

Memorandum of Understanding

1. Following meetings dated 15 November 1999 and 6 April 2000 the Head of the Federal Department of Justice and Police, Ruth Metzler-Arnold, and the Special Representative of the Secretary General of the United Nations for Kosovo, Dr. Bernard Kouchner, announce their intention to co-operate in the promotion and facilitation of regulated and voluntary return and reintegration of Yugoslav nationals from Kosovo who have been admitted into Switzerland. On this occasion, Federal Councillor Metzler-Arnold points to the comprehensive Swiss return assistance programme designed to promote voluntary return.
2. Federal Councillor Metzler-Arnold and the Special Representative, Dr. Kouchner, agree to apply a non-bureaucratic pragmatic procedure for the individual entry by air or by land of Yugoslav nationals originating from and returning to Kosovo on a voluntary basis. Travel documents that can be used, for the voluntary return include a passport or identity card ("licna karta") issued by the Federal Republic of Yugoslavia or, a Laissez Passer issued by the Swiss Confederation.
3. The Special Representative, Dr. Kouchner, agrees to reserve for as long as required an ample number of landing slots for charter flights carrying returning Kosovo residents from Switzerland to Pristina. Federal Councillor Metzler-Arnold promises to provide Timely prior notice to the Special Representative, Dr. Kouchner, about any changed needs for landing rights as and when required. In addition, Switzerland will undertake to issue an announcement, to UNMIK at least two working days in advance in the case of each planned return. Announcements will include the names of persons to be repatriated, their place of origin and, where possible, their intended final destination in Kosovo, the scheduled date and time of their arrival and the flight number.
4. Federal Councillor Metzler-Arnold explains that people from Kosovo who have no residence permits in Switzerland have to return to their country of origin. Federal Councillor Metzler-Arnold reiterates that Switzerland attaches great importance to the voluntary return. Forced repatriations decreed upon by the Swiss authorities are restricted to a manageable number of persons who, according to internationally recognised standards are in no need for protection and whose safety and well-being is not endangered by their return, Switzerland ensures that the necessary precautions will be taken to take account of the prevailing situation in Kosovo and the need of the repatriated individuals for adequate accommodation. Switzerland will make efforts not to trigger off large scale returns and will spread repatriations as much as possible over the remainder of the year 2000 and beyond as necessary.
5. The Special Representative, Dr. Kouchner, agrees to admit into Kosovo persons repatriated under these conditions. Both parties agree furthermore to recognise a passport or an identity card ("licna karta") issued by the Federal Republic of Yugoslavia or, a Laissez Passer issued by the Swiss Confederation as legal travel documents for returnees to Kosovo.

6. Federal Councillor Metzler-Arnold and the Special Representative, Dr. Kouchner, agree that the identity of voluntary returnees or repatriated persons will be established by the Swiss authorities based upon personal documents submitted or declarations made by the individuals, Kosovo origin can be established by documents stated in paragraphs 2 and 5 above or, other documents accepted by both parties, e.g. certificates of nationality, identity cards, military documents, drivers' licences, birth certificates as well as certified copies thereof.

7. Federal Councillor Metzler-Arnold and the Special Representative, Dr. Kouchner, agree to a continuous and close exchange of views, regarding the return of refugees to Kosovo to ensure the implementation of the present agreement.

Agreed to and signed at Pristina on 6.4.2000

Bernard Kouchner
Special Representative
of the Secretary General
of the United Nations for Kosovo

Ruth Metzler-Arnold
Head of the Federal Department
of Justice and Police
Government of Switzerland