

## **6. POLITICAL PARTIES AND MINORITY PARTICIPATION: CASE OF ROMA, ASHKALIA AND EGYPTIANS IN KOSOVO**

**By GEZIM VISOKA**

### **a) Introduction**

Minority participation is a key concern in ensuring human rights and equal opportunities for all members of a society. Minorities should have the right affect formulating and implementing public policies and be represented by their political and community leaders. Minorities' participation in public life is a predominant indicator of whether or not a society ensures democratic, equal and fair treatment of all citizens. Inclusion of minorities and their political parties in public life and decision-making is an important condition for ensuring democratic governance and an open, functional and pluralist society.

Among Kosovo's diverse communities, the Roma, Ashkalia, and Egyptians are the most vulnerable and excluded. The Roma community lives mostly in the Serbian-dominated areas in Kosovo<sup>208</sup>, speaking Romani and Serbian languages, with a distinctive culture and lifestyle. Thousands of Roma fled from Kosovo in 1999 and live as Internally Displaced Persons, mostly in south Serbia and north Kosovo. After the 1999 war, Ashkali emerged as ethnic minority; they speak Albanian and live mostly in Kosovo Albanian populated areas. Their culture is characterized by Roma and Albanian cultural attributes. Egyptians as divided community appeared in mid 90s and most of them speak Albanian and have cultural similarities.<sup>209</sup> These

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<sup>208</sup> The largest Roma community, however, is in Prizren and generally speak Albanian, as well as their mother tongue, and are in better relations with the Albanian community compared with Roma elsewhere in Kosovo.

<sup>209</sup> While the Ashkalia and Egyptian communities are only recognized by the majority population and international and local institutions in the 1990s, members of the communities recall their ethnic roots through decades of family history.

communities live in extreme poverty, in peripheral areas and at health risk. Most of the population is uneducated and unemployed.

The international administration installed immediately after the 1999 war tried to create a comfortable environment for minority participation. The right to public participation in political, economical, social and cultural affairs was proclaimed politically and in the legal system. Their rights were included in international human rights standards, as held applicable in Kosovo, in the Constitutional Framework<sup>210</sup>, UNMIK regulations and PISG laws. Roma, Ashkali and Egyptians enjoy a guaranteed representation in the Kosovo Assembly; RAE communities together have the right to four seats out of the 20 reserved seats for ethnic communities.

A number of obstacles emerge as factors in all aspects of this article. These include: RAE social and political status, low level of education, high population growth, poor health conditions, lack of civil registration and basic legal documentation, discrimination, political pawn status between Albanian and Serbian communities, lack of a kin state, untrained and self-appointed leadership. These are strong obstacles to forming social cohesion, which effects low level of involvement and participation in political, civil, educational and health institutions.

Few formal channels exist for local RAE communities to express their needs and interests to decision-making bodies. Often distanced from civic institutions and processes, RAE communities also lack the confidence and skills to represent their interests at municipal or Kosovo level.

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<sup>210</sup> The Constitutional Framework for the Provisional Institutions of Self-Government (PISG) in Kosovo, 2001.

## **b) Historical Background on Roma, Ashkalia and Egyptians**

In 1989, Kosovo's autonomy within Serbia was revoked by a set of constitutional and legal discriminative changes undertaken by Milosevic's regime. Albanians answered Belgrade's revocation of their status with protests and hunger strikes. Immediately, the political life dramatically changed, which empowered Serbian minority by giving them extraordinary power implementing Serbian nationalists program in Kosovo.

The situation of other ethnic groups Kosovo during the 90s was similar with Albanians. Except Serbian-speaking minorities, others were not allowed to have political democratic representations. The Serbian speaking Roma-community had somewhat better position. Even though they were living in poor economic conditions, Milosevic's regime did not further degrade their basic rights and freedoms. At the revocation of Kosovo's autonomy in 1989, most Roma identified themselves with the Serbs. This was a typical historical compromise; Roma must gravitate towards those who hold the power. Roma became an unfortunate showcase for the Serbs; they were held up to the West as examples of Serbian tolerance<sup>211</sup>. This supported Serbian diplomacy by showcasing positive treatment of the most despised ethnic community in Europe.

### **Roma**

While Albanians and Serbs are the most well-known people in Kosovo, Roma communities have been living and thriving among them for centuries. Although their exact origins seem to be a mystery<sup>212</sup>, the Romani people have a unique culture very different than their Albanian and Serbian counterparts. Over time, the Roma became influenced by local people, mainly by learning the native tongue and, quite often, by adopting the people's religion. In Kosovo,

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<sup>211</sup> Kosovo Roma Oral Histories Project. Communication for Social Development, 2003. Available at: <http://www.balkanproject.org/roma/history4.shtml>.

<sup>212</sup> The Roma originated in India, but the timing of their migration or migrations, and the route of their travel, ultimately ending in the Balkans, remains uncertain. They are first documented in Kosovo in Prizren in 1348.

most Roma speak Albanian and are Muslim in faith. Others speak Serbian; some of the Serbian speakers have adopted Orthodox Christianity. The European Roma Rights Centre has estimated the pre-1999 Roma population was around 120,000<sup>213</sup>. Roma integration into Kosovo's society had been a slow progression, which came to a virtual halt since the war. After the war, many Albanians accused the Roma of being allies with the Serbs, deemed an unforgivable act by most Albanians. Since the war, Kosovo's Roma feel threatened and ask for protection for their rights<sup>214</sup>. In the early 1990s, when many Albanians were dismissed from their jobs, Roma took some of their positions. The Roma were used by the Serbian authorities to bury the dead during the 1999 war, and are seen by many Albanians as collaborators with Milosevic's regime. For this reason they faced attack by ethnic Albanian militants during and following the 1998-1999 war<sup>215</sup>.

During the 90s, there were no Roma organized political parties which would represent this community in a very critical and changing period. On the other side, there were few Roma intellectuals who appeared to speak in the name of this community. Luan Koka was a self-appointed Kosovo's Roma leader, who publicly aligned Roma with the Serbs. In fact, at that time most of the Roma had little concern about these ethnic and political issues. They were not Serbian, nor Albanian; they were concerned with their own families and their own lives, and the need to identify with one side or another was imposed for them by others.

Prior to the 1999 conflict in Kosovo, Luan Koka joined the Serb delegation at the Rambouillet Conference<sup>216</sup>. He went there to support the Serbian side, claiming to represent the Roma. He made no real effort to speak of the Roma community and their interests. The failure at Rambouillet led to the NATO bombing campaign of 24 March to 10 June 1999.

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<sup>213</sup> World Directory of Minorities and Indigenous Peoples (London: MRG 2008). Available at: <http://www.minorityrights.org/?lid=2463>. Population numbers are quite disputed, ranging from far lower to higher. Censuses during this period were political.

<sup>214</sup> Kujtim Zenelaj, "I am Kosovo," *New Kosova Report*, 17.2.2008. Available at <http://www.newkosovareport.com/20080217570/Views-and-Analysis/I-am-Kosovo.html>

<sup>215</sup> World Directory, op cit.

<sup>216</sup> Communication for Social Development, "Roma History: Kosovo from 1989 to the Present," 2003. Available at: <http://www.balkanproject.org/roma/history4.shtml>.

The war has affected negatively to Roma in Kosovo. They were driven from their homes in every city and village in Kosovo, with the exception of the Serb-dominated northern municipalities. The south Mitrovica Roma Mahala<sup>217</sup> - previously a home to nearly 7,000 Roma - was destroyed by angry ethnic Albanians. Mitrovica's Roma nowadays live in Serbia, or in IDP camps in north Kosovo" Žitkovac, Cezmin Lug and the Leposavic Roma collective centers. In Gnjilane/ Gnjilan, the Roma population went from over 6,000 to 350. Pristina's Roma almost entirely fled<sup>218</sup>. Around 5,000 have returned after the war, out of 30,000 Roma who fled from Kosovo and went to Serbia and Montenegro.

### **Ashkali**

Ashkalia are native Albanian speakers, who mostly live in Albanian populated communities. The name Ashkalia may come from the city Ashkan, in Persia, or from the Turkish root-word "ash-hash"<sup>219</sup>; it was applied to sedentary Kosovar Roma that settled in Albanian areas during Ottoman times. The Ashkalia speak Albanian as their first language; Roma have often claimed that they are Roma who lost Romanes language generations ago. Ashkalia were often blacksmiths or manual and handcrafts laborers. Ashkalia live mainly in eastern and central regions of Kosovo.

Though the Ashkalia note a tradition in Kosovo, they only promoted themselves as an ethnicity after the end of the 1999 war, in an attempt to extricate themselves from the violent situation they found themselves in, along with the Roma. In an effort to maintain peace and stability, the International Community has not taken into consideration the issue of ethnic division among Roma, Ashkalia and Egyptians. The Ashkali community is more closely affiliated with Kosovo Albanians in terms of politics, ideology, culture and religion. But, above all, it appears that language-use is perhaps the most defining characteristic.

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<sup>217</sup> Ibid.

<sup>218</sup> Ibid.

<sup>219</sup> Granit Kurti and Minci Fisnik, "Cilet jane?" *Koha Ditore*, 8.3.2008, p. 37.

Despite the fact that they are linked with the majority Albanian population, however, the Ashkali community in many regions of Kosovo remains one of the poorest and is isolated from mainstream Albanian communities.

### **Egyptians**

Egyptian communities as a recognized entity date back to 1994 when the Yugoslav Egyptian Association was formed<sup>220</sup>. Egyptians live in western Kosovo - mostly in Djakovica/Gjakovë, Pec/Pejë, and Decani/Deçan. They define themselves as originating from Egypt as opposed to India.

An Egyptian origin of the Roma was accepted until the 18th century, when the new science of linguistics connected them with northern India. In 1990, an Egyptian association was formed in Ohrid, Macedonia; this was followed by a Kosovo association, and later, a Yugoslav-wide group. By 1995, 15,000 people registered themselves as Egyptians. Milošević supported Egyptian claims; in past censuses, Egyptians had registered as Albanians. In 1991, the new census allowed for Egyptian as an ethnicity.

After the 1999 war, many more Albanized Roma, and some who could not even speak Albanian, reclassified themselves as Egyptians, to distance themselves from the Roma.

Many Egyptians were forced to flee into Serbian/Roma areas after the conflict. Those that fled into the Serb northern municipalities have been assaulted and threatened due to their use of the Albanian language. Amnesty International puts the current Kosovar Egyptian population at 5,000<sup>221</sup>.

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<sup>220</sup> Julie Chadbourn, *Second-class Minorities: The Continued Marginalization of RAE Communities in Kosovo*, 2007, p. 6.

<sup>221</sup> Castes and Clans, "Roma Classifications" Communication for Social Development, 2003. Availablet: [http://www.balkanproject.org/roma/castes\\_clans.shtml](http://www.balkanproject.org/roma/castes_clans.shtml).

During the 1990s, the RAE community in Kosovo did not have effective political representation. Identity politics and division among Roma, Ashkali and Egyptian communities affected negatively the social cohesion and advancement. Because of their economic status and low education level, RAE were subject of political manipulation, mostly by the Serbian regime, though also by Albanians. Lack of community activism and mobilization caused emergence of false political leaders. Roma in Kosovo today are stuck in poverty, lack of physical security and freedom of movement, and have limited possibility to return to their pre-war homes. In their temporary settlements, they lack access to education and public services, including health care, justice and employment.

### **c) RAE Political Parties**

#### **Ideology**

After the Kosovo war, with the support of the International Community, new RAE political parties were established. For better or worse, parties were created along mono-ethnic lines. There are several political entities who attempt to speak on behalf of these respective communities. Among them are United Roma Party of Kosovo (PREBK) representing Roma community, Democratic Ashkali Party of Kosovo (PDAK) representing Ashkali community, and New Democratic Initiative of Kosovo (IRDK) representing Egyptian community.

These parties primarily aim to have a larger electorate, promising better social and economic wellbeing, promoting the issues of employment, education and health. The political programs that are adopted from other majority parties do not accord with the real interests and needs of RAE communities. Roma, Ashkalia and Egyptian politicians and community leaders claim to have the goal of achieving full rights as a recognized nationality, with guaranteed civil rights and schools with instruction in their mother tongue<sup>222</sup>. They also

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<sup>222</sup> Kosovo Roma and Ashkalia Forum, *Our position*, 2007, p. 6.

seek affirmative action policies and positive discrimination, as in employment and education. Nevertheless, Roma, Ashkalia and Egyptian political fragmentation makes these goals impossible to achieve.

Lack of stability and unity, fragmentation, and outside influences within these parties prevent these parties from increasing minority participation, integration and social-economic development. Hence, they do not use available resources – legal instruments, international partners to advocate for and advance their conditions. In most of the cases, RAE politicians emerge who represent only the interests of their closed community. Due to this, there is no real linkage with the wider electorate for representation of their specific interests. Therefore, these parties do not have the consistent and continuous support of the wider community.

Their community sympathy is continuously decreasing. In 2007 national and municipal elections, Zylfi Merxha, leader of the Roma party PREBK, lost half of the votes compared with the 2001 elections<sup>223</sup>. Thousands of members of the Roma community who were eligible to vote did not vote at all. Political cohesion is an unknown concept in the Kosovar Roma, Ashkali and Egyptian political situation, and a pretender's claim to lead Kosovo's RAE remains a simple title, because no local leader will acknowledge him and he will acknowledge noone. Such leaders have little power because they themselves are controlled by the majority politicians they align themselves with, for support and recognition of their claim<sup>224</sup>.

### **Leadership**

Another concern is the individuals-based leadership that concentrates power to a few charismatic<sup>225</sup> people. Some RAE community leaders care nothing for their community; they want to get

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<sup>223</sup> In the 2001 election Zylfi Merxha won 3,976 votes where in 2007 he won 2,121 votes only.

<sup>224</sup> Roma History, op. cit.

<sup>225</sup> Charismatic Leadership is defined by Max Weber as “resting on devotion to the exceptional sanctity, heroism or exemplary character of an individual person and of the normative patterns or order revealed or ordained by him”.

rich and distribute profits to their family and close relatives. Benefits to the community are talked about passionately, but do not materialize. Donations for winterization are solicited for the community, and then sold upon delivery. These RAE leaders are not respected, but nevertheless may be able to maintain their positions; they pick fights with other potential leaders, or the leaders of other communities; they eat away at the power bases of rivals while strengthening their own. Kosovo's RAE suffer from severe divisions. These divisions are seldom a matter of clan classification. They are family or personality clashes. Economic level plays a part in the greater divisions found across Kosovo, that have created the separate identities of Roma, Ashkalia and Egyptians.

### **Structure and Governance**

RAE political subjects in their statutes identify their mission as civil parties dedicated to free citizens and open to all Kosovo citizens. In the Statute of PDAK one cannot find any element that identifies them as ethnic party. But, in reality none from the majority or other communities is a member to these parties. They are in fact mono-ethnic parties. RAE political parties are the parties of specific individuals and their supporters. Nevertheless, their political programs are very modern. The 2007 political program of IRDK seeks to lead Kosovo with the principle of citizens' equality, tolerance and solidarity. In addition, they are committed to protect human rights and freedoms, minority integration, and social, economical and political emancipation. Still, it happens that when new party leadership are elected, previous leaders do not accept them. The communities are divided into two blocks, some supporting new legitimized leaders and others who trust and recognize the old one. After PDAK leader Sabit Rrahmani was arrested for smuggling and economic crimes, for example, the assembly of the PDAK party elected Gezim Gashi as the new President of the party. However, complication came when Mr. Rrahmani was released as he reclaimed control. Opposing factions formed behind Gashi and Rrahmani.

| Political Party                     | Acronym | Community | Leader          | Parliament seats* | Municipal seats* |
|-------------------------------------|---------|-----------|-----------------|-------------------|------------------|
| Democratic Ashkali Party of Kosovo  | PDAK    | Ashkali   | Sabit Rrahmani  | 3                 | 2                |
| New Democratic Initiative of Kosovo | IRDK    | Egyptian  | Xhevdet Neziraj | 1                 | 1                |
| United Roma Party of Kosovo         | PREBK   | Roma      | Zylfi Merxha    | 1                 | /                |

Table 17: Political Parties of RAE<sup>226</sup>

#### d) The Political Participation of Roma, Ashkalia and Egyptians

It is a well-known fact that democracy and good governance has always been founded upon the principles of public participation. However, public participation should not be taken for granted. Whilst public participation empowers and forces Government's performance to be effective, transparent and non-corrupted mechanism, on the other side, implementing it in reality means that one needs to have some very elementary preconditions which enable respective citizens to take actively and freely part in the political system – safety and minimum education. The term “access” is a key word which needs to be taken into consideration to achieve that aim – access to decision-making, public information and justice<sup>227</sup>. But, the participatory process doesn't necessarily mean including also the process of being informed. Many times, the public participation process provides participants with the information they need to participate in a meaningful way<sup>228</sup>. This concept is very useful when we have to deal with the public

<sup>226</sup> National and Municipal Election in Kosovo, 17 November 2007.

<sup>227</sup> FARN, Public Participation and Sustainable Development, 2001, Available at: [http://www.farn.org.ar/docs/pp/en\\_index.html](http://www.farn.org.ar/docs/pp/en_index.html)

<sup>228</sup> Ibid.

participation of the Roma, Ashkalia and Egyptian minority communities. For a countless time it has been argued that RAE public participation is impossible due to the traditional lack of a participatory democratic culture, education, survival issues, etc.

There are several key areas and factors that contribute to the lack of political participation of these communities including:

- 1) The lack of affirmative and representative RAE political entities;
- 2) The high level of unregistered individuals ;
- 3) The passive approach of governmental institutions;
- 4) The lack of access to social assistance;
- 5) The exclusion from all spectrums of civil life;
- 6) The physical separation of their neighborhoods from others;
- 7) The low level of education.
- 8) Discrimination;
- 9) Being between the Albanian and Serbian communities;
- 10) The lack of a kin state;
- 11) The untrained and self-appointed leadership;
- 12) A deep poverty with less then 1USD per/day.

So far, RAE communities live a life which can be considered between two “fires”. Speaking of RAE participation, one should remember that nowadays in Kosovo many of them (especially Roma) live in the Serbian enclaves located around Gracanica, Prishtina, Kamenica & Gnjilan, Lipjan, Sterpce, Mitrovica and Obilic. They can be seen as “enclaves within enclaves”- endlessly marginalized and discriminated against. They live quite excluded by others, living in “mahallas”, settlements often on the periphery of their host communities. Any kind of activism which may lead to daily improvements is difficult and unusual. Though many take social assistance from the Serbian Government, this is not a proof that they participate in enclave parallel local decision-making processes or public life. On the other side, whenever they live in the majority Albanian area, they (especially Ashkalia, Albanian speakers) are only

integrated most obviously in Municipal Community Offices, but in the last 9 years, since UN administration has been deployed in Kosovo, the level of their participation or inclusion elsewhere remains very low, especially when we have to deal with the public debates regarding the Kosovo Laws, regulations or Administrative acts in both local and national governmental level. Segregation is common; for example, the Ashkalia children in the Selman Riza Primary School in Fushe Kosove are segregated into an Ashkalia-only classroom. Nevertheless, for instance, in the latest Kosovo national and local election, the number of the Ashkalia voters was increased and this shows a positive trend compared with Roma regarding political participation.

### **Legal Framework**

The Kosovo legal framework guarantees political and non-political participation of the Kosovo communities. The *Constitutional Framework for Provisional Self-Government in Kosovo*<sup>229</sup>, in the chapter for the *Rights of the Communities and Their Members*, ensures that all members of communities should enjoy access to information, receive education in their own language, have equal employment opportunities and enjoy unhindered contacts with local, regional and international non-governmental organizations in accordance with the procedures of such organizations<sup>230</sup>.

The Framework Convention for Protection of Minority Rights, in Article 15 obliges states to create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them. There are also many other international human rights and minority mechanisms that clearly emphasize participation rights.

Principal international instruments are integrated in the legal and political system of Kosovo, initially in UNSC/Res 1244, Framework Constitution for PISG and Ahtisaari Plan. In the recently

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<sup>229</sup> Constitutional Framework for Provisional Self-government in Kosovo, 2001

<sup>230</sup> Constitutional Framework, Section 4: Rights of Communities and Their Members, 2001

drafted Constitution of Kosovo, Article 22, it is clearly mentioned that human rights granted by the following international agreements and instruments are guaranteed by this Constitution, are directly applicable in the territory of the Republic of Kosovo and, in the case of conflict, have priority over provisions of laws and other acts of public institutions:

- (1) Universal Declaration of Human Rights;
- (2) European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols;
- (3) International Covenant on Civil and Political Rights and its Protocols;
- (4) Council of Europe Framework Convention for the Protection of National Minorities;
- (5) Convention on the Elimination of All Forms of Racial Discrimination;
- (6) Convention on the Elimination of All Forms of Discrimination Against Women;
- (7) Convention on the Rights of the Child;
- (8) Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment;

A serious deviation from the progressive guarantees of the Constitutional Framework is the use of the “RAE” acronym denoting the Roma, Ashkali and Egyptian communities as a single political grouping. In spite of probable noble motives aiming to amplify their voice by the creation of a larger grouping, the perceived attempt for the creation of a new identity has created serious identity and political troubles for these communities. As such, it goes against the basic right of members of the Roma, Ashkali and Egyptian communities to preserve and promote their individual identity and to declare themselves as members of the same<sup>231</sup>. Consequently, the use of

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<sup>231</sup> KIPED, *Integration of Minority Communities in the Post Status Kosovo*, Prishtina, 2006, p. 6.

“RAE<sup>232</sup>” phrase can be seen in conflict with the constitutional right of every person to declare or not to declare to “which Community he/she belongs, or to declare himself/herself a member of any Community”<sup>233</sup>.

In order to regulate and specify ‘Community’ constitutional provisions, UNMIK and Kosovo authorities have adopted a set of laws which regulate the access to official documents, use of languages, anti-discrimination law, etc. Even though these laws proclaim and acknowledge democratic values, the implementation of these laws remains quite low. The Humanitarian Law Centre in an exploratory report brings out that the rate of anti-discrimination law implementation, especially regarding employment of members of communities, is not satisfactory. This report notes that members of communities do not enjoy equal opportunity when it comes to employment in public enterprises, as proclaimed in several laws and government regulations. For example, from the overall number of employees in Kosovo Energy Corporate, only 0,04% are from RAE communities<sup>234</sup>. The same situation has been noticed in the case of language usage in public services. Despite the fact that the public announcements should be published in official languages, many cases were observed in which Albanian-led public institutions and businesses did not publish various announcements in the official languages. For example, some public services invoices have been printed in one language only. This has happened as well with employment contracts.

The Law on Access to Official Documents provides *that any habitual resident of Kosovo or any person who meets eligibility requirements for registration as a habitual resident of Kosovo, and any natural or legal person have the right of access to official documents*. But, can RAE communities enjoy this right? We know that around 40% of them are unregistered<sup>235</sup>. 8,000 – 16,000 cannot enjoy this right because of the lack of Civil Registration. As a precondition to have

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<sup>232</sup> The author attempts to use the acronym always in reference to “communities” rather than “community”, without assuming that the communities are the same or necessarily have the same interests.

<sup>233</sup> Constitutional Framework, Section 4.2, 2001.

<sup>234</sup> Humanitarian Law Center, *Zbatimi i Ligjit kunder Diskriminimit dhe Ligjit mbi perdorimin e Gjuheve ne ndermarrjet publike*, 2007, p. 3.

<sup>235</sup> UNMIK/OSCE, *Civil Registration of Persons belonging to the Roma, Ashkalia, and Egyptian Communities: Findings of a Monitoring Exercises*, 2006, p. 5.

access to the public sphere, a person should be registered as a habitual resident and also pay taxes and other obligations, which is often not the case with RAE communities' members in Kosovo. The lack of adequate knowledge of how to make a case and the low level of writing skills needed to raise an individual or community problem to a responsible institution, effects very much the practicing of their rights.

In order to facilitate the public participation of communities, neither UNMIK nor the PISG have enabled any RAE community-based NGO or initiative to deal with legal assistance. In this context, the RAE political parties have also failed to address everyday problems in regard to public-related issues. However, there is a promising initiative undertaken by UNHCR in collaboration with CRPK and RADC<sup>236</sup> where they try to provide legal assistance to the RAE people in need.

Another obstacle that limits RAE public participation in many cases comes from fear to use their language publicly. Especially, this problem has been seen in the North Mitrovica camps – Cesmin Lug and Osterode – where a large number of Ashkali population live. They have continuously been threatened by the Serbian majority<sup>237</sup>. In many cases, Roma Serbian-speaking individuals face difficulties when it comes to using their language for buying bus tickets, paying goods, etc.

Roma belonging to the Muslim religion, which live in Serbian enclaves, face difficulties in practicing their religion. The Roma public participation should be considered always having in mind their living place. If one attends a Serbian parallel institution, ultimately he/she will be targeted by Albanians as a Serbian collaborator. On the other hand, if they participate to Albanian side, they will be considered similarly by Serbs as betrayers and consequently can face community isolation.

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<sup>236</sup> Roma and Ashkalia Documentation Center is the leading NGO, advocating for RAE civil rights and integration in Kosovo.

<sup>237</sup> Roma and Ashkalia Documentation Center, *Security Review in North Mitrovica*, 2007, p. 13.

In 2007 elections, Roma in Kosovo who live in the Serbian-populated areas refused to participate and vote in these elections. This rejection came as a result of the open threats from Serbian nationalists. For instance, in Gracanica enclave, Serbs threaten Roma to boycott the elections.<sup>238</sup>

### **Civil Registration**

As part of the international community pressure to foster and facilitate the minority inclusion, on May 2006, the Prime Minister Office of Kosovo instructed PISG and municipalities “to ensure that pending registration requests for Roma, Ashkalia, and Egyptian are completed in the next six month. No late fees for these administrative services shall apply to these groups”. Thereafter, UNHCR has undertaken a civil registration campaign for RAE communities.<sup>239</sup> This program is implemented by CRP-K<sup>240</sup> and its local RAE partner, community-based NGO RADC. This program has identified around 6,000 cases that are not registered. The UNMIK estimates that in Kosovo live around 39,000 RAE communities member and according to UNHCR, 20 – 40 %<sup>241</sup> of them are not registered. This situation has produced many obstacles, such as the risk of becoming stateless.

Due to the quite rigid administrative procedures, the process of Civil Registration gets more complicated. This situation discourages RAE communities from applying for civil documents. However, the program led by CRPK and RADC remains a solid hope in solving this problem. PISG should develop strategies addressing the issue of RAE civil registration. With a serious commitment of the local and national government and mobilization of the public administration, the issue would be solved.

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<sup>238</sup> “G.S.” Interview, 20.1.2008.

<sup>239</sup> UNMIK, OSCE. 2006. *Civil Registration of Persons belonging to the Roma, Ashkalia, and Egyptian Communities: Findings of a Monitoring Exercises*. Page 1.

<sup>240</sup> CRP/K stands for “Civil Registration Program in Kosovo”.

<sup>241</sup> 8,000 – 16,000 persons are not registered.

### **RAE Civil Society**

Before taking into consideration the contribution of RAE civil society in public participation, under civil society here we denote that complex social space in-between the family and the state, which consists of non-governmental, networks and voluntary associations. In this article it is argued that RAE society, due to the lack of adequate and transparent political representations by partisan entities, attempts to fill-in this gap through RAE civil society. In this context, RAE NGOs have supported these communities by channeling and mobilizing funds, providing humanitarian assistance and proper sheltering, food, and other basic living needs. Several formal and non-formal education programs have been dedicated to children, youth and women.

The communities of civil society activists in some cases are a useful tool to help address various community problems and concerns at the relevant public institutions. It is important to note that the public participation was fostered by having more RAE (especially Roma) appearance in the media, radio, public TVs, newspapers, etc. In some cases they have established their local radio stations in their language, TV shows in national TV broadcaster and have also developed several publications, including awareness-raising campaigns. Continuously, they have advocated for the RAE right at national and international institutions. A RAE integration strategy was successfully integrated in government which aims at improving political, economic, social, education and cultural status of RAE communities in Kosovo. Furthermore, a strong contribution has been provided in advocating regarding IDP returns; moving from camps to the proper housing; reporting discrimination cases to several local and international authorities; influencing the communities to be more active and constructive citizens. Several other initiatives improved the economic conditions, facilitated income generation, including vocational trainings, and skills-building programs.

In the recent elections, the Kosovo Roma and Ashkalia Forum (KRAF) offered to political parties a civil platform for

elections. This document aimed at addressing to decision-makers, the concerns, needs and position of the RAE communities. The platforms aim as well to change the mono-ethnic composition of parties and to adopt multi-cultural approach within their political platforms, respectively to start considering minority recruitment within their own political constituency, as well as to consider entering into political coalition with minority political entities<sup>242</sup>. Further, this forum of RAE expects that by 2011 in Kosovo will be established mechanisms for equal participation of RAE in political decision-taking bodies at local and central level; equal opportunities for access to institutions that provide public services; equal access on employment in public sector of RAE<sup>243</sup>. Bashkim Ibishi, one of the authors of this platform, declares that low level of education and, in main cases, discrimination against RAE contributes substantially to their concrete under-representation in public life, particularly in political and economical life. Further, he comments that the large number of IDPs and refugees significantly decreases the electorate in Kosovo, which negatively affects the equal political representation of RAE communities. On other hand, regarding the participation at local level, Mr. Ibishi considers it as a minimum level, therefore he expects a significant increase of the number of RAE involved in decision-making process by 2011.

### **Participation at national level**

Immediately after the 1999 conflict in Kosovo, UNMIK and international community created legal and political mechanisms guaranteeing minorities' representation in national executive and legislative bodies. The Constitutional Framework on Interim Self-Government in Kosovo creates a comfortable environment for minority participation, guaranteeing reserved seats in the Parliament. Among other communities, four seats are allocated to the Roma, Ashkali and Egyptian Communities, three for the Bosniak Community, two for the Turkish Community and one for the Gorani Community. The seats for each of these minorities should be dedicated to parties, coalitions, citizens' initiatives and independent candidates having declared

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<sup>242</sup> Ibid, p. 67.

<sup>243</sup> Ibid.

themselves representing each of these minorities in proportion to the number of valid votes received by them in the election to the Assembly<sup>244</sup>.

| National Elections<br>in Kosovo | 2001         |              | 2004         |              | 2007         |              |
|---------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
|                                 | <i>Seats</i> | <i>Votes</i> | <i>Seats</i> | <i>Votes</i> | <i>Seats</i> | <i>Votes</i> |
| PDAK                            | 2            | 3411         | 1            | 2555         | 3            | 3443         |
| IRDK                            | 2            | 2717         | 2            | 2658         | 1            | 600          |
| PREBK                           | 1            | 3976         | 1            | 1049         | 1            | 2121         |

*Table 18: Election Results for RAE Parties<sup>245</sup>*

Further, within the Assembly of Kosovo there is a Committee on Rights and Interests of Communities, composed of two members from each of Kosovo’s Communities elected to the Assembly. Communities represented by only one member in the Assembly shall be represented by this member in the Committee. This committee possesses also the authority to review laws and make recommendations regarding a proposed law with a view to ensuring that Community rights and interests are adequately addressed and submit these recommendations to the relevant Functional Committee or to the Assembly as appropriate<sup>246</sup>. PREBK together with KDTP (Turkish party) and VAKAT (Bosniak coalition) compose the Parliamentary Group “7+”. IRDK is included with AKK Parliamentary Group (Albanian party) as this party has the majority in the Dukagjini region where most of Egyptians live. The three members of PDAK do not belong to any parliamentary group.

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<sup>244</sup> Constitutional Framework on Interim Self-Government in Kosovo, Section 9, 9.1.3: Election of the Assembly, 2001.

<sup>245</sup> Source: Kosovo Central Election Commission

<sup>246</sup> Ibid.

| Member          | Party | Parliamentary Committee  | Parliamentary Group |
|-----------------|-------|--|---------------------|
| Sabit Rrahmani  | PDAK  | N/A  | No Group            |
| Etem Arifi      | PDAK  | - Member of Committee for Community Rights and Interests and for Return  | No Group            |
| Hafize Hajdini  | PDAK  | - Member of Committee for Community Rights and Interests and for Return  | No Group            |
| Xhevdet Neziraj | IRDK  | - Member of Committee for Budget and Finance<br>- Member of Committee for Community Rights and Interests and for Return  | AAK Group           |
| Zylfi Merxha    | PREBK | - Member of Committee for Agriculture, Forestry, Rural Development, Environment and Spatial Planning<br>- 2nd Vice Chairperson Committee for Community Rights and Interests and for Return<br>- Member of Committee on Internal Affairs and Security | 7+ Group            |

*Table 16: Functions and Participation of RAE members in the Assembly of Kosovo*<sup>247</sup>

Regarding the representation in the government body, at least one of the Ministers shall be from the Kosovo Serb Community and one from another Community<sup>248</sup>. Even though, these positive discrimination instruments make possible the RAE political participation; however, their role and influence remains symbolic. No law was proposed by RAE parliamentarians, neither any policy related with their interest. While guaranteed (instead of reserved) seats at the Assembly are generally seen among politicians of the majority as an acceptable solution, the same raise concerns about negative effects of guaranteed ministerial seats in government. This is considered to go against the interests of minority communities since it militates against

<sup>247</sup> Official Website of the Assembly of Kosovo, <http://www.assembly-kosova.org/?lang=en>

<sup>248</sup> Constitutional Framework on Interim Self-Government in Kosovo, Section 9, 9.1.5: Election of the Assembly, 2001.

cross-ethnic coalitions and reduces participation of minority communities to a symbolic value.

### **Participation at municipal level**

At municipal level, RAE communities also enjoy a number of mechanisms to protect their rights and interests. In the spirit of the Constitutional Framework, Regulation 2000/45 provides legal norms which ensure minority representation. In cases of sizable minority population, a Communities Committee, a Mediation Committee and a Communities Office are established. The purpose of these mechanisms is to represent minorities and to ensure that they enjoy, on an equal basis, civil, political, economic, social and cultural rights, and fair and equal employment opportunities in municipality service at all levels<sup>249</sup>. The Mediation Committee is made of equal numbers of members of the Municipal Assembly who are not members of the Communities Committee, and is supposed to serve as fair representation of other communities that do not belong to the community which is in the majority in the municipality.

Each municipality with significant minority population is obliged to elect a second Deputy President of the Municipal Assembly of an ethnic community. Other mechanisms include “fair-share financing”, according to which every municipality with minority communities is obliged to allocate to those communities a proportion of its budget, equal to their size of the community<sup>250</sup>.

The following section will describe the RAE representation in some municipalities in which they live. In Fushe Kosovo approximately 3,800 Ashkali, 600 Roma, and 200 Egyptians live. According to UNHCR, since 2000, 888 Ashkali and Egyptian, 382 Kosovo Serb and 182 Roma IDPs returned to the municipality. The Municipal Assembly comprises 21 members elected in the October

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<sup>249</sup> Regulation No. 2000/45 on Self-Government of Municipalities in Kosovo, Article. 23.4b, 2000.

<sup>250</sup> KIPED, *Integration of Minority Communities in the Post Status Kosovo*, 2006, p. 9.

2002 Municipal Elections, where there is one Ashkali member who is Additional Deputy President<sup>251</sup>.

In Lipjan there are 1,500 Ashkali, and 330 Roma. No member of these communities works in public administration, nor in municipal structures. There are only two Ashkali employed as Police<sup>252</sup>. The pre-conflict Roma population (some 6,000) of south Mitrovica has been displaced to the northern municipalities and Serbia. Approximately 275 people live in a collective centre in the north of the town and a small number of families live in private accommodation in the south. More than 40 Ashkali families still remain in the south of Mitrovica, mostly concentrated in one community<sup>253</sup>. Some participate in Serbian parallel institutions in north Kosovo and some others, mostly Ashkali, participate in Albanian structures in the south side of the city.

In the municipality of Podujevo live around 722<sup>254</sup> Roma and Ashkali community members who are well integrated in the society. They have full access to public services, including expression of their identity by organizing cultural events, radio shows and other events exposing their ethnic symbols. A Municipal Committee on communities includes an Ashkali leader who represents his community in the local authority.

Approximately 240,000 people live in the Prizren municipality. In addition to the majority Kosovo Albanian population, Prizren is a home to large communities of Kosovo Bosniaks (22,015), Kosovo Turks (14,067), Roma, Ashkali and Egyptian communities (5,332). Prizren is known for its ethnic diversity and enjoys a long tradition of tolerance and inter-ethnic cooperation<sup>255</sup>. Especially the Roma community in Prizren is more educated; they have a radio

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<sup>251</sup> OSCE, *Municipal Profile: Fushe Kosovo/Polje*, 2007. Available at [http://www.osce.org/documents/html/pdf/html/1189\\_en.pdf.html](http://www.osce.org/documents/html/pdf/html/1189_en.pdf.html)

<sup>252</sup> OSCE, *Municipal Profile: Lipjan*, 2007. Available at [http://www.osce.org/documents/html/pdf/html/1193\\_en.pdf.html](http://www.osce.org/documents/html/pdf/html/1193_en.pdf.html)

<sup>253</sup> OSCE, *Municipal Profile: Mitrovica*, 2007. Available at: [http://www.osce.org/documents/mik/2005/12/1191\\_en.pdf](http://www.osce.org/documents/mik/2005/12/1191_en.pdf)

<sup>254</sup> OSCE, *Municipal Profile: Podujevo*, 2007. Available at: [http://www.osce.org/documents/mik/2007/10/1198\\_en.pdf](http://www.osce.org/documents/mik/2007/10/1198_en.pdf)

<sup>255</sup> OSCE, *Municipal Profile: Prizren*, 2007. Available at: [http://www.osce.org/documents/mik/2006/06/1200\\_en.pdf](http://www.osce.org/documents/mik/2006/06/1200_en.pdf)

station in their language and have well developed civil society organizations.

| Municipal Elections in Kosovo | 2000         |              | 2002         |              | 2007         |              |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
|                               | <i>Seats</i> | <i>Votes</i> | <i>Seats</i> | <i>Votes</i> | <i>Seats</i> | <i>Votes</i> |
| Political Party               |              |              |              |              |              |              |
| PDAK                          | -            | -            | 3            | 2759         | 2            | 2718         |
| IRDK                          | -            | -            | 2            | 3134         | 1            | 2185         |
| PREBK                         | -            | -            | -            | 924          | -            | 114          |

Table 20: Local Election Results for RAE Parties<sup>256</sup>

The municipality of Ferizaj includes an estimated 3,758 Ashkali, and 260 Roma<sup>257</sup>. The Municipal Assembly comprises 41 members elected after the October 2002 Municipal Elections. The Deputy President is a representative of the Ashkali community. Municipal Community Office functions as a municipal Department in Ferizaj/Uroševac and employs a staff of 12 people, all from different minority communities residing in the municipality<sup>258</sup>. In addition, eight Ashkali serve as Kosovo Police.

In other municipalities, such as Gjakova and Klina, live around 9,000 RAE community members, but they do not have any representation in the municipal assemblies.

## e) Conclusions

Inclusion of minorities and their political parties in public life and decision-making processes is an important form for ensuring democratic governance and an open and pluralist society. The main purpose of this article was to explore political parties and their role in facilitating the participation Roma, Ashkalia and Egyptian communities in Kosovo life.

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<sup>256</sup> Source: Kosovo Central Election Commission.

<sup>257</sup> OSCE, *Municipal Profile: Ferizaj*, 2007. Available at: [http://www.osce.org/documents/mik/2006/05/1205\\_en.pdf](http://www.osce.org/documents/mik/2006/05/1205_en.pdf)

<sup>258</sup> *Municipal Profile: Ferizaj, op. cit.*

RAE communities are represented by three main parties. These parties have been weak in representing the interests of these communities. In this case, the lack of stability and unity, autocratic governance of the party and political fragmentation, ultimately affects negatively the minority participation, integration and social-economic development.

Further, throughout the entire research, we have attempted to analyze crucial issues affecting minority participation. In the case of RAE communities in Kosovo, we have identified several key areas and factors that contribute to the lack of political participation, including: 1) lack of affirmative and representative RAE political entities; 2) high level of unregistered individuals; 3) passive approach of governmental institutions; 4) lack of access to social assistance; 5) exclusion from all spectrums of civil life; 6) physical separation of their neighborhoods from others; 7) low level of education. 8) discrimination; 9) situation of being between Albanian and Serbian communities; 10) lack of a kin state; 11) untrained and often unrepresentative leadership; 12) deep poverty with incomes often less than 1USD per day.

The legal framework applicable in Kosovo ensures adequate minority participation, including several mechanisms, such as reserved seats, special municipal bodies, etc. The RAE civil society played a positive role in promoting participation, normalization and integration of RAE communities into the mainstream life in Kosovo. In addition, they have been proven to be more community-oriented and more effective mechanisms in supporting their co-members in raising their voices, advocacy for their rights, bridging humanitarian assistance, drawing attention to international stakeholders, facilitating education programs, including youth and women, and social inclusion and advancement. Nevertheless, despite the legal framework and the efforts of civil society, the gap between the Roma, Ashkalia and Egyptian communities, and the rest of Kosovo society remains large and difficult to bridge.

After the independence of Kosovo, the perspective of RAE communities is turmoil. Another important issue is whether the future constitution of Kosovo will promote civic versus ethnic identity.

In conclusion, the best hope for RAE communities in the future would be to increase the level of education, choose carefully their politicians and leaders, use their rights and fulfill the obligations, and integrate into Kosovo society, while maintaining their cultural independence. On the other side, Kosovo institutions should show more commitment, and invest more in RAE education, integration and development.