a progressive reduction of military escorts to buses. Interestingly enough, the new rise in incidents against Serb transport – mostly stoning - recorded in the second part of 2003, discouraged people only temporarily from traveling. In the first months of 2004, NATO checkpoints were phasing out and both humanitarian buses and the train continued to carry an average of respectively 30,000 and 50,000 passengers per month. More and more Serbs started to travel unescorted by private cars.³⁷

The March 2004 riots halted this progress and pushed 4,100 Serbs to leave Kosovo. The riots targeted Serbian property and persons, as well as international property, catching the international administration and security forces by surprise. The spark was a drowning incident, whose ethnic nature was suspected at the time, but never clear. The reason for the riots was by all accounts political.³⁸ In his report to the Secretary General, Special Envoy Kai Eide concluded that the situation had become explosive not for reasons of inter-ethnic nature, but because of the Albanian majority's dissatisfaction and frustration with the international presence itself.³⁹

While the international presence never encountered widespread explicit opposition, the signs of dissatisfaction with the civilian administration had been reported early on by independent analysts and UNDP Early Warning Report surveys, showing plummeting rates of approval for UNMIK and the SRSG.⁴⁰ The Secretary reports to the Security Council are explicit in recording attacks against the international presence from the beginning of the mission throughout 2003.⁴¹

The UN response to the 2004 crisis was swift. It mandated Kai Eide to review the situation in Kosovo, and by the of 2005 negotiations on Kosovo's political status had started. This new political context addressed the deepest anxieties of the Albanian majority and very likely contributed to a lowering of ethnic tension. While police escorts to Serb transport reached the number of 300 a month in the latter part of 2004, from 2005 on Kosovo Serbs felt increasingly safe in their traveling – the majority by their own private vehicles. Even a new spate of violence at the end of 2005⁴² did not stop the movement of people: as the UN reports, in one year incidents threatening freedom of movement came down from a high of 5 a week (KFOR figures) to 2 a month (KP figures).

In 2005 the Kosovo Police started conducting surveys on freedom of movement and the sense of safety among minorities (Table 1). The progress is evident in a trend that shows a level of satisfaction with the condition of traveling as high as 96% in 2006, from a low of 41% in March 2005.⁴³ In 2007, buses started to travel without UN emblems and unescorted. Pilgrims traveled to the monasteries of Visoki Decan, Devic and the Patriarchate of Pec in increasing numbers and unescorted.⁴⁴ Celebrations of Vidovdan on June 28

³⁶ See S/2001/218

³⁷ S/2003/421 and S/2004/71.

³⁸ ICG Europe Report N°155, Collapse in Kosovo, 22 April 2004 and Human Rights Watch. Failure to Protect: Anti-Minority Violence in Kosovo. March 2004, July 25, 2004

³⁹ S/2004/932

⁴⁰ On the disaffection of the local population for the international presence early on see ICG Report No. 83/1999. Starting from Scratch in Kosovo: The Honeymoon is Over. From July 2003 through March 2004 UNMIK lost about 20 points, down to 22% from 40%, and the SRSG lost about 40 points, from 70% to 32%. See trends in Early Warning Report No 24, April 2009.

⁴¹ In 2001, the Secretary report express alarm for the fact that 1,5% of all reported crimes concerned international security forces, see S/2001/565.

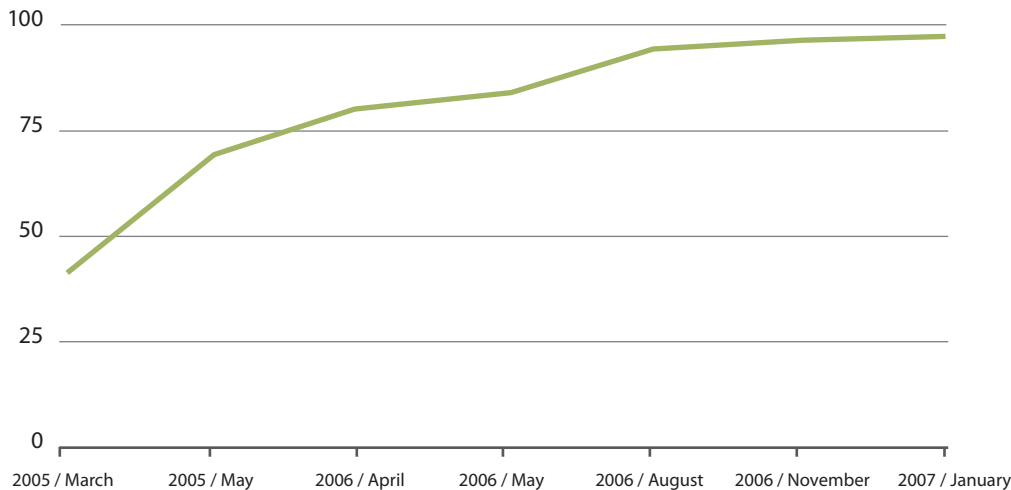
⁴² See S/2006/45

⁴³ S/2005/335 and S/2006/906

⁴⁴ According to the Secretary reports to the SC, at the end of 2007 the monastery of Visoki Decani witnessed the largest gathering for the celebration of Sveti Stefan on November 24: 2000 unescorted visitors, compared to the 1,400 of 2006 and 700 of 2005. See S/2007/768 and S/2007/134

occurred without incident in 2007, 2008 and 2009, with large crowds gathering unescorted to the Gazimestan memorial from Serbia and other parts of Kosovo.⁴⁵

Table 1 Satisfaction with Safety when Traveling Among Kosovo Serbs.



Source: KP data reported to the Security Council by the Secretary General.

Freedom of Movement Monitoring

The Humanitarian Law Center's more comprehensive and focused research on security and minorities shows that the positive trend on freedom of movement identified by the Kosovo Police in the reports to the Security Council between 2005 and 2007 (Table 1), and confirmed by more recent SC reports, takes more the form of a patchwork.⁴⁶ In other words, degrees of security change according to where one lives and some areas feel safer than others. A similar conclusion can be drawn from research conducted by the Helsinki Committee in Serbia⁴⁷ and the ECMI,⁴⁸ and is corroborated by the Ombudsperson.⁴⁹ According to all reports, the only community that continues to use police escorts throughout are the Albanians living in northern villages.⁵⁰

There are areas, such as the southeastern part of Kosovo, or Prishtina, where Serbs have nearly achieved full freedom of movement. The number of Serbs using public transport to get to Gracanica, Mitrovica or Serbia is increasing in the Serbian-inhabited villages or towns of the Gjilan Municipality. Other areas are less free, or there are differences among villages in the municipality of Klina, for example.⁵¹ As day trips to monasteries or tourist attraction are free of incidents, limitations to movement for returnees in rural areas are determined by petty crime and difficult living conditions.⁵²

⁴⁵ S/2008/692 and personal observation on 28 June 2009 at Gracanica and Gazimestan.

⁴⁶ HLC, *Ethnic Communities in Kosovo 2007 and 2008*, 2008, p. 192 and ff. The statement that freedom of movement is still "a significant problem" is proposed without any further qualification only by Freedom House. *Freedom in the World 2009 – Kosovo [Serbia]*, 16 July 2009.

⁴⁷ See a series of reports by the Helsinki Committee in Serbia under the project *Serb Enclaves: Forgotten World*, established in 2008.

⁴⁸ ECMI, *Communities in Kosovo. A Guidebook for Professionals Working with Communities in Kosovo*. 2009.

⁴⁹ The Ombudsperson Annual Reports 2007-2008, pp. 38-40; and 2006-2007, p. 33.

⁵⁰ HLC, *Ethnic Communities in Kosovo 2007 and 2008*, p. 188; Helsinki Committee in Serbia, 27 April 2009; ECMI, *ibid.*, p. 12

⁵¹ HLC, *ibid.* p. 192

⁵² Helsinki Committee in Serbia. June 21, 2009; 27 April 2009, Report March 2009

ECMI sees a correlation between security and population density. When Serbs are 40% or more of the population, or less than 5%, they have no problem. Perception of insecurity and lack of safety restrict freedom of movement where Serbs are between 5 and 20% of the local population.⁵³

Roma have been particularly affected by the sudden lack of train transportation. Freedom of movement is generally not a problem for them, except in the village of Plemetine/Plementina,⁵⁴ Obilic and Pristina.⁵⁵ Other minorities have no problem regarding freedom of movement.⁵⁶

As freedom of movement became less of a security problem in 2008 and 2009 across Kosovo, a new set of issues emerged in the northern region. We mentioned above the most serious incidents. More mundanely, the recurring problem of auto insurances and license plates has become more acute, with drivers from the south needing documents issued by Serbian companies and authorities,⁵⁷ and Serbian drivers across Kosovo needing Kosovo's documentation, according to the new traffic law.

The boycott of independence from Kosovo Serb hard-liners led to the termination of travel by train and further imperiled freedom of movement for Albanians living in the northern part of Kosovo.⁵⁸ The humanitarian bus transportation catering to the Albanians living in the north was temporarily suspended for one month, but resumed promptly with a police escort.⁵⁹

According to police reports and the analysis of the Humanitarian Law Center, Mitrovica once again is the most volatile place in Kosovo.⁶⁰ Even as the worst fear of ethnic tension after the declaration of independence has not materialized, parallel institutions established by Kosovo Serbs who opted out local government structures and laws have strengthened. Consequently, the separation between Albanians and Serbs has sharpened.⁶¹ Freedom of movement, as recognized by the 2008 Progress Report by the Commission of the European Communities to the European Parliament and Council, "is hampered by the political situation, and by real and perceived security threats, in particular between the north and the rest of Kosovo."⁶²

⁵³ ECMI, *ibid.*, pp. 18-19

⁵⁴ HLC, *ibid.*, p. 198

⁵⁵ ECMI, *ibid.*, p. 44

⁵⁶ HLC, *ibid.*, pp. 200 and 202.

⁵⁷ HLC, *Security Situation in Mitrovica/Mitrovice during the period December 2008 and January 2009*, p. 75

⁵⁸ S/2008/458 and 692.

⁵⁹ See S/2008/458 (15 July 2008)

⁶⁰ OSCE, *Human Rights, Ethnic relations and Democracy in Kosovo (Summer 2007-Summer 2008)*

⁶¹ *Ibid.*, pp. 9-12.

⁶² Commission of the European Communities, *Kosovo (Under UNSCR 1244/9) 2008 Progress Report*. 5.11.2008, p. 35

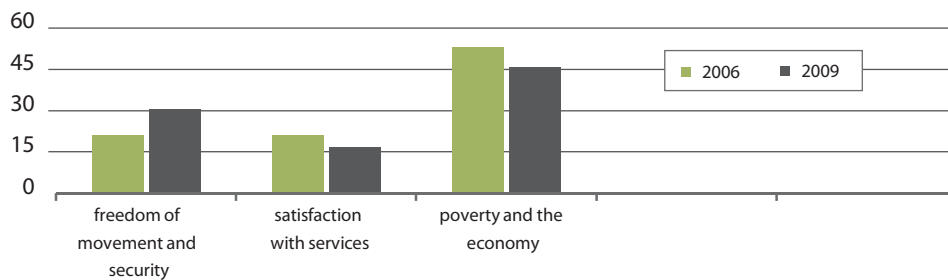
IV. Freedom of Movement as it is Perceived and Experienced

A Comparison of 2009 and 2006⁶³ survey data shows that despite improved conditions, in these three years the problem of freedom of movement and security has become more serious for Kosovo Serbs (Table 2). We focus mostly on Serbs here because they are the largest and most vulnerable minority, and the one that most sharply diverges from the majority in the polls. Nearly all surveys and research report similar data.⁶⁴

As far as Albanians are concerned, there are very few who live as minority in the northern region of Kosovo, and their responses in this survey are also very few. An often unspoken problem is of course the lack of freedom that the majority of Kosovo Albanians perceive they have in traveling to and across the north.

Given the history of freedom of movement in the post-war period as discussed above, Kosovo Serbs are fully justified to feel insecure. What they express are not old fears, but lack of trust in the environment. In fact, even though the reality of freedom of movement had drastically improved until 2008, there currently is a general climate of tension. Recently, localized but highly publicized serious incidents have reinforced the widespread sense of insecurity.

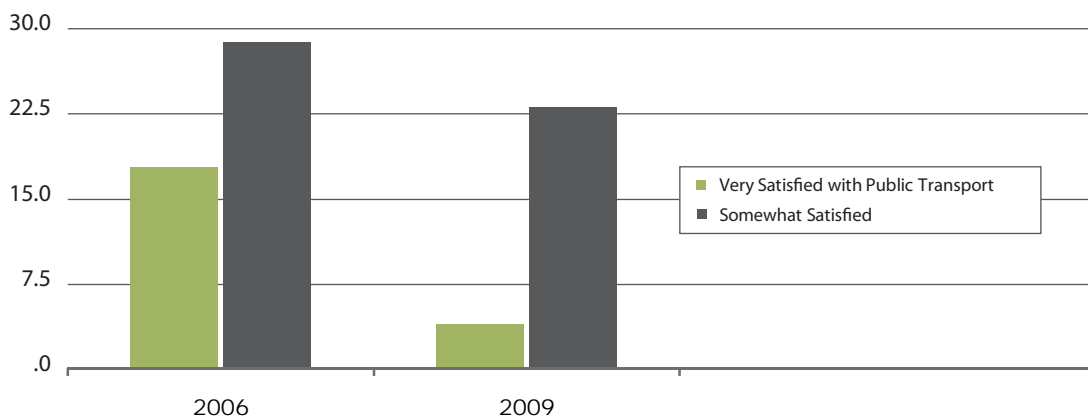
Table 2 Satisfaction with Safety when Traveling Among Kosovo Serbs.



Source: Mosaic 2009, UNDP

The comparison with polls collected 3 years ago shows that a growing sense of insecurity among Kosovo Serbs is accompanied by an overall increase in dissatisfaction with the performance of local institutions. Satisfaction with public services has declined, more sharply with schools, consistency of water supply, electricity, sanitation, procedure in tax collection, social services, pensions, emergency and firefighting services, phone and postal services, and cultural and sports activities. As satisfaction with public services in general decreases, satisfaction with public transport also has decreased (Table 3).

Table 3 Satisfaction with Public Transport. Kosovo Serbs.



Source: Mosaic 2009, UNDP.

⁶³ UNDP Kosovo. Kosovo Mosaic 2006. Public Services and Local Authorities Under Review and Kosovo Mosaic 2009

⁶⁴ See Community Safety Report 2009 and ECMI-Kosovo. Community Needs Assessment Workshop with Serbian, Bosniak/Gorani, Turkish and RAE Communities Non-Governmental Organization Report, November 2007

It is hard to understand whether the dissatisfaction with transport is linked to growing insecurity or just poorer service. These negative trends are not much different from the perceptions among the total population, among them social services and pensions only marks a difference. What differs is the heightened sense of insecurity among the Serb population in Kosovo, which experiences this feeling much more strongly than the rest.

Where do people travel to and how often?

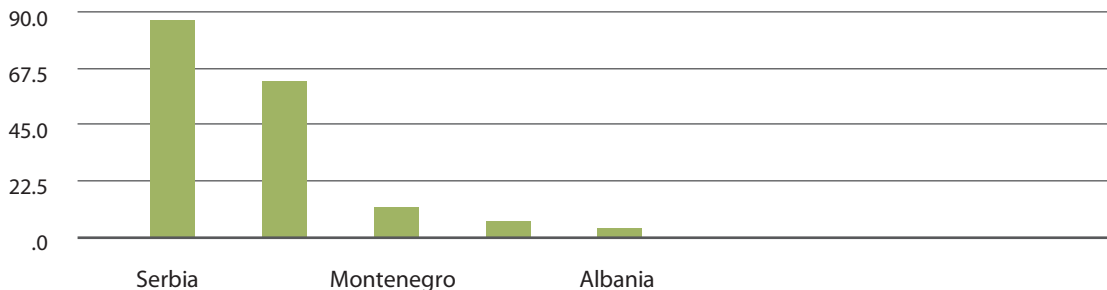
Minorities, including Serbs, travel across Kosovo as frequently as everybody. What changes is the sense of insecurity, mostly cited by Serbs not only as a reason not to travel, but also as a dominant feeling when traveling.

Also, for Serbs, travel destinations are limited to areas where there is a concentration of other Serbs. The western region, where the most important Orthodox religious sites are located, but mostly Albanians live, is the one where Serbs feel more insecure and the one where they travel less frequently. Yet, the record shows that visits to the religious sites have been happening without incidents for the past few years, even in the absence of police escort.

This confirms our discussion above, about the relative ease with which minorities currently travel, in the context of a persistent feeling of insecurity.

The Survey on Freedom of Movement (see Appendix) from which this report draws data says that for Kosovo Serbs, as to be expected, the major flow of movement is toward Serbia, but the second is travel within Kosovo. (Table 4) This data is significant, since this is the first survey in which a representative sample of Serbs living in all regions of Kosovo has been considered.

Table 4 Destinations of Travel Within Kosovo for Kosovo Serbs.



Almost a third travels within Kosovo every week, 25% every month, a third a few times a year. In this context, they do not seem to differ extravagantly from other groups (Table 5). Only Serbs, however, concentrate their traveling in some areas, mainly Mitrovica north and the central area of Kosovo (Table 6). These are the regions where Serbs have settled after 1999.

Table 5 Frequency of Travel Within Kosovo for all Citizens.

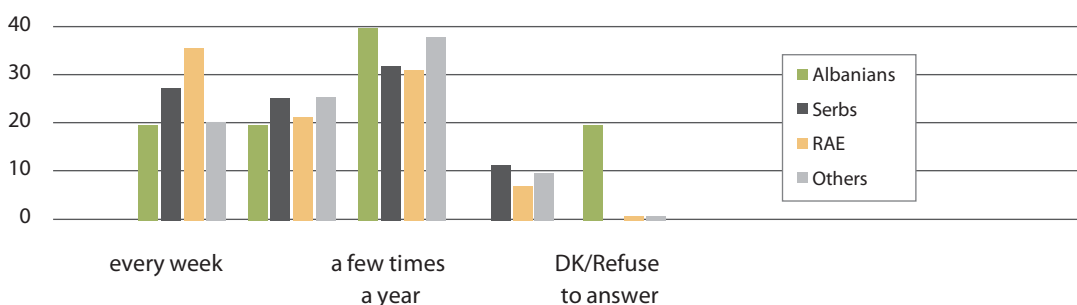
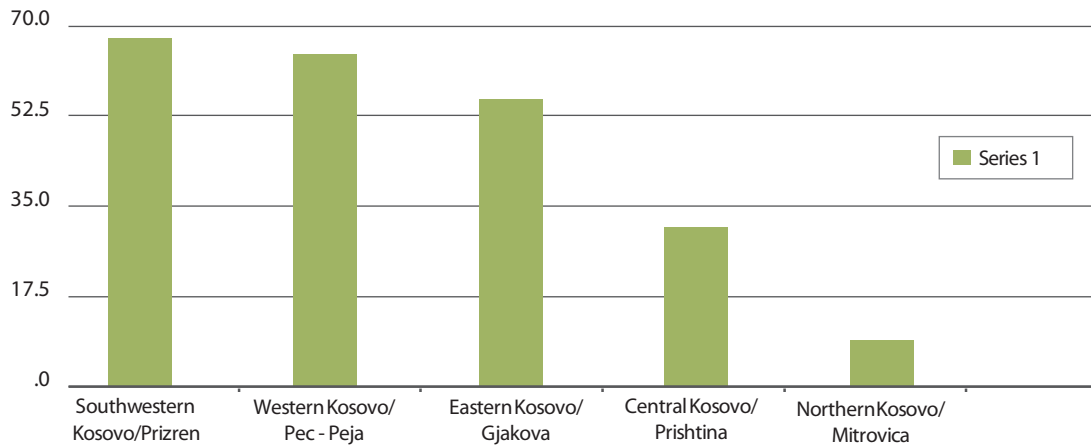


Table 6 Regions of Kosovo not Traveled by Serbs

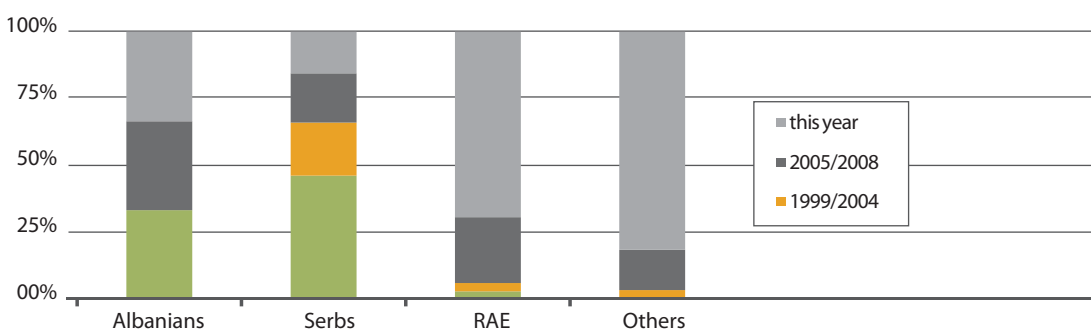


When traveling within Kosovo, no matter the region, the feeling of insecurity is equally high. In the central region, the feeling of insecurity is higher (33.2%) and in the southwestern region lower (16.2). The feeling of insecurity is also high in the northern region (25.7), where the flash-point city of Mitrovica is located.

More than a third of Kosovo Serbs (35.5%) has not visited Prishtina since 1999, but almost as many have visited the capital since the end of the conflict. Since 2005 there is an increase in the number of Serbs visiting Prishtina (23% do not answer the question) (Table 7).

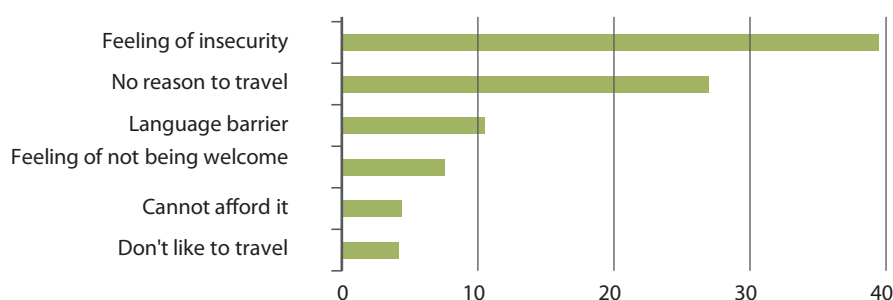
Interestingly, almost the same number of Albanians has last visited Prishtina before the conflict (33.3%). Among Albanians, visits to the capital increased exponentially after the Declaration of Independence, but still remain a lower rate than other communities'. Members of the RAE communities have visited Prishtina mostly after 2008 (81.1%) and a very small number was last in Prishtina before the conflict.

Table 7 Time of Last Visit to Prishtina



More interesting are the reasons for traveling or not among Kosovo Serbs (Table 8).

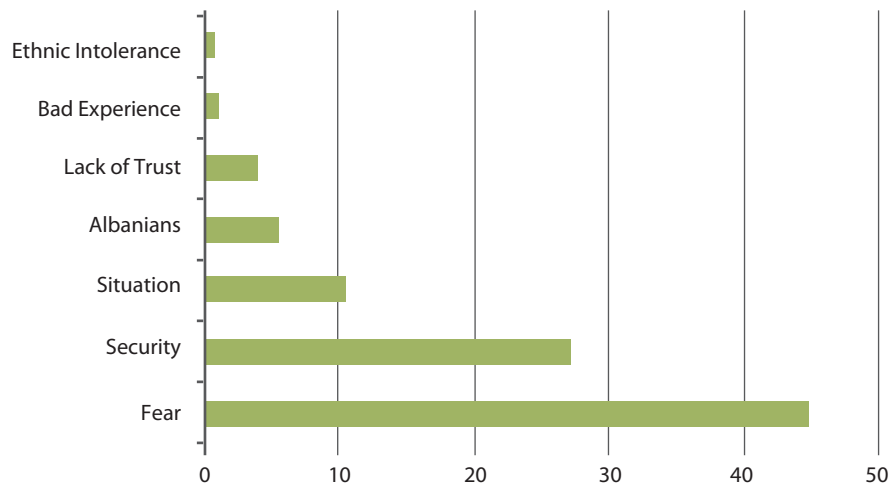
Table 8 Reasons for Not Traveling. Kosovo Serbs



The feeling of insecurity appears to be the first reason, but language barrier and not feeling welcome are also important signifier of exclusion. For RAE members instead, lack of reasons and interest in traveling are major factors (50% and 25%). A similar answer is obtained from other minorities. (Albanians cite sense of insecurity by 50%, but this data is difficult to place because as many refuse to answer the question).

Among Kosovo Serbs who feel insecure or very insecure, the reasons for this perception are overwhelmingly related to perception rather than experience (Table 9). There are only 5 non-Serb respondents who give reasons for feeling insecure. Two are clearly RAE, because they mention their ethnicity as a factor of rejection from the population at large. The rest say, "because they do not want me," "because I do not know the Serbian language," and "because of the situation."

Table 9 Reasons Behind Feelings of Insecurity - Kosovo Serbs.



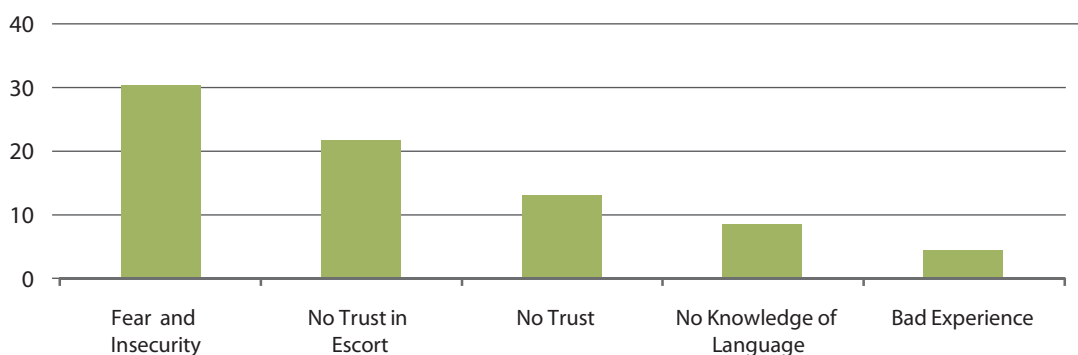
How do they travel?

Serbs travel mostly by car, which they register in Kosovo (39%) or Serbia (35%) or both (24%). Interestingly, the same percentage of Albanians registered their car in Serbia (33.3%), while other minorities have their cars registered mostly in Kosovo.

The use of different license plates by the same driver reflects the stall of political negotiations between Kosovo and Serbia. It might be possible however negotiate an agreement among insurance agencies, to spare drivers from being caught by traffic police with invalid documentation. Since most Serbs travel by car, a solution of this problem would make traveling less difficult for those who do not have Kosovo registration.

The freedom train was used by 16.8% of Serbs, less by RAE members (3.5%). However, for this small minority it proved to be the most secure way of traveling. These state in fact that they felt very secure on the train, but no statistically significant answer is provided by Serbs on this issue.

Table 10 Reasons for Feeling Insecure on the Humanitarian Bus Transportation - Kosovo Serbs



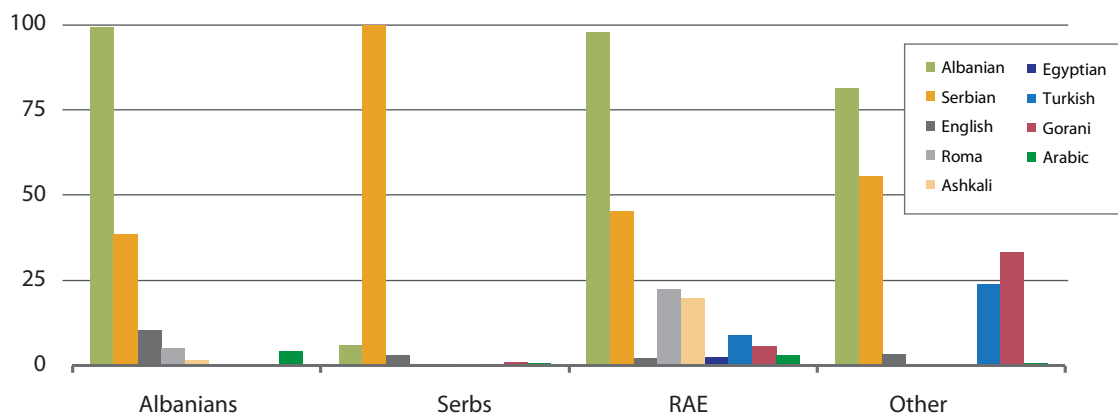
More Albanians, RAE and other minorities use public transportation than Serbs, although 33.6% of Serbs have used the humanitarian bus, where they feel relatively secure. (Only 15.9% feel insecure or very insecure). Among Albanian respondents, 50% used the humanitarian bus and 33% felt insecure.

In this case as well, it is the intangible feelings of fear and lack of trust that are more frequently cited than bad experience as a reason to feel insecure (Table 10).

Although as stated above fear depends on larger issues, much can be done to increase trust on the humanitarian bus system and make it an efficient and safer service for embattled minorities. Recommendations provided by OSCE monitors remain valid and should be embraced by the MoTC.

Beyond the management of the transportation system, there are issues of isolation and exclusion, sometimes partially self-inflicted in the case of Serbs' lack of knowledge of any other language beside Serbian, which should be addressed (Table 11). Among the reasons behind feelings of insecurity or refusal to travel, the language barrier has certain relevance. Only 5,9% of Serbs understand Albanian, the language of the majority. RAE and other minorities instead are well conversant in Albanian (respectively 98% and 81.5%).

Table 11 Languages Spoken in Kosovo



Even then, this situation should not create total isolation, as 38.5% of Albanians understand Serbian and about half of RAE and other minorities speak Serbian (respectively 45.4% and 55.6%). Provided that the transportation system is served by schedules and timetables in Serbian, and that the bus drivers speak Serbian, the environment is not completely foreign. But the isolation experienced by Kosovo Serbs because of the language barrier is broader than ignorance of other languages.

Kosovo Serbs do not share channels of communication with other groups living in Kosovo. In a recent UNDP survey on media usage among communities, it appears that Albanians and other groups receive information from the same Kosovo TV channels and programs. Only Serbs exclusively watch and listen to Serbian media, especially the Serbian public service media of RTS.

This situation is highly problematic, but shows possibilities for intervention. From focus group research we learn in fact that Kosovo Serbs are dissatisfied with RTS coverage of Kosovo and are suspicious of biases, with programs stressing only incidents and bad news. They would favor in fact the creation of a local independent Kosovo-wide Serbian channel, which would offer information on the reality of Kosovo as they experience it.⁶⁵ This might be what is needed not to fully bridge the gap between reality and perceptions on freedom of movement, but certainly close the distance.

⁶⁵ Center for Peace and Tolerance and UNDP. Support to Minority Language Broadcasting Media, 19 April, 2009

V. Conclusions

The evidence shows that freedom of movement for communities has been steadily improving in Kosovo after 1999. However, feelings of insecurity are still prevalent particularly among Kosovo Serbs, who are still subject to low-intensity harassment and fear the volatile environment they live in. The small minority of Albanians inhabiting the northern part of Kosovo share a similar condition.

The overall political situation provides the necessary background to understand this dynamics. An ultimate solution to the problem can be found only at that level. However, from a human security perspective that puts people first, the Kosovo leadership and society can and should do more to improve the right of everybody to travel freely in and out, as well as across Kosovo.

An expanded freedom of movement would in fact be a test for the competent authorities to show concrete commitment to two important institutional functions: providing good services to all citizens, and ensuring their safety. Fulfilling these functions cannot remain an unanswered challenge especially in Kosovo, a post-conflict society with a legacy of ethnic violence, but a commitment to build a civic democracy. Public transport should be easily accessible to all citizens, and their safety should be a priority always and everywhere.

The greatest burden obviously rests on the institutions. As the utmost public good, safety for all citizens cannot be delegated, but requires the strongest commitment on the part of core security institutions such as the police and the courts, as well as of local and Kosovo-wide government. As a first positive step, Kosovo has adopted institutions and legislation that are in accord with European democratic standards, according to the evaluation conducted by international independent bodies. The second step, implementation, still lags behind.

Implementation requires good policies and leadership. Freedom of movement is part of the larger issue of security -- for communities that live as demographic and political minority in Kosovo, but also for all citizens. And security is a local issue. From this research and other studies it is clear that there are regions, and municipalities within regions, where people feel more threatened and thus less free to move. The police, in partnership with local governments and local safety bodies such as the MCSCs and the LPSCs, should identify what are the least safe areas and prioritize their intervention there to create a safe environment for all. Famed New York and Los Angeles chief of police William Bratton adopted this same approach in ethnically charged contexts to reduce crime and improve citizens' trust in the police. From the results he achieved in both places, it is reasonable to agree with him that his model policy will work in different contexts across the world.⁶⁶

Community policing has been adopted by the KP as a strategic approach to safety. It must be implemented more forcefully and consistently, especially in the case of freedom of movement. Experience teaches that when school kids stoned a humanitarian transport bus and the police addressed the issue directly to the parents and the local communities, the incidents were not repeated. Obviously, stoning incidents cannot be compared to violent attacks such as bombing or shooting, but if nobody stops them immediately, by taking a zero tolerance approach, the message is that "nobody cares."

Leadership is both about management and setting the tone. By establishing that they care about the safety of all, institutions communicate that everybody should care. If communities are carriers of rights according to the law, the police should make sure that these rights are enforced and be pro-active in this endeavor. If communities cannot make use of their rights because of lack of knowledge, initiative or political will, the institutions should redouble their efforts.

Kosovo has several bodies mandated to deal with community rights. They must be known and accessible to a population, Kosovo Serbs in this case, that does not watch or read Kosovo-wide media. A public campaign through the media is not the best way to promote knowledge of and access to institutions dealing

⁶⁶ "Cops and Crime in Los Angeles," *The Economist*, October 31, 2009, p. 42

with communities. What is needed is a grassroots approach and a tangible presence of the institutions in local societies, promoted and coordinated by OCA.

Located in the Prime Minister Office, OCA is the competent body to ensure that all ministries demonstrate a consistently pro-active role in addressing the needs of communities, freedom of movement among them. In this case it is the Ministry of Transport that should be asked to provide efficient and safe services, with an in-built monitoring process.

Some interventions that could greatly improve service and trust in the institutions cost little and are simple to implement. For example, a simple, free-of-charge, multi-lingual hotline where people can easily address complaints and requests could serve two purposes: first, as an open and impersonal communication line, outside ethnic representation, it could ease the relation between communities and institutions; second, it could be a data gathering device for the Ministry to assess users' satisfaction and improve the service.

In short, institutions should find pragmatic and flexible ways to address needs, when they cannot solve larger problems. A case in point is the lack of train service connecting the southern and northern part of Kosovo since 2008. If there is no improvement in the relationship between the Railway Systems of Kosovo and Serbia, a bus connecting the two lines across the Ibar river could help re-establish the train service on each side.

This is not an optimal solution by all means, but if Kosovo is serious about human security and putting people first, it is a valid attempt to address the needs of those, the RAE communities in particular, who say that they mostly rely on the train for safe travel.

Equally pragmatic would be the attempt to coordinate car insurance policies between Serbian and Kosovar companies, to avoid that license plates issued in Serbia or Kosovo remain reasons for travelers to feel harassed by the police over contested legal issues. Keeping a focus on people might help understand that insurance protection on the road - for the drivers and from other drivers - should take precedence over symbolic issues.

The ideas that I sketched above to expand freedom of movement are only some concrete suggestions within the frameworks of human security and community policing. I am confident that much more can and must be done by developing ideas and solutions at the local level, asking and listening to people, through an engagement of the institutions and their leaders.

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Appendix I

Minority Media and Freedom of Movement Survey Report

June 2009

Preparatory work

During the preparatory phase, enumerator trainings were held on June 11th and 12th 2009, in the UBO Consulting training facility. During the training sessions, enumerators were introduced to the subject of research on the subjects of Minority Media and Freedom of Movement. In addition, enumerators were familiarized with the questionnaire and interviewing techniques. Local sampling procedures were repeated in the training session as part of the training process. Following approval of the questionnaire on June 12th 2009, pilot testing, including 30 interviews in the municipalities of Prishtina, Gracanica, Peja, Ferizaj, and Vushtri, was conducted on June 13th, 2009,. After reviewing the pilot test's data results, the questionnaires were sent for printing. Enumerators were given agency letters of authorization for the survey, survey manuals, and name badges. The preparatory phase concluded on June 15th, 2009.

Fieldwork

Fieldwork was planned to start on June 15th, 2009 and finish on June 26th, 2009; Actual work started on June 15th/2009, and finished on June 28th, 2009. During the fieldwork, interviewing was enacted simultaneously in 30 municipalities and carried out by 47 enumerators. Questionnaires were sent to enumerators, and completed questionnaires were collected every second day. Respondents were selected according to the following ethnic structure; **1,050 Serbian 450 Albanian**, and **450 respondents representing other communities** living in Kosovo. As planned, enumerators were selected to represent the ethnicity of the areas they would be covering; such that K-Serbian enumerators would cover the K-Serbian respondents and K-Albanian enumerators were assigned to K Albanian respondents and non-Serbian minorities.

Enumerators were debriefed during the submission of questionnaires and no accounts of abuse were reported, apart from enumerators and the regional manager for the Northern part of Mitrovica; these staff reported some harassment from unidentified persons. 1,950 respondents were interviewed in 30 municipalities and 91 settlements were covered throughout urban and rural regions in Kosovo. Management and supervision of field work was organized via seven regional managers who continuously visited and monitored enumerators in their region, no negative remarks were made except for those concerning the extension of time; the reason for this was that the work was beset interruptions due to adverse weather conditions. because a 2 day extension to the survey was agreed as some of the enumerators were forced to interrupt work due to rain, which was rather persistent during the course of the field work. Besides rather rainy weather during the survey, there have been no significant departures from the original plan of activities. During the field work, enumerators submitted the following data regarding any refusal/inability to complete interviews in the selected sampling point(s).

Nr.	Number	%	Qualification
1	1950	98.1	1. Completed
2	9	0.5	2. The initial refusal by the people / who open the door
3	14	0.7	3. Refusal of the persons selected for the interview
4	11	0.5	4. Interrupted interviews
5	3	0.1	5. Inhabited home
Total	1987	100	

The data shows that highest percentage of failure to complete the interview was due to respondent refusal, either at the point of contact or during respondent selection.

Back checking

The procedure for back checking started on June 22nd, 2009 and ended on 3rd, July. Back checking procedure started during the second week of survey process, by random selection of questionnaires and contacting the relevant surveyed persons to validate/ corroborate data on the questionnaire. 595 persons, 31% of all questionnaires were subjected to back checking, pursuant to the survey. Back checking was carried out by onsite visits and via telephone. Onsite back checks were conducted by UBO-Consulting project officers, and due to practical reasons, 50% of back checks were made over the telephone from UBO Consulting offices. Respondents were asked to confirm participation on a survey regarding Minority Media and Freedom of Movement. Questions A1, A2, A3, D5, and D13 were read again to the respondent, and responses were observed, as a result of this, no discrepancies have been noticed between the data on the original questionnaire and responses received during the back check interview. In addition, on the date of June 24th, 2009, a field visit was made by UNDP project representative to witness the surveying process in person. A table with the number of back checks by municipalities is given below.

Nr	Municipality			Nr. of respondent	Serb	Alb	Other
		Region	Settlement				
1	Drenas/ Glogovac	Urban	Drenas/Glogovac	18		10	
		Rural	Necoc			8	
2	Fushe Kosove/ Kosovo Polje	Urban	Fushë Kosovë/Kosovo Polje	52	45		
		Rural	Sllatine e Madhe			7	
3	Lipjan/ Lipijan	Urban	Lipjan/Lipijan	26		8	5
		Rural	Magure			8	
			Janjevë				5
4	Kastriot/ Obilic	Urban	Kastriot/Obilic	21		2	14
		Rural	Mazgit			5	
5	Besian/ Podujevo	Urban	Besian/Podujevo	28		14	
		Rural	Lluzhan			14	
6	Prishtinë/ Pristina	Urban	Prishtina/Pristina	283		25	
		Rural	Makoc			10	
			Gracanica			248	
7	Mitrovicë/ Mitrovica	Urban	Mitrovicë/Mitrovica	160	99	8	45
			Kqiqi I Madhë			8	
8	Leposaviq/ Leposavic	Urban	Leposaviq/Leposavic	109	55	/	/
		Rural	Soçanicë			54	
9	Skenderaj/ Srbica	Urban	Skenderaj/Srbica	19		10	/
		Rural	Llaushë			9	
10	Vushtrri/ Vucitern	Urban	Vushtrri/Vucitern	59		10	40
		Rural	Stanovci I Poshtëm			9	
11	Zubin Potok/ Zubin Potok	Urban	Zubin Potok/Zubin Potok	75	75	/	/
		Rural	/				
12	Zveqan/ Zvecan	Urban	Zveqan/Zvecan	75	75	/	/
		Rural	/				
13	Burim/ Istok	Urban	Burim/Istok	39		6	27
		Rural	Studenicë			6	
14	Klinë/ Klina	Urban	Klinë/Klina	32		7	18
		Rural	Gllarevë			7	

15	Pejë/Pec	Urban	Pejë/Pec	96		15	23
		Rural	Jabllanicë			15	
			Vitomiricë				23
			Gorazdec		20		
16	Deqan/Decani	Urban	Deqan/Decani	16		8	/
		Rural	Prilep			8	
17	Gjakovë/Dakovica	Urban	Gjakovë/Dakovica	73		14	45
		Rural	Bistazhin			14	
18	Rahovec/Orahovec	Urban	Rahovec/Orahovec	75	50	5	14
		Rural	Ratcoc			6	
19	Dragash/Dragash	Urban	Dragash/Dragash	50		5	23
		Rural	Brod				22
20	Prizren/Prizren	Urban	Prizren/Prizren	148		19	55
		Rural	Zhurë			19	
			Mamushë				55
21	Suharekë/Suva Reka	Urban	Suhareka/Suva Reka	21		11	
		Rural	Greikoc			10	
22	Malishevë/Malisevo	Urban	Malisheva/Malisevo	17		9	
		Rural	Lubizhdë			8	
23	Kaçanik/Kacanik	Urban	Kaçanik/Kacanik	12		6	
		Rural	Begracë			6	
24	Shtime/Stimlje	Urban	/	8			
		Rural	Muzeqinë			8	
25	Shtërpc/Strpce	Urban	Shtërpce/Strpce	80	80		
		Rural	/				
26	Ferizaj/Uroševac	Urban	Ferizaj/Uroševac	32		16	
		Rural	Gaçkë			16	
27	Gjilan/Gnjliane	Urban	Gjilan/Gnjliane	150		10	36
		Rural	Zhegër		99	5	
28	Kamenicë/Kamenica	Urban	Kamenicë/Kamenica	65	30	5	
		Rural	Disivojc			5	
			Rapotov e Madhe		25		
29	Viti/Vitina	Urban	Viti/Vitina	55		5	
			Smirë			5	
		Rural	Vërboc		45		
30	Novo Bërd/Novo Brdo	Urban	Novo Bërd/Novo Brdo	56		6	
		Rural	Prekoc		50		
Totali				1950	1050	450	450

Data entry

Data from questionnaires were manually entered into a custom developed SPSS database in 7 workstations at UBO-Consulting data processing center. Because of the large number of open ended questions, a multitude of hand written answers were manually typed in. On several occasions, responses in the Serbian language questionnaire were written in the Cyrillic alphabet, which caused occasional interruption until writing was interpreted by a UBO Consulting project officer. Due to the large number of questions, 5% of database records (SPSS cases) were randomly selected and compared to the questionnaire. No discrepancy was observed.

Individual databases on workstations were networked to a central database containing all the records/cases, and this was made available for further formatting and screening for possible errors. Experts employed by UBO Consulting have spent a considerable amount of time building necessary controls into the database to attempt to eliminate possible errors that can occur during any processing phase. The collected data was checked for logical control by the processing supervisor. During this phase **9 questionnaires were disqualified** due to errors found in B and C sections of the questionnaire. Results were entered into the dedicated database using SPSS software by seven members of the UBO Consulting staff. Finally, the processed data was inspected and examined by analysts from UBO Consulting to ensure the consistency and integrity of the database. During the final examination of data, it was noticed that **5 cases/records** showed logical inconsistencies, and had to be removed. The approved database that resulted from this process can be used by UNDP, and can be considered highly reliable, for future analysis. It is important to emphasize that this database can be split to provide separate datasets for analysis on issues such as Minority Media, and Freedom of Movement.

The primary issue arising any from use of this database alludes to its structure which has been determined by the design of the survey. However, there are sections of questions regarding two separate topics (Minority Media and Freedom of Movement). In addition, Minority Media section has a subsection (C), which does not appear in questionnaires in Albanian language. For technical reasons, fields that are practically void due to the structure of the survey data are categorized as missing. aside from the abovementioned structural issue, there are no known limitations to the use this database as a basis of similar analyses in the future.

Appendix 2

QUESTIONNAIRE

A. Access to information

1. Do you have a television at home?

- a. Yes
- b. No [**Skip to Q.4**]

2. When was the last time you bought a TV set?

- a. Last year
- b. 1-3 years ago
- c. 3-5 years ago
- d. More than 5 years
- e. Other (please specify _____)
- f. Don't know
- g. Does not answer

3. How do you receive your TV signal? (multiple answers)

- a. Terrestrial (with a simple Antenna)
- b. Cable (▶ please state the name of the operator _____)
- c. Satellite (▶ please state the name of the operator _____)
- d. I have a TV but no signal
- e. Other (please specify _____)
- f. Don't know
- g. Does not answer

4. How much do you pay to your cable / satellite provider per month?

- a. Up to 10 Euros (900 Dinars – only for minorities)
- b. Between 10 and 20 Euros (between 900 and 1800 Dinars - only for minorities in North)
- c. Between 20 and 30 Euros (between 1800 and 2700 Dinars - only for minorities in North)
- d. More than 30 Euros (More than 2700 Dinars - only for minorities in North)
- e. Other (please specify _____)
- f. Don't know
- g. Does not answer

5. What is your preferred place to watch TV?

- a. At home
- b. At my relatives / neighbour's / friend's home
- c. At coffee bars / public places
- d. Other (please specify _____)
- e. Does not know
- f. Does not answer

6. How often do you watch TV?

- a. Not at all
- b. Few times per week
- c. Every day, less than 1 hour
- d. Every day, between 1 – 3 hours
- e. Every day, between 3-6 hours
- f. Every day, more than 6 hours
- g. Other (please specify _____)
- h. Does not know
- i. Does not answer

7. On which days of the week do you mostly watch TV?

- a. During working days
- b. During weekends
- c. Both
- d. Does not know
- e. Does not answer

8. Which hours of the day do you mostly watch TV?

	8A.Mostly	8B.Sometimes	8C.Never
1. Morning until 9:00 AM			
2. From 09:00 to 16:00			
3. Between 16:00 and 20:00			
4. After 20:00			

9. Are you able to watch TV during power cuts?

- a. Yes
- b. No

10. If yes, how often do you watch TV during power cuts at home?

- a. Never
- b. Sometimes
- c. Often
- d. Other (please specify _____)
- e. Does not know
- f. Does not answer

B. Media habits and preferences

1. How frequently do you use the following media? Please rank them from 1-5, 1 being most frequently and 5 least frequently)

Medium	1	2	3	4	5
a. Radio					
b. TV					
c. Print media (newspapers or magazines)					
d. Internet					
e. Other: _____					

2. List the TOP three favourite TV channels in your native language?

- a. _____
- b. _____
- c. _____

3. Why did you choose these three TV channels (multiple answers)?

- a. Because of their professionalism and objectivity
- b. Because of the quality of their news programming
- c. Because of the quality of their entertainment programming
- d. Because of the quality of their sports programming
- e. Because of the quality of their educational programming

- f. Because of viewing habits
- g. Other (please specify _____)
- h. Don't know
- i. Does not answer

4. List the TOP three TV channels on which you prefer to watch news?

- a. _____
- b. _____
- c. _____

5. List the TOP three TV channels on which you prefer to watch sport?

- a. _____
- b. _____
- c. _____

6. List the TOP three TV channels on which you prefer to watch entertainment programmes?

- a. _____
- b. _____
- c. _____

7. Please rank the following TV content according to your preferences

TV Content	1	2	3	4	5
a. News and politics					
b. Educational programmes (e.g. culture, history, religion)					
c. Music and Entertainment					
d. Films and TV series					
e. Sports					
f. Other (please specify _____)					
g. Don't know					
h. Don't answer					

8. What kind of music do you prefer? (1 most preferred, 5 least preferred)

Type of Music	1	2	3	4	5
a. Traditional music					
b. Modern folk music					
c. Modern pop music in my language or EX YU pop music					
d. Contemporary world music (including rock&roll, jazz...) jazz.					
e. Classical music					
f. Other (specify) _____					
g. Don't know					
h. Don't answer					

9. Which sport do you prefer to follow on TV? (1 most preferred, 5 least preferred)

TV Content	1	2	3	4	5
a. Football					
b. Basketball					
c. Handball					
d. Tennis					
e. Volleyball					
f. Other (please specify _____)					
g. Don't know					
h. Don't answer					

10. Please name your three favourite TV programmes in your native language (shows, series, etc):

- _____
- _____
- _____
- Don't know any
- Does not answer

11. Please name your favourite TV journalist in your native language:

- _____
- Don't know any
- Does not answer

C. LOCAL NEWS [only non-Albanian respondents]

1. Through which form of media do you currently receive information on local events in your municipality? (multiple answers)

- TV stations in Albanian
- TV stations from Serbia
- Local TV stations in Serbian
- Local radio stations in Serbian
- Print media (e.g. newspapers or magazines)
- None of the above
- Other (please specify _____)
- Don't know
- Does not answer

2. Which of the following local TV stations do you mainly watch? (one answer)

- TV Herc
- TV Mir
- TV Puls
- TV Most
- TV Kiss
- Other (please specify _____)
- Don't know
- Does not answer

3. How satisfied are you with the quality of information provided by your local TV station(s) on local developments and events?

- a. Very satisfied
- b. Satisfied
- c. Average
- d. Dissatisfied
- e. Very dissatisfied
- f. Don't know
- g. Does not answer

4. How satisfied are you with the ability of your local TV station(s) to convey democratic values and information on the provision of (basic?) human rights?

- a. Very satisfied
- b. Satisfied
- c. Average
- d. Dissatisfied
- e. Very dissatisfied
- f. Don't know
- g. Does not answer

5. How satisfied are you with the professionalism of journalists working for/ contracted by your local TV station(s)?

- a. Very satisfied
- b. Satisfied
- c. Average
- d. Dissatisfied
- e. Very dissatisfied
- f. Don't know
- g. Does not answer

6. Are you interested in news from other parts of Kosovo (other than your municipality)?

- a. Yes [**Go to Q6**]
- b. No
- c. Don't know
- d. Does not answer

7. Through which means do you currently receive information on events in other parts of Kosovo?

- a. TV stations from Serbia
- b. Local TV stations
- c. Local radio stations
- d. Local daily newspapers
- e. Local magazines
- f. Other (please specify _____)
- g. Don't know
- h. Does not answer

6. In your opinion, what would be the most adequate solution for a TV station or channel in Serbian and other minority languages with Kosovo-wide coverage?

- a. RTK second channel
- b. A new TV station as an additional public channel (non-RTK)
- c. A new commercial TV station (incorporated in a network of existing local TV stations) with programme created by existing local TV stations and TV productions
- d. No new station but a better coordinated network of existing local TV stations in Serbian
- e. Other (please specify _____)
- f. Don't know
- g. Does not answer

7. Would you watch an RTK branded second channel in Serbian and/ or other minority languages? If so, which languages?

- a. Surely watch
- b. Probably watch
- c. Probably not watch
- d. Surely not watch
- e. Other (please specify _____)
- f. Don't know
- g. Does not answer

8. Would you be willing to pay a fee for a new public TV channel in Serbian and other minority languages with Kosovo wide coverage?

- a. Surely yes
- b. Probably yes
- c. Probably no
- d. Surely no
- e. Don't know
- f. Does not answer

9. Would you be willing to watch advertising for Kosovo-Albanian businesses on a commercial TV channel in Serbian and other minority languages with Kosovo wide coverage?

- a. Surely yes
- b. Probably yes
- c. Probably no
- d. Surely no
- e. Don't know
- f. Does not answer

10. Where should such a TV station or channel be located?

- a. North Kosovo (Mitrovica / Zvecan)
- b. Central Kosovo (Gracanica / Caglavica)
- c. South Kosovo (Strpce region)
- d. South East Kosovo (Gjilane region)
- e. Other (please specify _____)
- f. Don't know
- g. Does not answer

11. Would you prefer a new TV channel in?

- a. Serbian language only
- b. Serbian and other languages, each language same air time
- c. Serbian and other languages, air time based on the ethnic composition
- d. Other (please specify _____)
- e. Don't know
- f. Does not answer

12. In your opinion, should a new TV channel in Serbian or minority languages be broadcast outside of Kosovo, and across the immediate region, to inform others about the situation and life in Kosovo?

- a. Yes
- b. No
- c. Other (please specify _____)
- d. Don't know
- e. Does not answer

13. How do you assess the relevance of a Kosovo-wide TV programme in Serbian and other minority languages for the Albanian community in Kosovo?

- a. very high
- b. high
- c. medium
- d. low
- e. very low
- f. Other (please specify _____)
- g. Don't know
- h. Does not answer

14. Do you think that a new TV channel in Serbian and other minority languages could be objective and provide the communities with reliable information?

- a. Surely no
- b. Probably no
- c. Probably yes
- d. Surely yes
- e. Don't know
- f. Does not answer

E. FREEDOM OF MOVEMENT [only non-Albanian respondents]

1. Have you traveled to ...

- a) Serbia (excluding Kosovo) (yes / no / no answer)
- b) Macedonia (yes / no / no answer)
- c) Montenegro (yes / no / no answer)
- d) Albania (yes / no / no answer)

...during the last 12 months?

2. Have you traveled within Kosovo, during the last 12 months?

- a) Yes >> skip Q4
- b) No >> go to Q4
- c) Don't know
- d) Do not answer

3. If yes, how often have you traveled within Kosovo during the last 12 months?

- a) Every week
- b) Every month
- c) A few times per year
- d) Once
- e) Don't know
- f) Do not answer

4. [Conditional if Q2=No] If you have not traveled within Kosovo during the last 12 months, was it because you consider:

- a) Language barrier as an obstacle (incapable to communicate in any other language, but mother tongue)
- b) Do not feel safe
- c) Feeling of not being welcome
- d) Don't like to travel
- e) Have no reason to travel
- f) Have no means to travel
- g) Cannot afford to travel
- h) Other (specify_____)
- i) Don't know
- j) Do not answer

5. If you do travel within and outside of Kosovo, your main means of transportation is:

- a) Personal car
- b) Bus >> skip Q6
- c) Mini van >> skip Q6
- d) Train >> skip Q6
- e) Other (specify_____) >> skip Q6
- f) Don't know >> skip Q6
- g) Do not answer >> skip Q6

6. [If personal car], where is your car registered:

- a) In Serbia
- b) In Kosovo
- c) Both
- d) Other
- e) None
- f) Does not know
- g) Does not answer

7. Can you please rate your feeling of security when traveling to or through these areas (select rating from scale below, round and place the selection)

- 7a. Western Kosovo/Pec region -----[]
- 7b. Eastern Kosovo/Gnjilane region -----[]
- 7c. Northern Kosovo/Mitrovica region -----[]
- 7d. Central Kosovo/Pristina region-----[]
- 7e. Southwest Kosovo Prizren region-----[]

	(7a)	(7b)	(7c)	(7d)	(7e)
Very secure	1	1	1	1	1
Secure	2	2	2	2	2
Neither secure, nor insecure	3	3	3	3	3
Insecure	4	4	4	4	4
Very insecure	5	5	5	5	5
I don't travel through this particular region	6	6	6	6	6
Other (_____)	7	8	9	10	11
Does not know
Does not answer	98	98	98	98	98

7f. (If Insecure or Very insecure was selected on any region) Can you please tell us the single most important reason of such feeling?

8. In which year did you last visit Pristina?

- a) This year
- b) 2008
- c) 2007
- d) 2006
- e) 2005
- f) 2004
- g) 2003
- h) 2002
- i) 2001
- j) 2000
- k) 1999
- l) Prior to 1999
- m) Does not know
- n) Does not answer

9. Have you ever used humanitarian bus transport?

- a) Yes
- b) No
- c) Does not know
- d) does not answer

10. [If yes] When using the humanitarian bus, did you feel:

- a) Very secure
- b) Secure
- c) Neither secure, nor insecure
- d) Insecure
- e) Very insecure
- f) Don't know
- g) Does not answer

11. (If Insecure or Very insecure was selected on any region) Can you please tell us the single most important reason of such feeling?

12. Have you ever used the freedom of movement train (Kosovo Polje – Zvecan)?

- a) Yes
- b) No
- c) Does not know
- d) does not answer

13. [If yes] When using the freedom of movement train (Kosovo Polje – Zvecan), did you feel:

- a) Very secure
- b) Secure
- c) Neither secure, nor insecure
- d) Insecure
- e) Very insecure
- f) Don't know
- g) Does not answer

F. DEMOGRAPHICS

D1. (SEX) Are you:

1. Male
2. Female

D2. (AGE) (years) |__|__|

D3. (MARITAL STATUS) Currently are you...

1. Married
2. Not married
3. Divorced
4. Widow
5. Free cohabitation
9. NA

D4. (EDUCATION) How many years did you spend in formal education?

Completed school years [completed years to be recorded by numbers 0 up to 12] |__|__|

Student [code 13] |__|__|

High school [code 14] |__|__|

Faculty (graduated) [code 15] |__|__|

Master (post-graduated) [code 16] |__|__|

Doctorate [code 17] |__|__|

NA 99

D5. (ETHNICITY) Which is your ethnicity/ which group do you belong to?

1. Albanian
2. Serb
3. Bosniak
4. Goran
5. Turk
6. Roma
7. Ashkali
8. Egyptian
9. Other (Please specify _____)
99. DK/NA

D6. Which languages can you understand? (More than one answer)

1. Albanian
2. Serb
3. Bosnian
4. Goran
5. Turk
6. Roma
7. Ashkali
8. Egyptian
9. Other (Please specify _____)
99. DK/NA

D7. (FAMILY) How many people make up your (immediate?) family? |__|__|

D8. (EMPLOYMENT) What is your employment status?

1. Unemployed (looking for work)
2. Unemployed (not looking for work)
3. Working in public sector

- 4. Working in private sector
- 5. self-employed
- 6. Employed from time to time
- 7. Pensioner
- 8. Housewife
- 9. Student/ pupil
- 10. Other. What? _____
- 99. DK/NA

D9. (PERSONAL INCOME) Could you tell us how much you earned monthly (on average) across the last three months?

- 1. I did not earn at all
- 2. Specify _____
- 9. DK/NA

D10. (HOUSING) What is your housing status?

- 1. Private apartment/ house
- 2. Rented apartment/ house
- 3. Apartment/ house without paying (rent)
- 4. Temporary sheltering (collective sheltering, tent, etc.)
- 9. DK/NA

D11. (TOWN SIZE) Can you estimate/ tell us how large the settlement is in which you live?

- 1. CITY- OVER 150.000 INHABITANTS
- 2. TOWN- 60.000-150.000
- 3. TOWN- 20.000-60.000
- 4. TOWN- UNDER 20.000
- 5. VILLAGE
- 6. Hamlet or smaller

D12. REGION [Codes: 1- Pristina, 2-Mitrovica, 3-Prizren, 4-Peja, 5-Ferizaj, 6-Gjakova, 7-Gjilan] |__|__|

D13. Your MUNICIPALITY _____

D14. The NAME OF your TOWN/VILLAGE _____

NAME OF POLLSTER _____

DATE OF INTERVIEW _____

INTERVIEW DURATION |__|__| min.

Additional notes

LOGIC CONTROL

- 1. Yes Controller _____
- 2. No

FIELD CONTROL

- 1. Yes Controller _____
- 2. No

Data entry: _____



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