



Organization for Security and Co-operation in Europe
MISSION IN KOSOVO

Monitoring Department

**Humanitarian Minority Bus Transportation in Kosovo
after Transfer to Kosovo Institutions
Monitoring Findings**

June 2008

Report No. 4

TABLE OF CONTENTS

1. EXECUTIVE SUMMARY 2

2. INSTITUTIONAL DEVELOPMENTS AND CONCERNS..... 2

3. PASSENGER SURVEY AND METHODOLOGY..... 4

4. SURVEY FINDINGS 4

 4.1. SERVICE AVAILABILITY AND ACCESS TO SERVICES AND OPPORTUNITIES 4

 4.2. SERVICE SATISFACTION..... 5

 4.3. SAFETY AND SECURITY 6

5. CONCLUSIONS AND RECOMMENDATIONS..... 7

ANNEX 1: HUMANITARIAN BUS TRANSPORTATION ROUTES..... 9

**ANNEX 2: LIST OF PROPOSED ROUTE EXTENSIONS AND ADDITIONAL BUS STOPS ALONG
EXISTING ROUTES 10**

ANNEX 3: ADMINISTRATIVE INSTRUCTION NO. 2007/6 11

1. Executive Summary

The humanitarian bus transportation is, for the time being, the sole specific service provided by the Kosovo government to the Kosovo Serb community. Since it was transferred by UNMIK and even after the 17 of February 2008, this service has proven to be a success in terms of number of users, quality of the service, passenger satisfaction levels, and access to basic rights. It has also proven to be a success as to the management by the Kosovo relevant authorities.

The fourth OSCE report on Humanitarian Bus Transportation¹ reflects the findings of a field-based survey regarding the concerns, needs and experiences of the minority communities relying on this service. Beneficiaries are generally satisfied with the humanitarian bus transportation. The regular use and well frequented routes prove that the service is not only essential but needs to be expanded and further integrated into regular bus routes. The allocation of adequate funding is crucial to the improvement and the extension of the bus service, as is a commitment from the relevant ministries and local authorities to support its continuation, expansion and improvement.

The report also highlights institutional gaps which hampered the further extension and amendment of the current service routes in 2007 and expresses concern for the fact that in 2008 the implementation of a Procedure for the submission and assessment of new transportation requests is been conducted with irregularities and without transparency and public information.

2. Institutional developments and concerns

The humanitarian bus transportation service was first established in 1999 under the responsibility of the United Nations High Commissioner for Refugees (UNHCR).² On 1 July 2001, service responsibilities were transferred to the UNMIK Department of Civil Administration. On 31 August 2006, UNMIK and the Provisional Institutions of Self-Government signed the Arrangement for the Transfer of Responsibilities for Humanitarian Transportation of Minority Communities in Kosovo (Arrangement). In accordance with the Arrangement, as of 1 January 2007, the Ministry of Transport and Communications and the Ministry of Communities and Returns have taken over full responsibility for this service including its funding, management, safety and security.

In 2007 the Ministry of Transport and Communications and the Ministry of Communities and Returns failed to put in place the route and timetable selection methodology set forth in the Arrangement on transfer of responsibilities signed with UNMIK. The Transport Advisory Committee created by the Arrangement to approve route and timetable changes was unable to perform its mandate. As a result the service has not expanded in 2008 despite a growing demand from displaced persons, returnees and other vulnerable groups. OSCE reports have documented the existence of such demand.

Only in late December 2007, the Ministry of Transport and Communications issued Administrative Instruction 2007/6 on the Procedure for the Submission and Assessment of Requests for Humanitarian Bus Transportation (Procedure).³ However the Procedure has been distributed inappropriately and

¹ All OSCE reports are available at: <http://www.osce.org/documents>.

² The humanitarian and special transportation programme was foreseen as part of the Kosovo Government's endeavour to ensure the fulfilment of *Standard 3, Freedom of Movement*. Its implementation contributes to the creation of the necessary conditions for the effective participation of persons belonging to minority communities in public life.

³ See Annex 3.

several municipalities have not received it six months after its entry into force.⁴ At the municipal level Municipal Communities Offices are in charge of providing information regarding the Procedure and facilitating the submission of requests. The fact that several Municipal Communities Offices have not received the Procedure has contributed to drastically reduce public awareness and the likelihood of requests being submitted.

According to the Procedure, requests have first to be submitted to a Technical Commission composed by the Ministry of Transport and Communications, the Ministry of Communities and Returns, and the Ministry of Local Government Administration. While this Commission is responsible for conducting the first assessment of these requests, requests have to be transmitted also to the Transport Advisory Committee, which is the only body authorised to take the final decision. However, it is of concern that the responsible Ministries have not issued or shared with the Committee a written decision regarding the composition of the Technical Commission. The Commission operates without transparency and does not provide the necessary documentation and information to the Committee. As of June 2008 the Technical Commission has not created or shared with the Committee a registry of requests received, nor has it provided the Committee with copies of such requests and first instance decisions taken. Therefore the Committee not only continues to be unable to perform its functions with reference to the route and timetable selection process, but is also prevented from monitoring institutional mechanisms created pursuant to the Procedure. At the same time representatives of the Ministry of Transport and Communications have publicly announced during meetings with representatives of the international community that the Technical Commission has received and approved four requests.

Another development that will affect the continued use of the service by non-majority communities is its potential transition into a privatized service, conducted on a commercial basis. If prematurely implemented, such a transition might have detrimental effects on beneficiaries and their use of this essential service. The long term service agreement, through which the current service provider, a Kosovo Serb company trusted by passengers, is operating the humanitarian bus transportation service on behalf of the Ministry of Transport and Communications, has expired on 31 December 2007. The Ministry extended this service agreement until June 2008. As of June the Ministry has not taken steps in order to inform the Transport Advisory Committee regarding this procurement process. At the same time, the Ministry has failed to convene the Transport Advisory Committee in recent months. Therefore the Committee is unable to observe the conduct of the procurement process, its transparency and its adherence to applicable legislation and procedures.

If unable to convene, and not provided with the necessary requests and first instance assessments by the Technical Commission, the Transport Advisory Committee will also be prevented from adopting any decisions on route and timetable amendments. Opposite to the current developments, it would be particularly important that the procurement process be conducted only after route and timetable changes have been approved by the Transport Advisory Committee. If this is not the case, new selected transport provider(s) will not be obliged to respond to a growing and changing demand from vulnerable groups, including displaced persons and returnees, and to operate this service along new routes requested according to the Procedure.

Equally important is that Kosovo authorities provide adequate financing also for newly selected routes in their 2009 Consolidated Budget. As part of the procurement process, the Transport Advisory Committee should be consulted to ensure that the minority communities passengers, mostly Kosovo

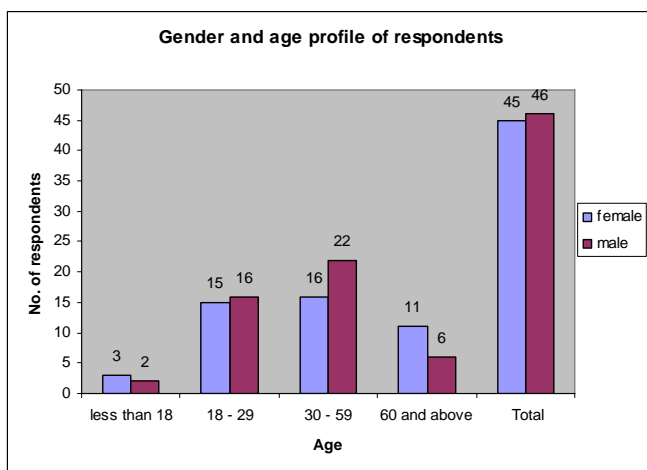
⁴ As of February 2008, none of the municipalities and Municipal Community Offices in charge of facilitating the submission of requests had received the Procedure.

Serbs, would continue to use the service provided by selected bidders.

3. Passenger survey and methodology

In the period from August to December 2007, the OSCE conducted 91 passenger interviews obtaining in-depth information regarding safety and security issues along the route; access of return sites and other minority locations to humanitarian transport; satisfaction with the service provider; and opportunities⁵ that passengers can access through the humanitarian bus transportation. Eighty-six interviewed passengers belong to the Kosovo Serb community, while the remaining ones belong to the Kosovo Albanian and Roma communities; forty six interviewees were female and 45 male.

The small sample was chosen to allow for in depth interviews that could elicit detailed insight into the experiences of service users. The views elicited do not claim to be representative of all passengers, but do however highlight valuable individual experiences and concerns that are likely to be shared amongst those using the service. The depth of information collected is also useful in identifying and illustrating in detail specific non-compliance with the authorities' obligations to inform the Mission's continuous involvement in the monitoring of the Humanitarian Bus Transportation.



The passenger satisfaction questionnaire used in this survey, alongside the comprehensive service monitoring methodology of the Mission, will be shared with the Ministry of Transport and Telecommunications and the Ministry of Communities and Returns to assist them in designing future evaluation plans and to periodically determine the quality and safety of the service. According to Annex VI of the Arrangement, on an annual basis the Ministry of Transport and Communications is responsible for conducting a background and feasibility analysis, while this Ministry and the Ministry and

Communities and Returns are responsible to carry out an Assessment of communities needs. These obligations are also included in the Ministry of Transport and Communications' Administrative Instruction 2007/6.

4. Survey findings

4.1. Service availability and access to services and opportunities

According to the survey, 33 of the 91 interviewed passengers have used the humanitarian bus transportation for the past five to eight years, 29 used it for the past three to four years and 21 used it for the past one to two years. Eight passengers started using the humanitarian bus only during the past year. This shows that new passengers are using the service alongside established users, so that it remains a relevant a service today.

⁵ Opportunities refers to other activities that are not directly related to service access, but that have a positive impact in quality of life such as visits to friends and relatives, shopping, etc.

Thirty eight of the interviewed passengers were between 30 and 59 years old, although only twenty-seven of them were employed. This category of passengers used the humanitarian bus transportation mainly for accessing health services at primary and secondary health facilities as well as social welfare centres and for going to work. Thirty one of the interviewed passengers were between 18 and 29 years of age. Twenty of them are students using the humanitarian bus transportation twice a week almost exclusively for going to university and high school. Seventeen of the interviewed passengers are over 60 years most of whom are retired and use the service once or twice a week when going accessing health care facilities or visiting relatives and friends. Five of the interviewed passengers were below 18 years of age and use the service almost exclusively for going to school.

Sixty two interviewed passengers noted that more frequent bus services would lead to increased use by the same, and therefore more opportunities to access key services and rights. On nine out of 16 routes, passengers expressed the wish to introduce additional bus stops or extend the already existing routes (See Annex 2). Often passengers must walk long distances from their villages to the nearest stop, which is compounded by the lack of other means, including private, to get to the routes' stops. Some passengers stated that they would use the bus service more often if available also on weekends. Such legitimate requests from passengers to increased access and opportunities could not be addressed due to the Ministry of Transport and Communications' and the Ministry for Communities and Returns' failure to put in place a route and timetable selection methodology.⁶ This finally came in December 2007⁷, which means that, throughout 2007 when demand for expansion of service remained high, no such requests could be processed.

The lack of adequate information provision on buses and stops on the procedures is also an ongoing obstacle, a common concern of those interviewed⁸. As of February 2008, none of the municipalities and Municipal Community Offices in charge of facilitating the submission of requests had received the Procedure, which has further compounded the ability of users to request an expansion of the service.

Persons belonging to minority communities, including returnees, rely on the Humanitarian Bus Transportation for their access to education, health, and other basic services. Furthermore, passengers use the service for other daily activities such as accessing their employment, visiting relatives and friends as well as doing grocery shopping in neighbouring villages and towns. On a sporadic basis, and linked to religious festivities, passengers use the service also for visiting religious sites and cemeteries. Not only does the service guarantee access to services and rights, but it also has a positive impact in the quality of life of its users and their families, a key condition for sustainable return and reintegration of minority communities.

4.2. Service satisfaction

Previous Humanitarian Bus Transportation reports have highlighted high satisfaction levels amongst service users, as well as the essential role the service plays in ensuring access to rights and services, a

⁶ Pursuant to Article 4 of the Arrangement, these Ministries had an obligation to put in place such methodology by 1 January 2007. The Transport Advisory Committee can only endorse route and timetable changes once the methodology is in place.

⁷ Administrative Instruction 2007/6 on the Procedure for the Submission and Assessment of Requests for Humanitarian Bus Transportation (Procedure)

⁸ Bus stations along Routes 1, 8, 10, 16 and 14 are equipped with some information. Some passengers confirmed the limited availability of written information on Routes 10, 11, 14 and 16

trend that continues. Sixty-five of the 91 interviewed passengers expressed overall satisfaction with the available humanitarian transport, with no change in their perception of quality over the twelve months covered by the survey. The bus capacity varies from 18 to 52 seats and up to ten standing passengers on the larger services are accepted by the service provider. During rush hours or on special occasions, buses are very crowded.⁹ This happens in particular in the mornings and afternoons when pupils go to or come back from school as well as on market days. Such complaints are however not being communicated to the pertinent authorities.

In 2007, the Ministry of Transport and Communications failed to produce and distribute information to passengers on ways and procedures of submitting complaints, requests, or suggestions to the service provider or the Ministry. Furthermore, the Mission observed that complaint forms seem to be absent throughout the routing¹⁰, with passengers often complaining verbally to the bus drivers. It is unclear whether bus drivers then go on to share these concerns with service providers. The lack of awareness of complaint procedures, combined with the passengers' reluctance to submit written complaints contribute to a lack of knowledge by the relevant authorities of the needs and concerns of users. Furthermore, this lack of communication undermines accountability to users by both the service provider and the responsible authorities at the local and central level.

4.3. Safety and security

Security and safety are important aspects of determining whether the Humanitarian Bus Transportation is adequately accessible. Seventy-three interviewed passengers stated that they perceive their freedom of movement was limited¹¹, highlighting the necessity of ensuring the sustainability of the service. Fifty-seven passengers interviewed stated that they never had security problems while using the service, 14 had experienced one incident, and another 19, two or more incidents. These incidents include the stoning of buses, which was witnessed by 20 of the passengers interviewed. Passengers travelling on the routes from and around Rahovec/Orahovac to Gračanica/Gračanicë, from Vidanje/Videjë, or from Osojane/Osojan to Zvečan/Zveçan continue to perceive the conditions of the service as unsafe¹². On three occasions, two female and one male passengers along Route 9 from Velika Hoča/Hoçë e Madhe to Zvečan/Zveçan and Route 11 from Gjilan/Gnjilane to Šilovo/Shillovë witnessed verbal threats.

The above incidents highlight the need to improve security, including adequate communication systems in the buses and a more proactive engagement of competent actors i.e. Municipal Community Safety Councils and Local Public Safety Committees¹³ in addressing the security aspects of the service. To date, the Humanitarian Transportation has rarely featured on the agenda of such bodies.

As mentioned in previous OSCE reports, bus drivers admitted that the radio communications system available on the buses are sometimes inoperative. The lack of appropriate communications when an incident occurs negatively affects both the objective security and perception of safety amongst users.

⁹ The OSCE observed the lack of up to 17 seats on Routes 4, 8, 11 and 12. Additionally, interviewed passengers travelling on Routes 7 and 9 informed that the buses are often overcrowded. For details on the Routes please refer to Annex 1.

¹⁰ The OSCE observed the availability of complaint forms only on Routes 10 and 14.

¹¹ Eighteen passengers travelling on routes 4, 9, and 13 felt their freedom of movement is not limited.

¹² Routes 4, 7, 8 and 9

¹³ UNMIK Regulation No. 2005/54 On the Framework and Guiding Principles of the Kosovo Police Service, Section 7, defines Municipal Community Safety Councils and Local Public Safety Committees as consultation mechanisms in which to "discuss any matters relating to policing, public safety and order" respectively at the municipal and village levels.

Bus drivers rely on mobile phones, and although network is normally available and reliable along service routes, this is not always the case. The frequencies used for the radio communication system still belong to UNHCR. The Ministry of Transport and Communications has taken no action to ensure new frequencies that would enhance the security of the services through an efficient reporting and response mechanism when a service comes under threat.

Although no serious incident targeting Humanitarian Bus Transportation has occurred during the reporting period, incidents occurred on private bus lines that affect the security and freedom of movement of minority communities and have a negative impact on the perceptions of security amongst Humanitarian Transportation users.¹⁴ This coupled with ongoing and frequent verbal and physical intimidation of users emphasizes the need to enhance the security provision of the service.

5. Conclusions and recommendations

Minority communities in general and Kosovo Serbs in particular continue to remain largely within, or travel between, areas where they constitute the majority at the local level. Persons belonging to minority communities strongly rely on the humanitarian bus transportation service connecting minority community locations including rural and urban areas in order to access educational and health facilities, administrative and social welfare services, and shopping opportunities in neighbouring towns and villages. From August to December 2007, the humanitarian bus service carried a total of 152,000 passengers, which amounts to a monthly average of 25,300 passengers. From January to April 2008 the average number of passengers even increased to 26,600, with peaks of 27,300 in March and April, namely after 17 February 2008.

The Humanitarian Bus Transportation continues to provide a key service to vulnerable and isolated minority communities. It enhances freedom of movement, access to services, the enjoyment of other related rights, and it contributes to a better quality of life. Notwithstanding progress made by the responsible authorities in taking over its management, more must be done to ensure the functioning of the institutional mechanisms established to monitor the service and ensure that this responds to the changing needs of its actual and potential users. The sustainability of the service must also be ensured through adequate and continuing funding. The key focus of the OSCE in 2008 will be on monitoring the functioning of the institutional mechanisms established to ensure the continued operation and sustainability of this service.

In view of the above considerations the OSCE recommends that the relevant authorities:

- Enable the selection of new routes to respond to the evolving demand of vulnerable groups and ensure adequate funding of the Humanitarian Bus Transportation service in 2009, including for the operation of new approved routes.

¹⁴ These include the 27 July 2007 detonation of an explosive device in the Kosovo Albanian village Cerajë/Ceranja (Leposavić/Leposaviq Municipality) that caused material damages to a minibus that was carrying passengers to three Kosovo Albanian villages in northern Kosovo and the 26 November 2007 targeting of a private bus heading from Dragash/Dragaš to Belgrade close to the Merdar/Merdare (Podujevë/Podujevo Municipality) crossing point with an explosive device by unknown masked persons. On 6 December 2007, the same bus was stopped again by unknown masked persons who seized the bus keys before fleeing.

- Ensure the Ministry of Transport and Communications and the Ministry of Communities and Returns provide periodical reports on the passenger flow, service availability and frequency.
- Distribute to all municipal authorities and effectively implement the Administrative Instruction No. 2007/6 on the Procedure for the Submission and Assessment of Requests for Humanitarian Bus Transportation.
- Create and make accessible to the Transport Advisory Committee a register of all the outstanding humanitarian transportation requests and complaints.
- Ensure that the Transport Advisory Committee remains the only body authorised to adopt final decisions on route and timetable changes, and has unhindered access to all necessary requests, decisions, complaints received and issued by the Technical Commission.
- Ensure the selection of the future transport provider(s) is conducted only after route and timetable changes are approved by the Transport Advisory Committee and conduct the procurement process in a fair and transparent way, in consultation with the Transport Advisory Committee to ensure passengers, mostly Kosovo Serbs, would continue to use the service provided by selected bidder(s).
- Conduct passenger and communities information and outreach activities, including inter-ethnic dialogue initiatives to increase confidence amongst passengers from minority communities.
- Address security related issues, including through Municipal Community Safety Councils and Local Public Safety Committees and put in place and disseminate amongst passengers a formal complaint procedure, including forms and information on the institutions to which complaints should be addressed.
- Display signs and written information on transportation routes, timetables, and fees in all official languages.

Annex 1: Humanitarian Bus Transportation Routes

As of May 2008, the Kosovo humanitarian bus transportation service operated on a total of the following 17 Routes.¹⁵

- 1) Babin Most/Babimoc (OB) - Miloševo/Milloshëvë (OB) - Gračanica/Graçanicë (PR) - Miloševo/Milloshëvë (OB) - Babin Most/Babimoc (OB);
- 2) Gornja Brnjica/Bërnice e Epërme (PR) – Gračanica/Graçanicë (PR) - Gornja Brnjica/ Bërnice e Epërme (PR);
- 3) Miloševo/Milloshëvë (PR) - Gate 3 - Miloševo/Milloshëvë (PR);
- 4) Velika Hoča/ Hoçë e Madhe (RH) – Upper Rahovec/ Orahovac - Gračanica/Graçanicë (PR) - Upper Rahovec/ Orahovac - Velika Hoča/ Hoçë e Madhe (RH);
- 5) Grace/Gracë (VU) – northern Mitrovica/Mitrovicë (MI) - Grace/Gracë (VU);
- 6)¹⁶ Leposavić/Leposaviq (LE) – southern Mitrovicë/Mitrovica (MI) - Leposavić/Leposaviq (LE);
- 7) Vidanje/Videjë (KL) - Klinë/Klina (KL) - Drsnik/Dresnik (KL) - Grabac/Grabc (KL) - Bica/Binxhë (KL) - Zvečan/Zveçan (ZV) Klinë/Klina - Drsnik/Dresnik (KL)- Grabac/Grabc (KL) - Biča/Binxhë (KL) - Vidanje/Videjë (KL);
- 8) Osojane/Osojan (IS) - Zvečan/Zveçan (ZV) - Osojane/Osojan (IS);
- 9) Velika Hoča/ Hoçë e Madhe (RH) - Rahovec/Orahovac (RH) - Zvečan/Zveçan (ZV) - Rahovec/Orahovac (RH) - Velika Hoča/ Hoçë e Madhe (RH);
- 10) Babljak/Bablak (UR) – Gračanica/Graçanicë (PR) - Babljak/Bablak (UR);
- 11) (*Gjilan/Gnjilane A*) or Gjilan/Gnjilane (GN) - Poneš/Ponesh (GN) - Koretište/Koretishtë (GN) - Stanišor/Stanishor (GN) - Gornje Kusce/Kufcë e Epërme (GN)- Kmetovce/Kmetoc (GN) - Šilovo/Shillovë (GN) - Gjilan/Gnjilane (GN);
- 12) (*Gjilan/Gnjilane B*) or Gjilan/Gnjilane (GN) - Donja Budriga/Budrikë e Poshtme (GN) - Pasjane/Pasjan (GN) - Donja Budriga/Budrikë e Poshtme (GN) - Parteš/Partesh (GN) – Cernica/Cernicë (GN) - Gjilan/Gnjilane (GN) Gornji Livoc/Livoç i Epërm (GN) - Gjilan/Gnjilane (GN);
- 13) (*Gjilan/Gnjilane C*) or Gjilan/Gnjilane (GN) – Stanišor/Stanishor (GN) - Gornji Makreš/Makresh i Epërm (GN) - Trnjičevce/Tërniqec (NB) - Čuljkovce - Bostane/Bostan (NB) - Izvor/Izvor (NB) - Prekovce/Prekoc (NB) - Zebince/Zebincë (NB) - Straža/Strazhë (GN) – Kosmata - Stanišor/Stanishor (GN) - Gjilan/Gnjilane (GN) - Paralovo/Parallovë (GN) - Gjilan/Gnjilane (GN) - Stanišor/Stanishor (GN) - Kosmata - Straža/Strazhë (GN) - Zebince/Zebincë (NB) - Prekovce/Prekoc (NB) - Izvor/Izvor (NB) - Bostane/Bostan (NB) - Čuljkovc - Trnjičevce/Tërniqec (NB) - Gornji Makreš/Makresh i Epërm (GN) - Stanišor/Stanishor (GN) - Gjilan/Gnjilane (GN) - Paralovo/Parallovë (GN) - Gjilan/Gnjilane (GN);
- 14) (*Gjilan/Gnjilane D*) or Gjilan/Gnjilane (GN) - Stanišor/Stanishor (GN) - Gornji Makreš/Makresh i Epërme (GN) - Trnicevce/Tërniqec (NB) – Čuljkovce - Novo Brdo/Novobërdë (NB) - Bostane/Bostan (NB) - Izvor/Izvor (NB) - Prekovce/Prekoc (NB) - Gračanica/Graçanicë (PR) - Prekovce/Prekoc (NB) - Izvor/Izvor (NB) - Bostane/Bostan (NB) - Novo Brdo/Novobërdë (NB) – Čuljkovc - Trnjičevce/Tërniqec (NB) - Gornji Makreš/Makresh i Epërm (GN) - Stanišor/Stanishor (GN) - Gjilan/Gnjilane (GN);
- 15) (*Gjilan/Gnjilane E*) or Gjilan/Gnjilane (GN) - Stanišor/Stanishor (GN) - Straža/Strazhë (GN) - Zebince/Zebincë (NB) - Prekovce/Prekoc (NB) - Šilovo/Shillovë (GN) - Gračanica/Graçanicë (PR) - Šilovo/Shillovë (GN) - Prekovce/Prekoc (NB) - Zebince/Zebincë (NB) - Straža/Strazhë (GN) - Stanišor/Stanishor (GN) - Gjilan/Gnjilane (GN);
- 16) (*Gjilan/Gnjilane F*) or Kamenicë/Kamenica (KK) - Ranilug/Ranillug (KK) - Šilovo/Shillovë (GN) - Gjilan/Gnjilane (GN) - Mitrovicë/Mitrovica (MI) - Gjilan/Gnjilane (GN) - Šilovo/Shillovë (GN) - Ranilug/Ranillug (KK) – Kamenicë/Kamenica (KK); and,
- 17) (*Gjilan/Gnjilane G*) or Klokot/Kllokot (VI) - Parteš/Partesh (GN) - Gjilan/Gnjilane (GN) - Mitrovicë/Mitrovica (MI) - Gjilan/Gnjilane (GN) - Parteš/Partesh (GN) - Klokot/Kllokot (VI).

¹⁵ The list was provided by the UNMIK Field Operations Unit, Humanitarian Bus Project, General Operational Report, 31 July 2006. The municipalities where these villages are located are indicated through acronyms in brackets as follows: (OB) Obiliq/Obilić; (PR) Prishtinë/Priština; (RH) Rahovec/Orahovac; (VU) Vushtrri/Vučitrm; (ZV) Zvečan/Zveçan; (LE) Leposavić/Leposaviq; (KL) Klinë/Klina; (IS) Istog/Istok; (UR) Ferizaj/Uroševac; (GN) Gjilan/Gnjilane; (NB) Novo Brdo/Novobërdë; (KK) Kamenicë/Kamenica; (VI) Viti/Vitina.

¹⁶ Suspended since August 2006.

Annex 2: List of route extensions and additional bus stops proposed by interviewed passengers

Route No.	Current bus stops in normal font Additional proposed bus stops in bold
2	Mitrovicë/Mitrovica (MI) - Gornja Brnjica/Bërnice e Epërme (PR) – Fushë Kosovë/Kosovo Polje (FK/KP) – Lismir/Dobri Dub (FK/KP) – Nakaradë/Nakarade (FK/KP) - Bresje (FK/KP) – Ugljare/Uglar (FK/KP) – Caravodice/Crkvena Vodica (LI) – Lipjan/Lipljan (LI) - Gračanica/Gračanicë (PR) - Gornja Brnjica/ Bërnice e Epërme (PR) - Mitrovicë/Mitrovica (MI)
3	Caravodice/Crkvena Vodica (LI) - Lipjan/Lipljan (LI) - Miloševo/Milloshëvë (PR) - Gate 3 - Miloševo/Milloshëvë (PR) - Lipjan/Lipljan (LI) - Caravodice/Crkvena Vodica (LI)
5	Priluzje/Priluzhë (VU) - Grace/Gracë (VU) - Mitrovica/Mitrovicë North (MI) - Grace/Gracë (VU) - Priluzje/Priluzhë (VU)
7	Vidanje/Videjë (KL) - Klinë/Klina (KL) - Drsnik/Dresnik (KL) – Klinafc/Klinavac (KL) – Berkovo/Berkovë (KL) - Grabac/Grabc (KL) - Bica/Binxhë (KL) - Zvečan/Zveçan (ZV) Klinë/Klina - Drsnik/Dresnik (KL)- Grabac/Grabc (KL) - Zallq/žač (IS) - Osojane/Osojan (IS) - Suvi Lukavac/Llukavc i Thatë Biča/Binxhë (IS) - Vidanje/Videjë (KL)
8	Osojane/Osojan (IS) - Tuçep/Tuçep (IS) - Zvečan/Zveçan (ZV) - Tuçep/Tuçep (IS) - Osojane/Osojan (IS)
10	Babljak/Bablak (UR) – Srpski Babuš/Babushi Serb (UR) - Talinoc i Muhaxherëve/Muhadžer Talinovac (UR) - Gračanica/Gračanicë (PR) - Talinoc i Muhaxherëve/Muhadžer Talinovac (UR) - Srpski Babuš/Babushi Serb (UR) - Babljak/Bablak (UR)
11 Gjilan/ Gnjilane A	Gjilan/Gnjilane (GN) - Poneš/Ponesh (GN) - Koretište/Koretishtë (GN) - Stanišor/Stanishor (GN) - Gornje Kusce/Kufcë e Epërme (GN)- Kmetovce/Kmetoc (GN) - Ranilug/Ranillug (KK) - Veliko Ropotovo/Ropotove (KK) - Korminjane/Korminjanë (KK) - Kamenicë/Kamenica (KK) - Šilovo/Shillovë (GN) - Gjilan/Gnjilane (GN)
14 Gjilan/ Gnjilane D	Gjilan/Gnjilane (GN) - Stanišor/Stanishor (GN) - Gornji Makreš/Makresh i Epërme (GN) - Trnicevce/Tërniqec (NB) – Čuljkovce - Pasjane/Pasjan - Gornje Kusce/Kufcë I Epërm - Livoç i Epërm/Gornji Livoc - Prekovce/Prekoc - Ropotovo/Ropotove - Novo Brdo/Novobërdë (NB) - Bostane/Bostan (NB) - Izvor/Izvor (NB) - Prekovce/Prekoc (NB) - Gračanica/Gračanicë (PR) - Prekovce/Prekoc (NB) - Izvor/Izvor (NB) - Bostane/Bostan (NB) - Novo Brdo/Novobërdë (NB) – Čuljkovc - Trnjičevce/Tërniqec (NB) - Gornji Makreš/Makresh i Epërm (GN) - Stanišor/Stanishor (GN) - Gjilan/Gnjilane (GN)
16 Gjilan/ Gnjilane F	Kamenicë/Kamenica (KK) - Ranilug/Ranillug (KK) - Veliko Ropotovo/Ropotove (KK) - Šilovo/Shillovë (GN) - Gjilan/Gnjilane (GN) - Mitrovicë/Mitrovica (MI) - Gjilan/Gnjilane (GN) - Šilovo/Shillovë (GN) - Veliko Ropotovo/Ropotove (KK) - Ranilug/Ranillug (KK) – Kamenicë/ Kamenica (KK)

Legend. Municipalities where these villages are located are indicated through acronyms in bracket as follows: (OB) Obiliq/Obilić; (PR) Prishtinë/Priština; (RH) Rahovec/Orahovac; (VU) Vushtrri/Vučitrim; (ZV) Zvečan/Zveçan; (LE) Leposavić/Leposaviq; (KL) Klinë/Klina; (IS) Istog/Istok; (UR) Ferizaj/Uroševac; (GN) Gjilan/Gnjilane; (NB) Novo Brdo/Novobërdë; (KK) Kamenicë/Kamenica; and (VI) Viti/Vitina.

Annex 3: Administrative Instruction No. 2007/6

On Procedure for the Submission and Assessment of Requests for Humanitarian Bus Transportation

Article 1

Definitions

1.1 For the purposes of this Procedure, the terms and abbreviations listed below shall have the following meaning:

- a) *Arrangement*: Operational Arrangement between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Provisional Institutions of Self-Government (PISG) on the Transfer of Responsibility for Humanitarian and Special Transportation Services for Minority Communities in Kosovo (Annex 3);
- b) *Background and feasibility analysis*: Background and feasibility analysis conducted pursuant to the route and timetable selection methodology contained in Annex VI to the Arrangement;
- c) *Community needs Assessment*: Assessment of community needs conducted pursuant to the route and timetable selection methodology (Annex 3) contained in Annex VI to the Arrangement;
- d) *Form*: humanitarian bus transportation request form;
- e) *Law on Administrative Procedure*: The Assembly of Kosovo Law No. 02/L-28 as promulgated by the UNMIK Regulation No. 2006/33.
- f) *Procedure*: Procedure for the Submission and Assessment of Requests for Humanitarian Bus Transportation;
- g) *Request*: Request for humanitarian transportation;
- h) *Requesting Parties*: Applicants who submit a Request for humanitarian bus transportation;
- i) *Route*: Humanitarian bus transportation route as specified in Annex 2 to this Procedure;
- l) *Transport Advisory Committee (TAC)*: The body set up in accordance to Article 5 of the Arrangement;
- n) *Technical Commission*: Technical Commission on Humanitarian Transportation set up pursuant to Article III of this Procedure;
- o) *The Comprehensive Assessment (Assessment)*: The decision adopted by the Technical Commission under Article 3 of this Procedure;
- p) *Transport Feasibility Assessment*: The assessment conducted by the MoTC under Article 3.5 of this Procedure;
- q) *Security Assessment*: The assessment conducted by Kosovo Police Service (KPS) and Ministry of Internal Affairs (MoIA) under Article 3.5 of this Procedure.

Article 2

Requests for Humanitarian Bus Transportation

- 2.1. A minimum of 10 inhabitants of locations that are not included along the existing Routes, and claim that their freedom of movement is limited, shall be entitled to request that their locations be reached by the humanitarian bus transportation service.
- 2.2. For this purpose, they shall submit jointly a Request either for the creation of new route or for the extension or modification of an existing route.
- 2.3. The request shall be submitted through a form, which is attached in Annex 1. The form consists of two parts: the first part to be completed by the requesting parties; and the second part to be completed by the Technical Commission. The Municipal Community Office (MCO) is responsible to make the form available to the requesting parties as well as to assist them in the submission of their requests.
- 2.4. In accordance with Article 40.3 of the Law on Administrative Procedure, the Mayor directly or through the MCO, shall receive the request and forwards it to the Technical Commission within two working days from submission.
- 2.5. The MCO shall inform the requesting parties of the starting date of the procedure.

Article 3

Technical Commission and First Instance Assessment

- 3.1. The Technical Commission is established and mandated to decide on the request as a first instance assessment body.
- 3.2. The Technical Commission is composed of three members, one from each of the following institutions: the MoTC; the MCR and the Ministry of Local Government Administration (MLGA). In addition the Kosovo Police Service (KPS), the Ombudsperson Institution and the service provider, shall sit in the Technical Commission as observers. Each Institution shall appoint its representative in the Technical Commission and shall inform the Secretary of the TAC of this appointment. Members of the Technical Commission shall not be at the same time members of the TAC.
- 3.3. Upon notification from the Mayor, the Technical Commission shall enter all the requests into a special humanitarian bus transportation requests' registry.
- 3.4. Pursuant to Article 81.1 of the Law on Administrative Procedure, within 90 days from the date in which the request has been received by the MCO, the Technical Commission is obliged to issue a comprehensive Assessment (the Assessment). The Assessment shall be composed of: a) security assessment; b) transport feasibility assessment; c) community needs assessment; and d) a conclusion based on the above assessments (a to c). The Assessment shall be accompanied by either a positive conclusion (positive Assessment) or by a negative conclusion (negative Assessment).

3.5. Within the Technical Commission, the KPS shall issue a security assessment. The MoTC shall issue, after consulting with the humanitarian bus transportation service provider (service provider), a transport feasibility assessment, encompassing both the financial and the technical implications of the request. After the overall humanitarian transportation needs of the community making the request have been examined, the MCR and MLGA shall issue a community needs assessment.

3.6. The Technical Commission shall adopt the final Assessment preferably unanimously or by simple majority of the overall membership of the Commission (two out of three). Dissenting opinions shall be attached to the Assessment. The Assessment shall contain the information provided for by Article 84.2 of the Law on Administrative Procedure. The requesting parties as well as the TAC shall be served with the assessment issued by the Technical Commission in accordance with Article 109 of the Law on Administrative Procedure.

3.7. In case the Technical Commission issues a negative Assessment or fails to issue an Assessment within the ninety (90) days deadline, the requesting parties are entitled to submit a complaint to the TAC, within thirty (30) days from the date in which they were served with a negative Assessment or within sixty 60 days from the date in which the deadline has expired without an Assessment being issued by the Technical Commission.

Article 4

Transport Advisory Committee and Approval of Route and Timetable Changes

4.1. Pursuant to Article 5.2 of the Arrangement the TAC shall meet twice a year at least, to review compliance with the route selection methodology and to provide the Prime Minister and the Special Representative of the United Nations Secretary General in Kosovo with a written opinion on possible changes to the current routes and timetables.

4.2 To this purpose the TAC shall consider:

a) the background and feasibility analysis issued by the MoTC pursuant to Article 3.1, paragraphs a) to k) of Annex VI of the Arrangement;

b) the assessment of community needs issued by the MoTC and the MCR pursuant to Article 4.1 of Annex VI of the Arrangement;

c) the first instance decisions on Requests for humanitarian transportation issued by the Technical Commission pursuant to this procedure.

4.3. The TAC shall keep a register with a) all the Requests; b) the Technical Commission's Assessments and c) the applicants' complaints against either the Technical Commission's negative Assessments or the Technical Commission's failure to assess.

4.4 The TAC shall issue the final decision on the Requests for humanitarian transportation based on the acts mentioned in Article 4.3.

4.5. The TAC Decision regarding route and timetable changes shall be final and taken at least once per year. The Decision shall be based on the financial and bus fleet resources planned for and available within the following year's budget and in accordance with the Kosovo Consolidated Budget (KCB). After careful consideration of elements (a) to (c) as listed in Article 4.2 above, the TAC shall ensure the publication of approved route and timetable changes.

4.6. The TAC decision will include the following:

a) a list of either existing or new routes to be prioritized and provided with humanitarian bus transportation in the following year's budget, through the KCB;

b) a list of new routes or new stops within existing routes to be provided with humanitarian bus transportation only upon availability of additional resources either from the KCB, donations, or community contributions;

c) a list of rejected requests.

4.7. In itself, the submission of a request in accordance with Article II does not entitle the applicants to have their request included in the scope of the route and timetable changes approved by the TAC. Dissatisfied submitters of a request may file an administrative law suit in accordance with the applicable legislation.

Article 5

Final Provision

5.1. The present Procedure shall enter into force on the date of its signature and shall be published in the Albanian, Serbian and English languages in the Official Gazette of the Provisional Institutions of Self-Government and in the web-sites of the MoTC and MCR. The Procedure shall also be made available at the MCO.

5.2. Requests for humanitarian bus transportation presented before the entry into force of this Procedure, shall be re-submitted by the requesting parties in accordance with this procedure. The MCOs, in the respective Municipalities are responsible to inform the mentioned requesting parties of this requirement and shall assist them in submitting new Requests.

Article 6

Enter in force

This Administrative Instruction enters in force on the day of signature.
Pristina

on 24.12.2007

Qemajl Ahmeti, Minister