

Subject: Joint Call to the European Union, to the European Heads of State and Government on the situation of Kosovo Roma

Brussels, 16 June 2004

Call to the European Union, to the European heads of State and Government On The Situation of Kosovo Roma

The United Nations-administered province of Kosovo has just seen what the United Nations High Commissioner for Refugees (UNHCR) has termed as the worst ethnic clashes since 1999. Three days of violence, between March 17 and 19, left 19 people dead, and 954 wounded. According to the Organization for Security and Cooperation in Europe (OSCE), 4.100 people—almost all of them Serbs, Roma, Ashkali, or other non-Albanian minorities—were forced to leave their homes as a result, and are currently displaced either in Kosovo itself or in Serbia and Montenegro. European Union High Representative Javier Solana and U.N. Undersecretary General for Peace-Keeping Operations Jean-Marie Guéhenno have both made clear that there is a real risk of further violence. UNHCR has issued a new guidance to countries hosting minority refugees from Kosovo, asking them to refrain from involuntary returns to Kosovo and to allow people who agreed to a “voluntary” return to withdraw from their decision.

The recent events are merely the latest in a pattern of violence against minority communities in Kosovo since 1999, including arson, abductions and murders. The great majority of violence against minorities has gone unpunished, leaving the promise of a multiethnic and democratic Kosovo nothing more than a hollow shell.

Fewer than 10,000 of the more than 230,000 people who have fled Kosovo since June 1999 have returned. Thousands more remain as internally displaced persons (IDPs) inside Kosovo, unable to return to their original homes. The recent violence has further undermined the prospects for returns to Kosovo. In places such as Belo Polje near Pec/Peje and Vucitrn/Vushtri, some of the people attacked were recent returnees.

UNHCR’s Statute and subsequent Conclusions adopted by its Executive Committee have identified three permanent solutions for refugees, namely: voluntary repatriation, full integration of refugees into their countries of asylum, and resettlement to a third country.

While those who wish to return must have the right to do so, sustainable return to Kosovo in safety and dignity cannot be considered as an option in the near future for people belonging to the Roma, Ashkali, Egyptians and

many other minorities. The unwillingness of host countries to find permanent solutions for refugees and internally displaced persons from Kosovo has left many of them in a state of limbo. The plight of Roma, Ashkalia and Egyptians from Kosovo and currently in Macedonia and Serbia and Montenegro is particularly acute. They are vulnerable to abuse, suffer persistent discrimination, and face significant pressure to return to their home communities.

Return policies related to Kosovo Roma, Ashkalia, Egyptians and others regarded as "Gypsies" currently outside Kosovo's borders should proceed on the basis of the fully informed choice, without any form of coercion or pressure, of the individual concerned. Those who wish to go home and understand fully the potential consequences of that choice should be able to do so in safety and dignity. Those unwilling to return to Kosovo should be provided with the possibility to integrate in their country of exile, as well as provided with assistance in so doing. Possibilities for bringing refugees out of Macedonia, Serbia and Montenegro and Bosnia to Western European countries better able to integrate them in the current conditions should be explored seriously.

Against the backdrop of the renewed violence against minorities and the failure of the international civil administration of Kosovo in "[e]stablishing a secure environment in which refugees and displaced persons can return home in safety" in accordance with U.N. Security Council Resolution 1244, the plight of internally displaced persons and refugees from Kosovo requires urgent attention. The organizations joining this appeal therefore call on the European Union and its member states to:

- Stop involuntary returns to Kosovo, and, in accordance with latest UNHCR guidance, permit reconsideration of claims by those who have accepted voluntary return.
- Reconsider claims for refugee status in light of the latest country information, and guidance from UNHCR.
- Facilitate durable solutions for refugees and IDPs from Kosovo in current host countries and areas where possible.
- Consider resettlement into the E.U. for Kosovo Roma refugees and IDPs presently outside the E.U. for whom a durable solution in the region cannot be found.
- Ensure that the UN Interim Administration Mission in Kosovo (UNMIK) and the NATO-led Kosovo Force (KFOR) act in accordance with

Resolution 1244 to safeguard the security of Kosovo's minority populations and their homes.

- Ensure that UNMIK, KFOR and Kosovar law enforcement and judicial authorities hold accountable those responsible for attacks on minorities in Kosovo.
- Ensure that refugees and IDPs who have been deprived of their homes and/or other property have the opportunity to verify their property rights through the Housing Property Directorate (HPD) and the Housing and Property Claims Commission (HPCC), and the right to compensation or alternative accommodation where appropriate.

First signatories:

European Roma Information Office;  
Bachtale Chave, Belgium;  
Comité de Surveillance OTAN, Belgium;  
CCME-Churches' Commission for Migrants in Europe;  
European Roma Rights Center, Human Rights Watch, Le  
Monde des Possibles, Belgium;  
Opré Roma, Belgium;  
Romano Dzuvdipe, Belgium;  
Romano, Denmark;  
Spolu International Foundation;  
Union des Roms d'Ex-Yougoslavie en Diaspora;  
Voice of Roma, Voix des Roms.

Please help us spreading this call and let us know if your organisation would like to sign in!

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