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Serious Human Rights Concerns in Kosovo Must Be Addressed

Prishtina, 22 June 2006. The International Helsinki Federation for Human Rights (IHF) has been following the human rights situation in Kosovo since the 1980s and has reported on human rights violations there. The IHF has visited Kosovo three times since March 2004.

Despite some improvement in the human rights situation in Kosovo over the last two years, human rights protection in Kosovo remains clearly insufficient. Hence, the IHF decided to undertake a fact-finding mission to focus on some of the remaining and serious human rights problems.

The mission was organized from 18 to 22 June 2006. The IHF Secretariat based in Vienna, the Norwegian Helsinki Committee, the Helsinki Committee for Human Rights in Bosnia and Herzegovina, the Croatian Helsinki Committee, the Kosovo Helsinki Monitor, and the Helsinki Committee for Human Rights in Serbia took part.

The IHF delegation visited Pristina, Gorazdevac, Osojane, Vitomerice, Obilic, Janjevo, Mitrovica, Prizren and Velika Hoca, met with representatives of inter-governmental organizations, including UNMIK and the OSCE, PISG institutions, Deputy Prime Minister Lutfi Haziri, former Prime Minister Bajram Rexepi and Philip S. Goldberg, Chief of Mission of the U.S. Office in Pristina, political parties, NGOs, think tanks, media and spoke to people from different Kosovo communities.

Human rights belong to all individuals, regardless of ethnicity or other distinctions. The IHF has many human rights concerns in Kosovo which cuts across ethnic divides, for instance regarding the rule of law and accesses to justice for past and recent crimes. However, the particularly vulnerable situation of minorities warranted that the mission gave particularly emphasis to minority human rights.

Displacement

Displacement of people in 1999 has dramatically changed the demography of Kosovo. This still affects the whole population, but particularly the Serb and the Roma/Askali/Egyptian communities. Albanians who previously lived on Northern side of the Ibar river have also been severely affected by displacement. Returns are very slow, and many do not have a permanent character. It has even been observed that from some parts of Kosovo inhabited by minorities, there are more departures than returns. Reasons for it are not only fear because of their ethnic background but also the very bad economic situation.

Some of the settlements, like the Roma / Ashkali / Egyptians settlements that used to exist in Obilic seven years ago, were not repopulated. Many members of the RAE are still placed in tents and there is no clear solution in sight.

Security concerns

The delegation interviewed persons from Serb enclaves in Gorazdevac, Osojane, Obilic, Mitrovica, and Velika Hoca. Many of them expressed fear for personal security and reported of situations where property was damaged and destroyed. Where protection was requested from the police, the requests were either not taken seriously or even ignored. Finally there were complaints of slow or no reactions by authorities when life was endangered. Interviewees had a general perception that not much attention was paid to their fears, and most of such cases were never properly investigated. We are aware that similar problems are cited by Albanians north of Ibar.

In early June this year, a shooting by machine guns in Gorazdevac reportedly took place. Similar incidents were already reported from the same location during the last couple of years. (In June 2003, children were killed and several were wounded). As a consequence, the Serbs from this enclave do not dare to cultivate their land in the shooting area. They allege that the land is used by members of the majority population.

Inhabitants of Osojane informed that they do not dare to access the woods around the village and that their timber was taken by others.

In Velika Hoca inhabitants complained that they used to have 200 hectares of vineyard, but after 1999 they could only use 35 hectares out of personal security concerns.

In Janjevo, an enclave inhabited by Croats, Roma, Bosniaks and Serbs, many houses have been robbed and property destroyed from both empty as well as inhabited houses.

The last string of incidents that took place in Kosovo earlier this month as the shooting of a young in the north of Mitrovica and an elderly Serb returnee in Klina, the desecration of orthodox churches in Obilic and Podojevo and of a Serb graveyard in Gacko are very concerning and are to be condemned, irrespective of these cases not having been clarified yet.

Education and health care

Most of the non-Albanian children and youth who do not speak Albanian have access to very limited number of schools, and often can continue their education only by leaving Kosovo.

The very real fear of most members of minority communities prevents them from traveling freely, which inhibits their access to health care and education inside Kosovo.

Conclusions

Fear, insecurity and low confidence in domestic as well as international institutions is still widespread in minority communities in Kosovo, especially amongst Serbs and Roma. Representatives of minorities maintain that public institutions, police and justice institutions, domestic as well as international, do not offer effective protection of life, health, property and other rights. Besides the donors' fatigue and decrease of financial support for return of refugees and displaced persons, these conditions inhibit return, and make it merely formal or hardly sustainable where it has already taken place.

Follow-up

The IHF and the Kosovo Helsinki Monitor will continue to monitor these and other human and minority rights in Kosovo and report publicly on them.

Recommendations

1. Efficient investigation and prosecution of all criminal cases must be carried out, with a particular emphasis on those that appear to be ethnically motivated. The police and judiciary must inform the public, especially to members of the communities concerned, about the progress and results of the cases.

2. Authorities in Kosovo, including UNMIK, the OSCE, the Kosovo government and municipalities must fully support the protection of human rights through judicial processes and promote human rights in order to build confidence of all Kosovo inhabitants in their institutions. This can only be achieved if human rights are recognized as intrinsic values. These values should not be manipulated for political ends, and their implementation cannot be put on hold awaiting the resolution of the status issue or other political goals.

3. Kosovo civil society must take an active role in the promotion of human rights for all. Trust between members of the different ethnic communities in Kosovo can only be rebuilt through establishing truth, sincere dialogue and genuine reconciliation.

We emphasize the need of a more proactive role of the local civil society in protecting and promoting human rights. In that context we especially underline the role of local human rights NGOs.

Kosovo leaders, civil society and media should express sympathy with victims of violence, in cases that may be perceived to have ethnic and / or political motivations and implications.

4. The situation of the media seems to have improved since March 2004, and they could play a very important role in raising the awareness on the human rights issues, particularly the human rights of minorities, to the wider public.

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