

**AMENDMENT TO PROJECT FICHE 3 (01.63) "RETURN, REINTEGRATION AND CULTURAL HERITAGE IN KOSOVO**

<p><b>MODIFIED 2007 Project Fiche Kosovo (UNSCR 1244/99)</b>  <b>IPA centralised programme</b></p>
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**1. Basic information**

- 1.1 CRIS Number:** 2007/019-298
- 1.2 Title:** Return, Reintegration and Cultural Heritage in Kosovo
- 1.3 Sector:** 01.63
- 1.4 Location:** Kosovo

Implementing arrangements

**1.5 Contracting Authority:** The European Commission Office in Pristina

**1.6 Implementing Agency:**

Activity 1: The European Commission Office in Pristina

Activity 2: The European Commission Office in Pristina jointly with the Council of Europe

**1.7 Beneficiary Institutions**

Project activity	Beneficiary (institutions, target group etc)	Contact point responsible for project/activity coordination
Return and Reintegration		
(i) Return and Reintegration of Refugees and IDPs to Kosovo	(i) Refugees and Internally Displaced Persons (IDPs), Ministry for Communities and Returns (MCR) and a number of selected Municipalities	Permanent Secretary MCR
(ii) Resettlement and Reintegration of Roma families living in lead-contaminated camps	(ii) Ostorode and Cesmin Lug camps residents and Mitrovica municipal authorities	Government of Kosovo RAE camps focal point and Mitrovica municipal authorities
Cultural Heritage	Ministry of Culture, Youth, Sport and Diaspora (MCYS) The Serbian Orthodox Church	Deputy Minister MCYS

**1.8 Overall cost:** EUR 10.25 million

**1.9 EU contribution:** EUR 8.7 million

**1.10 Final date for contracting**

Three years after the signature of the financing agreement between the European Commission and the Kosovo Authorities.

### **1.11 Final date for execution of contract**

Two years after the final date for contracting.

### **1.12 Final date for disbursements**

One year after the final date for the execution of contracts

## **2. Overall Objective and Project Purpose**

### **2.1 Overall Objective**

The creation of a climate for inter-ethnic tolerance, sustainable multi-ethnicity and the promotion of human and minority rights (including in a gender perspective) conducive to the return and reintegration of refugees and IDPs to Kosovo.

### **2.2 Project purpose**

Sustainable return of IDPs and refugees through an increased involvement of central and municipal state and non-state actors, and through the rehabilitation and respect for cultural heritage.

Facilitate peaceful and sustainable resettlement and reintegration of Roma Ashkali and Egyptian (RAE) families inter alia into Roma Mahalla (RM) which would subsequently lead to the closure of the Ostorode and Cesmin Lug camps in North Mitrovica. By the end of the project up to 90 RAE families will have been relocated outside from the lead-contaminated camps.

### **2.3 Link with: European Partnership; Stabilisation and Association process; Status Settlement Proposal**

In the chapter of the "Key priorities" titled "Human rights and the protection of minorities" the *European Partnership* political requirements are as follows:

- Facilitate and encourage the return of refugees and displaced persons from all communities and finalise the rehabilitation of damaged and destroyed properties caused by the March 2004 events, including historic and religious sites.
- Strengthen administrative structures and accountability mechanisms in the Ministry of Communities and Returns. Further develop and implement the joint strategic framework on communities and returns and develop mechanisms at municipal level for facilitating the sustainable integration of returnees and existing minority communities.
- Regularise informal settlements. Find sustainable repatriation solutions for the integration of Roma communities that are living in hazardous living conditions in camps and for IDP groups living in informal centres.
- Ensure mainstreaming of women's rights in all existing policies and legislation.

In the chapter titled "Democracy and the rule of law" the European Partnership political requirements are as follows:

- Ensure fully effective functioning of the Assembly and its committees, the government and municipalities, including full respect of the respective rules of procedure, and the rights and interests of all communities.
- Increase minority representation in all institutions and the civil service at municipal and central level.

- Improve quality and availability of basic public services to all communities, including as a contribution to reduce the demand for services provided by parallel structures.

In the medium-term priorities, the chapter dedicated to “Human rights and the protection of minorities” states Kosovo has to "Develop an integrated conservation policy for cultural heritage. Actively engage in increasing the general awareness of and respect for cultural heritage".

The Kosovo government’s *European Partnership Action Plan (EPAP) 2006* provides for the strengthening of co-ordination mechanisms between MCR, Ministry of Local Government Administration (MLGA) and Municipalities (EPAP No. 28) as well as for the development of mechanisms at municipal level to facilitate the sustainable integration of minorities and existing minority communities (EPAP No. 29). It also provides for the continuation of the reconstruction of historical, cultural and religious sites damaged during March 2004 events (EPAP No. 28).

The Kosovo government’s *EPAP 2008* in its political criteria provides for recognition of *human rights and protection of minorities*. In relation to EP Priority 7 the EPAP under its key priorities calls for "*creation of tolerant multi-cultural atmosphere*" (no.10), as well as "*implementing projects for inter-ethnic dialogue and community integration at the local level*" (no. 13). In relation to EP Priority 45 the EPAP under its short-term priorities aims for "*continued training of municipal urban planners involved in informal settlements, spatial and urban plans*" (no.9), "*implementation of projects for development of RAE communities*" (no.12) as well as "*institutional and organisational infrastructure building for re-integration of RAE communities in labour market through training and employment*" (no.13).

The aim of the *Comprehensive Proposal for the Kosovo Status Settlement* is to define the provisions necessary for a future Kosovo that is viable, sustainable and stable. It includes detailed measures to ensure the promotion and protection of the rights of communities and their members, the effective decentralization of government, and the preservation and protection of cultural and religious heritage in Kosovo. With respect to the protection and promotion of community rights, the Settlement addresses key aspects to be protected, including culture, language, educations and symbols. The extensive decentralization provisions are intended to promote good governance, transparency, effectiveness and fiscal sustainability in public service. The proposal focuses in particular on the specific needs and concerns of the Kosovo Serb community, which shall have a high degree of control over its own affairs. The decentralization elements include, among other things, enhanced municipal competencies for Kosovo Serb majority municipalities and the establishment of six new or significantly expanded Kosovo Serb majority municipalities. All Refugees and IDPs from Kosovo shall have the right to return and reclaim their property and personal possessions based upon a voluntary and informed decision. The Settlement reaffirms the principle that displaced persons shall be able to return to a place of their choice in Kosovo, and not only to their original place of residence

#### **2.4 Link with the Multi-Annual Indicative Planning Document (2007-09) for Kosovo**

The project’s approach is in line with the MIPD which emphasises the need to strengthen local governance and enhance institutional support for returns. The document’s main priorities and objectives include “promoting human and

minority rights, IDP and refugee return and a climate of inter-ethnic tolerance in order to foster sustainable returns and protect the rights of communities already living in Kosovo; to create conditions for growth and sustainable development of all communities as well as to ensure the preservation of and access to cultural and religious heritage of non majority communities”.

## **2.5 Link with beneficiary sector strategies**

Pillar 1 (Building Governance and Capacity) of the Kosovo Development Strategy Plan (KDSP) has the key objective of building a democratic, inclusive and effective state. This includes “ensuring effective protection of minority rights, above all mobility, property titles, and the respect for the specific community values”....”building an efficient, effective, de-centralised and citizen friendly public administration”.....”for Serbian communities special action will be taken to tackle unemployment, including the promotion of small businesses and local economic activities in urban and rural areas”. Pillar I also emphasis the need for necessary measures to promote tolerance and human rights, such as the promotion of cultural development and the protection and promotion of religious freedom and understanding.

The revised Manual for Sustainable Return, the leading policy document on organised returns promulgated by the Provisional Institutions for Self-Government (PISG) in May 2006, provides operational guidelines and mechanisms for the co-ordination and implementation of return and (re)integration activities. Key players are the municipalities (Municipal Working Groups) and the government of Kosovo (Central Review Mechanism, Steering Group, and Community Outreach and Communication Group).

The project aims to support the *Protocol on Voluntary and Sustainable Returns* signed by UNMIK, PISG and the Government of Serbia in June 2006, which confirms the ‘commitment of all parties to ensure a safe and unimpeded return of IDPs to their place of origin in safety and dignity, return of their property rights and the obligations to create conditions for free movement of all persons’.

In addition, on 24<sup>th</sup> December 2008, the Government of Kosovo has approved the Strategy for the Integration of Roma, Ashkali and Egyptian (RAE) Communities in Kosovo.

The Reconstruction Implementation Commission for the protection and restoration of Serbian religious sites in Kosovo relates directly to the Law on Cultural Heritage, specifically Art. 11.6. This project will further support the implementation of this law.

## **3. Description of project**

### **3.1 Background and justification**

#### *The socio-political environment*

The end of the conflict in June 1999 resulted in some 225,000 non-Albanians forced from Kosovo and who largely still remain in Serbia proper.

The current Constitutional Framework sets forth that all refugees and internally displaced persons (IDPs) from Kosovo have the right to return to their homes and recover their property. The return of refugees and IDPs to Kosovo has been declared by UNMIK and the international community as a leading principle that underpins a viable multi-ethnic and democratic society.

Yet, eight years after the end of the conflict and despite an unprecedented international presence and an elaborate institutional arrangement, return is not happening at the expected pace. According to UNHCR 16,117 minority returns were registered by the end of 2006. The March 2004 violence slowed a positive net inflow of minority IDPs. However, statistics from UNHCR show that in 2006 a significant number (1,608) of minority returns took place and donor funding and support is still badly needed to restore in Kosovo conditions to facilitate sustainable returns. For the second semester 2008 it is expected that the complex transition and status implementation process will have sufficiently advanced to enable return interested minority populations from within Kosovo, Serbia, neighbouring countries and from third countries to have a relatively solid idea on what awaits them upon return either in their places of origin or when integrating in alternative places of their choice. As this will be coinciding with the end of the 2008 return 'season', and based on the assumption that there is significant potential for return and durable solutions in a stable post-status environment, UNHCR assumes that there could be a particularly increased momentum for return and durable solutions in 2009.

Since 2002 the leading policy document on organised return has been the Manual for Sustainable Returns, produced by UNMIK and UNHCR. The Manual upheld the return to pre-conflict homes as the policy priority. It put in place a complex process that has been multilevel and multi-sector. It has relied on the identification and development of projects at the local (municipal) level, to be subsequently processed, approved and financed by the central (Ministerial) level.

PISG leadership in the returns sector, in policy development and co-ordination, is increasingly seen by all stakeholders as essential to a sustainable returns process. In the wake of the March 2004 violence, Kosovo Serb and Kosovo Albanian political leadership issued a joint statement on 14 July 2004 calling for the creation of a new Ministry for Communities and Returns (MCR) to address returns and community matters.

The MCR was formally established in March 2005 and since then has encountered problems endemic to any new central governmental institution. Organisationally, the MCR is a young institution in flux. It has not yet developed the capacity for comprehensive reporting on activities, staffing or financial activities and control. There is a broad opinion that the MCR should assume a role of policy-maker, policy-coordinator and overseer of implementation across governmental institutions and nongovernmental partners. This requires considerable inter-ministerial and central-local coordination, as well as partnerships with civil society. Specifically, UNMIK has expressed interest in assigning more responsibilities to municipalities for implementing return projects, in conjunction with the MCR. In 2007, the strategy and plan of activities of the MCR provided the following division of budget allocations: 10% to support individual returns, 50% for organized returns<sup>1</sup> and 40% for projects for the development of communities.

The Reconstruction Implementation Commission (initially known as the Implementation Committee) was conceived in 2004 to organise the rebuilding of orthodox sites in Kosovo that were destroyed in the violence of March 2004. The RIC is an 'implementing body' and represents the commitment and involvement of the relevant stakeholders/partners. It operates based on full involvement of all

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<sup>1</sup> Organised returns are planned return movements where comprehensive assistance packages are developed prior to return and factored into project proposals and fund-raising to ensure the full coverage of needs

parties as defined within the Memorandum of Understanding of March 2005 and the Terms of Reference. The implementation of projects is based on the financial commitment made by the Kosovo Assembly and is managed by the Ministry of Culture, Youth and Sports. The RIC is Chaired by the Council of Europe. The RIC is neither an NGO nor an institution.

Taking into account the existing literature as well as findings related to the current situation it is possible to conclude that - notwithstanding a very challenging macro-environment – municipalities in Kosovo are generally experiencing a positive trend in terms of capacity development and readiness for operations within return and reintegration procedures. A key-determining factor behind this trend has been the establishment of the function/position of the Municipal Returns Officer and the staffing of this core function in all but two municipalities in Kosovo within 2005. Six top-performing municipalities were identified by a recent assessment carried out by IOM, while an additional eleven municipalities were deemed to have an “acceptable” capacity to manage their role in the return and reintegration continuum. Eight municipalities were actively engaged in further developing their return and reintegration capacities, whereas five municipalities were deemed to have a rather undeveloped management capacity at the time of the assessment. IOM’s study is being reviewed and updated by UNHCR’s localisation project reports.

The obstacles to return are varied, but reflect two main issues: the lack of conditions in Kosovo conducive to return and an overall lack of donor funding. Above all, IDPs and analysts alike point to the lack of conditions required for minority return to Kosovo, including security, property restitution issues, economic opportunities, access to essential public services, and the undefined status of the province.

Since 2000 the European Agency for Reconstruction, with CARDS funds, has supported the return and reintegration of returnees to their communities in Kosovo and supported the rehabilitation of cultural heritage sites. In consultation with PISG and UNMIK, integrated return projects were implemented by experienced implementing partners – international NGOs and international organisations – to provide a range of inputs such as housing reconstruction, small-scale infrastructure repair, socio-economic packages and legal advice. The EC funded rehabilitation of religious sites has been coordinated with the RIC.

Before the conflict in the late 90ies Roma Mahalla (South Mitrovica) was inhabited by 7,000 to 8,000 Roma, Ashkali and Egyptians (RAE) living in up to 750 houses.

During and immediately after the conflict, all former inhabitants of Roma Mahala fled from fear of retaliation to Northern Kosovo, Serbia and Montenegro, and Western Europe. As a temporary response to the flow of Internally Displaced Persons (IDPs) in general and RAE communities in particular, UNMIK established four IDP camps in north Kosovo. Considering that there was full knowledge of nearby toxic wasteland, the camps were supposed to be opened just for 45 days.

Ten years after, there are still some 170 RAE families (some 800 individuals) living in three camps in the Northern part of Mitrovica and Leposavic municipalities. Residents living in Cesmin Lug and Osterode camps (Northern part of Mitrovica Municipality; currently some 146 families) are particularly

exposed to lead contamination. These families represent one of the most marginalized and most vulnerable populations in post conflict Kosovo. Suffering from widespread discrimination, evident in their extremely low education levels, employment and income levels, these RAE families have been living for more than nine years in dreadful camps. Many suffer from very poor health, especially children and babies. Exposed, discriminated against and isolated, they also have become an easy target for political manipulation in the complex background of Mitrovica region.

### *Return and Reintegration*

In the context of the PISG increasing responsibilities in the area of communities and returns, a new approach is now needed to respond to the strategic priorities to support sustainable returns to Kosovo. The revised Manual for Sustainable Return provides for an innovative approach for the co-ordination and implementation of return and (re)integration activities by seeking the involvement of Kosovo's central and municipal institutions and bodies in the development and implementation of sector policies. This project is in line with Kosovo's strategic priorities and operational frameworks in the return sector.

Kosovo's institutions demonstrate political will to foster their country's development in this direction but lack capacity and need financial and technical support. During the project's identification phase a wide consultation process involved a wide spectrum of relevant international and national stakeholders, both within government and civil society. The assessment of the project's readiness provided positive outputs as consulted stakeholders welcomed the timely turning point in the EU approach to return and reintegration issues and its alignment to government-led strategies.

The project addresses the main obstacles to return in a comprehensive fashion. It aims at the creation of a climate for inter-ethnic tolerance and sustainable multi-ethnicity by entrusting domestic institutions and bodies with the design (at central, ministerial level) and implementation (at local, municipal level) of effective policies for the sustainable return of refugees and IDPs. On the governance side, the project enhances the capacity of central and local government structures to perform core functions and strengthens their legitimacy and accountability vis-à-vis Kosovo's citizens.

A key feature of the project is to maximise the efficiency of actions and increase the cost-benefit ratio by pulling together funding from the EU, UNDP, MCR and targeted municipalities. In addition, this project shall serve as a catalyst for harmonisation among interested donors, allowing for improved donor co-ordination in the sector (primarily under the responsibility of the MCR and the Central Review Mechanism), and trying to articulate a compact between the central government and international donors.

UNDP has a privileged institutional position in Kosovo as member of MCR's Budget Allocation Committee (BAC)<sup>2</sup>. The BAC allocates funds for capital investments to support minority and return project financed from Kosovo's Consolidated Budget. As agreed by the BAC, in 2007 two organised return projects will be directly managed by the MCR in partnership with the municipalities in which the projects will be implemented. Other Kosovo Consolidated Budget funded return projects will be managed by UNDP. The

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<sup>2</sup> The BAC comprises representatives from MRC, Office of the Prime Minister, UNDP, UNHCR and UNMIK - Office for Communities, Returns and Minorities (OCRM).

MCR works in particularly close coordination with the Ministry of Local Administration. Both ministries have already developed a Letter of Intent to formalise their collaboration.

The analysis of the potential project's environment following the definition of Kosovo's status does not give rise to concerns about its viability. The need for durable solutions for IDPs and refugees will continue to be a priority in Kosovo in the short to medium-term, coupled with the necessity for a central policy making institution (i.e. MCR). As far as municipal authorities are concerned, Kosovo's status is likely to emphasise the decentralisation process thus providing for an additional justification to the project's approach.

Mitrovica municipality adopted a new urban regulatory plan for Roma Mahalla on 28 May 2009. This plan entails the allocation of 3.5 hectares of public land for the construction of 180 row houses and few apartment blocks allowing the resettlement of the Roma families presently living in lead-contaminated camps.

Mitrovica parallel authorities in the North have officially stated that they would not allocate land for the relocation of lead-contaminated camps' residents. Furthermore, should the camp residents decide to resettle in the southern part of Mitrovica, Republic of Serbia would keep providing full social, health and education assistance support.

The NGO Mercy Corps is currently implementing \$2.5 million RESTART project, funded by USAID, aiming at facilitating the resettlement of 50 families from the contaminated camps in Roma Mahalla. The project includes: housing reconstruction, livelihood and economic development, social services and legal documentation, education and health treatment components. 50 most vulnerable families have already been identified as part of the community mapping exercise finalised in February 2009. It is expected that first lot of 25 families are resettled in Roma Mahalla by early autumn 2009.

### *Cultural Heritage*

The project proposal represents the natural progression of two separate yet mutually complimentary programmes that have been coordinated and implemented by the Council of Europe (CoE) in Kosovo since 1999 into the fulfilment of a consolidated programme of activities which will benefit the main cultural heritage institutions and provide an essentially sustainable project for the future protection of our common European heritage in Kosovo. Both programmes are already financially supported by the EC at Kosovo and Western Balkan levels.

The Regional Programme for Cultural and Natural Heritage in South East Europe 2003-2008 (RPSEE) was proposed on 10 April 2003 by the Council of Europe (Directorate of Culture and Cultural and Natural heritage, DGIV) and accepted by the 9 countries/regions of South East Europe and which also covers Kosovo. Three components make up the Programme: Component A – Institutional Capacity Building Plan (ICBP); Component B – Integrated Rehabilitation Project Plan/Survey of the Architectural and Archaeological Heritage (IRPP/SAAH) – run and financially supported jointly with the European Commission; and Component C – Legal Development Project Plan (LDPP).

The Reconstruction Implementation Commission was conceived in direct response to the riots in March 2004, and represents an extension of the Integrated Rehabilitation Project Plan (IRPP – Component B) established by the



Council of Europe and the European Commission. 34 Serbian Orthodox religious sites were identified as having been damaged or destroyed in March 2004, a number of which are also included in the Prioritised Intervention List (PIL) and became the remit of the RIC.

The RIC activities dovetailed two agendas and allowed an overlap which supports the Council of Europe's objectives for complete rehabilitation of both Ottoman and Orthodox sites in Kosovo. The RIC activities and the reconstruction of orthodox sites are financially supported by the European Commission under CARDS 2006 (EUR 2.4 million). In that sense, this fiche represents the direct follow up on the ongoing EC support to the rehabilitation of cultural heritage in Kosovo and in the Western Balkans.

2008 will represent the first year of an overall three year programme (2008 – 2010) to rehabilitate all the sites identified on the Prioritised Intervention List dependent upon the continued funding from the Kosovo Assembly or indeed from external donations.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross-boundary impact**

#### *Returns and reintegration*

Drawing from the successful experience of similar activities undertaken in BiH since 2002, the impact of the project is expected to be positive. A direct involvement of Kosovo's institutions in, and an increased ownership for, return-related activities will increase the legitimacy of the MCR and improve local (municipal) governance and capacity in service delivery functions.

Financially, the activity will seek additional co-financing from other donors with the objective to mainstream funding in the sector and create economies of scale.

The potential sustainability of this activity lies with the alignment of proposed actions with the government-led strategy in the sector. In line with the Kosovo Development Strategy Plan the project shall promote tolerance and human rights, effective participation of minorities in socio-economic development of Kosovo. The activity will work with government spheres and international actors (including ICO and KFOR) responsible for security, political and economic affairs, as well as with non-state-actors to ensure coherence of priorities and approaches. In the long run, capacities acquired at local level in the design of local development plans would be beneficial to eventually facilitate access to EU structural (rural development) funds (e.g. European Agricultural Fund for Rural Development).

The activity shall closely co-operate with institutions and organisations (including non-state-actors) in the region (particularly with the Republic of Serbia) to foster the cross-boundary dimension of, and the communication on, the return process. The activity will also link to EC initiatives at the regional level and in the Republic of Serbia that facilitate the return process in the Western Balkans.

It appears that recent developments, new urban regulatory plan for Roma Mahalla, unwillingness of North Mitrovica authorities to allocate land coupled with continuation of social welfare assistance from the north has increased the momentum and the willingness of the RAE camps residents to consider resettlement inter alia in Roma Mahalla. The resettlement should be based on the commitment of camp residents and should follow the demand-driven approach

which is in fact becoming increasingly more evident. Subsequently this would allow for the Ostorode and Cesmin Lug camps closure.

### *Cultural Heritage*

This activity will positively impact upon Kosovo communities, institutions and cross border cooperation and collaboration whilst also effectively playing a crucial part in the sustainable development of Kosovo's future in the field of cultural heritage.

It will complete the repair to damaged religious buildings into complete functional use as a religious site for the Serbian Orthodox Church, and ultimately will help in the process of unification of ethnic groups and communities. The project will develop confidence building activities (involvement of local experts from Kosovo and Serbia, establishing mixed teams, involving the local NGOs, providing a forum for professional exchanges and the exchange of documentation).

This activity will help in the organisation of professional training for local experts and specialists from the IPMs in Kosovo and Serbia and will play a pivotal role in developing mechanisms to implement the Cultural Heritage Law and its bye-laws, feasibility studies and extended mechanisms for the implementation of rehabilitation projects on all sites in Kosovo. In this way, capacity building between the institutions through legal and administrative reforms will be developed on the basis of project management experience obtained through the RIC's activities also developing the necessary professional and institutional networking. Links with the mechanisms adopted by the Kosovo Government for the establishing Kosovo Council for Cultural Heritage will also be sought to encourage a holistic, compatible and sustainable approach and one which can be maintained.

This activity represents an extension of the RIC's mandate as initially intended and expressed through its funding application to the European Agency for Reconstruction to include the reconstruction and rehabilitation of the sites prescribed on the Priority Intervention List established by the CoE and the EC as part of the IRPP/SAAH Joint Programme; it provides a forum for discussions between the Serbian Orthodox Church / UNMIK and Belgrade, and now this forum will be extended to include other beneficiaries and stakeholders including municipalities and other ethnic minority groups as well as other religious beneficiaries for the rehabilitation of sites damaged during the war.

This activity will promote the implementation of a cross-sector approach in cultural and natural heritage, environment protection, urban and spatial planning, social cohesion, and economic development spheres. Its role is to disseminate expert knowledge so as to encourage exchanges, de-segregate the different levels of power and responsibility, avoid duplication of effort and foster vocational training. Specific objectives clarify the approach in terms of the different kinds of value allotted to heritage under the integrated conservation principles and the role assigned to it in the Council of Europe's overall vision: political value (identity and diversity, tolerance and conflict prevention, democratic principles), social value (social cohesion and living conditions), economic value (sustainable, local development) and cultural value (a legacy).

This activity proposes frameworks in which citizens, specialists and institutions play their part together to improve the quality of life and well-being of all

Europeans whilst respecting the common values, ethical principles and methods which the Council of Europe has identified and acts upon.

This activity strongly promotes the concept of sustainable development, which involves a dynamic perception of heritage calling for new professional and political practices. Success depends on effective partnership with and between Kosovo's institutions, the commitment of the Kosovo Assembly, the involvement of citizens' associations, the support of non-governmental organisations and international partners where appropriate.

### **3.3 Results and measurable indicators**

#### **Return and Reintegration**

- (i) Return and Reintegration of Refugees and IDPs to Kosovo, and**
- (ii) Resettlement and reintegration of Roma families living in lead-contaminated camps**

#### Technical Assistance and training to MCR

##### *Expected Result:*

Increased capacity and efficiency of the MCR for policy/decision-making, co-ordination and monitoring in close co-ordination with central domestic and international stakeholders (including non-state-actors) and with an increased awareness of Refugee/IDP gender-related issues.

##### *Measurable Indicators:*

- By end-of-project the MCR develops policies and operational frameworks and co-ordinate activities in the return sector as per the revised Manual for Sustainable Returns, including Chairmanship and Secretariat of the CRM, Secretariat of the Steering Group<sup>3</sup> and organisation and Chairmanship of meeting of the COCG<sup>4</sup>
- By end-of-project within the Central Review Mechanism (CRM) the MCR transparently and objectively reviews municipal return strategies and project proposals, allocates financial resources, monitors and reports on project implementation and provides secretarial functions to the CRM as per the revised Manual for Sustainable Returns with support from UNDP

#### Technical Assistance and training to municipal bodies

##### *Expected Result:*

- Increased capacity at municipal level to design and manage return and (re)integration projects resulting from joint actions of local stakeholders (e.g. municipal authorities, Kosovo Police Service (KPS), civil society, private sector, women, minorities, vulnerable groups and the youth)
- Increased inter-ethnic dialogue at municipal level
- Increased health care for RAE communities
- Increased security and freedom of movement for minorities including RAE communities
- Increased minorities' awareness and knowledge of their own rights and increased access of minorities (including women) to municipal services

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<sup>3</sup> The Steering Group is a policy guidance body co-chaired by the SRSG and the Prime Minister.

<sup>4</sup> The Communities' Outreach and Communication Group (COCG) has the mandate to implement in a co-ordinated manner the outreach and communication strategy in the return sector.

- Increased participation of women, minority and vulnerable groups and the youth in the decision making process at local level (particularly within Municipal Working Groups)

*Measurable Indicators:*

- By end-of-project multi-ethnic and gender balanced Municipal Working Groups in targeted municipalities successfully design and effectively manage project's activities as per the revised Manual for Sustainable Return with coaching from UNDP and Mercy Corps (for the activities in Mitrovica municipality)
- By end-of-project selected civil organisations are ethnically inclusive and are trained to interact with Municipal authorities and to actively participate in the development and implementation of local policies
- By end-of-the project Mitrovica municipal and health authorities have successfully identified and prepared a treatment programme for individuals affected by lead contamination.
- As per OSCE and UNHCR reports, throughout the project life the occurrence of "ethnic" violence is not increasing in targeted municipalities
- As per OSCE and UNHCR reports, throughout the project life competent municipal institutions facilitate access of minorities to municipal services and the number of complaints reduces
- By end-of-project targeted municipalities have increased minority representation in the Assemblies and Committees and empowered their municipal gender focal points

Reconstruction of dwellings and related infrastructure

*Expected Result:*

Dwellings and related infrastructure repaired in selected municipalities including Roma Mahalla in Mitrovica.

*Measurable Indicators:*

- By end-of-project at least 180 dwellings and related infrastructure repaired in line with both local legislation and the revised Manual for Sustainable Return, and without damage to the environment in selected municipalities.
- By end-of-project up to 90 dwellings, for RAE families currently residing in Ostorode and Cesmin Lug, and related infrastructure repaired in line with new urban planning for Roma Mahalla and the revised Manual for Sustainable Return and without damage to the environment
- At least 25% of the beneficiaries are female-headed households, or vulnerable individuals in selected municipalities

Socio-economic measures

*Expected Result:*

Beneficiaries benefit from income generation, livelihood measures, health care and health education, education and community development activities.

*Measurable Indicators:*

- By end-of-project beneficiaries able to work have started their businesses on the basis of a viable business plan matching the local market's potential and income generation opportunities for women are provided by the project
- By end-of-project beneficiaries not able to work (e.g. vulnerable groups) are provided with livestock or agricultural tools
- By end-of-project Roma Mahalla beneficiaries are provided with proper health care and health education programmes; vocational training, apprenticeship and work placement programme, education opportunities and social and community development initiatives.

### **Cultural Heritage Rehabilitation (CHR)**

#### *Expected Result:*

- A proposal provided for a sustainable structure to continue the RIC rehabilitation mechanism;
- Orthodox sites reconstructed or being processed for future reconstruction.

#### *Measurable Indicators:*

- The Memorandum of Understanding signed and a three-year plan drafted for the successor body of the RIC;
- Specialist works carried out on 12 sites, 11 feasibility studies completed, at least one on-site implementation from the Prioritised Intervention List.

## **3.4 Activities**

### **Activity 1: Return and Reintegration**

#### **(i) Return and Reintegration of Refugees and IDPs to Kosovo**

All activities shall be financed by one Grant Agreement with the UNDP.

Activities 1.1 and 1.2 shall start immediately upon signature of the Grant Agreement. Activities 1.3 and 1.4 shall commence after the signature of Tripartite Agreements<sup>5</sup>.

#### **(ii) Resettlement and reintegration of Roma families living in lead-contaminated camps**

All activities shall be financed by one Grant Agreement with Mercy Corps

Activity 1.2 shall start immediately upon signature of the Grant Agreement while activities 1.3 and 1.4 shall start after resettlement conditions in Roma Mahalla have been established. Activity 1.1 does not apply to (ii) project.

#### 1.1 Technical assistance

This will including training to MCR, as the central institution responsible for: a) providing policy guidance and assistance in the return sector to other ministries and municipalities, and b) promoting the establishment of conditions conducive for return. The Technical assistance shall also aim at the creation of a co-

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<sup>5</sup> A Tripartite Agreement is a contract signed by the beneficiary, the UNDP and the Municipality where the beneficiary is returning to, prior to the commencement of reconstruction activities. By signing the Tripartite Agreement the beneficiary reaffirms his/her intention to return to the rehabilitated dwelling and the Municipality agrees to issue a Construction Permit and assist in the establishment of ownership.

ordination mechanism for the engagement/involvement of the Serbian Ministry for Kosovo in project activities with the twofold objective of a) increasing the trust among the Albanian and Serbian communities and b) exploring potential financial contributions of the Serbian Ministry for Kosovo from the National Investment Plan of the Republic of Serbia (meant for Kosovo).

Technical assistance will support the ministry develop internal Standard Operating Procedures and carry out all tasks to be performed by the project (e.g. development of sector strategies and operational frameworks, criteria for the selection of municipalities, monitoring tools and methods, collection and processing of information [disaggregated per gender, age and nationality], development of formats for municipal proposals, criteria for the evaluation of municipal proposals, criteria for the selection of beneficiaries).

Selected MCR staff shall be trained in, but not limited to, Project Cycle Management, public procurement rules, participatory approaches, local development principles, reporting, and relevant EU Policies. In all training modules, attention shall be given to gender, minority and environmental cross-cutting themes.

#### 1.2 Technical assistance, including training, to municipal structures

Specific criteria for the selection of municipalities to be targeted by the project shall be developed during the inception phase in co-ordination with Kosovo and international stakeholders. However, it may be anticipated that the driving selection principle will be the potential for return, both from a qualitative and quantitative perspective.

During the inception phase, after the identification of target municipalities, the project will perform a thorough screening of the needs and capacities of each municipality for the purpose of carrying out the tasks and responsibilities required by the project. This will serve as: a) a baseline to tailor technical assistance and training needs, and b) a reference to measure project progress and impact.

The project will assist Municipal Return Officers, Municipal Working Groups and other stakeholders design local return and reintegration project proposals to be approved by the Central Review Mechanism and provide support for their implementation on the ground. The involvement of non-state actors (including from Serbia and other countries when relevant) in decision making and implementation processes pertaining to Municipal Working Groups will be further strengthened to include permanent participation of minorities, women's NGOs and networks, environmental and youth organisations, KPS, as well as representation from the private business sector or local economic development actors. By supporting the activities of Municipal Working Groups and the MCR/Central Review Mechanism the project shall create stronger communication channels to assure effective information flow between the municipal and the central level. The involvement of the KPS will guarantee a safe environment for return and will further facilitate the return process.

Consideration shall be given to using the services of the Association of Municipalities as a vehicle for information sharing among municipalities.

The project will provide municipal and non-state actors with training on, inter alia, resource mobilisation, fund raising techniques, participatory approaches, project design, reporting, project cycle management, public procurement rules, local development principles, and relevant EU policies. In all training modules,

attention shall be given to gender, minority and environmental cross-cutting themes.

Through the Municipal Working Groups, and in close co-ordination with the Ministry for Local Government Administration, tolerance building and reconciliation activities shall be designed and implemented at local level to include different ethnic communities and the youth (e.g. cultural or sport recreational activities).

The project might also assist non-voluntary 'forced' returnees as well as return to new municipalities created after status settlement in circumstances where these groups comply with all mandatory requirements imposed by the project in its selection of beneficiaries.

Furthermore Mitrovica municipal authorities should be encouraged and supported to intensively interact with RAE communities' in increasing their awareness and knowledge of their rights and access to municipal services. Involvement of Mitrovica municipal authorities in inter-ethnic dialogue, reconciliation, education and community development activities is paramount.

It is expected that Mitrovica municipal and health authorities will identify and prepare a treatment programme for individuals affected by lead contamination. The project will provide with appropriate support to assist them with health care and health education programme.

### 1.3 Reconstruction of dwellings and related infrastructure

The role of UNDP should be of an advisory/coaching nature and tailored to specific local capacities and needs. Wherever these would prove insufficient, the project shall assist the municipality contract out all relevant activities.

Mercy Corps NGO as implementing partner should manage the activities related to the lead-contaminated camps. The management includes frequent exchanges and close contacts with ECLO, on a daily basis if necessary.

In principle the technical design of infrastructure works and the preparation of the relevant tender documents shall be conducted by competent departments within the municipalities. Tenders will be jointly launched and evaluated and works contracts will be finalised with successful tenderers by the UNDP and Mercy Corps (for the activities in Mitrovica municipality). The Municipality will be fully associated. EC representatives shall be invited to participate to tender evaluations as Observers. Payments to local contractors shall be directly executed by the UNDP and Mercy Corps (for the activities in Mitrovica municipality) with the prior approval of the competent municipal departments responsible for the supervision of activities.

The project shall assist MCR, and in particular its Permanent Secretary, monitor and supervise project activities at local level.

### 1.4 Socio-economic measures to provide returnees with a source of income, health care, education and community development

Initial activities will include a screening of beneficiary profiles and capacities as well as local labour market surveys to identify the potential of providing returnees with a job and a source of income. The survey will also report on the level of "employment segregation" according to gender and ethnic background to identify the concentration of women and men in different types and levels of activity and employment. In the following phase, the project will foster and

facilitate access of suitable beneficiaries to the local labour market. These activities will be carried out in close consultation with local economic operators as well as local economic development agencies or Chambers of Commerce. Specific actions shall be carried out to promote female and minority returnee employment.

Health care and health education support should be provided to all RAE beneficiaries. Initially all beneficiaries should be screened and fully assessed medically. Upon completion of the assessment concerned beneficiaries should be provided with appropriate medical treatment. Considering the level of contamination further dietary support should also be envisaged.

The project will provide vocational training programme, including mentoring and apprenticeship with the aim of securing a salary for Roma Mahalla beneficiaries. The project will also pursue other opportunities for long term employment such as a work placement programme. Existing small and medium size enterprises will need to be screened and contacted. This approach will ensure that people are employed directly and also receive continuous on-the job training.

Education opportunities and preferences for children/youth regularly attending school would need to be identified. School enrolment and retention rates among RAE children would need to be continuously tackled. Beneficiaries will be offered a possibility to attend the vocational training school in Mitrovica. As part of community empowerment and active participation in society RAE community members would need to be provided with catch-up classes, literacy courses, and homework support.

The activities targeting the families living in the contaminated camps should support continued active integration among majority/minority community members beyond the formal completion of the project through a series of community projects and social activities, with special focus on women and youth. These activities should ensure full inter-community and municipal authorities' participation and involvement. As part of community development activities, environmental initiatives in the form beautifications of Roma Mahalla (pathways, planting grass and trees) should be pursued. These actions are foreseen to be labour intensive and RAE communities' fully inclusive.

## **Activity 2 Cultural Heritage Rehabilitation (CHR)**

### 2.1 Developing and consolidating management and capacity building

This item will involve the drafting and agreement of a Memorandum of Understanding and Terms of Reference to guide the extended remit of the RIC in its activities with the MCYS; identification of local experts ensuring a multi-ethnic mix of professionals; identification of international experts to develop management techniques; training of local professionals; a programme proposal for 2009 and 2010 based on mechanisms put in place during 2008; two technical site visits for institutions and university/schools to increase educational awareness; the preparation of two seminars by international experts from the International Expert Board; involvement of multi-ethnic local professionals; and the presentation of one exhibition to be held in Belgrade and Pristina.



## 2.2 Preparing and/or implementing the rehabilitation works

This activity will involve the preparation of contract documentation, tendering and implementation of works to 12 sites with specific reference to specialist activities (iconostasis and wall paintings programmes). The completion of 11 feasibility studies; discussion and liaison with NGOs to support the process of preparation; the on-site implementation of at least one site on the Prioritised Intervention list; appointment of RIC supervisors (mixed teams) from the IPM or associated body within the region in which the site is situated; and two training workshops for specialists and contractors.

### ***Contracting arrangements***

#### **Activity 1: Return and Reintegration**

##### **(i) Return and Reintegration of Refugees and IDPs to Kosovo**

In line with the Financial Regulation and the Financial and Administrative Framework Agreement between the EU and the UN a standard grant contribution agreement shall be signed with the United Nations Development Programme (UNDP). The justification lies with the fact that:

- a) in Kosovo the UNDP is “de facto” the only international organisation directly managing Kosovo’s budget in the return sector. In 2005, the majority of Kosovo Consolidated Budgetary funding for return projects was managed by UNDP, in co-operation with the MCR. This resulted in the transfer of EUR 7.4 million from what was to be the MCR’s budget, leaving EUR 1.4 million for the MCR to manage. UNDP has confirmed that overall they have secured almost \$9.0 million for 2007. On the other side PISG/MCR has allocated EUR 3.1 million for return related activities out of which EUR 2.1 million are managed by UNDP while EUR 1 million by the MCR itself
- b) UNDP is implementing similar projects in Kosovo (Sustainable Partnership for Assistance to minority Returns to Kosovo – SPARK), since 2002 has gained significant experience in BiH implementing alike activities (Sustainable Transfer to Return-related Authorities - SUTRA project), is actively involved in the implementation of the beneficiary strategy for sustainable returns (providing secretarial functions to the Central Review Mechanism), and has already worked at municipal level on the training of municipal officials in inter-ethnic dialogue, income generating activities and programme design and management (GAR programme).

The Project’s co-funding as described in the Indicative Budget for the project shall be provided by the MCR and UNDP. Additional funding (cash or in-kind) which is not included in the Indicative Budget shall be sought from target municipalities. The UNDP shall enter into contracts with the MCR and Municipalities to secure their contributions to Activity 1 (i).

##### **(ii) Resettlement and Reintegration of Roma families living in lead-contaminated camps**

Considering on one side the specific situation surrounding the resettlement efforts in Roma Mahalla as well as in Ostorode and Cesmin Lug camps and on the other side ECLO's close coordination with USAID in adopting an identical approach towards finding a durable resolution of this issue, a standard grant contract shall be signed with the USAID implementing partner Mercy Corps. The justification lies with the fact that:

a) Mercy Corps is currently implementing \$2.5 M RESTART project, funded by USAID, aiming to facilitate the resettlement of 50 families in Roma Mahalla. 50 most vulnerable families have already been identified as part of Ostorode and Cesmin Lug camps community mapping exercise finalised in February 2009. It is expected that first lot of 25 families are resettled in Roma Mahalla by early autumn 2009.

b) The mapping exercise was developed and implemented with full participation of RAE leaders and camp residents. This approach allowed the Mercy Corps to create strong partnership and trustworthy relationship with RAE camp leaders and residents.

c) Mercy Corps project activities re-emphasised the need to address lead-contamination of RAE camp residents and the immediate need for relocation and closure of the camps.

d) Throughout project implementation Mercy Corps coordinated their work with municipal authorities which eventually resulted with new approved urban planning for Roma Mahalla and 3.4 hectares of land allocated for RAE families willing to return. Furthermore Mercy Corps facilitated the dialogue between RAE leaders and central and local government officials which was missing and which clearly opened the way for new urban planning for Roma Mahalla.

Having a grant contract with Mercy Corps would secure the continuity, credibility and would strengthen the efforts of camp closure and sustainable relocation of families. Mercy Corps remains the only organisation currently addressing RAE camps residents' resettlement issues with the ultimate aim to close the camps; it thus has a *de facto* monopoly.

#### Activity 2: Cultural Heritage Rehabilitation

In order to implement this activity and in line with the Financial Regulation, a contribution agreement will be signed by the CoE and the EC. This agreement will provide for contributions from the CoE and the EC amounting EUR 50.000 and EUR 400.000 respectively.

#### ***Project management and administration***

For activity 1, the European Commission Liaison Office in Pristina will manage the procurement, implementation, quality control, reporting and coordination with other donors of the development assistance and of the financial and technical cooperation related to the actions described in this project fiche, taking remedial actions if and when needed.

Activity 2 will be implemented through a joint management with the Council of Europe.

Team Leaders (UNDP, Mercy Corps, CoE) shall run the project activities on a day-to-day basis under the supervision of the Commission Office. The visibility of the EU shall be assured and Commission representatives shall be invited to participate to all project meetings or events of political relevance to the project. The Team Leader's primary responsibility shall be to ensure that the project produces the required outputs, to the required standards of quality and within the

specified constraints of time and cost. He/she shall develop project plans, direct the project team (including a combination of long-term and short-term experts), produce inception, progress and final reports, manage risks, initiate corrective actions where necessary and administer the contract. The Team Leader and other experts will also address cross-cutting issues. A detailed description of the duties of the Team Leader and key experts will be elaborated in the Description of the Action, in line with this project fiche.

Project Steering Committees shall be set up during the inception phase. They shall approve all major plans and authorise any major deviations from initially agreed plans. For Activity 1 (i) (Return and Reintegration of Refugees and IDPs to Kosovo; ii) Resettlement and Reintegration of families living in lead-contaminated camps) the Steering Committee shall be responsible for the overall direction of the project and comprise at least representatives from the ECLO, Prime Minister's Office, MCR, Ministry of Local Government Administration, UNDP, representatives from the Municipalities and/or Association of Municipalities and Civil Society. When appropriate, additional stakeholders (e.g. UNHCR or OSCE) shall be invited to take part to Project Steering Committee sessions as observers.

For Activity 2 (Cultural Heritage Rehabilitation) the Steering Committee shall be responsible for the overall direction of the project and comprise at least representatives from the CoE, EC, MCYS, and representatives from the Civil Society. When appropriate, additional stakeholders (e.g. UNESCO or the Serbian Orthodox Church) shall be invited to take part to Steering Committee sessions as observers.

Monitoring will be performed centrally by the European Commission. The project may be evaluated at the interim or ex-post stages under the supervision of Commission's Evaluation Unit. The project may be audited by Court of Auditors - in line with the standard European Commission procedures.

### **3.5 Conditionality and sequencing**

The project includes the following conditionalities:

- Organisation, selection and (gender balanced) appointment of members of working groups, training sessions, steering and coordination committees, seminars and study visits by the beneficiaries as per the project workplan
- Endorsement by all key stakeholders of the tendering documentation not relevant for works and services, as well as the individual contracts to be engaged.
- Participation by the beneficiary in the tender process as per EU regulations.
- Organisation, selection and appointment of members of working groups, steering and coordination committees, seminars and study visits by the beneficiaries as per the project work plan.
- Continued financial support is given by the Kosovo Assembly.
- Appointing the relevant staff by the beneficiaries to participate in training activities as per workplan.
- Appropriate co-ordination with other international organisations active in Kosovo.

*Specific to the Return and reintegration activity*

- In line with the requirements of the EC Practical Guide, Grants may not, as a rule, finance the entire cost of an action. Therefore, co-financing shall be made available both from both the MCR and the UNDP.
- Endorsement by MCR, MLGA, competent UNMIK departments and UNHCR of the “Description of the Action””. In case of activities related to the lead-contaminated camps endorsement by the Government of Kosovo of the "*Description of the Action*" will be requested.

*Specific to the Cultural Heritage activity*

- The continued acceptance by the relevant stakeholders of the principles behind the RIC mechanism.
- The sequencing of works will be in accordance with that already established and in operation by the RIC.

In the event that conditionalities are not met, suspension or cancellation of the project or specific activities will be considered.

### **3.6 Linked activities**

*Return and reintegration*

The project link to and complement the capacity building and infrastructure development actions under the IPA 2007 local government project (see relevant project fiche for more details). The project will also link to the actions of other donors (including the EU Member States, the World Bank and USAID) that will also provide technical assistance and capital investment support to a number of municipalities.

In early 2007 the UNHCR and the Government of Kosovo entered into an agreement to further strengthen and their co-operation in the context of the UNHCR-led “localisation process”, to improve municipal capacities relevant for return and durable solutions, stabilisation and support to communities in Kosovo. The project shall take advantage of this co-operation and, during the inception phase, shall develop a mechanism for integrating into this operational framework.

The European Commission will continue to support the return process at the Western Balkan level. Thus, under IPA Multi-Beneficiary programme, the EC will further finance the UNHCR and more precisely to develop communication-related activities in order to raise the quality of information received by the potential returnees to Kosovo on their rights and the actual situation in the Kosovo cities and villages they used to live in.

The project will also create a relationship with the OSCE municipal teams that have been assisting municipalities since 1999, including advice and monitoring of Human Rights and Good Governance since beginning of 2006.

Co-ordination of activities with programmes promoting socio-economic development will be sought, including the IPA 2007 economic development project. For returnees requiring vocational training to integrate in the local labour market complementarity with Vocational Education and Training programmes financed by the EU and other donors shall be sought.

This activity builds-on previous EC assistance to support the return and reintegration of ethnic minorities, particularly the following projects funded under the CARDS instrument.

Name of project (Amount EUR million)	Start End	Activities/Results
Institution Building to the Ministry of Returns and Communities (EUR 1.16 million)	Jan 2007 - July 2008	The project aims to build the organisational and management capacity of the Ministry of Returns and Communities to fulfil its mandate. The project involves: (i) training for staff in the ministry and other public organisations dealing with minorities and returns; (ii) organisational development and (iii) strengthening service-oriented management systems and processes within the Ministry.
Multi-sector returns projects (EUR 16.7 million)	2004 2008	Implementation of multi-sector organised group return and resettlement projects, including housing reconstruction, small-scale infrastructure repairs, grants for business start-ups, food and non-food items, promoting inter-ethnic dialogue and integration, community development, and legal assistance for returnees. Some 600 families, mainly RAE and Serb, have returned to their place of origin as a result of this programme. This includes support for the return of Roma to the Roma Mahalla district in Mitrovica. Returns projects are designed and implemented in coordination with the Ministry of Communities and Returns, UNMIK and municipal administrations and implemented by international NGOs. Further projects to support returns to Peja/Pec, Kline/a, Istog/k municipalities were launched in early 2007.
Housing reconstruction (EUR 7 million)	1999 2003	Reconstruction of 959 houses for ethnic minority families (including 462 houses for RAE) as part of a wider housing reconstruction programme (reconstruction of 17,000 houses, mainly for Kosovo Albanians).
Targeted economic and community development actions in disadvantaged minority areas (EUR 11.5 million)	2002 - Nov 2008	At the end of 2006, over 1,300 projects had been implemented by this programme to improve the conditions for sustainable returns by contributing to job creation and the improvement of living conditions among the minority population. The projects mainly focus on grants for small business start-ups and expansion, but also include the refurbishment of social, education and health infrastructure, and the strengthening of community services, including in areas where minority returns have taken place. In addition, seven Business Support Centres provide direct economic development support services to minority areas. The programme has organised some 200 training sessions for some 1,900 participants in support of micro-enterprise development.

### *Cultural heritage*

The project proposal has an integral and complementary link with the Regional Programme for Cultural and Natural Heritage in South East Europe 2003-2006 (RPSEE) particularly Component B - Integrated Rehabilitation Project Plan/Survey of the Architectural and Archaeological Heritage (IRPP/SAAH), and aims to implement and consolidate elements of all three components which make up the Programme.

This activity builds-on previous EC assistance for the preservation of cultural heritage in Kosovo.

Name of project (Amount EUR million)	Start End	Activities/Results
Renovation of religious and cultural heritage sites of Kosovo	Sept 2006- Feb 2008	Assisting the Council of Europe's management of the Reconstruction and Implementation Commission (RIC) to oversee the rehabilitation of religious sites damaged or destroyed in the violence of March 2004. The EAR is also

(EUR 2.4 million)		repairing the Episcopal Residence and the Orthodox Seminary in Prizren.
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### 3.7 Lessons learned

- *Conditionalities:* Often project implementation is hampered by either insufficient staff and resources allocated to (newly established) institutions or insufficient operational funds available in the government budget to allow for appropriate implementation of the mandate of the concerned department. A condition for the commencement of project activities will be the availability of financial resources and qualified personnel from the beneficiary side to guarantee a smooth implementation of project activities
- *Coordination within the government:* Further improvements – in line with the spirit of EU accession– could be realised in a stronger government leadership in the coordination efforts among central and local, municipal level. The project Steering Committee shall address this important issue.
- *Balance between different measures:* The provision of technical assistance for capacity building remains a very high priority. However, TA will not be effective if the working environment of the counterparts is not up to standards. Therefore a balanced approach with both technical advisory support and material support is essential to realise the expected impact of the projects. The current project will set aside a budget for material support to beneficiaries.
- *Co-financing:* Previous experience in similar projects showed that financial support from municipalities (significantly) increases ownership for, and political will to promote, project activities. This project will seek cash or in-kind co-financing from target municipalities.
- *Cross-boundary component:* Cross-boundary components give potential returnees in the region an opportunity to make an informed, spontaneous choice about their wish to return. The inclusion in the project of non-state-actors operating in Serbia and Kosovo shall increase the potential for return.
- *Socio-economic measures:* Socio-economic opportunities for returnees not only enhance their quality of life but act as a substantial incentive to encourage more returns. Therefore, the particular project shall provide beneficiaries with income generation opportunities.
- *Cross-cutting Issues:* When treatment of cross-cutting issues has remained weak in return and reintegration projects, these latter have reinforced existing (gender/ethnic) discriminations/inequalities. Gender issues, in particular, are of high relevance within the return sector (war and its aftermath have had gender-specific consequences by way of which women face distinct disadvantages/constraints). Project activities as well as required experts' skills/qualification must ensure proactive mainstreaming of cross-cutting issues throughout the project design and implementation.

#### 4. Indicative Budget (amounts in EUR million) for the project

ACTIVITIES	TOTAL COST	SOURCES OF FUNDING											
		EU CONTRIBUTION				PUBLIC BENEFICIARY CONTRIBUTION				PRIVATE			
		Total	% *	IB	INV	Total	% *	Central	Regional	UNDP	CoE	Total	% *
1. Return and Reintegration	9.8	8.3	84.7	1.7	6.6	1.5	15.3	1.1	0	0.4	0	0	0
2. Cultural Heritage	0.45	0.4	88.9	0.4	0	0.05	11.1	0	0	0	0.05	0	0
<b>TOTAL</b>	<b>10.25</b>	<b>8.7</b>	<b>84.9</b>	<b>2.1</b>	<b>6.6</b>	<b>1.55</b>	<b>15.1</b>	<b>1.1</b>	<b>0</b>	<b>0.4</b>	<b>0.05</b>	<b>0</b>	<b>0</b>

\* expressed in % of the Total Cost

Activity 1 (i) includes an indicative amount of EUR 1.1 million in parallel co-financing from the Ministry of Returns and Communities (chiefly from the 2008 Kosovo budget with any balancing amount, if required, sourced under the 2009 budget), and an indicative EUR 400,000 contribution from UNDP under the contribution agreement envisaged for this activity. Municipal contributions (cash or in kind) for activity 1 shall be negotiated with selected municipalities during the project inception phase Activity 2 includes joint co-financing of EUR 50.000 from the Council of Europe.

#### 5. Indicative Implementation Schedule (periods broken down per quarter)

Contract	Start of Tendering/ Negotiations	Signature of contract	Project Completion
(i) Agreement with UNDP	Q2 2007 (direct award)	Q1 2008	Q3 2010
(ii) Agreement with Mercy Corps	Q3 2009 (direct award)	Q4 2009	Q2 2012
Contribution Agreement with Council of Europe	Q3 2007	Q4 2007	Q1 2009

#### 6. Mainstreaming cross-cutting issues

##### 6.1 Equal Opportunity

Gender issues shall be actively mainstreamed throughout the project within both target institutions/organisations and activities/outputs.

Project staff shall include a short-term gender specialist to define gender equality strategies and ensure close follow-up throughout project life.

At municipal level, decision making processes shall take place in full consultation with IDPs (both men and women, and particularly displaced minority women) and efforts shall be made to further empower gender focal points already established within municipalities.

Special criteria for beneficiary selection shall be developed to take into account different gender needs and help boost gender equality in local communities where return takes place. Past EU reconstruction programmes in Kosovo have included some 25% of female beneficiaries. The project shall endeavour at maintaining or improving this trend.

Socio-economic measures will be tailored to equally take into consideration the specific needs of male and female beneficiaries.

## **6.2 Environment**

Environmental issues shall be actively mainstreamed throughout the project. Project staff shall include a short-term environmental specialist to define environmental protection strategies and ensure close follow-up throughout project life.

In line with the EU EIA Directive, among envisaged project activities only the reconstruction of dwellings and medium water supply projects, and the upgrading or construction of rural roads could require an Environmental Impact Assessment if such activities are likely to have significant environmental impacts. Care shall be paid so that construction techniques and materials be, as far as possible, environmental friendly. Particular attention shall be given to the disposal of waste construction materials.

## **6.3 Minorities**

The project will primarily target minorities willing to return to their place of origin. Kosovo's Constitutional Framework provides for protection of linguistic rights and the project will, wherever necessary, make use of different community languages.

Since 2003 a system of "fair share" has been in use at municipal level, whereby a set percentage of the municipal budget should be spent directly on the minority communities. This aspect shall be taken into consideration by the project when negotiating with municipalities their co-financing contribution to the project budget.

Throughout project design and implementation specific attention shall be paid to the specific need of Roma, as well as Ashkali and Egyptian communities. Tailored measures / positive actions shall be considered to counteract the high level of discrimination these communities are exposed to.



## **ANNEXES**

ANNEX I: Log frame in Standard Format

ANNEX II: Amounts contracted and Disbursed per Quarter over the full duration of Programme

## ANNEX 1: Logical framework matrix in standard format

<b>Title:</b> Return, Reintegration and Cultural Heritage in Kosovo		Programme name and number	
<b>Sector:</b> Communities and Return		Contracting period expires 3 yrs after signing of FA	Disbursement period expires 1 yr after the final date for the execution of contracts
		Total budget : EUR <b>10.25m</b>	IPA budget:EUR <b>8.7m</b>
<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	
Creation of a climate for inter-ethnic tolerance, sustainable multi-ethnicity and which is conducive to returns	By end-of-project in targeted municipalities the environment will be conducive to the return and (re)integration of minorities	<ul style="list-style-type: none"> <li>• Reports from OSCE, UNMIK, UNHCR</li> <li>• Ex-post and impact evaluation of the project</li> </ul>	
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
Sustainable return of IDPs and refugees through an increased involvement of central and municipal state and non-state actors Facilitate peaceful and sustainable resettlement and reintegration of RAE families inter alia into Roma Mahalla (RM) which would subsequently contribute to the closure of Ostorode and Cesmin Lug camps in North Mitrovica.	<p>By end-of-project at least 80% of selected beneficiaries have returned to rehabilitated dwellings and have a source of income provided by the socio-economic development component of the project or by other projects with an economic development goal</p> <p>By end-of-project camp residents have resettled and reintegrated outside from the lead-contaminated camps and inter alia in Roma Mahalla.</p>	<ul style="list-style-type: none"> <li>• Project final report</li> <li>• UNHCR reports</li> <li>• EU reports</li> <li>• Mid-term evaluation funded by the project</li> </ul>	Status negotiations and results do not delay the project
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<p><b>Returns and Reintegration</b></p> <ul style="list-style-type: none"> <li>• Increased capacity and efficiency of MCR for policy/decision-making and monitoring return issues in close co-ordination with central domestic and international stakeholders and with an increased awareness of Refugee/IDP gender-related issues.</li> <li>• Increased capacity at municipal level to design and manage return and (re)integration projects resulting from joint actions of local stakeholders (e.g. municipal authorities, KPS, KPC, civil society, private sector, women, minorities, vulnerable groups and the youth.</li> <li>• Increased health care for RAE communities in Roma Mahalla</li> <li>• Dwellings and related infrastructure repaired in selected municipalities including Roma Mahalla in Mitrovica</li> <li>• Beneficiaries benefit from income generation activities, livelihood measures, health care and health education, education and community development activities</li> <li>• Increased inter-ethnic dialogue at central and municipal level</li> <li>• Increased security and freedom of movement for minorities</li> <li>• Increased minorities' awareness and knowledge of their own rights and increased access of minorities (including women) to municipal</li> </ul> <p><b>Cultural Heritage</b></p> <ul style="list-style-type: none"> <li>• A proposal provided for a sustainable structure to continue the RIC rehabilitation mechanism;</li> </ul>	<ul style="list-style-type: none"> <li>• By end-of-project, the Ministry of Communities and Returns (MCR) is capable of developing policies and operational frameworks and co-ordinate activities in the return sector as per the revised Manual for Sustainable Returns</li> <li>• By end-of-project within the Central Review Mechanism (CRM) the MCR transparently and objectively reviews municipal return strategies and project proposals, allocates financial resources, monitors and reports on project implementation and provides secretarial functions to the CRM as per the revised Manual for Sustainable Returns with support from UNDP and Mercy Corps (for the activities related to the contaminated camps)</li> <li>• By end-of-project Municipal return Officers and multi-ethnic and gender balanced Municipal Working Groups in targeted municipalities have successfully designed and effectively managed project's activities as per the revised Manual for Sustainable Return with coaching from UNDP</li> <li>• By end-of-project civic organisations participating in the project implementation are ethnically inclusive, have an increased capacity to interact with Municipal authorities and to actively participate in the development and implementation of local policies</li> <li>• By end-of-the project Mitrovica municipal and health authorities have successfully identified and prepared a treatment programme for individuals affected by lead contamination</li> <li>• By end-of-project at least <b>180</b> dwellings and related infrastructure repaired in line with both local legislation and the revised Manual for Sustainable Return, and without damage to the environment in selected municipalities</li> <li>• By end-of-project up to 90 dwellings, for RAE families currently residing in Ostorode and Cesmin Lug, and related infrastructure repaired in line with new urban planning for Roma Mahalla and the revised Manual for Sustainable Return and without damage to the environment</li> <li>• By end-of-project at least 25% of the beneficiaries are female households, or vulnerable individuals</li> <li>• By end-of-project beneficiaries able to work have started their businesses on the basis of a viable business plan matching the local market's potential and income generation opportunities for women are provided. Throughout the project life the occurrence of "ethnic" violence is not increasing in targeted municipalities</li> <li>• By end-of-project RAE beneficiaries are provided with proper health care and health education programmes; vocational training, apprenticeship and work placement programme, education opportunities and social and community development initiatives</li> <li>• Throughout the project life the number of complaints from minority communities on denied access to municipal services is reduced</li> <li>• By end-of-project targeted municipalities increase minority representation in internal structures and further empower gender focal points</li> <li>• The Memorandum of Understanding signed and a three-year plan drafted for the successor body of the RIC;</li> </ul>	<ul style="list-style-type: none"> <li>• UNMIK/OSCE monitoring reports</li> <li>• UNHCR reports</li> <li>• Project progress/monitoring reports</li> <li>• Mid-term evaluation funded by the project</li> <li>• KPS reports</li> <li>• Ministry of Health records</li> <li>• Ministry of Education, Science and Technology records</li> <li>• Complaints' records related to discriminatory practices in accessing municipal services (MLGA)</li> <li>• Project surveys</li> <li>• Ministry of Culture records</li> <li>• RIC regular reports</li> </ul>	<ul style="list-style-type: none"> <li>• Political will from third parties (directly or indirectly) concerned by the project to support the project</li> <li>• Status negotiations and results do not delay the project</li> <li>• Continued economic and political stability and security prevails and allows the implementation of the programme.</li> <li>• Support and commitment of local authorities</li> <li>• Willingness of the participating municipalities to strengthen their capacity</li> <li>• Absorption capacity of selected municipalities</li> <li>• Willingness of the third parties (directly or indirectly) concerned by the project to support the project</li> <li>• Continued interest of RAE camp residents in sustainable resettlement and reintegration</li> <li>• Willingness of the receiving and displaced communities to engage in inter-ethnic dialogue</li> </ul>

<ul style="list-style-type: none"> <li>Orthodox sites reconstructed or being processed for future reconstruction.</li> </ul>	<ul style="list-style-type: none"> <li>Specialist works carried out on 12 sites, 11 feasibility studies completed, at least one on-site implementation from the Prioritised Intervention List.</li> </ul>		
Activities	Means	Costs	Assumptions
<p><b>Return and Reintegration</b></p> <ul style="list-style-type: none"> <li>TA and training to the MCR</li> <li>TA and training to municipal bodies</li> <li>Reconstruction of dwellings and related infrastructure</li> <li>Socio-economic measures</li> </ul> <p><b>Cultural Heritage</b></p> <p>Developing and consolidating management and capacity building</p>	<p>Contribution Agreement with UNDP</p> <p>Direct Grant Agreement with Mercy Corps</p> <p>Contribution Agreement with CoE</p>	<p><b>Activity 1 (i): EUR 4.8m</b> 3.3 MEUR from the ECEUR 1.1 MEUR from the MCR 0.4 MEUR from UNDP</p> <p><b>Activity 1 (ii): EUR 5.0m</b> 5.0 M EUR from the EC</p> <p><b>Activity 2: EUR 0.45m</b> 0.4 EURM EC 0.05 EUR CoE</p>	<p>MCR and Municipalities are equipped and staffed to carry out project tasks</p> <p>GoK and Mitrovica Municipality equipped and staffed to carry out project tasks</p> <p>The RIC mechanism will keep functioning during the duration of the project.</p>

### Pre conditions:

- Organisation, selection and (gender balanced) appointment of members of working groups, training sessions, steering and coordination committees, seminars and study visits by the beneficiaries as per the project workplan
- Endorsement by all key stakeholders of the tendering documentation not relevant for works and services, as well as the individual contracts to be engaged.
- Participation by the beneficiary in the tender process as per EU regulations.
- Organisation, selection and appointment of members of working groups, steering and coordination committees, seminars and study visits by the beneficiaries as per the project work plan.
- Appointing the relevant staff by the beneficiaries to participate in training activities as per workplan.

#### *Specific to the Return and reintegration activity*

- In line with the requirements of the EC Practical Guide, Grants may not, as a rule, finance the entire cost of an action. Therefore, co-financing shall be made available both from both the MCR and the UNDP.
- Endorsement by MCR, MLGA, competent UNMIK departments and UNHCR of the “Description of the Action”

#### *Specific to the Cultural Heritage activity*

- The continued acceptance by the relevant stakeholders of the principles behind the RIC mechanism.
- The sequencing of works will be in accordance with that already established and in operation by the RIC.

**ANNEX II: Indicative planning of the amounts (in EUR million) contracted and disbursed by quarter for the project (cumulated)**

	2007	2008				2009				2010			
Contracted	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Contribution agreement with UNDP		3.3											
Direct Grant Agreement with Mercy Corps									5.0				
Contribution agreement with CoE		0.4											
<b>Cumulated Total</b>		<b>3.7</b>							<b>8.7</b>				
<b>Disbursed</b>													
Contribution agreement with UNDP		2.0				0.7				0.6			
Direct Grant Agreement with Mercy Corps									1.5				2.5
Contribution agreement with CoE		0.05	0.13	0.22									
<b>Cumulated Total</b>		<b>2.05</b>	<b>2.18</b>	<b>2.4</b>		<b>3.1</b>			<b>4.6</b>	<b>5.2</b>			<b>7.7</b>

	2011				2012							
Disbursed	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4				
Direct Grant Agreement with Mercy Corps						1.0						
<b>Cumulated Total</b>						<b>8.7</b>						