



UN Secretary General’s High-Level Panel on Internal Displacement Submission “Everyone needs to play a role” by Forum for Development and Multiethnic Collaboration-FDMC Kosovo¹ May 2020

1. The key issues, problems or imperative which, as you see it, should be prioritized by the Panel in its analysis of the crisis of internal displacement today and how prevention, response at large and solutions can be effectively advanced.

Prolonged displacement since 1999 within unresolved politically driven Kosovo crises, continue delaying process of voluntary return and reintegration on non-majority displaced communities in the region and within Kosovo, while affecting delivery of services, adequate housing solutions and contributing towards decreased resource making.

In particular, two decades after the conflict, IDPs are still living in inadequate housing dwellings, namely Collective Shelters (174 families)². Are they on the agenda of the donors and different funding opportunities?

Specific article in the Constitution³ emphasizes positive obligation of Kosovo to promote returns by creating conditions for safe and dignified return. The institutions have repeatedly invited all displaced persons to return however, the conditions are not yet fully conducive for sustainable returns. The Stabilization Association Agreement (SAA)⁴ signed in Oct 2015 between the European Union and Kosovo reaffirms "the right of return for all refugees and internally displaced persons and to the protection of their property and other related human rights". The government approved the Regulation on Voluntary Returns and Durable solutions only in 2018. However, implementation lags behind.

The potential for durable solutions, namely sustainable return and reintegration as well as local integration depends on a number of factors linked to conducive conditions in the preferred location of return in terms of income generation opportunities, available public services, access to property rights, housing and infrastructure, security and freedom of movement, as well as inter-ethnic relations.

Conclusions and recommendations from the mission reports of the UN Special Rapporteurs on the Human Rights of Internally Displaced Persons (2006, 2009, 2014, and 2017) largely remain unimplemented by the responsible authorities.

A formal registration has never been conducted by authorities; hence no reliable data could be presented on the number, location and needs of IDPs. Statistics on IDPs in Kosovo are maintained based on the estimates obtained through field assessments and consultations with local authorities, different unofficial sources and geographically limited sampling field surveys as of 1999. In 2013, UNHCR initiated

¹ References to Kosovo shall be understood to be in the context of the Security Council Resolution 1244 (1999).

² UNHCR statistical overview April 2020

³ Article 156 - Refugees and Internally Displaced Persons: "Kosovo shall promote and facilitate the safe and dignified return of refugees and internally displaced persons and assist them in recovering their property and possession."

⁴ <http://www.mei-ks.net/en/stabilisation-and-association-agreement>



discussion with the Ministry for Communities and Returns for a fully-fledged IDP Profiling exercise with the support of the Joint IDP Profiling Service (JIPS) that would provide demographic profile of the displaced population, disaggregated by age, gender, location and diversity, in line with the IASC Framework on Durable Solutions. The sample-based household survey exercise was completed only in 2017. The findings and recommendations are shared through the report published in 2018⁵. The report could not provide data on the number of the IDPs as initially planned. Anonymous sampling provided general information on needs, capacities and preferable durable solutions for the IDPs.

Moreover, the UNHCR 2016 Needs Assessments⁶ with the Displaced Persons from Kosovo in the Region, a reassessment of interest to return” Report (published in 2018), almost 5,000 IDPs in the region (Serbia, Montenegro and North Macedonia) as well as within Kosovo, expressed the interest returning to their homes in Kosovo. Concrete recommendations on the way forward have been presented to the authorities.

As UNHCR partner organization, FDMC’s ultimate goal is to prevent any further disturbance of the human rights ensuring compliance with the international human rights law. Based on the international conventions and practices as well as Kosovo’s current legal framework which guarantees that inalienable right of IDPs to return to their place(s) of origin or to re-integrate in another place of their choice. Furthermore, this approach is fully in line with the 2030 Agenda for Sustainable Development and the National Development Strategy. In practice, FDMC is pursuing inclusive, participatory approach and representation while empowering socio-economic inclusion, durable solutions and responsiveness in the decision-making at all levels.

However in some cases, IDPs living in Collective Shelters are invisible to national governments and most of the international organizations that have attention directed more towards other domestic problems and priorities. In addition, COVID-19 pandemic crises brought uncertainty and concerns towards future prospects of the IDPs.

While working with IDPs every day, FDMC continues identifying targeted solutions through local instruments and mechanisms including external provision technical assistance to support and empower inclusion and social rights protection of the most vulnerable individuals, in this case IDPs from the Collective Shelters. In parallel, FDMC advocates and promotes locally based development and community driven initiatives.

2. Across the objectives of prevention, response and solutions, how can national political will, responsibility and capacity be catalyzed and cultivated.

Based on the international conventions and practices, Kosovo’s current legal framework guarantees that inalienable right of IDPs to return to their place(s) of origin or to re-integrate in another place of their

⁵ <https://jet.jips.org/wp-content/uploads/Methodology-Profiles-Kosovo-Example-JIPS-Phase3-JET.pdf>

⁶ <https://drive.google.com/open?id=1862S7YQWjBSsjPlv166eTYtTww1ivXAJ> “DISPLACED PERSONS FROM KOSOVO IN THE REGION A REASSESSMENT OF INTEREST TO RETURN” published on 19th April 2018



choice. While number of returnees is a still low (191 returnee in 2019⁷), greater commitments are necessary and essential from the local and central level authorities in order to further contribute to effective implementation of the access to fundamental rights of displaced persons.

In order to support protection of the human rights of the most vulnerable and our target group in this case IDPs living in the Collective Shelters and private accommodation, it is of utmost important to deliver further support in ongoing health and sanitary crises as well ensuring fundamental freedoms while paving path and preparatory work for the COVID-19 post recovery period including enhancement of the self-reliance and sustainable livelihoods. Restoring people's sense of belonging while in isolation is one of UNHCR and FDMC properties in daily work with the people of concern.

IDPs, especially those in Collective Shelters should enjoys equal measure the same rights and freedoms under the domestic and international law but good governance need to be strengthened by preventing further disturbance of the human rights and ensuring compliance with the international human rights law.

Authorities should reinforce regional, national and local government principles having primary duty and responsibility to ensure protection and adequate housing assistance to IDPs. Inadequate response to IDPs housing solutions continues to be a major signal and obstacle to durable solutions provisions to IDPs. Perception that displacement can be solved only through humanitarian means is still dragging of the protracted displacement of millions of IDPs and refugees globally, unable to find proper and durable solutions for the displaced and starting braking cycle of displacement, vulnerability and dependence, moving onward with their lives but also decreasing pressure on the local resources and environmental degradation.

3. The relevance and role of humanitarian, development, peace, climate change and disaster reduction action and how a more integrated approach in these respects can be fostered. Submissions can in these respects also address the role of the Private Sector, Regional or International Financial Institutions and other development partners and actors.

Inadequate response towards IDPs needs related to local development framework represents main challenge to durable solutions and displaced moving forwards. Ongoing multiyear transitional measures and solutions are beyond the edge of the humanitarian and developmental and need multi-sectorial actors aiming at **"Everyone needs to play a role"** approach and work together with the governments in ensuring sustainable solutions for displaced and local communities. Developmental programming should ensure long term engagement of the relevant and key development actors making displaced as part of the main agenda of the national government while helping and supporting prioritizing displacement as part of the additional multilateral support.

While there are still gaps in adequately supporting different stages of the displaced reintegration process to ensure proper sustainability, Skopje process⁸ should be intensified in order to provide sort of

⁷ UNHCR statistical overview April 2020



assistance in most useful way at the same time developing capacities of the institutions, in general decreasing gaps between divided society. The regional inter-institutional initiative on durable solutions for displaced persons from Kosovo, which is also known as “Skopje Process” has been launched in December 2014. UNHCR in partnership with OSCE brought together representatives from Belgrade, Skopje, Pristina and Podgorica to address main obstacles to return such as: property rights, personal documentation, security, dialogue and reintegration, data management and solutions planning. So far, several Technical Working Groups (TWG) and High Level Forums were held. Nevertheless, concrete initiatives and outcomes are still expected to be seen.

4. Focusing on solutions, your perspectives on what has led to many situations of internal displacement remaining stalled for many years and how effective solutions can be catalyzed, driven forward and supported.

There aren't many delusions about effective capacity development strategies and processes when it comes to returns and reintegration.

The overall assumption is that displacement is not having negative impact only. It is important to emphasize that IDPs do have skills that need to be further developed paving the way of their contribution towards economic growth and overall development. This could further make economic investment by benefiting both, the IDPs and host communities bringing human capital to development processes.

Protecting and addressing the needs of the most vulnerable is very well defined within the frame of MDGs agenda aiming at strengthening partnerships and cooperation agenda and contributing towards safety and dignity of the displaced smooth reintegration and braking cycle of dependence.

Overall coordination is on the relevant stakeholders involved in the process including all implementing partners' integration in the returns process and after 20 years still demand:

- (i) Great interaction with IDPs that is done mostly through MCR, UNHCR and its partners.
- (ii) Strategic central and local level approach in well planned housing solutions for IDPs.
- (iii) Good strategic local level approach in well planning economic growth and employment opportunities for IDPs.
- (iv) Well-developed national policy leading to political, security, development guide and efforts in supporting durable solutions and government responses to all windows of opportunities.
- (v) UN Agencies should prioritize coordination on displacement with national and local partners ensuring clear voicing of the concerns.

⁸ The regional 'Skopje process' is led by the Ministry for Communities and Returns (MCR) in Kosovo and jointly supported and facilitated by the Organization for Security and Co-operation in Europe (OSCE) Mission in Kosovo and the United Nations High Commissioner for Refugees (UNHCR) Office in Kosovo.



FDMC is using available channels of digital communication to ensure that the one with the special needs and with no access to digital channels are not left behind. Using on-line platforms is continues effort to deepen and secure communication with IDPs. Using this method FDMC attempts to reducing further social distance and encouraging communication between the IDPs beneficiaries while enhancing exchange of views.

5. What steps could be taken to strengthen the effectiveness of response management, coordination and accountability at all levels in contexts of internal displacement?

- (i) Joint inter-agency response with active participation of displaced persons and in partnerships with nontraditional actors shall be intensified.
- (ii) The government should convey proactive role and to increase two-way communication with displaced persons ensuring the key partners are available and responsive to intervene.
- (iii) Continuous display of political commitment and responsibility sharing among relevant institutional representatives to support durable solutions and improve IDPs quality of life.
- (iv) Global awareness should be translated into to local level more effectively through the Secretary General's instruments and different funds such as PBF, MPTF and HSTF etc.
- (v) More conducive policy environment should support supplementary effective financing instruments towards greater IDPs social protection and local/national recognition of the IDPs development challenges.
- (vi) Participating institutions involved in the Inter-institutional initiative on Durable Solutions for Displaced Persons from Kosovo (so-called Skopje Process) with the support of UNHCR and OSCE shall jointly initiate resource mobilization to contribute to longer-term sustainable outcomes and solutions.
- (vii) More local non-majority NGOs involved in the process of returns and reintegration as necessity for more sustainable support to the beneficiaries and as further support to the Government bodies.
- (viii) To empower regional networks of agencies and actors operating in the region with the aim to improve durable solutions opportunities.
- (ix) Local non-majority NGOs shall play increased and more important role of the interlocutor and credible intermediaries.
- (x) The information campaigns towards IDPs need to be intensified and properly boosted in order to transform and transfer relevant information, realistic picture and situation to the IDPs inside and outside of Kosovo.
- (xi) To obtain comprehensive data on displaced persons within Kosovo and to establish data management system based on strategic partnerships at central and local level with data gathering and analysis actors
- (xii) International community should support government efforts to enable displaced persons within Kosovo and in the region, who have the right to vote to be able to exercise this right.