

Based on the Article 45, Act 1 of the Government law (*Official Journal of the Republic of Serbia No. 55/05,71/05-correction, 101/07 and 65/08*),

The Government promulgates:

THE STRATEGY OF RETURNEES' REINTEGRATION BASED ON THE READMISSION AGREEMENT

BASICS

After putting the Republic of Serbia on the list of the so-called safe countries, the issue of readmission has gained political weight. At the same time Republic of Serbia is first on the list of countries of origin for asylum seekers in Western Europe. This situation, based upon the readmission agreement, opens new opportunity of return for more than 100 000 persons.

Accepting these persons demands urgent resolving of the issues concerning provision of efficient and high quality returnees' protection.

A great drawback in research and creating recommendations for returnees' reintegration is lack of precise data on returnees' number and structure. Lack of data is also a problem when it comes to unbiased assessment of returnees' endangerment and evaluation of number and structure of vulnerable groups. The ministry of internal affairs is keeping record only of the regression process of the persons whose return was previously announced by foreign authorities. Some organizations such as IOM (International Organization for Migration) that conducts the program of one-time financial support for the returnees have their own, but incomplete data.¹ According to assessments made by the Council of Europe somewhere between 50 000 and 100 000 people is going to be returned from the countries of the European Union, most of them being Roma, mainly from Germany.

We are especially pointing out the fact that the issue of Roma return (majority of returnees are Roma), in the process of the future implementation of this strategy, cannot be seen separately from ameliorating their overall position in the Republic of Serbia. In order for the returnees' reintegration strategy, based on readmission agreement (hereinafter referred to as the "Strategy") to be implemented, it has to be compatible with other relevant strategies and documents, first of all with the Poverty reduction strategy, as well as with adopted national action plans. In accordance to that, strategy recommends measures and activities, during whose realisation conditions will be made, systematically and organisationally, for urgent admittance and sustainable integration of returnees. In order to formulate recommended measures for efficient reintegration of returnees while developing the draft strategy we used existing international and local legislation and strategic documentation. Implementation of readmission agreement represents the execution of multilateral and bilateral obligatory agreements between the agreeing states and comprehends the admission of great number of persons who are

¹ German Government program GARP, conducted by IOM, started in year 2000 and by the end of 2004 total of 11 131 persons received this kind of support. Regarding their nationality, 63,37 % of them declared as Roma, 19,02% as Bosnian Muslims, and 10,93% as Serbs.

citizens of the Republic of Serbia and persons who came to the member states of the European Union from the territory of the Republic of Serbia. Hitherto activities in the area of implementing the returnees' reintegration process were without systematic and coordinated approach by the line ministries, other public bodies, as well as without sufficient cooperation with local self-government units. As the Republic of Serbia obtained new, very clear international obligations, emerged the need to organisationally, and systematically, including the change in personnel, rearrange the activities for resolving returnees' multiple problems, so that the strategy with recommended measures represents a document which in a specific way deals with the process of resolving those problems. Based on documents adopted by now, as well as on other available information regarding the return, priorities for several areas have been determined: issuing ID papers, resolving the problem of placement, creating hiring opportunities and approach to other rights, such as right to health insurance, social and legal-family protection, right to an education, etc. For a sustainable and permanent return of people there has to be collaboration between the country of origin and the country of future residence. The lack of coordination and exchange of information between Serbia and countries returning the persons in question is the main obstacle for registration of these persons and determining the state of need these persons are in.

I READMISSION AND MIGRATIONS IN CENTRAL AND SOUTHEAST EUROPE

The countries in this region, which are about to become full members of the European Union have the obligation to comply with the standards regarding the issue of migration policy, and by signing bilateral and multilateral agreements on readmission they are showing, amongst other things, their willingness to control the migration flows on their territories.

Socio-economic stabilization along with factors in foreign politics, such as approaching to Euro Atlantic integrations, led to the decrease in number of asylum seekers from the candidate states for the EU membership. Decreasing trend in Bulgaria, which is now a member of EU, is registered from 2002, and especially in Romania, also a member state of EU, who reduced this number in the period from 2003 to 2004 by 28%. Bulgaria has developed a very elaborate asylum system that became the referent system of admission and reintegration of asylum seekers, besides other categories of immigrants. Gradual improvement of socio-economic situation and stabilization in local politics influenced the decrease in number of asylum seekers in countries like Albania (which in the period from 2003 to 2004 showed trend of decrease in number of asylum seekers for the countries of Western Europe by 31%). One of the main problems for all the countries of this region has to do with readmission of vulnerable groups of returnees, especially Roma. Of all the countries in the region, Romania has the greatest experience in this aspect, mainly because of great number of members of this minority who sought asylum in Western Europe countries during the '90s. Violating these returnees' human rights along with great social distance from local population, during the period when Romania was a candidate for the EU membership, led to internal political problems giving the readmission a new dimension. The answer to this problem was of systematic and legal nature and included the educational and

informational programs for local population, public campaigns and measures for integration of these persons in order to prevent possible secondary migration. These states' experiences in the returnees' integration process are relevant for creating the process of returnees' integration in Republic of Serbia. Although the structure and the history of migrations are somewhat different comparing to Serbia, some of the problems, like those concerning reintegration of Roma minority in the process of readmission, are very alike. Integration measures defined for this category of people can serve as a standard in the process of creation of this strategy. It is of high importance to monitor the process of readmission in those states that are in different stages of becoming the members of EU. These experiences indicate trends that can develop in the Republic of Serbia as well, since we are getting closer and closer to European structures.

READMISSION IN COUNTRIES THAT USED TO BELONG TO THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA (SFRY)

Southeast Europe stability pact was created in 1999 in order to support programs of reform in the countries of this region. This pact, amongst other things establishes a framework of a dialog between the states about the human rights issue, their protection and improvement, the issue of illegal migration, collaboration in the field of economy and intensifies political and economic collaboration among the states. Because of the great number of emigrational movements toward Western Europe countries it is very important to support the joint migration policy in the region so one of the obligations that these countries have is to stop illegal migrations, involuntary displacement of population and its persecution.

In the countries of former SFRY the migration trend followed the course of war and socio-economic circumstances that developed from it. The countries with the highest percentage of asylum seekers were precisely the ones who suffered the most during the collapse of Yugoslavia as a republic. Bosnia and Herzegovina had a very sudden increase in number of asylum seekers in the countries of Western Europe (from only 20 asylum seekers in 1992 to 20 269 in 1993). This tendency continued in 1994 and by the end of war, in 1995, this number was 76 297.

The emersion of readmission wasn't such a big problem for Slovenia, Croatia and Macedonia. Slovenia, as the most developed country of these three, and being a member of EU, is signing the readmission agreements not as a country of origin but as a country of requested residence.

The decrease in number of asylum seekers also exists in FYR Macedonia, but these numbers hadn't been high before anyway. Croatia was the country of origin during the last decade of the 20th century but it has slowly become the country of requested residence.

According to the EU Recommendations, migration policy, along with integrated border management is one of the important elements in the process of joining the European Union.

Based on what has been said here, clearly there are differences among states regarding the issue of returnees' integration. The most valuable experiences are definitely the

ones from Bosnia and Herzegovina where the process of migrants' integration, including the problem of refugees and displaced persons, has reached high standards in the last few years.

Knowledge and experiences from this process can be used as a base for measures and programs of integration of other migration categories, including the returnees.

Cooperation with these countries is important for creating a coherent system of integration and migration control in this region.

II LEGAL FRAMEWORK FOR RESOLVING THE PROBLEM OF RETURNEES

1. INTERNATIONAL LAW

Ever since the first decades of the '80s, the readmission agreements were signed in order to send back the person who is residing without authorisation on the territory of one contracting party (state) to the territory of the other contracting party (state). However, readmission agreements underwent some changes in the last 20 years. These changes were result of new socio-economic and political circumstances on the European continent, of essential changes in relations of various international factors, as well as of sudden migratory movements in world, especially during the last decade of the 20th century.

1.1 The first generation of readmission agreements

The first generation of readmission agreements commences in the early '80s. Contracting parties (states) mainly agreed to accept their own citizens. Although this obligation to readmit their own citizens exists in international law, in practice the states were reluctant to readmit even their own citizens and they tried in every possible way to prevent the process of proving the returnee's identity.

1.2 Second generation of readmission agreements

At the beginning of '90s the migration policy and asylum policy in EU became more restrictive, so now the second generation of readmission agreements implies the readmission of persons who are not nationals of any of the member states but they have entered the territory of the contracting party (state) via territory of the other contracting party (state). Therefore, besides citizenship as a relevant point for return, this includes the place of last residence, or the territory of the state from which the person entered legally or illegally the territory of the other state.

1.3 international standards

Ratification of majority of international conventions on human rights clearly depicts our country's intention to show improvement in this area. International Covenant on economic, social and cultural rights, International Convention on the Elimination of all Forms of Racial Discrimination, International Covenant on civil and political rights, UN

convention on the rights of the child are all documents which influenced greatly in setting the bases for recommending this strategy measures.

2. NATIONAL LEGAL AND STRATEGIC FRAMEWORK

According to the Article 1 of the Constitution of the Republic of Serbia, Republic of Serbia is defined as a state of Serbian people and every other nation living in it, based on the reign of law and social justice, principles of civic democracy, human and minority rights and freedoms and respect of European principles and values.

The Constitution, the Law on social protection and social security of citizens, Law on financial support for families with children, Law on health care, Family law, Law on local self-government, Poverty reduction strategy, Social protection development strategy, National employment strategy for the period 2005-2010, National children action plan, millennium development goals, Law on basics of systems of education and upbringing, General protocol on protection of children from abuse and neglect, and of course, National program on Integration of the Republic of Serbia in the European Union; the measures of this strategy are in accordance with these documents.

Our country as a member of the Council of Europe, along with all other member states, promotes actively the social cohesion through achievement of following goals:

- Granting the adequate level of social protection;
- Ensuring the protection of vulnerable groups;
- Promoting equal opportunities for citizens;
- Prohibition of social exclusion and discrimination based on gender, religion or nationality;
- Enhancement of European cooperation in population migration processes;

2.1 Bilateral agreements

Having in mind the fact that one of the Serbia's main priorities in foreign policy is to enter the so-called "white Schengen list", the imperative is to stop illegal migrations, especially from our country, or from other countries by crossing our territory, toward other states of EU, states candidates for EU membership and other states at all. Therefore it is necessary not only to sign the readmission agreement with those states but also to tighten the visa regime for all the countries of Afro-Arabic and Asiatic complex in order to make the entrance of their citizens into our country more difficult, and in that way prevent the illegal transit and migration into European Union or other countries.

In order to achieve this goal, in the period between 1996 and 2007 Serbia signed and ratified 15 international agreements with 17 countries. 13 out of those 15 agreements were signed with an EU country, that is, with Germany, Sweden, Denmark, Italy, Belgium, Holland and Luxemburg (one agreement with the countries of Benelux, where

Serbia is one contracting party and the countries of Benelux the other), Austria, Slovakia, Bulgaria, France, Hungary and Slovenia. The two remaining agreements were signed with countries that are in the process of joining EU, those are Croatia and Bosnia and Herzegovina. We also signed agreements with Canada and Switzerland.

Besides these agreements, in 2005 we started the process of synchronization of our perspectives and signing readmission agreements with 12 countries, 9 of which are members of EU (Greece, Great Britain, Romania, Czech Republic, Portugal, Latvia, Lithuania, Spain and Poland) as well as with two states non-members of EU (Norway and Ukraine) and one country in the process of joining the EU (FYR Macedonia).

These activities ended on September 18, 2007 by signing the Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation and the Agreement between the European Community and the Republic of Serbia on facilitating visa procedures.

These agreements have two main purposes: the first one is to facilitate the procedures involving visa issuing, especially for certain categories of Serbian citizens, and the other one is to set clear rules in fighting against illegal migrations. When it comes to achieving this second goal the readmission agreement set out clear obligations and procedures that member states of EU and Serbia must follow and based on which all persons residing illegally on the territory of a member state are to be returned to their country of origin or the country from which they entered the territory of a member state.

According to readmission obligations of Serbia, it is expected from our country to speed up the implementation and application of adequate reforms in the area of justice, freedom and security, such as strengthening the reign of law, fighting against organized crime and corruption, empowering administrative capacities in the area of border control and documents safety. Special part of these obligations is the activity on admission and reintegration of persons returned according to this and other agreements.

Successful integration is not possible without uniform application of Joint statement on reintegration that goes with the Agreement on readmission of persons residing without authorisation between the European Community and the Republic of Serbia. With this statement both parties confirm their intention to make greater effort (financial and other) to support the process of social and economic reintegration of returnees.

Uniform application of Joint statement on reintegration by which both parties confirm their intention to make greater effort (financial and other) to support the process of effective, viable and efficient social and economic reintegration of returnees implies bigger financial support and other kind of help by European Union in this process.

The National Parliament of the Republic of Serbia ratified these agreements in November 2007.

III CURRENT CONDITIONS AND POSSIBILITIES OF RETURNEES REINTEGRATION AND SOCIAL ATMOSPHERE

Social atmosphere in which the issue of returnees' reintegration is to be resolved is very unfavourable. Living conditions are difficult and worsened by poverty, unemployment and low resources of social services that are supposed to meet the needs of all citizens. An additional problem is the fact that in Republic of Serbia lives a huge number of socially and economically challenged members of Roma minority and Serbia is also the country of admission for refugees from Bosnia and Herzegovina and Croatia and displaced persons from Autonomous Province of Kosovo and Metohija. Ongoing and future comeback of great number of persons in readmission process will affect unfavourably the already difficult socio-economic situation in the country.

One of possible consequences of this situation is greater percentage of so-called secondary migration –persons returned based on bilateral agreements on readmission who didn't managed to reintegrate in the society and they are leaving the state again. Therefore, the reintegration process is the most important link in the chain of viable migrations control, and at the same time the only way in which the Republic of Serbia can completely fulfil its obligations accepted in the Process of stabilization and joining.

Active integration of returnees implies effective state policy which aim is to integrate the returnees into the society in an effective, efficient, viable and comprehensive way, with full enjoyment of returnees' rights and their active inclusion in the process of elaboration and implementation of strategies, programs and measures that will make this integration possible, as well as empowering their own capabilities during this process.

The purpose of this strategy is also giving recommendations on how to rehabilitate the returnees to lead an independent life equal to the one of all the other citizens. Since the large percentage of returnees is Roma, social and cultural aspect of integration can be a great issue. Resolving the problems the returnees are facing with can be efficient only if these problems are seen in a comprehensive way, including the general environment the returnees are integrating in.

Experiences made during the long processes of migrants' integration in our region, with internally displaced persons and refugees are priceless when it comes to planning of effective measures for resolving the problems of returnees. Having in mind the experience that Republic of Serbia has with refugees, the returnees' problems should be identified and possible projects for supporting the returnees should be integrated into the programs of support for the whole community. Since there is no specific legal and institutional framework for resolving the problems of returnees we should intervene with a series of various measures that would improve returnees' opportunities to enjoy their rights. That is to say, it is necessary to systematise the legal status of returnees in order to provide the resources for exercising their rights, especially in the period while they don't have personal documents that allow them to be a part of existing system of the Republic of Serbia. Taking in the account the long procedure of changing the legislation with a view to recognize this category of persons, the most suitable solution is to clearly determine the sources of financing the returnees' rights.

We also don't have exact data on the number of returnees and the existing ones aren't systematized per municipalities of origin, thus the main framework of this problem can't

be set up yet. It is visible from the unofficial data that the places of origin of these migrants are precisely the municipalities affected by combination of high poverty rate and historical tendency of economic migrations. According to data obtained by NGOs, Raska county, Sandzak that is, and especially the city of Novi Pazar have the greatest percentage of returnees with an unofficial number of about 10 000 registered returnees mainly from Austria and Germany. NGOs also give data on 40 000 registered returnees mostly from Sandzak, as well as from the municipalities of Vladicin Han and other near by. Integration measures that had been initiated by now in these local self-government units depended primarily on the support of foreign donation agencies and international factors, and especially on organizations of the countries of admission (governments of Germany and Luxemburg initiated these programs in Novi Pazar²).

This kind of situation, positive from the point of view of receiving foreign countries support, especially from the countries of admission, if it is not coordinated and monitored can create different socio-economic conditions for integration of returnees from certain countries, that is, returnees in certain municipalities.

Emerging differences can create tensions in the returnees' corpus itself, but among municipalities as well, and can have a negative influence on integration opportunities. In order to avoid this kind of situation and to distribute the support efficiently to the most needed municipalities, the coordination role of the state has to be strengthened.

For now the problem of returnees hasn't been so relevant in other parts of Serbia so the municipalities and other institutions don't have much experience with these persons, i.e. those experiences are random cases that didn't need keeping any special record on these persons or having any strategic approach on the local level. Clearly, with this level of disorganization only inefficient solutions can be expected which will result in tension rising in the given environment.

The employees in the majority of public institutions mostly don't have required knowledge, abilities, equipment and capability to react in an adequate manner and resolve the problems that will emerge while working with a very sensitive and vulnerable category of returnees in the reintegration process.

1. SENSITIVE GROUPS IN THE PROCESS OF RETURN

The social group of returnees is not homogenous when it comes to the approach to their rights, the structure and dispersion of poverty and therefore the type and quantity of need for social intervention. The very fact that most of these people are forced to return is a risk for protection of human rights of persons in readmission. Certain number of these persons is not properly informed about their rights or procedures in the countries from which they sought asylum or about rights or obligations they have when they return to Serbia. Great number of returnees is a member of minorities, mostly Roma (over 70% of persons who were forced to return are Roma), Bosnians/ Muslims (based on

² Governments of Germany and Luxemburg helped great number of people through donations to the community and programs for professional training and employment of returnees (AGEF- the project of municipality of Berlin). The programs of Red Cross of Luxemburg and Caritas in the same municipality dealt with problems of IDs and accommodation.

how the returnees declared their nationality), then Albanians, Ashkali, Gorani and others. This sheds a special light on the need to protect minority rights guaranteed by Constitution and law, especially in the area of education, culture, information, and official use of language.

1.1 ROMA IN THE PROCESS OF RETURN

Roma are the most vulnerable group in the return process considering the fact they are a part of marginalized and socially handicapped group. Constant poverty, unique cultural and social model, high unemployment rate, stereotypes and discrimination, low level of education and alarming condition of health protection services are visible problems in domicile Roma population that will mirror onto the returning Roma population as well unless planned and adequate action is taken.

Roma minority is especially at risk when it comes to accommodation. And moving from the placement centres or provisional apartments into unhygienic Roma settlements represents an extra trauma for them. The problems of personal IDs is problem that lasts for many generations in this population. Low level of education makes it harder for them to find a job and persons that in the meantime obtained some education are facing the problem of getting these documents and nostrificating them. The major problem in their education is poor knowledge or no knowledge of Serbian language and Cyrillic script. Many Roma's only source of income is through grey economy so it is not possible to protect their employment rights, social and health protection rights, or any other labour rights.

However, considering that Roma is especially vulnerable group, in the Article 22, paragraph 1, clause 11 of the Law on health insurance regulates that ensured persons, within the meaning of this law, are also persons of Roma nationality which due to their traditional way of life don't have permanent place of residence, that is, they do not reside in the Republic of Serbia and they do not have an obligatory insurance within the meaning of Article 17 of this law. These persons and their family members have the same form and range of health protection as other insured persons which is provided to them under the same conditions as for other ensured persons in the Republic of Serbia.

2. INFORMING THE SYSTEM INSTITUTIONS AND RETURNEES

Line ministries and local authorities aren't sufficiently acquainted with the readmission process and therefore not organized and ready to take part in the integration process of the citizens of the Republic of Serbia that are returning to their country of origin.

Within this campaign the admission environment, system institutions and returnees should be properly informed about all the measures and activities that the strategy implies and that have to do with giving social, economic, legal, psycho-social and other kind of support with the purpose to sustain viable reintegration of returnees. Consulates and Embassies can give a significant contribution to better provision of information for the interested returnees by distributing (in a timely manner) brochures and other

information material on rights and obligations of returnees (both in Serbian and in languages of addresser states, in order to fully inform the returnees). It is necessary to provide this kind of information to the illiterate persons as well. In that way, returnees would be familiar with the measures and rights they are entitled to according to their needs before coming back to the country.

The readmission Office at the Belgrade Airport “Nikola Tesla” is the first info point for returnees providing them with information about basic rights in the area of social and health protection, education and employment. Returnee gets a leaflet “Information guide for returnees upon readmission” printed in 5 languages: Serbian, Roma, English, German and Dutch. Key actions are to inform the public, partners, system institutions, local communities and users. People of all educational levels have to understand the existing problems and processes in order to be able to actively participate.

Information guide should be available in all social protection centres, schools, organizations that deal with the issues of readmission, hospitals, health centres, local self-government units, National employment agency and every other organization and institution that has to deal with the problems of returnees in the process of reintegration and help resolving them.

3. PROVIDING THE CITIZENSHIP AND PERSONAL DOCUMENTS

The origin of many essential but also practical problems that returnees are facing with in institutions of public administration, judiciary, social or health protection institutions are to be sought in the setting determined by law and they have to do with registration of the place of residence.

Without a proper residence address the person cannot have the necessary documents and therefore cannot have access to the basic health insurance, education, welfare, employment opportunities. According to data from Norwegian government dating from 2003, almost 1/3 of interviewed Roma, which are in some phase of reintegration process, says that the main reason for which they haven't enrolled their child into elementary school is a lack of necessary documents.³ There are numerous reasons for which the returnees are facing the problem of adequate documents:

3.1 Persons registered at one address, mostly in the municipalities of Southern Serbia, and living in economically developed centres such as Belgrade or Novi Sad:

-Persons can not be registered at the new address because of lack of adequate conditions (proof of legal base for using the residential unit at the address they want to register) –living in unhygienic settlements, their property is not legalized, their address is not adequate (new settlements), they can not be registered with their relatives or friends because those too don't have personal documents.

³ International Red Cross Committee, Position of internally displaced persons in Serbia and Montenegro, May 2005.

-Persons cannot be registered because they have lost legal basis for it-they have lost or sold their property, relatives or friends they were registered with moved or died.

3.2 Persons that never possessed personal documents issued by the Republic of Serbia

Persons don't have legal basis for obtaining these documents and they had never had it-most of them are persons of Roma minority not listed in the Birth registry or citizens' registry.

3.3 Returnee children

-Children born in the Republic of Serbia but not listed in the Birth registry and citizens' registry

-Children born abroad, not listed in the Birth registry and citizens' registry

The main identification document issued to a returnee in the reintegration process is a travel certificate. Travel certificate is a travelling document issued to a person that found him/herself abroad without a travel document by a diplomatic-consular body.

Travel certificate is issued temporarily and used for returning and admission of person in the readmission process. Travel certificate is valid for a period required for a person to return to the republic of Serbia, and for a maximum of 60 days, that is, when it comes to the issuing of the travel certificate upon the readmission agreement, the travel certificate for a person returning to the republic of Serbia is valid for a minimum of 3 months.

Travel certificate is most often the only ID a person possesses until s/he gets other documents and it has a value as a public ID, it is used in processes led by public authorities and when exercising one's rights in the area of public and health protection. Although we have listed here only the main problems, there are many cases in practice that show that the issue of registration and personal documents is a great obstacle in continuing efforts that the returnees start a successful process of reintegration.

4. HOUSING POLICY

Fulfilling housing needs is considered to be one of the main conditions for returnees' viable reintegration. Existing data shows that great number of returnees doesn't have their own house or apartment. Generally, upon their return to the country the returnees rent a house or an apartment if they can afford it, or they move in with relatives or friends. The government confirmed the Bill on social habitation and sent it to the National Assembly of the Republic of Serbia for adoption. This law constitutes the system of social habitation, that is, a non-profit housing sector. A national housing fund will be formed based upon this law and it will give an economic support to the local housing agencies. Seven agencies of this type have already been founded in Serbia.

Within this program municipalities are going to create local housing strategies and action plans that will comprehend the whole housing sector.⁴

Concerning certain members of Roma minority, they find accommodation within unhygienic settlements in the suburbs, without the basic infrastructure, i.e. electricity, plumbing and sewerage. Available information on the structure of returnees indicates that the large number of them is member of Roma minority that is facing great existential problems in the Republic of Serbia. Therefore it is necessary to point out some of the main problems regarding accommodation and housing of Roma minority.

The problem with majority of Roma settlements is that most of the houses can't be legalized due to unsolved legal or proprietary status of the object or terrain, inadequate building documentation, lack of infrastructure, etc. Some NGOs are conducting programs of amelioration of living conditions and quality of life in deprived Roma settlements. Fulfilling Roma housing needs is recognized as a priority. The main purpose of integration of Roma settlements is providing essential living conditions such as accessing basic public services and infrastructure. Local authorities in the Republic of Serbia showed interest in resolving the problems of Roma minority, but they have little economic resources for concrete improvements.

The principle of active integration implies the empowerment of the whole society, especially those local communities where the majority of returnees are reintegrating.

It should be stressed that the housing programs cannot be a permanent solution by themselves, but need to be supplemented by other programs that would provide permanent solution such as constant income, coming primarily from a regular job.

5. EMPLOYMENT

National employment strategy provides measures that will increase employment and engagement of groups that face multiple discrimination and social marginalization, including Roma. However none of these documents recognizes the returnees as especially vulnerable social group. It is necessary that the state in the process of implementation of current legislation and strategic documents defines concrete and specific measures regarding returnees in order for this population to adapt to the conditions in the transition and post transition society and to the new demands at the labour and capital market.

⁴ Housing program and program of permanent reintegration of refugees is implemented with the help of Italian government worth 15 million euros. International organization UN-HABITAT is an agency hired by the Governments of Italy and Serbia and it is conducting the implementation of the program in cooperation with the Ministry for Capital investments and the municipalities (municipality housing agencies). Up until this moment we have done and approved the study on feasibility of the program, signed the agreements between the municipalities and UN-HABITAT, started the program realization in 7 municipalities (Kragujevac, Nis, CaCak, Kraljevo, Valjevo, Stara Pazova, Pancevo), in 5 municipalities architectonic contests were held with 103 artworks, while in Kragujevac a contractor was been chosen as well.

5.1 Legislation framework

Labour Law and the Law on Employment and insurance in the case of unemployment provide certain stimulus measures for reducing unemployment and increasing involvement in the labour market for the especially vulnerable categories of citizens, but it is also necessary to introduce adequate regulations into other legislation with the aim to motivate employment of the most vulnerable social groups.

Up until now, the State employment Council has been formed according to law, and 116 other councils were formed locally, regardless of the optional nature of this obligation. These councils had an important role in resolving the unemployment problem. Namely, institutional strengthening of the employment council at all administration levels is necessary in order to create the consensus of employers unions, syndicates, representatives of the unemployed, National Employment Agency and representatives of returnees' organizations about strategic principles of full inclusion of returnees into active job searching.

5.2 The labour market

Labour Law and the Law on Employment and insurance in the case of unemployment says that employment councils at all levels should play a key role in implementation of an active employment policy program for a certain territory. These programs coordinate measures for employment stimulus as well as special measures for encouraging the employment of members of those social groups where the unemployment rate is very high. Measures like special trainings and education in these bodies will contribute resolving the returnees' problems more easily and finding solutions that will make their integration into the labour market at their place of origin less complicated.

At the same time the state and the International community should also define and implement short-term transitive solutions that would give a temporary support to the returnees and encourage the making of financially viable models of income in the first stage of adaptation process.

The important role in area of adapting the National employment strategy to the needs of the growing population of returnees should be overtaken by the National employment Council, founded for the territory of the Republic of Serbia; employment councils at the level of territorial autonomy, i.e. town and local self-government unit should be a part of it as well.

Recognizing the returnees in the readmission process to be one of the most important categories in the employment process, better access to different training programs, professional retraining and additional vocational training, priority and special benefits for self-employment programs would contribute to the faster and viable reintegration of returnees.

According to the Law on employment and insurance in the case of unemployment employment provider who is conducting the already defined employment policy is the

National employment Agency. This service keeps record of the number of unemployed, informs about job opportunities and conditions, works as an employment agency, helps in exercising the rights based on employment status, provides additional education and training, career counselling, and conducts active employment programs and measures. Vast majority of returnees is not informed about the rights they are entitled to in the employment area.

National employment strategy for the period 2005-2010 and National employment Action plan for the period 2006-2008 both regulate the employment plan. We are planning to start drafting the new employment action plan for the following period, which will unquestionably comprehend the returnees in the reintegration process as one of the priority groups, in accordance with their knowledge, education and needs.

We also have to keep in mind the need for and additional education and training of returnees which do not possess needed skills and knowledge level to actively participate in the job searching process because their formal education structure is poorer in comparison with other persons that are already registered at the labour market.

6. Social protection

A great obstacle in formulating and planning the adequate protection and activity measures for reintegration of returnees is lack of precise data about returnees' number and structure, degree of their vulnerability, that is, their economical, educational and health status, as well as other significant characteristics of this population. The returnees' population is also not homogenous in terms of need for social intervention, so those needs depend on degree of education, age structure, health condition, sex, number of children in the family, and many other factors.

Based on existing indicators the majority of returnees do not have a resolved issue of housing and permanent income.

The Law on Social protection and provision of citizens' social security regulates the current social protection system. The rights stipulated by this law are available to all citizens in need of social support under equal conditions.

The rights in social protection within the meaning of this law are:

-Material security;

-“Caregivers benefit” (given to persons who due to their serious physical or mental impairment cannot be providers and therefore depend completely on welfare given by a third person i.e. social institution);

-Vocational training subvention;

-Helping around the house, day care, and placement into the social care institution or other family;

-Social services;

-Preparing the user for placement into the social care institution or other family;

-One-time economic support;

The rights to material security and support, “Caregivers benefit”, vocational training subvention, social services in performing public authorizations entrusted by this law, are the rights of common interest and the state is taking care of their provision.

The local self-government unit, i.e. town or municipality is responsible for exercising the rights to: getting help around the house, day care, temporary placement into the social care institution or private accommodation, preparing the user for placement into the social care institution or other family, one-time economic support and other social services. Admission centres for temporary placement can be a part of intervention measures for returnees’ readmission according to the readmission agreement immediately upon their return to Serbia but their capacities are low and many admission centres are in a bad condition. Local self-government unit can decide to, according to its possibilities, determine other rights from the area of social protection, give a wider range of rights determined by this law and more favourable conditions for their exercising, if it had previously provided resources for it within its budget.

In every city and in 84 municipalities of the Republic of Serbia exist certain social services/ social protection rights. Those are so-called “extended rights” and most of them are subventions for paying electricity bills and housing expenses, public kitchens services, grants, schooling expenses, incremented one-time financial support, SOS hot line services, incremented permanent welfare, etc.

By returning of large number of poor persons the state will face the incorporation of new users into an already overloaded system of social protection.

The key method of support to the returnees in the social protection system will be granting them the right to social protection of the family welfare (SPF) and one-time financial support via City centre for social work. Budget resources intended for social protection in the Republic of Serbia are considerably low compared to other states in the region and in 2005 that amount was 0,14% of GDP. Croatia spends 0,26% of GDP for similar programs, while Slovenia 0,6% and Bulgaria 0,29% of GDP for the same purpose.

In 2004 the municipalities in the Republic of Serbia used less than 2% of their budget for social protection⁵, and only one third of municipalities directed their budget resources to humanitarian aid and similar type of support (money for buying groceries, firing, school supplies for deprived children, public kitchens).

⁵ Decentralization of social protection system in Serbia, Gordana Matkovic, Centre for Liberal Democratic studies, Belgrade, 2006

Unequal level of vulnerability and pressure that only a certain number of local self-governments will be under is also a risk for adequate admission of returnees and admitting communities can't solve this problem from their own resources (all communal, economic and social infrastructure will face this issue).

Admission communities' negative reactions are quite possible, so planning, or so-called component balancing, that would within existing activities also include all (or at least some of) the categories at risk in the returning environment, is very important, along with the State support of these local self-governments in order to create necessary structural and human (professional) resources for returnees admission.

Monthly SPF for the month of January 2009 is between 5.065,00 RSD for an individual and 10.136,00 for a three-member household. It is a fact that the amount of this welfare is not in accordance with users' needs (it is only 4% of the expenses made by the deprived population), but it is a tool to stop poverty growth because according to evaluations, without this kind of social protection the poverty rate would be much higher. There are many other obstacles (besides the ones stated above) for the socially imperilled families' access to social benefits. Exercising the right to SPF is a huge process that demands numerous documents and a series of both formal and informal expenses.

Other obstacles and limitations are low level of information given to a certain categories of potential users, complicated administrative procedure, lack of necessary personal documents, etc.

In some cases users don't understand the information provided by the city centres for social work either for being illiterate or for not speaking Serbian language well enough. Returnees have multiple problems also because most of them don't have necessary documents, permanent residence address, knowledge on administrative procedure for accessing and exercising their rights upon their return to the country. Besides the difficulties they are facing with inclusion into the existing social support programs, there is a problem of their motivation to actively participate in the community's life, which most certainly doesn't help preventing secondary migration.

6.1 PERSONS AT RISK IN THE RETURN PROCESS

Poor coordination and information exchange between the countries which are returning these persons and the Republic of Serbia is the main obstacle for returnees' registration and definition of their needs in order for them to receive an adequate support. Most often, the states returning the returnees do not provide enough information on these persons and their status in those countries (persons with chronic illness, persons unable to take care of them selves, children without parental care, etc.). This fact complicates further the adequate planning, gathering and exchange of information between the central authority and the local self-government, and by it resolving specific problems of the most vulnerable returnees.

Persons at special risk have specific needs that we should take into consideration in the case of return.

Particularly vulnerable groups in this aspect are:

- Persons suffering from a chronic illness whose condition demands specialized medical intervention that can be given only in certain institutions;
- Persons suffering from severe mental illness (including post traumatic stress disorders) whose condition demands specialized medical support;
- Disabled persons (including their guardians/caregivers) whose condition depends on accessibility of specialized support system;
- Elderly persons without accompaniment that have no other form of support;
- Children without parental care;
- Human trafficking victims and other vulnerable categories in this group;
- Foreign women married to our citizens, our citizens married to foreign men, the problem of separation of families;

Special attention should be paid to the measures that would facilitate educational integration, psychosocial and health development of the returnees children, especially those children permanently or temporarily separated from their parents or guardians in the process of return based upon the readmission agreement.

7. HEALTH

There are several main problems returnees are facing when accessing health protection. The issue of personal documents that prevails the whole topic of integration into the society and exercising basic social and economic rights of these persons, has much stronger connotations in the area of medical care. Health protection, in the case of impoverished state in the process of transition, is an expensive social good that demands a viable system of charging the services. Lack of documents based on which the services could be registered and charged excludes the possibility of using the health protection (except in case of medical emergency). Returnees that hadn't regulated their status and who don't have necessary personal documents are facing difficulties accessing health protection system. One of the problems returnees are facing with is discontinuity in receiving the medical treatment. If the treatment started abroad can't be continued in Serbia (due to the lack of medical supplies, adequate medications, problems transferring medical files and other data about patients' health status, change of the doctor in charge, but also the condition of the patient himself) it will result in some cases to serious violations of the right to a health care and a right to a person's physical integrity. Certain number of returnees, in their effort to prolong their staying in the foreign country for as much as they can, report themselves to the foreign institutions as suffering from severe psychological or physical conditions. These kinds of situations are not legally regulated in the Republic of Serbia although in some cases they can lead to legal persecution, or affect the course of current court process against these persons.

Returnees are most often a part of a vulnerable population. Viewed in the aspect of social security, the returnees' integration will be conducted according to the Article 22 of the Health insurance Law (*Official Journal of the Republic of Serbia No.107/05, and 109/05*). Namely, according to the Article 22 of this Law, an insured person is also the one that belongs to the population in greater risk of getting sick, person that must be

entitled to a social protection in order to prevent, restrain, early diagnose and treat the illnesses of major socio-medical relevance; person pertaining to the category of socially handicapped population; resources for paying taxes for obligatory health insurance of these persons come from the budget of the Republic of Serbia. Therefore it is necessary to provide additional budget resources in the period of Serbia's adaptation to the admission of returnees, for health care provision of these persons.

8. EDUCATION

One of the basic human rights is the right to an education, for children and adults equally. Denying these rights is directly against basic principles of human rights, international charters and conventions signed by the Republic of Serbia.

Concerning the returnees structure, there are no precise indicators on their age, whether they are returnees' children or the returnees themselves in the need for additional education. Returnees who come back voluntarily and on their own do not register, so their number and age structure remains unknown. The indispensable fact is that the minors (as a special category) have to be treated in a specific way, and their integration into the society should be quicker and maximally facilitated.

Practice shows that returnees are facing many problems accessing the education system.

8.1 Not knowing the language

Since the returnees' children are often born abroad or they went there very young and spent many years in a foreign country, they do not speak Serbian language well enough or at all, neither do they know how to write the Cyrillic script in which educational programs in Serbia are conducted. Therefore these children are facing many challenges in the course of their education in the Republic of Serbia. For now there are no possibilities for programs or projects that would help these children learn Serbian language before going to school; also there are no programs that would facilitate them the transition period of learning Serbian language during first year upon return. This kind of children cannot keep up with the curriculum, they have lost motivation and they often drop out of school or they are unjustifiably enrolled in special schools. They are also facing intolerance and discrimination by the community because they do not fit in to general standards. Young people who return with poor knowledge of Serbian language are still unable to continue higher education and they give up on further schooling. There are no additional programs for learning Serbian language or programs for continuing to learn the languages of the countries from which the returnees came back; that knowledge is easy to forget and it can be a good basis in future career skills.

8.2 lack of programs for learning foreign languages

Returnees that have spent many years in a foreign country often have an active or passive knowledge of a foreign language. Due to the lack of programs that would make

possible for them to sustain or improve those language skills, their knowledge gradually decreases. Returnees can't sustain that language skills on their own, not only because of the fact that in their municipality there are no courses of that language, adequate literature or access to the media, but also for economic reasons and their awareness on how important it is to know a foreign language. Knowing a foreign language is also helpful in finding a job.

8.2 lack of basis for enrolling in educational institutions

Lack of personal documents makes it impossible for returnees to enter the education system. Long process of obtaining personal documents averts the long-term education, which puts an additional burden to the process of active integration. Besides the personal documents problem, returnees are often facing the problem of diplomas nostrification. In our legislation system, diploma nostrification or recognition of the equivalent of it is regulated by the Law on Elementary school and Law on Secondary school (high school). A person who filed a request for nostrification or recognition of equivalence of the foreign school certificate can be enrolled into the next grade provisionally if the nostrification hasn't been finished before the enrolling deadline. Although there is a regulated procedure for diplomas nostrification, series of problems come up in practice. Nostrification is being charged, so if the person who is filing the nostrification request is in bad economic condition he or she can present a proof of being unemployed and that has no personal property. This way, the person is freed from paying a nostrification tax. Apart from the taxes, another obstacle can be a high price of translation services that has to be done by certified translators.

IV STRATEGIC GOALS

1. GENERAL GOALS: VIABLE INTEGRATION OF RETURNEES WITH FULL RESPECT OF SOCIAL AND CULTURAL DIFFERENCES

The strategy relies on the existing institutions network and through mutual planned activities and coordinated actions, aims at directing the existing resources into strategically defined areas and continue developing programs, mechanisms and services in accordance with defined returnees needs with full respect of their human rights and right to diversity.

2. SPECIFIC GOAL NO. 1: ESTABLISHED INSTITUTIONAL FRAMEWORK AND COORDINATION OF ACTIVITIES

The problem of returnees' reintegration based up the readmission agreement is difficult to comprehend successfully without the full cooperation of different parties in country and abroad. In accordance to this it is necessary to form inter-department bodies, to empower institutions' strategic partnerships with representatives of local communities, national and international organizations and to perform mutual

planning, coordination and implementation of activities in accordance with international standards.

2.1 ACTIVITIES AND MEASURES:

MEASURE NO. 1 building and institutionalisation of inter-department cooperation by developing mechanisms for policy implementation and follow up in the area of readmission and integration

ACTIVITIES:

- 1) Intensifying the work of the Council for integration of returnees based upon the readmission agreement (hereinafter referred to as "the Council") as a multidisciplinary body with the mission to:
 - a) Review and propose measures and activities for realization of admission, taking care of and integration of returnees;
 - b) Support defining and realization of measures on the local self-government level for helping the returnees in accordance with needs and capacities of local community;
 - c) Suggest a framework of a interstates dialog on issues of protection and exercising the migrants rights and problems of illegal migration, in order to improve regional cooperation which is of high importance for the returnees;
 - d) Keep track of the implementation of the suggested measures and give suggestions and opinions on other issues within a Government's jurisdiction with purpose of conducting an integral and coherent policy;

To adopt the rules of procedure on the Council's work.

Project undertaker: Council, Ministry of labour and social policy and the Commissariat for Refugees
Duration: first trimester of 2009

- 2) To form a team for monitoring the implementation of the strategy of returnees' reintegration based on the readmission agreement.
The team is a coordination and expert body which is suppose to assure the implementation of strategic goals and it consists of the representatives of: Ministry of labour and social policy, Ministry of internal affairs, Ministry of foreign affairs, Ministry for human and minority rights, Ministry of Health, Ministry of Education, Ministry for public administration and local self-government, Ministry of environment and regional planning, Ministry for Diaspora, the EU Integration office and the Commissariat for Refugees.
The team manager is the president of the Council.

Project undertaker: the Council
Duration: year 2009

MEASURE NO. 2 institutional positioning of the topic by including the activities that have to do with suggestion of measures, organization and coordination of activities related to signing and following international agreements in the area of readmission, monitoring the situation of returnees, exchange of information among institutions under whose jurisdiction is the issue of returnees' reintegration and all relevant parties, into the department policies.

ACTIVITIES:

1) Drafting the action plans of the line ministries for returnees' reintegration based on the readmission agreement.

Project undertaker: Ministry of labour and social policy, Ministry of internal affairs, Ministry of foreign affairs, Ministry of Health, Ministry of Education, Ministry of Economy and regional development, Ministry for public administration and local self-government and the Commissariat for Refugees.

Duration: year 2009

- 2) Inclusion of the returnees' user group into all department plans and budget positioning:
- a) Inclusion of returnees into the regular programs and their recognition in annual operation plans;
 - b) Defining additional budget resources for realization of regular programs with increased number of users;
 - c) Drafting additional support programs through financing projects' implementation by the foreign donators and out of national investment programs;

Project undertaker: Ministry of labour and social policy, Ministry of internal affairs, Ministry of foreign affairs, Ministry of Health, Ministry of Education, Ministry of Economy and regional development, Ministry for public administration and local self-government and the Commissariat for Refugees.

Duration: year 2009 and on

- 3) Creating a budget fund for financing development of local self-government and reintegration of returnees with purpose to fulfil the obligations established by the agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation. Activities and resources have to be organized with the purpose to encourage particularly undeveloped local self-government units that would admit these persons in order to decrease regional emigrant flows and at the same time stimulate employment and regional development. With a priority and simulative support for starting one's-own business in the less developed areas, the regional disparity could be lower. Financing resources: budget and donations.

Project undertaker: Ministry of labour and social policy
Duration: year 2010.

- 4) Development and set up of a comprehensive data base on returnees and their needs

Project undertaker: Commissariat for Refugees, Ministry of internal affairs and Ministry of labour and social policy.

Duration: year 2009 and on

MEASURE NO. 3 Developing the network of operation bodies through ministries and institutions as unified and connected organizational structures

ACTIVITIES:

- 1) Extending the capacities of the travel ID Office and its component -Department for implementation of the readmission agreement

Project undertaker: Ministry of internal affairs

Duration: year 2009 and on

- 2) Forming a special organizational unit within the Commissariat for Refugees with the task to coordinate and organize primary admission and cooperation with admitting communities, to create conditions for successful reintegration of this category of population (prevention of human trafficking, promoting the principles of positive discrimination and realizing additional activities relevant for implementation of the Poverty reduction Strategy, etc) and resolving the issues relevant for preventing the secondary migration.

This unit would be organizationally directed to the work and activities within transition centres for primary admission of returnees and cooperation with local self-government units in the areas in which the returnees should reintegrate.

Project undertaker: Commissariat for Refugees

Duration: year 2009

MEASURE NO. 4 Better informing decision makers, policy creators, returnees and the public

ACTIVITIES:

- 1) Exchange of information with countries the returnees are coming from

Project undertaker: Ministry of internal affairs, Ministry of foreign affairs and the Commissariat for Refugees.

Duration: year 2009 and on

- 2) Informing the returnees on the process of readmission, their rights, opportunities and obligations, and all the other issues related to successful integration into the admitting environment with full respect of diversity and cultural and linguistic specificities. This refers to the returnees who already came back and the ones who would potentially come back and we are expecting their arrival.

Project undertaker: Ministry of foreign affairs, Commissariat for Refugees, Ministry for human and minority rights, Office for returnees in the readmission process at "Nikola Tesla" airport and Ministry of labour and social policy.

Duration: year 2009 and on

- 3) Informing and educating the professionals working in the social protection system and other public services about the process of readmission.

Project undertaker: Ministry of labour and social policy and the Commissariat for Refugees.

Duration: year 2009 and on

- 4) Informing international and national organizations, all relevant parties and public about the readmission and the problems the returnees are facing in order to create an adequate social support in wide social community and local areas for their reintegration and admission.

Project undertaker: Council, Ministry of foreign affairs, Ministry of finance and Ministry of labour and social policy

Duration: year 2009 and on

MEASURE NO. 5 empowering institutions and other parties included in the system.

ACTIVITIES:

- 1) Organizing regular trainings for professionals and all other parties included in the process in order to continuously improve their activities based on defined users' needs and with the purpose to develop and provide services in compliance with international standards. Trainings would consist of seminars and briefings, printing and distribution of information brochures, leaflets, realization of media campaigns and promotions and any other activities that can help improving the position of returnees' position.

Project undertaker: Commissariat for Refugees.

Duration: year 2009 and on

- 2) Further legal framework development in order to create solutions for the issues of social protection, exercising the migrants' rights and the problem of illegal migration applying the mechanisms for protection of human rights and improving and monitoring the implementation of those mechanisms.

Project undertaker: Ministry of labour and social policy, Ministry of internal affairs, Ministry of foreign affairs, Ministry of Health, Ministry of Education, Ministry of Economy and regional development, Ministry for public administration and local self-government and the Commissariat for Refugees.

Duration: year 2009 and on

3. SPECIFIC GOAL NO. 2 DEVELOPED AND APPLIED RETURNEES' ADMISSION PROGRAM AND PROGRAM OF EMERGENCY SUPPORT AS THE INTEGRAL PART OF VIABLE REINTEGRATION MECHANISM

3.1 ACTIVITIES AND MEASURES:

MEASURE NO. 1

Support to local self-governments - Unequal level of vulnerability and pressure that only a certain number of local self-governments will be under is also a risk for adequate admission of returnees and admitting communities can't solve this problem from their own resources.

Supporting the realization and definition of measures at the local self-government level, in accordance with the needs and capabilities of the local community is extremely important for a viable reintegration.

ACTIVITIES:

- 1) Creating the bodies responsible for returnees' reintegration based on the readmission agreement within existing councils locally working on the protection of vulnerable population groups.

Project undertaker: Local self-government units and Commissariat for Refugees.
Duration: year 2009 and on

- 2) Drafting local Action plans –to plan intersystem activities based upon defined needs.

Project undertaker: Local self-government units and Commissariat for Refugees.
Duration: year 2009 and on

- 3) Supporting the development of the network of services in the community while respecting the fact that citizens should be able to fulfil their needs in their local environment in an efficient, fast, economic and rational way.

Project undertaker: Local self-government units and Commissariat for Refugees.
Duration: year 2009 and on

MEASURE NO. 2 supporting the emergency support mechanisms

ACTIVITIES:

- 1) Creating at least two transition centres (Belgrade, Nis), or repurposing the existing facilities (collective centres for refugees and displaced persons, social protection institutions...).

In the first stage the transition centre would have the enough capacity to receive 50 persons (10-15 families) that would remain there 3 to 15 days depending on the further possibilities to remain in the country. That period would be used for:

- Determining all the facts about their socio-economic status, including their legal, family, health, education and economic status;
- Creating databases and performing data input;
- Starting the activities for obtaining necessary personal documents;
- Connecting with responsible bodies within the admitting community. After determining all statuses numbered above, returnees are directed into the admitting communities where they can fulfil their needs in the most adequate way;
- As for the especially vulnerable categories, the admission activities are managed by adequate social protection institutions;

-Informing the users on their rights, possibilities and obligations as returnees and on all other issues related to successful reintegration into their direct and indirect admission environment.

Project undertaker: Commissariat for Refugees.

Duration: year 2009 and on

2) Finding resources for provision of urgent one-time financial support.

Defining the criteria for priority groups that will receive this type of support, as well as the amount to be given in form of one-time financial support.

Project undertaker: Commissariat for Refugees and Ministry of labour and social policy.

Duration: year 2009 and on

4. SPECIFIC GOAL NO. 3: DEVELOPED AND FUNCTIONAL REINTEGRATION MECHANISM WITH EMPOWERED CAPACITIES OF BOTH RETURNEES AND THE COMMUNITY IN ORDER TO ACHIEVE SUCCESSFUL REINTEGRATION

4.1 ACTIVITIES AND MEASURES:

MEASURE NO. 1 Supporting the empowerment of communities in implementing the returnees' reintegration program

After determining all statuses within transition centres, returnees are directed into the admitting communities where they can fulfil their needs in the most adequate way;

ACTIVITIES:

1) Informing, educating and stimulating local self-government bodies in the process of returnees' readmission.

Education of employees in the local self-government through trainings, seminars, brochures providing important information for working with returnees. Human and minority rights service has printed a manual for treating returnees in the process of reintegration, aiming to exchange information and getting introduced in the process and mechanisms of reintegration designed for all parties at central and local level, along with the pamphlet printed in 5 languages distributed to the returnees.

Up until now, we have organized 10 trainings for trainers working on the reintegration affairs in local self-government units. It is necessary to increase the number of trainings in order to obtain faster and more efficient education.

Project undertaker: Commissariat for Refugees, Ministry for public administration and local self-government and Ministry for human and minority rights

Duration: year 2009 and on

- 2) Creating the network of co-operators and resource centres as info points and support centres in those local self-government units that have the highest number of returnees. Its activities would be directed to:

- Better provision of information for the returnees on how to exercise their rights, therefore improving rights' accessibility in all areas relevant to this category of users; Informing the returnees on possibility to obtain free legal support regarding their property, including the issues of property dispute in country and abroad and regarding possible customs relieves;

- Support in keeping record of users and their needs;

Project undertaker: Commissariat for Refugees and local self-government units
Duration: year 2009 and on

- 3) Creating the forum for exchanging best practices of cities and local self-government units that already provided certain conditions and capacities for returnees' work reintegration.

Project undertaker: Commissariat for Refugees and Ministry of Economy and regional development

MEASURE NO. 2 empowering the returnees to lead an independent and equal life full respect of social and cultural differences and support given based on defined returnees' needs

ACTIVITIES:

- 1) Developing empowerment programs for personnel and technical capacity of local self-government bodies responsible for authority's work in process of regulating the personal documents (permanent residence, abode and citizenship).
Organizing free legal support in local self-government units' bodies responsible of registries, organizing the work on exercising the rights in this area, and the area of legal family protection; organizing campaign for informing the returnees of their rights and proceedings for exercising the rights to obtain birth, marriage or death certificates, and organizing vocational training for employees in local self-government units' bodies that are responsible for the registries in order to properly and legally conduct the activities in this area.

Project undertaker: Ministry for public administration and local self-government, Commissariat for Refugees and local self-government units, Ministry of internal affairs and Ministry of Justice.

Duration: year 2009 and on

2) Creating conditions and giving support for strengthening the capacities of local self-government units responsible for returnees housing:

- Buying off homesteads and concession of arable and construction land, in accordance with available resources of local communities and returnees interests.
- Supporting provision of resources for habitation of returnees via programs of social habitation;
- Regulating the legal status of unhygienic settlements and building the new infrastructure that will also help resolving the problem of housing.

Project undertaker: Ministry for public administration and local self-government, Commissariat for Refugees and local self-government units, Ministry of environment and regional planning and Commissariat for Refugees.

Duration: year 2009 and on

3) Creating conditions and giving support for strengthening the capacities of local self-government units responsible for including the returnees into the social protection system:

- Developing services accessibility and informing the users/ returnees about the opportunities and ways of obtaining social and health protection;
- Including the returnees into the social protection system by exercising the right to material security and other material support, together with one-time economic support and other forms of social services via the in-charge centre for social work.

Project undertaker: local self-government units, Ministry of labour and social policy, Ministry of Health and Commissariat for Refugees.

Duration: year 2009 and on

4) Creating conditions and giving support for strengthening the capacities of local self-government units responsible for including the returnees into the system of education and the work field:

- Implementing the programs for learning Serbian language and reform of diplomas' nostrification system while providing a possibility to free the returnees from paying nostrification taxes, which will also contribute to better integration of these persons;

- Registering the returnees at the labour market recognizing them as a group that is facing difficulties in the employment process;

- Realizing the active employment measures for returnees via additional training programs and vocational retraining;

- Including the returnees as a recognized vulnerable group into the employment programs via public works and by the National employment Agency;

Project undertaker: local self-government units, Ministry of economy and regional development, Ministry for public administration and local self-government, Ministry of Education, National Employment Agency and Commissariat for Refugees.

Duration: year 2009 and on

5) Creating a special funding at the local self-government units' level (to define a budget line for supporting all marginalized groups' integration programs, and especially reintegration programs for returnees that are coming back based upon the readmission agreement).

-Planning of so-called component balancing that would include, within designed activities, all (or at least some) of the vulnerable categories of domicile population in the return area; this is very important for preventing negative reactions of admission communities.

Project undertaker: local self-government units

Duration: year 2009 and on

5 EXPECTED RESULTS AND EFFECTS

Activities performed up until now in the area of implementing the process of returnees' reintegration were without systematic and coordinated approach by the line ministries and other public bodies and with insufficient cooperation with local self-government units. As the Republic of Serbia obtained new, very clear international obligations, emerged the need to organisationally and systematically, including the change in personnel, reorganise the activities for resolving returnees' multiple problems, so that the strategy with recommended measures represents a document which in a specific way deals with the process of resolving those problems. Therefore, the reintegration process is the most important link in the chain of viable migrations control, and at the same time the only way in which the Republic of Serbia can completely fulfil its obligations accepted in the Process of stabilization and joining.

Planned measures and activities will significantly contribute to the prevention of the emergence of new poverty and realization of basic human rights.

The goal of this strategy is to integrate the returnees into the society, via effective government policy, in an effective, efficient, viable and comprehensive way, with full enjoyment of their rights and active participation of the returnees them selves.

Expected results:

1. Viable integration of returnees with full respect of social and cultural aspect of integration, creating the conditions for admission and taking care of returnees and

2. Active inclusion of local self-government and developing the network of support services according to the needs of returnees, local community and the region, which will contribute to the strengthening of their resources for fulfilling the needs of their citizens in the area of social protection and for supporting the process of decentralization;
3. Prevention of new poverty;
4. Prevention of secondary migrations, migration control;
5. Prevention of human trafficking;
6. Inclusion of competent returnees in the labour market in order to decrease the unemployment rate;
7. Development of rural and depopulated areas;
8. Building trust and interethnic tolerance;

V IMPLEMENTATION AND PERIODICAL REVIEWING OF THE STRATEGY

Because of the high importance that resolving the issue of returnees has for the Republic of Serbia, we have formed the Council for reintegration of returnees based upon the readmission agreement, as a government body. This strategy can't be successfully implemented without raising public awareness on the importance of integration of this category and without introducing the public to the measures that are necessary to perform in order to achieve this goal.

This strategy is the basis for activities and action plans of all relevant factors, as well as normative and other acts necessary for their realization.

The Commissariat for Refugees and the Ministry of Labour and Social Policy coordinate planned activities and initiate the implementation of coordination, cooperation and decision making mechanisms.

For the implementation monitoring and periodical reviewing of the performance of strategic measures, activities and achieved effects of the Strategy we will form a Team for monitoring the implementation of the Strategy for returnees' reintegration based upon the readmission agreement as a part of the Council for returnees' reintegration based upon the readmission agreement.

The evaluation procedure will be conducted at least biannually. The Council will use both internal and external resources for that purpose.

The evaluation will be performed with the intention to:

- Identify strategically important issues;
- Identify the need to adapt the strategy and the plan of activities to the new circumstances and real needs.

It is believed that it will be necessary to spare more money from the government budget for the realization of strategic goals, and the Ministry of Labour and Social policy will suggest forming a budget fund for supporting the development of local self-government and integration of returnees. Resources from this fund will be used for developing the services inside the local community that are compatible with returnees' needs, along with realization of programs of reintegration that can't be realized from the existing budget funding.

VI FINAL CLAUSE

Publish this Strategy in the Official Journal of the Republic of Serbia

05 No. 110-729/2009
Belgrade, February 13, 2009.

GOVERNMENT

FIRST DEPUTY PRIME MINISTER
Ivica Dacic