

# Between Competing Imaginaries of Statehood: Roma, Ashkali and Egyptian (RAE) Leadership in Newly Independent Kosovo

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*Socio-economic indicators and human-rights reports all suggest that the situation of Roma, Ashkali and Egyptian minorities (RAE) in Kosovo is extremely severe and only limited improvements have occurred since the end of the Kosovo conflict ten years ago. This article explores the governance of the ‘other minorities’ (i.e. non-Serbian) in contemporary Kosovo and in particular the issues of integration and return in the context of the process of state-building in Kosovo. Drawing on in-depth interviews with RAE leaders, the article shows how they are caught between multiple and conflicting agendas and power structures—namely the Kosovo government, the Serbian state and the international community—as well as being under pressure from the Kosovo RAE diaspora that fears forced return to Kosovo. Overall, it is argued that the situation of RAE minorities can provide a lens through which to observe the conflicting and competing models of state and nation championed by the Albanian leadership, the EU and a number of international agencies, as well as offering an alternative narrative on the ethnically pacified new Kosovo.*

*Keywords:* Kosovo; Roma; Minority- and Human-Rights Discourse and Practice; Return; Integration

## Introduction

There are so many institutions and offices: the UN, the EU, the Kosovo government, the NGOs and the Serbian authorities in northern Kosovo. There are just too many actors and decision makers. Their position is not very

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clear to anyone, not even to them (Roma working for a community-based organisation).

Based on fieldwork conducted in Kosovo in the aftermath of the unilateral declaration of independence on 17 February 2008, this article investigates the experiences and views of Romani community leaders<sup>1</sup> in present-day Kosovo. It examines how they negotiate their role, on the one hand, towards the 'official' Kosovo government, the Serbian 'parallel' institutions and the international community and, on the other, towards the Kosovo RAE<sup>2</sup> diaspora and the local RAE communities.<sup>3</sup>

Through an analysis of RAE leaders' narratives, this paper sheds light on the complex position and positioning of RAE communities in Kosovo and how these intersect issues of integration and return. Moreover, it locates them in the broader political context characterised by tensions and conflicts around the recognition and consolidation of the new state structures which have emerged from a decade of UN interim administration.

Overall, the paper argues that RAE leaders are caught between multiple and conflicting political structures and interests, and provides some insights into the diverging, although interconnected, agendas of RAE 'stayees' and the diaspora. More broadly, it is argued that the situation of RAE minorities can offer a valuable perspective through which to observe the conflicting and competing models of statehood championed by the Kosovo Albanian leadership, the EU and a number of international agencies, as well as an alternative narrative on the allegedly ethnically pacified new Kosovan state. The paper is divided into three main sections: first, it outlines the key institutional and political developments which culminated in the declaration of independence of Kosovo and locates the minority issue within the broader political context; secondly, it offers a brief historical account of the Romani communities and their complex and changing relationship with the larger and more powerful ethnic communities in Kosovo; finally, through an analysis of the ethnographic material, it explores how RAE leaders negotiate their role in present-day Kosovo.

### **Multiethnic Kosovo: Whose Dream?**

Established by the UN Security Council Resolution n. 1244 as an international protectorate since 1999, the administration of the Serbian province of Kosovo was bestowed on the United Nations Interim Administration in Kosovo (UNMIK), which was entrusted with extensive regulatory powers (Stahn 2001) to ensure that

the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, [...] while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo (UN Security Council 1999, art. 10).

The protection and promotion of the human rights of all inhabitants of Kosovo and 'the safe and unimpeded return of all refugees and displaced persons to their homes' were among the main responsibilities of the international civilian mission in Kosovo (UN Security Council 1999, art. 11), as well as being core arguments behind the case for NATO military intervention against Serbia (Roberts 1999).

However, after over a decade of the international community's political commitment to multi-ethnic co-existence in Kosovo, the situation on the ground is still one of 'nearly complete individual and institutional segregation between Kosovan Albanians and Serbs' (Devic 2006: 257).<sup>4</sup> But, while the Kosovo Serb minority has received international attention, the smaller minority groups (Bosniaks, Croats, Gorani, Roma, Ashkali, Egyptians and Turks) have attracted far less interest and have been particularly affected by political, social and economic exclusion as well as restriction of movement (Mueller 2008; Stevens 2009).

Among these minorities, the situation of Romani communities is especially severe and only very limited improvements have occurred since the end of the conflict over ten years ago (Hammarberg 2010; Norwegian Helsinki Committee 2007; PER 2008). The 'forgotten victims' of the 1999 war, in the words of the Roma journalist Orhan Galjus (1999), have become the forgotten citizens of the newly independent Kosovo.

The protection of the human and minority rights of all inhabitants and the promotion of peaceful ethnic relations was also enshrined in the 2007 'Comprehensive Proposal for Kosovo Status Settlement' (UN Security Council 2007) prepared by the UN Secretary General's Special Envoy, Martti Ahtisaari, the aim of which was to finally resolve the status issue by defining 'the provisions necessary for a future Kosovo that is viable, sustainable and stable'.

Although the diplomatic talks led by Martti Ahtisaari over the final status of Kosovo proved that a consensual solution was impracticable, this document retains a central role in present-day Kosovo state-building, providing a blueprint for Kosovo institutional arrangements.<sup>5</sup>

Faced with no progress on negotiations in sight, the Parliamentary Assembly of Kosovo decided unilaterally and unanimously to proclaim the Republic of Kosovo. The regulated nature of the declaration of independence is apparent in Article 1 (PISG 2008) where the 'democratically elected leaders of [Kosovo] people' reassure their international sponsors that '[the] declaration reflects the will of our people and [it] is in full accordance with the recommendations of UN Special Envoy Martti Ahtisaari and his Comprehensive Proposal for the Kosovo Status Settlement'.<sup>6</sup>

The Ahtissari Plan is therefore an authoritative source for understanding the model of statehood endorsed by the international community. Article 1 (General principles) and Article 2 (Human rights and fundamental freedoms), in particular, list the core and non-negotiable traits of the new state. Among them, Kosovo shall 'be a multi-ethnic society' (Art. 1.1); 'be based upon the equality of all citizens and respect for the highest level of internationally recognized human rights and fundamental freedoms, as well as the promotion and protection of the rights and contributions of all its Communities and their members' (Art 1.2); and 'have its own, distinct,

national symbols, including a flag, seal and anthem, reflecting its multi-ethnic character' (Art 1.7).

The emphasis on the protection of human and minority rights, and the recognition of the value of multiculturalism, make Kosovo a product and an example of the global diffusion of two interconnected phenomena: the increasing internationalisation of the state–minority relations and the spread of multiculturalism as a new framework for reforming these relations (Kymlicka 2007). These phenomena are 'fundamentally reshaping the traditional conceptions of state sovereignty, nationhood, and citizenship' (2007: 4). The major players behind these transformations are international organisations that exercise a significant degree of 'autonomy' from their main donors (i.e. the Western liberal states) in developing conceptual and narrative frameworks which are employed to describe 'problems' and define what 'solutions' are acceptable for them (Kymlicka 2007). However, despite the significance of such ongoing transformations, little is known about the potential benefits and unintended consequences of these trends for the potential 'beneficiaries' (cf. Cowan *et al.* 2001). The case of Kosovo offers some insights into the impact of the multicultural model of statehood championed by the international community on the experiences of 'forgotten' minority communities like the Roma, Ashkali and Egyptians and their community leaders.

Since the end of the war, in parallel to the process of consolidation of the structures and institutions of the multicultural state illustrated above, the Kosovo Albanian leadership has been engaged in imagining and consolidating the ideological foundations of the new state, seeking to accommodate two diverging visions of statehood: the multicultural one championed by its international sponsors, and an idea of state rooted in the nationalist tradition of the identification of nation and state (Vickers 1998).

In this process of accommodation, the Kosovo Albanian leadership, like the other nationalist ruling elites that emerged from the dissolution of Yugoslavia, has had to address the same dilemma Tito tried to answer with the notion of 'Yugoslavism' and encapsulated in the motto of 'brotherhood and unity':<sup>7</sup> that is, how to unite a territory where different peoples have lived together for centuries under Ottoman rule (see Hirschon 2003), and how to foster their identification with the state. The experience of the countries born from the dissolution of Yugoslavia has confirmed how difficult it is for nationalist élites, who have employed a number of more or less violent homogenising strategies to achieve 'core group cohesion' (Mann 2001) and create and consolidate the tie between nation and state, to recognise and value the presence of ethnic minorities (Basic 2001).

To the international community, the return to Kosovo of war-displaced persons from Western Europe and neighbouring countries, and the non-migration of currently resident minority communities in the country, are essential to the sustainability of the idea of Kosovo as a 'multicultural state' to which the UN and the EU have devoted considerable human and financial resources over the last decade. To the Kosovo government, the return of displaced minorities and the continuous

presence of minorities in the area under its control are essential to the maintainance of international backing; however, they also pose potential security and demographic threats.

Following the declaration of independence, and due to the opposition of Russia and China, the UN Security Council 'was unable to provide guidance' on the reconfiguration of UNMIK's mandate for several months. Eventually, in October 2008, the UN Secretary-General Ban Ki-moon intervened, instructing his Special Representative 'to move forward with the reconfiguration of UNMIK . . . in order to adapt UNMIK to a changed reality and address current and emerging operational requirements in Kosovo' (UN Security Council 2008: 2).

The decision put an end to months of uncertainty, as it enabled the formal deployment of the EU Rule of Law Mission in Kosovo (EULEX) and the International Civilian Office (for an analysis of the institutional transition after the declaration of independence, see Sigona 2008). EULEX's mandate is 'to assist and support the Kosovo authorities in the rule of law area, specifically in the police, judiciary and customs areas' (EULEX 2008). The mandate of the International Civilian Office/EU Special Representative is to 'ensure full implementation of Kosovo's status settlement and support Kosovo's European integration' (ICO/EUSR 2008).

For Stevens, in the period since the declaration of independence, 'the actions of the new Kosovo authorities and the international community have created uncertainty and confusion, with increasingly complex, multi-layered executive governance structures' whose mandates are 'interrelated yet conflicting' (Stevens 2009: 3).

Despite the declaration of independence, which sets the borders of the new republic to coincide with those of the Serbian province of Kosovo-Metodja,<sup>8</sup> the Kosovo authorities, like UNMIK previously, are not yet in full control of the entire territory of the Republic of Kosovo. In particular, the northern part of Mitrovica and the northern municipalities are to date *de facto* incorporated into Serbia, which runs public services, courts, schools and police, and holds local elections. Likewise, in a number of enclaves with a higher concentration of ethnic Serbs in the southern part of Kosovo, the Serbian administration, directly answering to Belgrade, has also been maintained. UNMIK and the Kosovo government have never accepted these Serbia-controlled structures, which have operated in parallel to the UNMIK administration since 1999 (OSCE and UNMIK 2003).<sup>9</sup>

Present-day Kosovo is still a territory marked by enclosed spaces, and visible and invisible fault lines. Walls, barbed wire and checkpoints define which spaces are accessible to which people, according to their ethnic affiliation. KFOR forces still patrol access to minority enclaves and IDP camps, inhabited by those who never left the country or those who 'voluntarily' repatriated from countries of asylum, but could not return to their homes. For Baldwin,

Nowhere in Europe is there such segregation as Kosovo. Thousands of people are still displaced and in camps. Nowhere else are there so many 'ethnically pure' towns and villages scattered across such a small province. Nowhere is there such a level of

fear for so many minorities that they will be harassed simply for who they are. And perhaps nowhere else in Europe is at such a high risk of ethnic cleansing occurring in the near future—or even a risk of genocide (Baldwin 2006: 24).

As the ethnographic material discussed later will illustrate, ethnic categorisations are inscribed in the experience of everyday life of ordinary Kosovans. They define the social, political and geographical boundaries in which individuals can operate and, in turn, are reified by those experiences. In present-day Kosovo, the individual exists primarily as a member of an ethnic group and his/her experience is incorporated, but at the same time silenced, in the generic ethnic collective (Sacchetto 2004). Ethnicity, Rahola (2003) has noticed, has become the dominant discursive order, if not the only possible one.

### **RAE Stayees and Diaspora: A Background**

Romani people have lived in Kosovo for centuries. Since the nineteenth century, as a result of the process of dissolution of the Ottoman Empire, they have been under pressure to assimilate and align themselves to one or other of the main ethnic groups laying nationalist claims to the territory (Mertus 1999).

Compressed between two parallel social and political systems, Romani communities adapted and adjusted, developing various, and sometimes diverging, strategies of survival. The creation and consolidation of relatively recent ethnic labels such as ‘Egyptians’ and ‘Ashkali’ has been interpreted by a number of scholars, although there are different opinions regarding the timing of these processes and the agency of those involved, as a response to these political pressures (see for example Galjus 1999; Marushiakova and Popov 2001; Sigona 2003, 2009).

These insights suggest that, rather than looking at the 1999 war in isolation, when ‘[Roma] loyalty was bid over in a conflict which tolerated no neutrality’ and ‘[Roma] were forced to choose a side in a conflict in which there was no Romani side’ (Cahn and Peric 1999: 6), it should be seen as part of a continuum in which periods of ethnic tensions and conflicts have been intercalated by periods of relative peace and cooperation (see Duijzings 1997, 2000).

There are an estimated 35,000 to 40,000 Roma, Ashkali and Egyptians currently residing in independent Kosovo, whilst about 100,000 live abroad. Around 45,000 to 50,000 Kosovo RAE live in Serbia (23,000 as registered IDPs), 35,000 are in Germany with *Duldung* status (i.e. temporary suspension of deportation) and around 10,000 live as refugees in Montenegro, Macedonia and Bosnia Herzegovina. An uncounted number live as refugees, illegal migrants or migrant workers all over Western Europe.

Though emigration from Kosovo started in the late 1970s when many Yugoslav citizens sought better employment and life opportunities abroad, the mass exodus of Roma, Ashkali and Egyptians occurred between 1998, when the conflict between the Kosovo Liberation Army (KLA) and the Yugoslav army and paramilitaries intensified, and 1999—during and after the NATO bombings—when hundreds of Kosovans of

RAE ethnicity were killed or went missing, houses were burnt down or illegally occupied by returning ethnic Albanians, and entire neighbourhoods were swept away.

All available social and economic indicators underline the severely disadvantaged position of RAE in Kosovan society today. The UNDP Human Development Report (2004) reveals that *per capita* income for the RAE population amounts to about one third of that of the rest of the population, with 36 per cent living in conditions of extreme poverty (i.e. on less than US\$1 a day) and almost 60 per cent unemployed. Moreover, if employed, Roma, Ashkali and Egyptians occupy primarily lower-level positions. The livelihoods of a significant number of RAE families depend upon the remittances of the RAE diaspora and are therefore threatened by the policy of mass return initiated by some EU member-states, in particular Germany. Of particular concern is the situation in the education sector (UNDP 2006), with the percentage of illiterate RAE persons well above the rest of the population, a situation which has been deteriorating in the last 15 years as a result of political instability and war.

At the end of 2009, voluntary minority returns remain low, with 1,153 individuals returning from displacement in and outside Kosovo. At the same time, a total of 2,962 individuals were forcibly returned (UN Security Council 2010).

### **RAE Leadership Between Competing Visions and Agendas**

What people think about their situation, and what they tell you about their experiences, is a result of various processes, of different personal histories, personalities, opinions, positions, and expectations that all intersect (Cederberg 2005: 81).

Echoing Anthias' argument (2002: 511) that interview narratives 'are produced in relation to socially available and hegemonic discourses and practices', Cederberg's investigation of everyday racism in Sweden locates the narratives of migration officers and asylum-seekers in a complex web of intersecting discourses and practices, which provides a valid antidote against the tendency in much life-histories-based research to 'naturalise' interview data (Briggs 2003: 247). To escape what Bourdieu termed the 'biographical illusion' (1994), RAE leaders' accounts will be analysed bearing in mind that they are produced in situated encounters in which the meanings of questions and responses are grounded both in the immediate context of the interviewer–interviewee relation (Clifford and Marcus 1986), as well as in the broader context determined by interviewee positionality—politically, socially and even geographically.

The discussion is structured around three interrelated themes. Initially, I present RAE leaders' views on the appearance and consolidation of the acronym RAE and discuss issues of positionality *vis-à-vis* Kosovo and Serbian authorities. I show how, caught in-between multiple and conflicting political agendas, they come to define different responses and strategies suitable for coping with the uncertainty and insecurity shaping present-day Kosovo. Subsequently, I explore how respondents

negotiate their role in relation to the international community and their attitudes towards the human-rights discourse. Finally, I focus on the development of Kosovo's strategies of integration and return for RAE minorities and point to the different agendas and interests involved.

### *Labelling, Power Relations and Positionality*

An Egyptian interviewee working as community officer for a local authority with a high concentration of Egyptians, and politically active in his community, explains the origin of the acronym RAE, the motivation behind international organisations' practice of clustering Roma, Ashkali and Egyptians in one group,<sup>10</sup> and how the label succeeded in becoming established among Roma, Ashkali and Egyptian leaders, if not among ordinary people.

It was OSCE and Soros [KFOS]<sup>11</sup> who initiated this RAE thing. They had their own strategic goals. RAE political leaders had some other goals. So basically no one asked our people about this initiative. All of them were looking for their own interests. With the 'Roma Decade',<sup>12</sup> there is lots of money for Roma people; now, how can everyone get a piece of cake? They [RAE political leaders] were offered some but with one condition, and the condition was that they accept the term RAE. If you ask why OSCE and Soros did it, I believe they wanted us united against the majority and other minority communities so we could create a bigger number.

The prospect of accessing the funding available for the 'Decade of Roma Inclusion 2005–2015' is alluring and the use of the RAE label does not seem to pose a threat to the self-identification of the Egyptian interviewee:

Soon you realise that you will get a piece of meat there, not a piece of bone [...] Personally, I do not lose my identity [by working with RAE]. I have nothing against you because you are Roma and you speak Romani language. I can cooperate with you in all spheres but I cannot become you (Egyptian community officer and political leader).

Instead, for an Ashkali interviewee in charge of a pan-RAE organisation, the current RAE label corresponds to the term 'gypsies' employed by the Albanian majority to refer collectively to the three communities. He also explains that the similar social and economic disadvantages facing these communities is his motivation for embracing the RAE label:

The international community put us in one group, as Albanians used to call us 'gypsy'. But why am I working for these three communities? Because we have similar problems—education, employment, many things.

Interviewees also noticed that the availability of international funding for initiatives under the RAE umbrella has also incentivised the proliferation of purpose-built organisations, and sometimes the same individuals run more than one organisation.

It was also pointed out that these organisations are frequently one-person enterprises and short-lived, disappearing as soon as the particular funding terminates.

Within what a respondent termed ‘a planned scenario’, in which the smaller minorities do not seem to have the power and resources to challenge the rules of the game and have to play along if they want a share of the limited resources available, Albanian-speaking Ashkali and Egyptian minorities seem better positioned and more positive than the Roma—traditionally closer to the Serbian community.

This is a planned scenario. No matter what the communities decide, some actions are not possible to implement, because the scenario is planned and it has to be done according to its rules. [...] What is the most important is that our people are tired of everything and because of this they are ready to cooperate even with the devil just to improve the economic situation (Egyptian political leader).

However, I encountered some significant differences also among the Roma leaders. Their responses can be clustered in three groups: among those based in northern Kosovo, in areas under the direct control of Serbia, there was a tendency to express more-critical views towards the Albanian-speaking Kosovo authorities; for those living in enclaves spread throughout the rest of Kosovo who were subject to different authorities—the international community, the Kosovo government attempting to reclaim the territory from Serbia and the Serb authorities keen to show the poor record of the Kosovo government on minority protection—a ‘wait-and-see’ approach was more common; and, finally, among those Roma living in closer contact with the Albanian majority, the leadership appeared more keen to create better cooperation with the new government.

The discussion over the unilateral declaration of independence provided an opportunity for these differences to come up in the interviews. In particular, the Roma leaders living in enclaves were very critical of the decision of the Roma-appointed Member of Parliament to publicly support the declaration of independence. A Roma civil-society activist living in an ethnic-Serb enclave captures the different interests and positions among the Roma:

I believe neutrality does not exist. You have to take a side whether you want to or not, indirectly or directly. The Roma MP took the decision to declare that Kosovo Roma support the independence of Kosovo. Such a display of loyalty contributes to earning points for the Roma who live with the Albanians. But Kosovo is a mixed community; we also have Roma living with Serbs. It is an obvious question to ask: What will happen to those Roma who live with Serbs in the enclaves or in the north of Kosovo? You get the opposite position, so neutrality does not exist.

For civil-society activists to work for their communities in such a complex and uncertain political environment is a challenge. A number of interviewees mentioned

the psychological pressure they are under: 'All these tensions are making me crazy' are the words of a Roma respondent, who further explains:

Especially now, after independence, life in Kosovo is hard; you must be careful what you are saying, not to be too critical because there are lots of enemies, lots of groups, lots of gangs, and you must be careful. For RAE, political participation maybe in the near future will be better but now we are watching and seeing what will happen (Roma activist, leading a community-based organisation).

To define a common denominator for their action and an agenda that would suit the needs and different political circumstances of the RAE communities in Kosovo is also a challenging task. As the following interviewee illustrates, an agenda focused on rights and achieving 'better living conditions' and 'normal standards', rather than political participation, may allow RAE to maintain a certain distance from Albanian and Serb sides, ensure the protective backing of the international community and bring some advantages in the short term.

Roma civil society was always pushing some kind of position which was claiming, sometimes artificially, sometimes not, to be neutral. This means putting forward an agenda focused only on rights, improving living conditions, achieving normal standards of living and those kinds of things.

#### *International Organisations and Human-Rights Discourse and Practice*

We have neither a state nor a lobby behind us, but we trusted the internationals when they came in 1999. We thought: 'They are human-rights activists. They will improve our human-rights situation' (Roma activist collaborating with international NGOs and community organisations).

The relationship with the 'internationals', a label that conflates both UN and international NGO workers involved in the RAE issue, is complex. In the accounts of RAE leaders, the 'internationals' are often seen as tactical allies, those who can ensure protection when the tension between Albanians and Serbs becomes unbearable, as well as the means for survival for destitute community members and their own families. In parallel, the memory of the NATO bombing surfaces often, especially in the interviews with Roma leaders, as a reason for scepticism and distrust toward the international community and its commitment, as the following quote illustrates:

NATO bombed Yugoslavia in 1999 because of the brutal human-rights violations against ethnic Albanians. I have asked international experts on human rights a million times: 'Why are they not bombing Kosovo *now*, given the human-rights violations against Roma?' (Roma activist, living in a Serb enclave).

Indeed, the arrival of the 'internationals' went hand-in-hand with the establishment of what Douzinas terms the 'cosmopolitan law' (2007) and its apparatus. A new vocabulary of 'human rights' began to penetrate into Kosovo, with hundreds of

mainly English-speaking aid-workers, soldiers and diplomats, as soon as the NATO bombs on Serbia ceased to fall. The following account from a Roma leader captures the novelty of the human-rights discourse which, while charming and attractive ('shiny', according to a Roma activist), is also obscure in its rules and protocols. This is a new language that is difficult to master for RAE leaders, and even more for the communities they are meant to represent and for whom they have to translate it.

When the internationals came here in 1999 and they started to talk about human rights, we had never heard about them but they were shiny and we said 'Ok, we like them'. [...] But if you have lived in the jungle for 40 years, and now you wear a suit and a tie and fly to New York, you can't survive there because you don't know the rules of the game (Roma activist collaborating with international NGOs and community organisations).

However, the absence of human rights as the overarching discursive frame before 1999 does not mean that the situation of RAE communities in Kosovo was worse then. For a number of interviewees, while the pre-Milošević era was nostalgically evoked as a time of cultural, social and economic development for Romani communities, the 1990s were, instead, a decade of transition in which the surge of nationalist tensions gradually transformed the relationship between ethnic groups. The nostalgia for the pre-Milošević era is captured in the following quote from a Roma community leader living in an IDP camp in northern Kosovo. While we spoke in the common room of the IDP camp main building, an old photo of Marshall Tito (1892–1980) in white and navy uniform oversaw the interview.

I like the Socialist era because it was a time when everyone was equal and had equal rights and you didn't think much about differences.

This quote echoes a point raised by a number of respondents—that nowadays there seems to be a lot of emphasis on ethnic-based differences. Interviewees pointed out how this can, at times, foster hostility towards the RAE communities, as they are perceived as separated entities in the new Kosovo. A corollary to the compartmentalisation of RAE in a human- and minority-rights discursive and policy frame is their *de facto* exclusion from citizenry, with the Kosovo authorities feeling legitimised in not treating RAE as Kosovo citizens and political subjects, but rather as an issue for the international community to deal with.<sup>13</sup> An Egyptian community leader explains:

We are not afraid, as a minority, to ask the Albanians for our rights but, in general, there is too much mentioning of minorities. We do not want to raise a lot of noise around us in order to prevent future conflicts.

Two processes seem to operate in parallel: the racialisation of the political realm which marginalises other forms of political and social affiliation and belonging (cf. Guglielmo and Waters 2005; Kováts 2003; Sigona and Trehan 2011); and the

displacement of politics through the language of rights, where rights and entitlements are imposed upon subjects and local institutions from above (i.e. the international community) rather than emerging from the political engagement and mobilisation of local political actors (cf. Cowan *et al.* 2001; Douzinas 2007).

Relying on the ‘international community’ to push for a rights-based agenda for RAE communities may not bring about the desired outcomes for the formal ‘beneficiaries’. As some interviewees pointed out, organisational accountability, even when adequate monitoring systems are in operation (which is not always the case), cannot fill the gap in democratic legitimacy and substitute political dialectics and participation.

People who have been voted in and elected as representatives know that they must do a good job in order to get another mandate and that, if they don’t do so, they will fail in the next election. The international mission here is not based on that; many people come and go, and there are new faces each time. They don’t care about an electoral mandate and votes. They care only about their organisation’s agenda and their own jobs (Roma activist collaborating with international NGOs and community organisations).

Besides the deficit of democratic legitimacy, this quote also points to another important aspect, namely the way international organisations operate concretely in order to fulfil their mandates. During fieldwork, I came across many ‘internationals’ working on the Roma issue. Meetings, roundtables and conferences addressing various aspects of the issue, but at times just duplicating each other, were organised almost on a daily basis. Echoing Stevens’ initial remark on the administrative confusion dominating the post-independence transition, two aspects were singled out in conversations with RAE leaders and international workers as problematic: the duplication of agencies and the lack of clarity in agencies’ mandates, and the high turnover of personnel and its impact on organisational knowledge. This is vividly captured in the following quote from a Roma activist who, thanks to his extensive contacts in the RAE communities and his fluency in English, had assisted several international agencies:

Many times I feel like a teacher, it’s like all these internationals come and work for some time, graduate and leave, generation after generation. [...] It takes six months to learn the work of their predecessor. Then they perform for another six months and move on.

### *Integration and Return: Exploring the Distance Between Discourse, Policy and Practice*

This independence, while young, is irreversible, and critically important to this region’s stability—and progress. The United States is committed to a democratic, multiethnic, independent Kosovo (Joe Biden, Vice President of the United States of America, press statement, 19 May 2009).

As mentioned earlier, the return to Kosovo of war-displaced persons and the immobility of resident minority communities in the country are two central requisites for preserving the idea of Kosovo as a 'democratic, secular and multi-ethnic republic' (Kosovo Assembly 2008: 2) in which the UN and the EU have invested considerable human and financial resources and political capital over the last decade. It is therefore not surprising that significant pressure has been exercised by the international community (in particular the USA, OSCE, EU, UNHCR and KFOS) on the Kosovo government to develop national strategies and action plans to promote and facilitate the return of war-displaced Kosovars and the integration of resident ethnic minorities in Kosovo (Kosovo Assembly 2008; UNMIK and PISG 2007). It is perhaps too early to assess the implementation of these strategies and the impact of the bilateral agreement that Kosovo and Germany signed in April 2010 to secure the return of 14,000 Kosovo-born displaced persons, mainly RAE, who have been living in Germany with '*Duldung* status' for several years. Nonetheless, the views, concerns and warnings raised by RAE leaders during my fieldwork in Kosovo, and the insights I gathered through my involvement as technical expert in the finalisation of the 'Strategy for the Integration of Roma, Ashkali and Egyptians in the Republic of Kosovo' (Office of the Prime Minister of Kosovo 2008), may contribute to the identification of issues which deserve specific attention.<sup>14</sup>

In particular, by looking more closely at the issues of integration and return, I explore three aspects of the relationship between 'internationals', local government and RAE communities discussed earlier, namely the distance between formal and substantial commitment to the official policy goals by the Kosovo authorities, the way in which conditions on the ground affect RAE communities' political positioning, and the unintended consequences of the international community-induced trend to ethnicise political dialectics and its potentially disempowering effects on minority communities. I then conclude by briefly discussing the attitude of RAE leaders towards the RAE diaspora and how this plays out in current initiatives on return.

To many interviewees, the initiatives carried out by the Kosovo government on integration and return, and in particular the 'Strategy of Integration', seem like 'window-dressing exercises' aimed at pleasing the international community.

Integration to me means dignity, but to the authorities it is just another condition to tick on their list (Roma activist, Serb-controlled enclave).

Moreover, they pointed out that, by existing only on paper, these initiatives risk further penalising those they are meant to protect. In the following quote, a Roma community leader living in an IDP camp in a northern municipality explains his opposition to the strategy of integration.

Kosovo is a country that has a long way to go before we can talk of integration. I can still smell the war. People are still afraid and we still have problems on the ground. This is why I am against this strategy. Creating a good document when there is still discrimination, torture, still IDP camps, people beaten, missing

persons<sup>15</sup>—OK, we need a law to fix these problems but again you need to be in the field sometime, not up in the air and dreaming. You need to see the actual reality, what the real needs are.

An Egyptian community leader who had been very active in the consultation process for the strategy on RAE integration emphasises the distance between how the strategy looks on paper and its actual implementation, and warns of the risks of ethnicising social policy for those who should benefit from it.

The strategy itself is great. But there is a problem because, if someone accuses you that you have eaten a cake you must have some cake on your face because you have eaten a cake and that is the problem. We are accused that we have eaten a cake, but we didn't eat the cake and we have no dirty face by the cake. That's where danger can come to RAE, because majority community here is sick and tired of hearing that all funds goes to RAE, and we will eventually be accused by them that we had a chance with all these funds but we actually didn't achieve anything.

Another potential risk is pointed out by an Ashkali NGO officer who emphasises how, in order to produce positive results, a strategy of integration should more effectively take into account local specificities and ethnic relations.

The government must be careful and should prevent conflicts, because people in the government and in NGOs should know one very important point, and they do not pay attention at all to that. They should bear in mind that the municipalities in Kosovo are not the same—99 per cent of population in Gjakova are Albanians, and 1 per cent is Egyptians and for sure we do not want to confront Albanians but we want to live together with Albanians, there are some municipalities where there is 50 per cent minority and 50 per cent majority, in these cases we can 'fight' even.

The following statement on the situation in Kosovo shows how the scepticism of RAE leaders is grounded in reality. It helps to explain why so many Roma from the enclaves and the northern municipalities felt disenfranchised from engagement in the policy process and, in some cases, opted to openly boycott the strategy as a way of retaining some freedom to act as watchdogs.

The absence of significant progress in reconciliation between the communities, coupled with economic difficulties, continues to present a challenge and to foster the risk of unrest (Lamberto Zannier, UN Special Representative for Kosovo in UN Security Council 2010: 10).

Meanwhile, among 'internationals', the decision not to take part in the consultation process was often taken as evidence of RAE lack of will to engage in politics, failing to appreciate the complexity and fluidity of RAE circumstances in current Kosovo.

The issue of return is another heavily politicised terrain; decisions over returning people to Kosovo and re-integrating them or—in the case of children—integrating

them for the first time, into society intersect different political agendas and interests. The guiding principle for any return operation is established in UN Resolution 1244, UNMIK Regulation 2001/9 (15 May 2001) and in the Constitutional Charter (Republic of Kosovo 2008) that guarantee the right of all refugees and displaced persons from Kosovo 'to return to their homes, and to recover their property and personal possessions' and states that 'the competent institutions and organs in Kosovo shall take all measures necessary to facilitate the safe return of refugees and displaced persons to Kosovo' (UN Security Council 2007, Art. 4).

For local RAE communities, the (forced) return of minority IDPs and forced migrants not only puts at risk one of their main sources of income, but also increases competition in an already limited job market and poorly resourced welfare system. Moreover, as a result of return, the demographic quota of RAE would increase and this can potentially become a source of ethnic tension with the Albanian majority. The risk of instability is also acknowledged in the integration strategy (Office of the Prime Minister of Kosovo 2008: 47), where it is stated that 'a mass-scale return from Western Europe and other host countries would overburden the capacities of both the Kosovo society and politics, and of the receiving communities'. RAE leaders, therefore, feel they have the right to be consulted on this matter, as a Roma activist explains:

Several times, Roma NGOs and activists have sent requests and asked for information trying to work for their own community. But they are stopped by international NGOs which see them either as tools or numbers.

However, other interviewees notice that, as Kosovo-based RAE, their legitimacy to speak for the RAE diaspora is limited, and even more importantly, the needs, interests and priorities, as well as the strategy to achieve them, of RAE living in Kosovo may be different from those of the diaspora. In the following quotes, two RAE leaders illustrate the dilemma they face in addressing the issue of return:

For us, as Romani civil society, this is a big problem because the majority of these people [RAE abroad] are living in Western Europe, and we cannot and have no mandate to work on their return because they want to stay where they are (Roma activist working in Pristina).

Most of the RAE who are living in Europe still blame the Albanians because they were kicked out of their houses. RAE who live and work in Kosovo now see things differently and have to work in the interest of those living here (Ashkali NGO worker).

Once in the country, the experiences of returnees vary and are also affected by the different approaches and resources allocated by EU states to resettlement assistance. However, the general picture that emerged from my fieldwork is of a situation of

extreme marginalisation and a lack of adequate resources for returnees. A Roma NGO worker based in a Serb enclave explains:

[The returnees] are lost. First of all they don't have a house. I mean they don't know where to go; they go to their families who are already in very bad conditions. So, just imagine the situation if another six people come to your family. There is going to be a kill.

## Conclusion

Cosmopolitan law has always started as a critique of the injustices of the local and has often finished as the ideology of empire (Douzinas 2007: viii).

This paper has framed the migration and return of RAE people in the broader context of Kosovo state-building and the current attempt—by the Kosovo government, the EU mission (EULEX) and other international agencies—to consolidate the post-independence institutions. Drawing on the narratives of RAE leaders, it has problematised the policy and practice of international agencies and explored how these can impact both on ethnic relations and on long-term peace on the ground. The issues of integration and return to Kosovo of RAE people have been employed as a testing ground for the multicultural model of statehood backed by the international community.

Operating as mediators and translators (both literally and figuratively) between the diverging interests of different political actors and the RAE communities, RAE leaders find themselves under tremendous pressure. The ways in which they position themselves in current debates on integration and return, and perform their roles, are the result of the intersection of a number of factors and should be interpreted within the broader political context of post-conflict Kosovo.

Championing an approach to RAE integration predominantly based on a minority- and human-rights discourse and which pays little attention to the demography and history of villages and towns, the 'internationals' can contribute to the alienation of RAE minorities from mainstream Kosovo society and their marginalisation from the political process. An unwanted consequence of this approach is that Kosovo local and national authorities can derogate their responsibility towards this group of citizens and imagine them as outside the political community.

The current integration strategy for RAE, despite the rhetoric of participation, is essentially detached from reality. It talks of an abstract integration, and does not adequately acknowledge the diversity of circumstances and histories in Kosovo, and the need to build trust after the trauma of war. It compartmentalises the issue of integration and treats RAE as a separate entity up to the point where it is unclear into what the RAE are expected to integrate.

For RAE leaders, therefore, adopting the vocabulary of the international community does not come without a cost. However, they are also aware that their

status in Kosovo makes it difficult, if not impossible, for them to challenge the dominant discourse. Moreover, embracing the minority- and human-rights discourse enables them to gain access to social and economic resources otherwise out of their reach, but it also puts them in a difficult position in relation to their own community, which cannot access these resources.

## Notes

- [1] This includes a range of social actors: from civil-society activists and political representatives, to minority officers in local and central authorities, and international organisations, artists and intellectuals. A mapping exercise I conducted as part of my research counted over 50 key RAE individuals spread all over Kosovo. Interviewees were sampled in order to ensure these different constituencies were represented, and interviews were conducted with the support of two Romani research assistants in English, Albanian, Romanes and Serbian.
- [2] In Kosovo the Romani community is subdivided into Roma, Ashkali and Egyptians—RAE in the jargon of international organisations. For a discussion of the history of Romani communities in Yugoslavia, see Crowe (1996). See Duijzings (1997, 2000), Marushiakova and Popov (2001) and Trubeta (2005) for analyses of the ethnogenesis of the Balkan Egyptians.
- [3] The emphasis on ‘official’ and ‘parallel’ is to stress the still-contested nature of the institutional arrangements governing the territory of Kosovo.
- [4] In his latest periodic report to the Secretary General, the Special Envoy explains that ‘The absence of significant progress in reconciliation between the communities, coupled with economic difficulties, continues to present a challenge and to foster the risk of unrest. I am deeply concerned about the continuing harassment of Kosovo Serb returnees [...] and that the overall numbers of returns remains disappointingly low’ (UN Security Council 2010: 10).
- [5] The binding nature of the Ahtisaari report is encapsulated in Art 1, Annex 1 of the Settlement, where it is categorically stated ‘In case of conflict between the Constitution and the Settlement, the Settlement will prevail’.
- [6] As D’Aspremont points out with reference to the Kosovo Status Settlement, ‘The regulation of statehood [...] is not a new occurrence’ (2007: 658). Regulating statehood in the Balkan region has a long history which dates back to the Congress of Berlin in 1878.
- [7] The idea of Yugoslavia predates Tito. It emerged in the romantic liberation movements of the nineteenth century where a variety of political projects, ‘ranging from monocultural nation-state, to multicultural territorial-state-building experiments’ competed for hegemony (Sofos 1996: 251; see also Denich 1993; Ramet 2005).
- [8] See Dietrich (2010) for a discussion of the legitimacy of Kosovo’s unilateral declaration of independence and, in particular, with reference to the decision over the borders of the new state. The recent advisory opinion by the International Court of Justice (ICJ) (22 July 2010: <http://www.icj-cij.org/docket/files/141/15987.pdf>), while sanctioning that international law contains ‘no applicable prohibition of declarations of independence’, has left unsolved the issue of the legitimacy of the state born out of the declaration (see Bancroft 2009).
- [9] However, it should be mentioned that parallel structures are not a novelty in Kosovo recent history. In fact, since the 1980s, the ethnic Albanian population responded to the severe limitation of autonomy that was sanctioned in the 1974 Yugoslav Constitution by organising a parallel state-like administration and withdrawing from the Serbian-dominated public sphere (Devic 2006; Mertus 1999).

- [10] This vision has also informed the decision over the design of the flag of Kosovo in which RAE collectively account for one of the seven stars representing the ethnic groups of Kosovo (Albanians, Serbs, Bosniaks, Croats, Gorani, Turks and RAE).
- [11] The Kosovo Foundation for Open Society is a non-governmental organisation based in Kosovo and part of the international network of philanthropic foundations financed by George Soros, see <http://kfosweb.info/>
- [12] See <http://www.romadecade.org/>
- [13] A valid indication of the actual commitment of the Kosovo government to the 'multicultural model' formally endorsed in a number of laws and national strategies could come from an analysis of the financial resources allocated to the implementation of these laws. At the time of my research, the Kosovo government resisted any commitment to allocate resources from its own budget (*contra* see the Montenegro Strategy) and expected instead that the resources would be raised through an international donor conference.
- [14] As stated in a recent report of the UN Special Representative to the UN Security Council, only four municipalities in Kosovo are currently in the process of developing their return strategies for 2010. It should be noted that only 19 municipalities adopted return strategies in 2009 (UN Security Council, S/2010/401).
- [15] ICRC has estimated that, as of 24 November 2011, 1,799 individuals were still missing across Kosovo (ICRC 2011).

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