



No Place to Call Home

Repatriation from Germany to Kosovo
as seen and experienced by Roma, Ashkali
and Egyptian children

UNICEF Kosovo and the German Committee for UNICEF

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Verena Knaus

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***'Children are the ones most affected by these forced returns.** They have all grown up in Germany, many of them were born in this country, and do not speak any language other than German. They are suddenly taken away from their schools, compelled to leave their community and surroundings, which they always considered to be their home, and are sent to a place most have never been to before and whose language they do not speak. A place that is foreign to them.'*

Thomas Hammarberg, Council of Europe Commissioner for Human Rights

UNICEF Kosovo and the German Committee for UNICEF

Foreword by Jan Jařab

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List of Acronyms

EC	European Commission
EU	European Union
IOM	International Organisation for Migration
KFOS	Kosovo Foundation for Open Society
NGO	Non-Governmental Organisation
NRW	North Rhine Westphalia
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme

Foreword

The situation of the Roma is undoubtedly one of Europe's most important human rights challenges of the early 21st century. Another major problem of contemporary Europe is that of migrants and beneficiaries of international protection who are facing involuntary return to their countries of origin, particularly as it concerns the best interests of children. In the case of Roma, Ashkali and Egyptians who are being returned from Germany to Kosovo, these two challenges meet in a dramatic way.

The Roma and related groups – such as Ashkali and Egyptians in Kosovo, Sinti, Kale and Travelers – remain among the most marginalized populations in Europe. They tend to suffer from widespread discrimination and systematic social exclusion. Although the pattern of social exclusion is part of a historic legacy, living conditions of many Roma in Central and Eastern Europe have worsened over the last two decades. Economic transformation resulted in the disappearance of many low-skilled jobs. With growing economic inequalities, even the modest standards of living which the Roma experienced under Communist rule quickly eroded. Across the region, gaps between the Roma and majority populations, in terms of employment, quality of housing, educational achievement and health status, have grown dramatically.

Most of the societies in the region seem to have understood their newly acquired liberty as a freedom to discriminate and exclude the Roma, rather than to emancipate them. Many local politicians, including those from mainstream parties, have openly played an anti-Roma card to gain the sympathy and votes of majority populations by posing as champions of security, law and order. In many countries, hate speech and racist attacks against Roma are now widespread.

For years, the European Union and the Council of Europe, as well as the OSCE and UN human rights mechanisms, have called on States to protect the Roma from discrimination and to introduce policies aiming at their full inclusion in social and economic life. Some governments did create Roma inclusion strategies, but most of them remained largely on paper; they lacked appropriate budgets and had little impact on dominant policies in key areas - employment, education, housing and health – which were driven by quite different considerations and often increased the gaps even further. For instance, welfare reforms and “activation policies” have consisted mostly of cutting benefits and social services for the poor without providing any real economic opportunities for them. Thus, many Roma have experienced a transition from relative to absolute poverty. Entire communities are crippled by chronic debt and dependency on usurers, inability to pay rent and forced evictions. Shantytowns are growing and lives of their inhabitants are increasingly marred by substance abuse and crime. This, in turn, leads to further security-focused responses of the authorities. The vicious circle spins on and the end is nowhere in sight.

In addition, the Roma of former Yugoslavia have suffered immensely from the tragic upheavals of the 1990s. During years of ethnically motivated violence, they were perhaps

the only group which had nothing to gain – and everything to lose. Many of them were driven out of their homes and became internally displaced, often without documents which would give them any entitlements on the newly drawn political maps. Others fled to Western European countries. Yet as the Balkan conflicts recede into history, these host countries are keen to send them back to the new post-Yugoslav entities which are not ready to provide them a proper place in society and with which the Roma themselves do not identify.

The Roma, Ashkali and Egyptians who are thus “returned” from Germany to Kosovo are a major case in point. A year ago, UNICEF drew attention to their predicament in its excellent report, *Integration Subject to Conditions*, which showed that this process is particularly painful for children that have lived most or all of their lives in Germany. The report demonstrated that, for many of these children, the “return” represented not only a brutal cultural shock and loss of identity - they do not speak the languages of the place they are “returned” to – but also an effective end of chances for ever having a normal life. Children who had been attending German schools and could have looked forward to regular working careers ended up without any access to education, barely surviving somewhere on the fringes of society.

UNICEF’s 2010 report contained essential information regarding the fate of “repatriated” children. The issue became widely known; it was also listed among Europe’s key human rights challenges by UN High Commissioner for Human Rights Navi Pillay, in her address to the Human Rights Council. Confronted with the evidence, authorities in several German *Länder* stopped the returns of Roma, Ashkali and Egyptians to Kosovo.

Yet is this really a happy ending? Have the appropriate lessons truly been learned? Can we be certain that authorities will, from now on, evaluate the best interests of the children and the level of their integration into society (i.e. not just their parents) when deciding on potential returns?

This valuable follow-up report shows that it would be premature to draw such optimistic conclusions. Above all, it documents that little, if anything, has improved for most of those Roma, Ashkali and Egyptian children who have already been “returned”. With time, the disastrous effects on their lives are increasingly likely to become irreversible. Clearly, much more is needed on part of the duty-bearers, both in Kosovo and in Germany (and other European countries which carry out or contemplate similar “returns”). I fervently hope that, in this respect, this follow-up report will once again provide a stimulus for action that will remedy the current situation and ensure that similar human tragedies are not repeated in the future.

Jan Jařab
Regional Representative for Europe
Office of the UN High Commissioner for Human Rights

Foreword

A year has passed since UNICEF first published its report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo. The findings of the report were alarming. In Germany, children without a residence permit experienced serious restrictions in accessing education, medical care and social participation. In Kosovo, three out of four children repatriated from Germany no longer attended school. Almost one in two did not have any documents regarding identification and birth certificates, which are essential for receiving social benefits in Kosovo. Most of these children ended up living on the margins of Kosovar society and in outright poverty.

The report did have some positive impacts. The governments of North Rhine Westphalia, Saxony-Anhalt and Bremen issued decrees taking into account the length of stay in Germany and the child's level of integration and schooling in decisions on residence titles. The decree issued in September 2010 by the minister of the interior of North Rhine Westphalia was of particular significance, as it explicitly instructed authorities to take the best interest of the child into primary consideration. This has been a core recommendation of UNICEF in last year's report.

Another positive step in the right direction are the recent amendments to the *Aufenthaltsgesetz* passed by the Federal Parliament in March this year, making the extension of residence titles possible on the ground of a child's good integration and school record. While hopefully contributing to a drop in the overall number of children to be sent back to Kosovo, these decisions, unfortunately, did not put an end to forced repatriations of vulnerable children. Germany repatriated 133 Kosovan Roma, Ashkali and Egyptian children last year alone, including 94 school children. Most of them have been born, raised and schooled in Germany. An estimated 5 – 6.000 Kosovan Roma, Ashkali and Egyptian children in Germany continue to live under imminent threat of deportation.

Relevant decisions have also been made in Kosovo. The government established a Reintegration Fund in the past year, which earmarked 3.4 million Euros for reintegration assistance. Additionally, detailed instructions regulating access to reintegration assistance and school reintegration were issued. However, faced with the challenge of receiving and reintegrating close to 100 repatriated persons every week, including 20 children, the administration still struggles to deliver.

The findings presented in this report are based on close to 200 interviews with repatriated Roma, Ashkali and Egyptian children and more than 40 interviews with responsible Kosovan officials. The results confirm serious deficiencies and enormous challenges to be tackled. There has been no real improvement in the lives of the children portrayed in the report of last year. The living conditions for many families actually worsened. Three out of four children of school age still do not attend school.

In the best interest of the children that have already been repatriated and those under threat of deportation, the debate must continue. This updated report intends to contribute to the discussion by providing fresh insights on the actual experiences of repatriated children trying to access schooling, health care and reintegration assistance. Building on the recommendations of last year and based on the empirical evidence gathered on the ground, this report contains specific recommendations addressing decision makers in Germany and in Kosovo.

The latest developments in Kosovo with regard to reintegration issues and the recent decisions taken by several *Länder* governments in Germany reinforced our hope that a satisfactory solution upholding the rights of all children, in accordance with the UN Convention on the Rights of the Child, is possible. With that in mind, UNICEF will continue to advocate for children affected by forced returns to Kosovo.

Tom Koenigs
Governing Committee
UNICEF Germany

Johannes Wedenig
Head of Office
UNICEF Kosovo

1 INTRODUCTION

In June 2010, UNICEF published a study titled '*Integration Subject to Conditions: A report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo*'¹. The study aimed to reframe the current debate about migration and repatriation - from a legalistic discourse detached from reality, to one where the best interests of the child and the realities on the ground in the sending and receiving country are taken into account. It recounted individual migration histories from Kosovo to Germany and back again. It also described the uncertainties of a life on 'toleration status' in Germany and the bitter realities in Kosovo after repatriation as seen and experienced by children.

The report's findings were alarming: three quarters of repatriated Roma and Ashkali children had not attended school after their deportation to Kosovo. The main reasons for this were language barriers, missing school certificates, and the families' poverty. Forty percent of Roma, Ashkali and Egyptian children repatriated from Germany had no civil documents and ended up being de facto 'stateless'. Many repatriated Roma, Ashkali and Egyptian families were in poor psychological and physical health following years of economic hardship, migration, war-related trauma and the uncertainties associated with a life on '*Duldung*' (temporary toleration-status). After their repatriation to Kosovo, children suffering from depression and other illnesses were left to cope without any help. Disoriented and uprooted, they struggled to accept Kosovo - which many saw for the first time after their deportation - as their homeland. Housing was problematic; three families repatriated from Germany, including nine children, ended up living in abysmal conditions in camps for internally displaced persons.

Based on these findings, last year's report contained a number of specific recommendations addressed to the authorities in Germany and in Kosovo. In Germany, UNICEF called on the responsible authorities to place greater emphasis on the best interest of children in all decisions concerning resident permits and repatriation. Specifically, UNICEF encouraged the responsible Aliens Authorities to adopt a more flexible and child-centered approach, paying full attention to the individual needs and circumstances of every child, including a child's level of integration, educational needs and medical conditions. UNICEF furthermore recommended expanding existing support mechanisms for young Roma, Ashkali and Egyptians living in Germany, such as mentoring programmes and counseling services.

Other recommendations concerned the fate of children and youth already repatriated to Kosovo. UNICEF recommended that programmes to assist repatriated children and youth should take into account their specific needs, especially regarding language and health. Reintegration programmes should be scaled up in terms of resources and scope to ensure that repatriated children do not end up in outright poverty and destitution. Given the high numbers of unregistered children and school drop-outs, UNICEF explicitly called on German and Kosovo authorities to ensure that all repatriated children have access to the necessary personal documents (in particular, birth and school certificates, as well as medical records) for civil registration, school enrolment and unrestricted access to health and social services.

A year has passed now since this report was published – providing an ideal opportunity to assess what, if anything, has changed in terms of repatriation practices and in the lives of individual children caught up in repatriation politics. This update tries to provide answers to three specific questions: Have last year’s recommendations regarding repatriation practices been taken into account by the relevant German and Kosovo authorities? Have there been improvements in terms of policies and budgetary resources dedicated to reintegration? Has the promised assistance reached the families in need and helped them reintegrate in Kosovo?

The results are sobering. There has been no real improvement in the lives of those repatriated Roma, Ashkali and Egyptians children portrayed in the study last year. With the exception of two girls, none of the other 49 school-aged children have been able to re-enter or continue school in Kosovo². The living conditions for many families actually worsened, especially among those who had received short-term reintegration assistance in the form of employment or rent subsidies last year and are now forced to cope without. Several families have lost their entitlement to social assistance; left without income, many of the families we met again this year barely manage to buy enough bread for one meal a day. Five families, including 15 children, have left Kosovo again³. As was the case last year, most Roma, Ashkali and Egyptian children repatriated to Kosovo face a life on the margins, blighted by deprivation and poverty of opportunity.

Yet, there is some silver lining on the horizon. Compared to last year, there has been measurable and positive change in Kosovo with regard to reintegration policies at the central level and some encouraging developments in some German *Länder*.

Motivated by the prospect of visa liberalisation, the government of Kosovo adopted a new Strategy for the Reintegration of Repatriated Persons in May and approved an Action Plan later in the year. A Reintegration Fund was created from scratch and a budget of 3.4 million Euros was set aside for reintegration assistance. This was a 40-fold increase over last year’s 100,000 Euros earmarked for reintegration assistance. New regulations and administrative instructions were drafted to instruct line ministries, mayors, municipal return officers and school directors how to receive and assist repatriated persons. Reintegration was so high on the political agenda that the Prime Minister personally called several meetings to brief mayors on their particular responsibility with regard to reintegration.

There have also been encouraging steps taken by the interior ministers of some German *Länder*. Most significantly, within two months of the study’s launch, the newly elected government of North-Rhine Westphalia, home to 3,700 Kosovan Roma, Ashkali and Egyptians under threat of deportation (one quarter of all Kosovan Roma, Ashkali and Egyptians on ‘toleration status’⁴), issued a decree requiring all authorities to take the best interests of the child into primary consideration, including a child’s level of integration in Germany. Authorities were further instructed to review each case individually on humanitarian grounds and to avoid undue hardships⁵. The effect was immediate; the number of Roma and Ashkali minors repatriated from North Rhine Westphalia decreased from 30 in the first half of 2010, to four in the second half of the year. The states of Bremen and Saxony-Anhalt also issued decrees extending the criteria to be taken into account for residence titles⁶ on humanitarian grounds and providing for special considerations in the case of vulnerable groups, such as single fe-

males and minorities.

Following these decisions taken by several *Länder* governments, in November 2010 the conference of interior ministers (*Innenministerkonferenz*), a twice-yearly gathering of all 16 German interior ministers and senators, adopted a decision leading to an amendment of the *Aufenthaltsgesetz*, the law regulating residence titles. As of 1 July of this year, Paragraph 25a had been added, extending the right to acquire a residence title for 15-21 year olds who have been born in Germany or arrived before their fourteenth birthday. To qualify, children and youth must prove that they have integrated well and have attended school 'successfully'. Provided a family is able to earn a living independent of social assistance, a residence title may now be granted on the grounds of a child's integration and school record⁷.

These are all important steps in the right direction contributing to an observable overall drop in the number of children repatriated to Kosovo this year compared to last⁸. Yet more courageous steps are needed. Critics of the recent amendment to the *Aufenthaltsgesetz* argue that it enables only few of the 87,200 persons with '*Duldung*' to qualify for residence titles⁹. It falls short of bringing a lasting solution to the 5,000 - 6,000 Roma, Ashkali and Egyptian children in Germany under threat of deportation, including an estimated 3,500 children born, raised and schooled in Germany¹⁰.

At the current pace, it will take Germany another 37 years to repatriate all Kosovan Roma, Ashkali and Egyptians still residing in Germany without a legal title. By then, the children of today will have lived in Germany for an average of 50 years¹¹. The time has come for a political solution that will provide those children with the certainty that they can remain in Germany and finally put down roots.

Methodology

In search of evidence, we conducted more than 40 qualitative interviews with responsible Kosovan officials in the Ministry of Interior, the Ministry of Education and in municipalities. We paid home visits to every family portrayed in the study (except those who have since left Kosovo), conducting 310 face-to-face, semi-structured interviews in remote villages in the Peja region, in the camps in Mitrovica and Leposavic and in the poorest parts of Gjakova and Fushe Kosova. We also interviewed another 82 Roma, Ashkali and Egyptian returnee children and their families recently repatriated from Germany, France and Austria¹². In total, we reconnected with and interviewed 198 repatriated Roma, Ashkali and Egyptian children and youth.

Last year's report succeeded in covering 36 percent of returnees of Roma, Ashkali and Egyptian ethnicity. This year, in an effort to provide a realistic and objective assessment of the situation on the ground, we conducted interviews with fifty percent – or one out of two - Roma, Ashkali and Egyptian children repatriated from Germany and Austria in 2010¹³.

2

READY FOR BOARDING – A TALLY OF REPATRIATIONS IN 2010

On 9 February 2010 a charter flight from Germany landed at Prishtina airport. On board, were 22 Roma and Ashkali, including three children. It was the first of ten charter flights carrying repatriated persons from Germany to Kosovo last year. Some on board had returned voluntarily, but the vast majority had been forced to return against their will.

In 2010, a total of 5,198 persons were repatriated to Kosovo from Western European countries. This yields an average of about 100 persons per week, or 14 new arrivals per day. Of these, 65 percent came from just four countries: Germany alone accounted for 935 repatriations, followed closely by Austria with 888, Sweden with 793 and Switzerland with 736 repatriated persons¹⁴.

Table 1: Repatriations by sending country (2010)

Returnees by countries in 2010	# of persons	%
Germany	935	18%
Austria	888	17%
Sweden	793	16%
Switzerland	736	14%
France	377	7%
Hungary	328	6%
Norway	274	5%
Belgium	220	4%
Finland	213	4%
Luxembourg	101	2%
Others ¹⁵	333	7%
Total	5,198	100%

Source: Ministry of Interior, Annual Report 2010

Most of the 5,198 returnees were Kosovo Albanian men. Roma, Ashkali and Egyptians combined were the second largest group; in total 671 Roma, Ashkali and Egyptian were repatriated last year, constituting around 13 percent of all repatriated persons. Every second Roma, Ashkali and Egyptians repatriated in 2010 had lived in Germany¹⁶.

Table 2: Repatriations by ethnicity (2010)

Ethnicity	Total returnees 2010	Percentage
Albanians	4,017	77%
Roma, Ashkali and Egyptian	671	13%
Serbs	269	5%
Gorani	96	2%
Bosnian	66	1.3%
Others ¹⁷	79	1.5%
Total	5,198	100%

Source: Annual Report on Repatriation 2010, Kosovo Ministry of Interior

Table 3: Gender breakdown of persons repatriated (2010)

Gender breakdown	# Repatriated	Percentage
Male	4,103	78%
Female	1,095	22%
Total	5,198	100%

Source: Annual Report on Repatriation 2010, Kosovo Ministry of Interior

Throughout 2010, German authorities repatriated 589 Kosovo Albanians (64 percent of the total German repatriations) and 322 Kosovan Roma, Ashkali and Egyptians (34 percent). One out of three persons returning from Germany was Roma, Ashkali or Egyptian; this was roughly in line with Germany's announced intention to ensure some 'ethnic balance' among repatriated persons¹⁸.

Table 4: Repatriations from Germany by ethnicity (2010)

Albanian	598	64%
Roma, Ashkali and Egyptian	322	34%
Others ¹⁹	15	2%
Total	935	100%

Source: Kosovo Ministry of Interior

It is also important to note the striking differences in the demographic profile of returnees from different ethnicities. Whereas 91 percent of repatriated Kosovo Albanians were single and male, the share of families and children under 18 was significantly higher among Roma, Ashkali and Egyptian returnees. For example, 40 percent of Roma, Ashkali and Egyptian repatriated from Germany are women and girls, double the gender proportion in Germany's overall repatriation figure (19 percent) and more than four times that for Kosovo-Albanian repatriations (nine percent) from Germany.

The disproportion is similarly reflected in child repatriations between ethnic groups – 41 percent of Roma, Ashkali and Egyptian repatriated from Germany are children (including 94 school-age children), compared to just seven percent of Kosovo-Albanians.

Table 5: Demographic breakdown of repatriated persons from Germany

		Male	%	Female	%	0-18 years	%
K- Albanian	598	548	92%	50	8%	42	7%
Roma, Ashkali and Egyptian	322	197	60%	125	40%	133	41%
Others ²⁰	15	11	73%	4	27%	3	20%
Total	935	756	81%	179	19%	178	20%

Source: Kosovo Ministry of Interior

These differences in the demographic profile reflect Germany's repatriation policy over the years and current migration patterns; whereas the toleration status (*Duldung*) of most Kosovo Albanian families residing in Germany had expired soon after the war and most families returned in the years 1999-2004, the large-scale repatriation of Roma, Ashkali and Egyptians began only in 2009, once the German government deemed Kosovo safe enough for minority returns.

Table 6: Age breakdown of repatriated Roma, Ashkali and Egyptian from Germany in 2010

	0-99 years	0-18 years	%	6-18 years	%
Roma	218	101	46%	74	34%
Ashkali	100	32	32%	20	20%
Egyptians	4	0	0%	0	0%
Total	322	133	41%	94	29%

Source: Kosovo Ministry of Interior

3

THE POLITICS OF REPATRIATION

Developments in Germany

When first presented, the study caused a whirlwind of media attention in Germany. Seasoned Balkan journalists reporting for *Deutschlandfunk* and *Deutsche Welle*, writing for the German weekly *Die Zeit* and the Austrian daily *Der Standard* followed the study's trails to Peja, Leposavic or Mitrovica to listen to repatriated children telling their stories - often in perfect German. Articles titled '*Deutsche Kinder: Ausgeflogen ins Niemandsland*' (German children: flown into no man's land)²¹ or '*Deportiert ins Ungewisse*' (Deported into the Unknown)²² echoed the study's findings. The reality that these journalists encountered was as bitter as the study describes. The article titled '*Fremd in der Heimat*' ('Strangers at Home')²³ captures the gist of recent international news coverage on repatriated Roma children:

*,They were born and raised in Germany, and have now been deported to Kosovo – but there are no prospects for young Roma'*²⁴

It so happened that the publication of the study coincided with the election of a new Social Democratic-Green coalition government in North Rhine Westphalia. The study's disconcerting findings provided crucial evidence to propel the new government into immediate action. On 21 September 2010, the Ministry of Interior of North Rhine Westphalia issued a special decree regarding the repatriation of Kosovan Roma, Ashkali and Egyptians²⁵. The decree requires all authorities to take the best interests of the child into primary consideration, including the child's level of integration in Germany and educational and professional needs. On 1 December, the government of North Rhine Westphalia issued a further decree stopping all forced repatriations of members of the Roma, Ashkali or Egyptian community to Kosovo and Serbia during the winter months between 1 December and 31 March 2011. Exceptions were to be made only in the case of criminals convicted of serious crimes. As justification for this 'winter decree', the Ministry argued that 'it cannot be excluded that the tense economic and social situation worsens during the winter months and may cause special hardship'²⁶.

These decrees concerning Roma, Ashkali and Egyptian repatriations directly incorporated key recommendations put forth by UNICEF in last year's report. The German National Committee and the UNICEF Office in Kosovo had advocated strongly for placing the best interest of the child at the center of all decisions with regard to asylum, residence permits and repatriation and taking into account the particular needs of Roma, Ashkali and Egyptian children and youth to avoid undue hardship. Coming from Germany's most populous *Länder*, with 18 million inhabitants and home to the largest community of Kosovan nationals in Germany (totaling 20,768 in June 2009, of which 3,776 were Roma, Ashkali and Egyptians from Kosovo), this decision was significant beyond Düsseldorf and the Münsterland²⁷.

The decree also appeared to have measurable impact; over the course of the year, repatriations of Roma, Ashkali and Egyptian from North Rhine Westphalia (NRW) continued, but the number of Roma, Ashkali and Egyptian children repatriated dropped significantly. In the first six months of the year, North Rhine Westphalia repatriated 30 Roma, Ashkali and Egyptian children. In the months following the decree, only four Roma and Ashkali children from NRW, aged 18 or younger, arrived in Prishtinë/Priština²⁸.

Further North, the Hanseatic city state of Bremen also issued a special decree, extending the eligibility criteria for residence titles on humanitarian grounds to include a child's level of integration, at least four years of schooling in Germany and the extent to which ties to the home country still exist ²⁹.

The first state to actually issue specific limitations on repatriations of Kosovan Roma, Ashkali and Egyptians was Saxony-Anhalt, similar in size to Kosovo and the place where Martin Luther had once proclaimed his 95 theses. In a decree issued on 27 May 2010, Saxony-Anhalt's interior ministry called for individual reviews (*Einzelfallpruefungen*) on all Roma, Ashkali and Egyptian repatriations to Kosovo, for the specific approval by the Ministry whenever a Roma, Ashkali and Egyptian family is to be returned by force and limitations on repatriations of single females.

These developments at the *Länder* level also facilitated a recent amendment to the *Aufenthaltsgesetz*, coming into force on 1 July 2011. Paragraph 25a extends the criteria for a residence title, taking into account the length of a child's stay in Germany and her or his successful integration and school attendance. The tide has not yet turned, but these trends certainly all point in the right direction.

The view from Prishtinë/Priština

While different state governments in Germany issued decrees resulting in the slowing of the repatriation of vulnerable minorities to Kosovo, the government in Prishtina scrambled to demonstrate its commitment to receive all repatriated persons – averaging around 14 new arrivals per day. EU member states eager to return people commended Prishtinë/Priština for its high rate of acceptance; only three percent of readmission requests received were denied ³⁰ – passing on all responsibility to the Kosovo authorities for their reintegration. But as Renzo Daviddi, former Head of the European Commission Liaison Office in Prishtinë/Priština, once pointed out to a journalist, 'if you think that your problem is solved by just putting people on planes with cash in their hands, this is short sighted. This may work elsewhere, but not here' ³¹.

The Kosovo government was left with no choice – the conclusion of readmission agreements obliging Prishtinë/Priština to take back Kosovan nationals illegally residing in the EU, is one of the preconditions for Kosovo to begin the formal visa dialogue that will eventually lead to visa liberalisation. The freedom to travel visa-free to Schengen countries is one of the greatest wishes shared by all citizens of Kosovo, regardless of ethnicity. As of this year, everyone else in the region - Macedonians, Albanians, Montenegrins, Serbs and Bosnian citizens - enjoy visa-free travel; Kosovo citizens are the only ones that still cannot travel visa-free. The government tried to seize the issue and promised visa -free travel in 15 months during the election campaign ahead of snap elections in December 2010. The government was determined to prove that it was capable of honoring its obligations regarding readmission, yet its administration struggled to deliver.

Already in early 2010, the European Commission had informed the government that it needed to revise its 2007 Strategy for the Reintegration of Repatriated Persons and allocate adequate resources. Eager to please Brussels, a new Strategy for the Reintegration of Repatriated Persons was adopted in May; the new strategy also foresaw the creation of a reintegration fund. In June, the EC sent an expert mission 'to better understand Kosovo's capabilities in the area of readmission and reintegration' ³². It commended the government for its readmission process but concluded that 'so far reintegration was limited to welcoming at the airport including transport and temporary accommodation'. It also noted the particular challenge to ensure the strategy's implementation at the local level, where actual reintegration must take place ³³.

Last summer, senior Commission officials reassured the Kosovo government that the beginning of the longed-for visa dialogue only hinges on the completion of an Action Plan and dedicated resources for the implementation of the revised reintegration strategy. In response, the government stepped - up a gear and focused its efforts to improve reintegration practices and procedures.

A new Action Plan was adopted; for 2010, 500,000 Euros were allocated from a reserve fund and another 3.4 million Euros were promised for 2011³⁴. This was an important improvement over the past, where no budget had been directly earmarked for reintegration assistance. The government also initiated rounds of training to familiarize the responsible municipal officials with the new provisions of the Strategy and Action Plan. New regulations were issued to clarify responsibilities by making municipal return officers (MROs) explicitly responsible for the implementation of the Action Plan and putting mayors and Municipal Directors of Administration in charge of coordinating the reintegration process at the local level. Information brochures were printed and the newly formed 'Reintegration Office' within the Ministry of Interior (with seven staff), including a satellite office at Prishtinë/Priština Airport, became operative. An inter-ministerial Secretariat and Executive Board in charge of the reintegration fund was established and eligibility criteria for reintegration assistance were drawn up.

The EC Progress Report on Kosovo, published in October, formally acknowledged these efforts by the government, but concluded that 'reintegration remains a challenge and further efforts are necessary'³⁵. A second expert mission reporting to the European Commission in December again noted that 'in terms of policy and regulation, reintegration is good, but the implementation is lacking'³⁶.

This caused great disappointment in Prishtinë/Priština, especially when it became clear that Kosovo remained the only country left outside the visa liberalisation process. In a last-minute volte-face, the European Commission – under pressure by some EU ministers of interior – postponed the visa dialogue once more with reference to Kosovo's poor performance regarding reintegration. Kosovo rightly felt discriminated; none of the other countries had to meet such stringent requirements with regard to reintegration prior to starting the visa dialogue. In the case of Albania, the adoption of a Strategy for Reintegration was one of the last three benchmarks Albania had to fulfill in the months before visa restrictions were actually lifted³⁷.

Politically committed to meet the remaining benchmarks for the start of a visa dialogue, the government continued to work hard throughout 2011 to put in place an effective system to administer reintegration assistance. The biggest obstacle it encountered was the lack of implementation at the local level. As the EC experts had noted last June, 'it does not matter how much planning there is on the central level, if the local level does not acknowledge the Reintegration Strategy it will not be implemented'³⁸. All eyes set on the Commission's next assessment mission, more was tried. The Prime Minister invited mayors and municipal return officers, the Minister for European Integration visited every municipality in Kosovo (38 in total) and a task force composed of officers from line ministries and representatives of IOM and UNHCR was set up to monitor the implementation of the reintegration assistance.

The fruits of these recent efforts may be felt in the months to come. This update report, however, assesses how the lives of repatriated Roma, Ashkali and Egyptian children and youth portrayed in last year's report have changed over the past twelve months and if the promised assistance has reached the most vulnerable returnees. Overall, there is little cause for celebration.

4

REINTEGRATION REALITIES: ASSESSING CHANGES ON THE GROUND

For an objective assessment of the situation on the ground, we reconnected with 116 repatriated Roma, Ashkali and Egyptian children to see with our own eyes how their lives have changed since June of last year. Based on last year's findings and taking into account recent developments such as the establishment of a Reintegration Fund, we focused on four issues: civil registration, school registration, income and housing and access to the reintegration fund. We assessed progress against the baseline of last year's report and compared these findings with the situation of an additional 82 repatriated children interviewed between October and March 2011.

For comparative purposes, we also included children and youth repatriated from Austria, France and Sweden but, given the high number of Roma, Ashkali and Egyptian children repatriated from Germany - 133 over the course of 2010³⁹ - and the Germany-specific situation resulting from '*Kettenduldungen*' (successive short-term extensions of 'toleration status' accumulating to stays averaging 14 years and more), Germany remained at the centre of our attention.

This update aims to tell some of the stories that numbers never tell. For every second Roma, Ashkali and Egyptian child repatriated from Germany last year, it was the first time he/she had ever set foot in Kosovo. More than half of the Roma, Ashkali and Egyptian children returned in 2010 were, in fact, born and raised in Germany⁴⁰.

One of them is nine-year old Mehmet⁴¹. Born deaf and mute in Blomberg, Germany, Mehmet attended a special school until the day of his repatriation. In Kosovo, he has stopped going to school. His father is suffering from severe diabetes, rendering him unable to work; for months the family had been waiting for a positive reply from the Center for Social Welfare. Without any source of income, there is no way that his family can afford to send him to a school for children with special needs, at a distance of 90 km from his home. Unable to communicate with other deaf and mute children, Mehmet has retreated entirely into a world of total silence and solitude.

Another example is Sanije. She was 12 when police turned up in the middle of the night to send her back to Kosovo, together with her older sister and widowed mother. Withdrawn and disoriented, Sanije has spent the entire year since her repatriation to Kosovo within the four walls of her ramshackle house in a village near Ferizaj. In Germany, she was a good student, but unable to write in Albanian and, without any help in Kosovo, her last day at school was the day when German police put her family on a charter flight heading to Prishtinë/Priština. After two heart attacks and suffering from lung problems, her mother is too frail to obtain Sanije's birth certificate in Germany, where she was born. She would certainly qualify for invalid pension but, due to her serious health condition, she has not found the strength to even apply. Her daughter Sanije remains undocumented to this day.

Lulzim was sixteen when he was repatriated from Germany to a small town outside Peja. He suffers from diabetes, but since his repatriation he has not been able to obtain the insulin he needs. Over the past year, Lulzim's health condition has deteriorated dramatically, with little prospect for improvement. Lulzim has visibly lost a lot of weight. Without insulin, his body is unable to absorb crucial carbohydrates. In this condition, he is slowly but gradually starving to death. Since last June, Lulzim's two-year old brother has also been diagnosed with diabetes.

These children and others – despite their disadvantaged beginnings - were well integrated in towns like Münster and Stuttgart. They could have had a productive future

ahead of them – were it not for repatriation. Perhaps it is too late to restore what they have lost; but it is never too late to challenge current reintegration practices and question the commitment of the German and Kosovo authorities to really protect the best interests of these children.

Civil registration

When Bexhet Mala stepped onto the runway at Prishtinë/Priština airport in March last year, none of his four children had any Kosovo documents. During our interview, he was informed about the procedures and requirements on how to get his children registered in Kosovo. His case was then referred to a local NGO dealing with civil registration of minorities in Kosovo. Within weeks, all his children were registered, and Bexhet Mala was able to apply for social assistance. His case was approved, and he now receives around 70 Euros a month.

One of the recommendations of last year’s study specifically concerned civil registration. UNICEF called on **German and Kosovo authorities to ensure that children repatriated to Kosovo have direct access to documents relating to their personal situation and their school career**⁴².

Based on our findings, **there has been measurable progress with regard to civil registration**. Last year, out of 116 children surveyed in the previous study, 48 were not registered. Today, only eight children are still not registered, while 40 children have been registered and now obtain Kosovo documents. The remaining eight are all born outside Kosovo, two in Macedonia, five in Germany and one in Sweden. Without birth certificates issued by the countries where they were born, they cannot be registered in Kosovo.

In the case of the five German-born children, the German embassy had been contacted for help. Embassy staff, however, referred the cases to Kosovo’s nascent consular services in Germany. No progress has been reported since⁴³.

In comparison to last year, the overall situation with regard to civil registration seems to have improved. The share of unregistered children was significantly lower among the 82 Roma, Ashkali and Egyptian returnee children interviewed during the follow-up research. Only 13 were without documents, including seven children born in Montenegro.

Table 7: Civil registration & school enrolment 2010-2011

	2010	%	2011	%
116 children	48 not registered	41%	8 not registered	7%
66 school age	17 attend school	26%	16 attend school	24%

Source: Face -to-face interviews with 40 families, updated May 2011

It seems that the approach taken has worked: all repatriated families contacted and identified during the UNICEF research have been explicitly informed about the procedures and requirements for registration and their cases referred to NGOs and civil registration offices in the respective municipalities. Except in cases where registration could not proceed due to missing birth certificates, reaching out proactively to the families and partnering with NGOs and municipalities led to results. **The lesson for the authorities in Kosovo is clear: more**

efforts are needed to reach out to repatriated families, especially to the most vulnerable among the returnees who are largely unaware and unable to exercise their rights as citizens.

The responsibility to ensure that repatriated families and children are provided with the necessary documents (in particular birth certificates) prior to repatriation rests with the German authorities. Going forward, no Roma, Ashkali and Egyptian child repatriated to Kosovo from Germany should remain undocumented. Given the limited capacities of Kosovo's consular services in Germany, the German embassy in Prishtinë/Priština continues to play an important role in assisting repatriated children in need of personal documents. As the EC expert mission noted in June last year, 'reintegration starts already in the host country'⁴⁴. The Commission experts therefore called on sending countries to 'help by providing returnees with necessary documentation before they return. This is especially important concerning children born abroad'⁴⁵.

School registration

Suzana was eleven and Anita ten when they were repatriated from Germany to Banja e Pejës, a small town in Western Kosovo famous for its spa and thermal waters. Soon after their arrival, the father turned to the local school director to register his two daughters. The director turned him away, arguing that without school certificates from their previous school in Germany, Suzana and Anita cannot enroll. Eager to send his daughters back to school, the father asked a friend in Germany to obtain and send him the necessary school certificates. It was not easy, but when he finally returned to the school director with the German school certificates in hand, the director still refused to enroll the girls. This time, the director argued, he could not accept the original German school certificates without them being formally verified by the Ministry of Education in Prishtinë/Priština. 'How do you expect me to go to the Ministry of Education now?', the father asked in astonishment. Discouraged and upset, the father gave up. Unfortunately, the example of Suzana and Anita is common across Kosovo. During our research we encountered several school directors in towns and villages who actively prevented repatriated Roma, Ashkali and Egyptian children from enrolling at their schools.

Alarmed by the low school enrolment figures among repatriated Roma, Ashkali and Egyptian children last year, **UNICEF called on the authorities to ensure that repatriated children have uncomplicated access to education and provisions are made to offer language courses and bridging classes to make up for classes and certificates that they may have missed. UNICEF further called for special consideration to be given to children with special educational needs.**

Based on our findings, **there has been no improvement with regard to school reintegration among repatriated children. The situation remains as dramatic as last year: three out of four school-aged Roma, Ashkali and Egyptian children repatriated to Kosovo do not attend school. None of the measures foreseen – including language classes or catch-up courses - to help children reintegrate in the Kosovo school system have been implemented.**

In 2010, out of 66 children of school age, only 17 attended school. In May of this year, again, only 16 children attended school⁴⁶. The situation also has not improved among the 'new arrivals' interviewed between October and March. Out of 46 children of school age (6-18 years), only 12 attended school. Mehmet Uka's family was repatriated from Austria last summer. Since their return to Kosovo, none one of his five school-aged children, between the ages of seven and 14, is are going to school. They spend their days in the family's temporary home in a quarter of Gjakova town called Koloni. Without the education and skills to escape their parent's poverty, they are most likely to follow in the footsteps of their father who makes ends meet collecting scrap metal.

This is particularly disappointing, given how much has changed - in theory - since the publication of last year's report. On paper, the Kosovo authorities heeded UNICEF's advice. Both the revised Reintegration Strategy and Action Plan contain several measures to facilitate the reintegration of repatriated children in Kosovo's school system. The Action Plan specifically allocated 181,000 Euros for the development of a curriculum for language training, teacher training to facilitate the reintegration of children with psycho-social needs and the provision of language courses for repatriated children⁴⁷. The provision of language and catch-up classes also tops the list of priority measures foreseen by the Reintegration Fund⁴⁸.

Moreover, an Administrative Directive (17/2010) issued by the Ministry of Education on 18 November 2010 foresees that the Ministry of Education appoints a person dealing especially with the enrolment of repatriated children of school age. There are clear provisions regulating how repatriated children can enroll in schools, pending the provision or verification of school certificates. The Administrative Directive also obliges the Ministry of Education and the responsible municipal education departments to keep track of repatriated children, to register them in the appropriate grades, in multi-ethnic classes and to provide school books for free. The same rights apply to children with special needs.

In practice, nothing has happened. As of June this year, not one cent had been spent by the Reintegration Fund, the Ministry of Education or municipalities on language courses or targeted measures to reintegrate repatriated children. School directors, with the tacit support of municipal education departments, continue to ignore these provisions. One of the school directors interviewed in Obiliq, told us in clear language that he had not been informed officially and therefore refuses to recognize the Administrative Directive. Given that school directors are appointed locally and report to the municipal education directorates, municipalities are urgently called upon to act.

Our research also confirmed that some of the German *Länder* continue to repatriate families with school-aged children right in the middle of school term, causing not only disruption but also great difficulties to obtain any school certificates. Melitta Kryeziu was about to graduate from a private secondary school in Borcken, when she was deported with her family. Unable to graduate and left without any school certificates, years of investments in her education by the German state are at risk of going to waste. She could have been one of very few Roma, Ashkali and Egyptian girls to complete secondary school; Kosovo's Roma, Ashkali and Egyptian community definitely needs female role models like her.

But not all is bleak. The case of Suzana and Anita was brought to the attention of the Reintegration Fund, and the responsible reintegration officers mobilised the director of education in the municipality and eventually persuaded the school director to enroll the two

girls. The father was close to tears when the decision was finally made at the end of June. By now, Suzana and Anita have already lost two years of education, but in September they will be back at school⁴⁹.

The legal and policy framework in place no longer leaves any doubts as to what needs to be done to facilitate the reintegration of repatriated children within the Kosovo school system. What exists on paper now needs to be implemented. The funds that have been made available now need to be spent. There are no more excuses for inaction. **The responsible Kosovo authorities at the central and local level urgently need to focus on the educational needs of repatriated children and facilitate their reintegration in the Kosovo school system.** In the future, cooperation with the German authorities and the embassy will continue to be essential to avoid deportations of school-aged children during the school term and to obtain missing school certificates.

Income and housing

Feride Obranovic struggled hard to keep her six children, between the ages of two and nine, warm last winter. Upon their return from Germany, the family ended up living in what could be, at best, described as four walls and a stove. The eight-member family shared two sponges to sleep on and lived off bread on most days. Feride's husband suffers from serious mental disorders. He hardly ever leaves the home. Feride herself appears helpless in the face of the daily challenge to put food on the table for her six children. For the first six months, the 100 Euro rent for their home was paid by URA, an assistance program for persons repatriated from one of four German *Länder*⁵⁰. When the URA rent subsidy expired, the landlord granted the family one more month to stay for free. On a cold day in December, the family was kicked out and ended up on the streets.

The Ministry of Interior, alerted of the family's situation, moved Feride and her children to social housing in Plementina⁵¹. The current apartment, however, has no electricity, no running water and no heating. Desperate to keep warm in the winter, the family ended up burning plastic tires, exposing the five children to poisonous fumes.

Unfortunately, this is not an isolated case. Last year's study confirmed the precarious living conditions of Kosovo's Roma, Ashkali and Egyptian community in general, and of repatriated families in particular. In fact, the study challenged a wide-spread perception that families repatriated from Germany after many years have accumulated savings and do not need any assistance. On the contrary, as both the qualitative and quantitative data confirmed, repatriated Roma, Ashkali and Egyptian families were poorer on average than Roma, Ashkali and Egyptian families who had never left Kosovo⁵².

Many repatriated Roma, Ashkali and Egyptian families ended up living in ramshackle homes, with plastic sheets instead of windows, without heating or running water. Some had sold their homes to pay for their trip to Germany, some had found their homes destroyed upon return and many never had a home. Every second family portrayed in the study ended up without sustainable housing; some had to rely on the goodwill of relatives, others depended on rent subsidies and three families ended up living in temporary camps for internally displaced persons⁵³.

These findings prompted UNICEF to recommend strengthening programmes to support repatriated persons to protect children from falling into permanent poverty or a marginal existence.

Last year there were hardly any provisions to provide housing to families repatriated by force. This year, the Action Plan for the implementation of the Reintegration Strategy budgeted 1.46 million Euros (equivalent to 23 percent of the available budget for reintegration assistance) for the provision of temporary shelter (100,000 Euros), rent subsidies (180,000 Euros), the construction of social housing (800,000 Euros) and the reconstruction of homes (380,000 Euros). With these funds, the Ministry of Interior calculated that it can provide a 'home' to 160 repatriated families or 800 beneficiaries, not including those who are sheltered temporarily immediately upon their arrival⁵⁴.

Have these pledges made a difference and reached vulnerable returnees like Feride Obranovic or Halime Hasani? Not yet, it seems. Feride Obranovic still lives in the same apartment where she had been placed after being picked up from the street. The three families described last year, including the nine children, still live in abysmal conditions in the camps.

Compared to last year, the living conditions for many families actually worsened, especially for those without sustainable housing and regular income. In the past year, several families lost their entitlement to social assistance, rendering them unable to purchase life-saving medicine or enough bread to feed the children. Five families, including 15 children, left Kosovo again⁵⁴. The assistance promised in the Reintegration Action Plan - including housing or income generation programmes - remained pledges on paper.

The Mesini family, for example, was repatriated in 2009; all three boys, aged nine, 13 and 14, were born in Germany; all three suffer from mental disabilities. The nearest school for children with special needs, located in Prizren, was too far and transport would have been too expensive. For the first six months upon their return to Kosovo, the family received a monthly rent subsidy from URA. Once URA cut the rent allowance, the family was on the move again in search of affordable accommodation. 'Every two months we move from one place to another', the father explains. The family ended up moving five times in less than one year. Without an income, without a home and unable to send the boys to school, the father decided to pack their few belongings and leave for Croatia.

Many others like the Mesini family simply cannot afford to pay rent, as this requires a regular source of cash income - something that is hard to come by for repatriated Roma, Ashkali and Egyptian families. Most Roma, Ashkali and Egyptian families surveyed earn only irregular income from physical work such as cleaning, unloading trucks or selling scrap metal; a few earned an income as musicians during the wedding season in the summer.

The truth is that many of the Kosovan Roma, Ashkali and Egyptian refugees with marketable skills and talents have been able to secure a residence title in Germany. Many who are being repatriated today lack even basic education and skills. The situation is aggravated by Kosovo's employment situation in general, which is problematic not only for returnees.

The example of the German-funded URA job placement scheme confirms how difficult it is to generate sustainable employment⁵⁶. Well-intentioned and resourced, URA's 'employment component' by and large failed to generate sustainable employment for all but one of the 14 families that had been assisted last year. Eight out of 14 had never actually worked on the job

assigned (but shared the salary with the 'official employer' as long as it lasted), five lost the job again once the money was cut and only one was able to retain his job at a petrol station⁵⁷.

The difficult employment situation means that most Roma, Ashkali and Egyptian returnee families remain extremely dependent on two other sources of income: social assistance and remittances. As last year's study showed, 52 percent of Roma, Ashkali and Egyptian families with relatives abroad depend on remittances as their main source of income. But as more Kosovan Roma, Ashkali and Egyptians are repatriated to Kosovo, more families lose access to the crucial economic lifeline that remittances represent.

During their first months back in Kosovo, the Berisha family received some assistance and rent subsidies from *Arbeiterwohlfahrt*, a German organization. Most importantly, however, the Berisha family received money from relatives who stayed behind in Germany. The moment these relatives learned that their repatriation to Germany might be imminent, they stopped sending money to save for the hard times awaiting them in Kosovo. The mere prospect of repatriation thus already stopped the flow of remittances. When we tried to meet the family again in May, we could no longer locate them. It seems they have moved on.

The findings on the ground confirmed an uncomfortable truth: the only ones 'earning' some kind of 'regular monthly income' were those poor enough to meet the stringent requirements for social assistance. In 2010, eight out of 40 families depended entirely on social assistance as their main source of income. One of the criteria that made them eligible for social assistance was having a child under the age of five⁵⁸. But as time passes, children grow older.

Arijeta Hasani, the youngest of four children, turned five last year; consequently the Hasani family no longer qualifies for social assistance, despite having no other source of income and no home. This particular provision in the Law on Social Assistance requiring poor families to have at least one child under five, not only excludes many families in need, it also creates warped incentives. When Mehmet Hasani learnt that his family can only qualify for social assistance with a child under five, he did not think twice. Within a year, his wife gave birth to their sixth child; for the next five years at least, the family will receive social assistance.

It is not only a problem of eligibility criteria. The procedures to apply for social assistance are cumbersome, especially for illiterate families; in some cases it can take months for an application to be reviewed. Osman Ibrahim has been waiting for an answer for over three months concerning his application for invalid pension. Suffering from severe diabetes, unable to walk or work, with two children at home born deaf and mute, without land or a home he can call his own, he certainly qualifies for assistance. The law foresees that social welfare centers review applications within six weeks, but this does not seem to apply to Fushe Kosova.

Over the past few months, Osman's illness had taken such a visible toll on his life that his days may be numbered. If more days go by without life-saving insulin, he may not live long enough to receive any assistance. On paper, poor families and repatriated families are entitled to free health care, including medication. In reality, access to health care across Kosovo depends on cash payments - thus excluding the most

vulnerable. Osman's five children had been living off bread for several weeks now. On a good day, bread was served twice. On most days, they went to bed hungry.

Without income, sustainable reintegration remains a dream. According to our best knowledge, 25 persons - including 15 children, of the 173 persons portrayed in the study last year – have left Kosovo again. Of the 21 families surveyed since October last year, two families have left in the meantime. Of those who left Kosovo again, many planned to stay with relatives in Serbia, a few families tried to return to Germany, some went to Croatia and some tried their luck in Belgium. Our findings yield a 're-bounce rate' – the percentage of repatriated person leaving Kosovo within one year – of only 14 percent. Given the hardship and the difficulties that these families endure, this is surprisingly low.

Well-intentioned the government's Reintegration Action Plan allocated 600,000 Euros for social assistance payments to repatriated persons and 650,000 Euros for income-generating programmes, requalification and vocational training and employment services⁵⁹. It would be naïve to expect miracles of any job or income-generating programme designed and funded by Kosovo's recently established Reintegration Fund, given the difficult labor market in Kosovo. It is not naïve, however, **to expect that the money earmarked for social assistance and income-generation (1.25 million in total) is actually spent**. At the time of writing, this has not been the case.

Access to the Reintegration Fund

The good news is that help has finally reached Osman Ibrahim and his five children. In early July, the Executive Board of the Reintegration Fund approved Ibrahim's request and committed funds to rebuild his home, provide medical assistance and help his two deaf and mute children to continue schooling⁶⁰. The bad news is that the Ibrahim family is one of very few repatriated families who have actually been assisted by the government Reintegration Fund.

The assistance foreseen in the government Reintegration Action Plan and the choice of priority beneficiaries – children, Roma, Ashkali and Egyptian, single females, disabled – is fully in line with UNICEF's recommendations from last year. The system and procedures in place to access the assistance, however, have proven slow and cumbersome. As a result, only a handful of families have been aided so far and only a tiny fraction of the 3.4 million Euros has actually been spent.

It naturally took some time for the Reintegration Fund to become operational; the establishment of the fund also happened to coincide with snap elections in December and the formation of a new coalition government. It was not before the end of March that a new government budget was approved. In January, the Executive Board of the Reintegration Fund held its first constitutive meeting. The Board is chaired by the Permanent Secretary of the Ministry of Interior and composed of representatives of seven line ministries with reintegration responsibilities, IOM and UNHCR.

The first few months were spent on drawing up eligibility criteria and defining the procedures to disburse assistance. The eligibility criteria agreed on, as well as the different 'assistance packages' – including rent subsidies, food packages and non-food items (including medicine), language courses and income generating programmes – are closely modeled on international reintegration programmes, including those of IOM and UNHCR. The Ministry also identified groups of priority beneficiaries, including Roma, Ashkali and Egyptian returnees, single mothers, persons with physical or mental disabilities and children.

Careful not to create the wrong incentives, the date when the Reintegration Action Plan was formally approved was defined as a cut-off day: anyone leaving Kosovo after that day is automatically disqualified for reintegration assistance. In order not to lose track of the allocated money, all decision-making and disbursement of the assistance has been centralized at the Reintegration Fund at the level of the Executive Board and Secretariat.

The procedures foresee that municipal return officers identify families in need and prepare electronic applications to be sent to the Reintegration Office located in the Ministry of Interior. The Reintegration Office, in turn, forwards the applications to the Secretariat for review. The board then approves or rejects each individual application case-by-case and decides on the kind of assistance provided.

This system has proven weak on many counts. Municipal return officers failed to identify and track the families most in need. Consequently, very few applications were actually forwarded to the Secretariat and the quality of many applications

was poor. The centralisation of all decision-making at the Executive Board also proved cumbersome and time-consuming. There are currently also no mechanisms in place to track funds, beneficiaries or services provided, rendering any monitoring or impact assessment extremely difficult.

As a result, establishing the exact number of beneficiaries and how much has actually been spent of the allocated 3.42 million Euros has proven extremely difficult. We only know for certain that not a single application had been received in 2010. By the end of May, the Secretariat had received 98 requests for reintegration assistance - of which 23 were approved, four rejected and 71 remained, pending further clarification. The 23 approved applications benefited 58 individuals, including 23 children; less than 1.1 percent of all returnees and no more than five percent of repatriated Roma, Ashkali and Egyptians. We calculated that, at this rate, the board would need to receive about 260 applications per week until the end of this year, to come close to disbursing the available funds.

Table 8: Overview of applications for reintegration assistance (May 2011)

Approved	23	23%
Rejected	4	4%
Pending/returned for clarification	71	73%
Total # of applications received	98	100%

Source: Ministry of Interior, 30 May 2011

Table 9: Overview of beneficiaries (May 2011)

	# Beneficiaries	# Children
Roma/Ashkali/Egyptians	34	14
Kosovo Albanians	24	9
Total	58	23

Source: Ministry of Interior, 30 May 2011

Recent attempts by the government aimed at increasing the number of applications and beneficiaries included a tour of municipalities by the Minister for European Integration and efforts to raise awareness and improve data collection with the help of a questionnaire. In early July the Board also established a monitoring task force. It seems that the number of applications received, reviewed and decided on by the Board has increased in recent weeks, possibly doubling the number of beneficiaries.

At current speed and with the present system in place, it seems impossible for the Reintegration Fund to deliver on its commitments detailed in the Reintegration Action Plan to rebuild up to 30 homes, construct social housing for 80 families, provide language classes to all repatriated children in need, devise effective employment and income-generating programmes and spend the allocated 3.4 million Euros efficiently in the five months remaining before December.

A modern case management system capable of identifying the needs of returnees upon arrival, coordinating service delivery across agencies and tracking progress along the way is the best way forward to build on what has been achieved. It

would not only radically improve the delivery of reintegration assistance; it would also increase the Fund's transparency and accountability.

In the end, the only real measure of success is whether the reintegration assistance foreseen on paper is actually reaching the families most in need. The recent approval of Osman Ibrahim's request for assistance is a positive step in this direction.

5

A SHARED RESPONSIBILITY

Looking back, a lot has been achieved in the past twelve months but, looking forward, a lot remains to be done. In an impressive effort to meet the conditions set out by the European Commission with regard to reintegration, the government of Kosovo increased the funds for reintegration assistance from 100,000 Euros to 3.4 million Euros, adopted a new Strategy for Reintegration and a detailed Action Plan, established a Reintegration Fund, trained approximately 190 municipal reintegration officers and began disbursing assistance. Compared to last year, the funds, procedures and reintegration policies are now in place, at least on paper.

On another positive note, several German *Länder* - most notably the populous state of North-Rhine Westphalia - have issued decrees restricting the deportation of Kosovan Roma, Ashkali and Egyptians on humanitarian grounds and taking into account the best interests of the child. These decisions may have helped to reduce the overall number of children repatriated to Kosovo, but they did not put a complete stop to forced repatriations; Germany alone repatriated 133 Roma, Ashkali and Egyptian children in 2010⁶¹.

In the lives of most repatriated Roma, Ashkali and Egyptian children, little has changed for the better. One positive exception was civil registration. Last year, 48 out of 116 children surveyed were not registered. Since then, 40 children have been registered. With regard to school reintegration and access to education, on the other hand, the situation remained as dramatic as last year: three out of four school-aged Roma, Ashkali and Egyptian children repatriated to Kosovo do not attend school. No public funds have been spent on language courses and many school directors actively prevented repatriated Roma, Ashkali and Egyptian children from going to school.

Three families, including nine children, continue to live in camps, and many more are left without sustainable housing. Only one person out of 14 has been able to retain the job he found with the help of URA' employment programme. The only ones 'earning' some regular income are those poor enough to qualify for social assistance. Especially for the most vulnerable, the cumbersome procedures to apply for social cash assistance proved insurmountable.

Sustainable income is one of the factors for success of a reintegration programme; in fact, the families without any source of income, without a home and with close family members still living abroad, were the ones most likely to leave again. According to our findings, 14 percent of the 173 persons portrayed last year, have left Kosovo again, including 15 children.

Sharing responsibilities is another factor determining the success. By its very nature, reintegration is a shared responsibility, involving the government of Kosovo at central and decentralised levels, the governments in sending countries and the returnees themselves. There is also an important role to play for international actors like the European Union. The attempt by the Ministry of Interior to shoulder most of the responsibility for the reintegration of repatriated persons was bound to run into challenges. No single ministry can do the job; and a seven-member Reintegration office can certainly not compensate for the failings of school directors, the labour market, the social cash assistance scheme or the German authorities.

Interior Ministers in EU member states and the European Commission scrutinising the government's reintegration efforts must also be fair and realistic. Neither the Reintegration Fund nor the Reintegration Strategy can reverse decades of social exclusion, educational failures and extreme poverty among Kosovo's Roma, Ashkali and Egyptian community within a few months or years. Even if all the provisions in the Action Plan were implemented and the entire 3.4 million Euros were spent efficiently on reintegration assistance, living conditions in Kosovo will not be like those in Germany.

Most Roma, Ashkali and Egyptian children, especially those born and raised in Germany, will continue to feel at home in Germany and dream of returning one day. Last year, Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, warned that 'children are the ones most affected by these forced returns'. This, certainly, has not changed. But it can.

6 RECOMMENDATIONS

The recommendations of last year have been adjusted in light of progress achieved, taking into account the reintegration realities on the ground as well as recent developments and changes in the political context in Germany and Kosovo.

Allow children to put down roots

Given an average length of stay of 14 years and the fact that more than half of Kosovan Roma, Ashkali and Egyptian children under threat of deportation have been born in Germany, a sustainable political solution should be found in Germany to enable those children to finally put down roots and focus on the future.

Consider the best interests of the child

More Länder must follow in the footsteps of North Rhine Westphalia, Saxony-Anhalt or Bremen and place emphasis on the best interests of the child when deciding on residence permits and repatriation. Forced repatriations of Roma, Ashkali and Egyptian children born, raised or schooled in Germany should be reviewed individually, taking into account a child's level of integration, the number of years in Germany, and his/her educational and medical needs.

Access to personal documents

German and Kosovo authorities need to ensure that children repatriated to Kosovo have direct access to documents relating to their personal situation and their school career.

Kosovo authorities, particularly at the local level, need to make more efforts to reach out to repatriated families, especially to the most vulnerable families who are largely unaware and unable to exercise their rights as citizens.

Given the limited capacities of Kosovo's consular services in Germany, the German embassy in Prishtinë/ Priština continues to play an important role in assisting repatriated children in need of personal documents. As the EC expert mission noted, 'reintegration starts already in the host country'.

Access to education

The responsible Kosovo authorities need to offer language courses and bridging classes as foreseen in the Action Plan and ensure that repatriated children have uncomplicated access to education. More consideration needs to be given to children with special educational needs.

Access to reintegration assistance

The existing Reintegration Fund needs strengthened implementation modalities to increase its efficiency and impact. A modern case management system capable of identifying the needs of returnees, coordinating service delivery across agencies and monitoring progress must be established. The government's commitments concerning reintegration need to be implemented and political interest and concern for repatriated persons should be sustained beyond the beginning of a visa dialogue.

Enhanced social protection systems

Clearly, many of the repatriated Roma, Ashkali and Egyptians will have to rely on the social cash assistance scheme as their main source of livelihood. The current social cash assistance systems must accordingly be strengthened and its eligibility criteria and application processes reviewed to be able to support the long term integration of the most vulnerable families.

(Endnotes)

- 1 Integration Subject to Conditions, A report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo, UNICEF Kosovo and the German Committee for UNICEF, 2010, ISBN 978-9951-601 00 9
- 2 Thanks to the father's insistence and the concerted pressure of UNICEF and the Ministry of Interior, the school director finally accepted to enroll two girls in June. The girls will go back to school in September.
- 3 According to our best knowledge, five out of 40 families portrayed in the study, with 20 family members (including 11 children), plus another five individuals (including four children) have left Kosovo again since last year (about 13 percent of children left again).
- 4 Integration Subject to Conditions, A report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo, UNICEF Kosovo and the German Committee for UNICEF, 2010, ISBN 978-9951-601 00 9. p.22
- 5 During the winter months, North Rhine Westphalia even ordered a temporary stop on repatriations of Kosovan Roma, Ashkali and Egyptian, except in criminal cases.
- 6 A decision titled 'Sicherung des Aufenthaltsrechts fuer Kinder und Jugendliche nach einem langjaehrigen Aufenthalt im Bundesgebiet' was taken by the conference of interior ministers on 18 November 2010. See: http://www.bundesrat.de/clin_171/DE/gremien-konf/fachministerkonf/imk/Sitzungen/10-11-19/Beschluesse,templateId=raw,property=publicationFile.pdf/Beschluesse.pdf
- 7 The new amendment was adopted in March 2011.
- 8 On 17 March 2011 the federal Parliament adopted changes to the Aufenthaltsgesetz by adding paragraph 25a 'Aufenthaltsge-
waehrung bei gut integrierten Jugendlichen und Heranwachsenden'.
- 9 In the first quarter of 2010, 262 children of all ethnicities aged 0-19 years were repatriated to Kosovo. In the same period this year, 164 children were repatriated. Source: Kosovo Ministry of Interior. The numbers include children aged 0-19 years from all ethnic groups, repatriated from third countries.
- 10 According to the German Statistical Office 87,194 persons had the status of 'Duldung' (toleration-permit) as of 31 December 2010. See: <http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Content/Statistiken/Bevoelkerung/MigrationIntegration/AuslaendischeBevoelkerung/Tabellen/Content75/AufenthaltsrechtlicherStatus.psm1>
- 11 According to official German figures, 11,700 Kosovan Roma, Ashkali and Egyptians were living on 'toleration statuses in Germany on 30 June 2009. According to estimates by German Aliens Authorities, the proportion of children aged 0-18 is between 42 and 50 percent. According to last year's research, three out of four Roma, Ashkali and Egyptian returnee children were born in Germany; in other words between 3,000 and 3,500 Kosovan Roma, Ashkali and Egyptian children under threat of deportation have been born, raised and schooled in Germany. For more details see: Integration Subject to Conditions, A report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo, UNICEF Kosovo and the German Committee for UNICEF, 2010, ISBN 978-9951-601 00 9
- 12 Last year's study found that the average duration of stay of Kosovan Roma, Ashkali and Egyptian in Germany under threat of deportation is 14 years.
- 13 Following the launch of the study, UNICEF fielded a consultant to monitor progress as regards reintegration practices and support provided to repatriated families portrayed in the study and assist UNICEF in their advocacy and outreach efforts.
- 14 The research and monitoring team producing this report interviewed 79 out of 172 Roma, Ashkali and Egyptian children repatriated from Germany and Austria in 2010. We thus covered 50 percent of Roma, Ashkali and Egyptian children deported to Kosovo in 2010.
- 15 Annual Report 2010 on repatriated persons, official data provided by the Kosovo Ministry of Interior.
- 16 Others include Slovenia (66), the UK (47), Croatia (45), Italy (42), Holland (35), Canada (30), Denmark (29), United States (20), Czech Republic (7), Slovakia (4), Ireland (3), Spain (3), Poland (2). 2010 Annual Report on Repatriated Persons, Kosovo Ministry of Interior.
- 17 Annual Report 2010 on repatriated persons, official data provided by the Kosovo Ministry of Interior.
- 18 Others include 13 Turks, 4 Montenegrins and 62 others whose ethnicity is not further specified. 2010 Annual Report on Repatriated Persons, Kosovo Ministry of Interior.
- 19 Kleine Anfrage der Abgeordneten Ulla Jelpke u.a. und der Fraktion DIE LINKE, BT Drucksache 16/14084, 9 Oktober 2009
- 20 Others include 1 Bosniak, 5 Gorani, 4 Kosovo Serbs, 2 Turks and 3 Albanians from Serbia. Source: Ministry of Interior, Republic of Kosovo
- 21 Others include 1 Bosniak, 5 Gorani, 4 Kosovo Serbs, 2 Turks and 3 Albanians from Serbia. Source: Ministry of Interior, Republic of Kosovo
- 22 Deutsche Kinder: Ausgeflogen ins Niemandsland, Adelheid Wölfl, Der Standard, 7 February 2011, <http://derstandard.at/1296696549581/Reportage-Deutsche-Kinder-ausgeflogen-ins-Niemandsland>
- 23 Deutschland schiebt Roma in den Kosovo ab: Deportiert ins Ungewisse, Daniela Schroeder, Stern, 16 October 2010, <http://www.stern.de/politik/deutschland/2-deutschland-schiebt-roma-in-den-kosovo-ab-deportiert-ins-ungewisse-1613038.html>
- 24 Fremd in der Heimat, Norbert Mappes-Niedieck, Badische Zeitung, 27 August 2010, <http://www.badische-zeitung.de/ausland-1/abgeschobene-roma-fremd-in-der-heimat-34794346.html>
- 25 Fremd in der Heimat, Norbert Mappes-Niedieck, 27 August 2010, <http://www.badische-zeitung.de/ausland-1/abgeschobene-roma-fremd-in-der-heimat-34794346.html>

25 Rueckfuehrung ausreisepflichtiger Personen in die Republik Kosovo hier Angehoerige der ethnischen Minderheiten der Roma, Ashkali und Aegypter, Ministerium fuer Inneres und Kommunales des Landes Nordrhein-Westfalen, 21 September 2010

26 Rueckfuehrung von Angehoerigen der ethnischen Minderheiten der Roma, Ashkali und Aegypter in die Republik Serbien sowie die Republik Kosovo. Anordnung nach 60a Abs 1.AufenthG, 1 Dezember 2010, Ministerium fuer Inneres und Kommunales, NRW

27 Kleine Anfrage der Abgeordneten Ulla Jelpke u.a. und der Fraktion DIE LINKE, BT Drucksache 16/14084, 9 Oktober 2009

28 This information is based on passenger lists of repatriated persons returning from Germany to Kosovo provided to the Ministry of Interior.

29 Paragraph 25 Aufenthaltsgesetz – Aufenthalt aus humanitaeren Gruenden, Freie Hansestadt Bremen, Senator fuer Inneres und Sport, 17 September 2010

30 An EC expert mission on readmission and reintegration in June 2010 described the readmission process as going ‘smoothly’ and ‘well organised’, and noted that ‘the process of readmission became even faster after the transfer of authorities from UNMIK to Kosovo authorities’, JHA IND/EXP 42235

31 Deutsche Kinder: Ausgeflogen ins Niemandsland, Adelheid Wölfl, Der Standard, 7 February 2011, <http://derstandard.at/1296696549581/Reportage-Deutsche-Kinder-ausgeflogen-ins-Niemandsland>

32 Report on Reintegration from the Mission on Readmission and Reintegration in Kosovo, June 7-10, 2010, JHA IND/EXP 42235

33 Report on Reintegration from the Mission on Readmission and Reintegration in Kosovo, June 7-10, 2010, JHA IND/EXP 42235

34 The 2011 budget, approved on 31 March 2011, allocated 3,420,150 Euros for the reintegration fund. Source: Raporti per implementim e strategjise dhe planit te veprimit per ri-integrim e personave te riadhesuar, Ministry of Interior

35 Kosovo 2010 Progress Report, SEC (2010)1329

36 Report from the Assessment Mission on the Efficiency of the Reintegration of Returnees Process in Kosovo, 7-9 December 2010, JHA IND/EXP 44122

37 <http://www.esiweb.org/index.php?lang=en&id=478>

38 Report on the Reintegration from the Mission on Readmission and Reintegration in Kosovo, June 7-10, 2010, JHA IND/EXP 42235

39 All the children interviewed declared themselves either Roma or Ashkali, and not Egyptian. This is not surprising given the relatively small share of Egyptians among Kosovo’s Roma, Ashkali and Egyptian community.

40 According to passenger lists of repatriated persons returned from Germany, 54% of Roma, Ashkali and Egyptian children repatriated in 2010 aged 0-18 years were born in Germany.

41 To protect the personal integrity and privacy of the children portrayed in this study their names have been changed by the authors.

42 Integration Subject to Conditions, A report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo, UNICEF Kosovo and the German Committee for UNICEF, 2010, ISBN 978-9951-601 00 9, page 82

43 According to the Civil Rights Programme/Kosovo, the German embassy in Prishtina had been contacted officially to ask for assistance in obtaining the birth certificates of the 5 German-born children that remain unregistered. In its reply, the Germany embassy suggested referring the case to the Kosovo embassy in Germany.

44 JHA IND/EXP 42235

45 Report on the Reintegration from the Mission on Readmission and Reintegration in Kosovo, June 7-10, 2010, JHA IND/EXP 42235

46 Of the 17 school-aged children attending school last year 4 had dropped out and left the country, while 3 first-graders – all boys - had enrolled in the meantime.

47 Action Plan Implementing the Strategy for Reintegration of Repatriated Persons, Government of Kosovo, p.15

48 Criteria for benefiting from the reintegration of repatriated person’s programme, Ministry of Interior.

49 Since the publication of last year’s report, UNICEF had fielded a monitoring expert to monitor progress and mediate between repatriated Roma, Ashkali and Egyptian families and the responsible authorities. Constant monitoring and advocacy has helped to bring the case of these two girls and other vulnerable families to the attention of the Reintegration Fund.

50 URA-2 is an assistance programme funded by the federal German government and the governments of Baden-Wuerttemberg, Niedersachsen, North Rhine Westphalia and Sachsen Anhalt. It offers reintegration assistance to voluntary and forced returnees repatriated from these 4 Laender. The programme foresees allowances for rent or funding for refurbishment of homes and furniture, job placements as well as food or medical packages as required.

51 The Ministry of Interior and the responsible officers in Obiliq municipality were informed about the family’s poor living conditions by the UNICEF monitoring team.

52 Integration Subject to Conditions, A report on the situation of Kosovan Roma, Ashkali and Egyptian children in Germany and after their repatriation to Kosovo, UNICEF Kosovo and the German Committee for UNICEF, 2010, ISBN 978-9951-601 00 9, p.74

53 Ibid, p.70

54 Action Plan Implementing the Strategy for Reintegration of Repatriated Persons, Government of Kosovo, p.13, 17 and 18

55 According to our best knowledge, five out of 40 families portrayed in the study, with 20 family members (including 11 children), plus another five individuals (including four children) have left Kosovo again since last year (about 13 percent of children left again).

- 56 Ibid.
- 57 A UNICEF consultant contacted the current director of URA in Prishtina to request a meeting to discuss URA's current programme and obtain up-to-date information. The meeting request was denied and no first-hand information about URA could be obtained. Our findings in the field and interviews with families that had participated in the URA employment programme confirmed that only one person retained his job.
- 58 The applicable Law on the Social Assistance Scheme in Kosovo (Law No 2003/15) distinguishes between two categories for non-financial criteria for social assistance; category two are families where there is a family member able to work and where there is at least one child under the age of five and/or an orphan under the age of fifteen, in its full-time care (article 4.1.b).
- 59 Action Plan Implementing the Strategy for Reintegration of Repatriated Persons, Government of Kosovo, p.13, 17 and 18
- 60 Confirmation of the decision to approve Osman Ibrahim's request has been provided by senior officers in the Ministry of Interior.
- 61 Since the amendment to the Aufenthaltsgesetz following the decision of the conference of interior ministers in November 2010 concerning the 'Sicherung des Aufenthaltsrechts fuer Kinder und Jugendliche nach einem langjaehrigen Aufenthalt im Bundesgebiet' only came into force on 1 July 2011, it is too early to judge if it had any impact on repatriations of children.

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