

Serbian of Montenegro
(Kosovo)

365

11/6/04



Marek Antoni Nowicki
Ombudsperson

OMBUDSPERSON INSTITUTION in KOSOVO
INSTITUCIONI I OMBUDSPERSONIT në KOSOVË
INSTITUCIJA OMBUDSPERSONA na KOSOVU

Address: Agim Ramadani Str. (Ex "Kosovodrvo" building), Pristina **KOSOVO**
Adresa: Rr. Agim Ramadani (Ish ndërtesa "Kosovodrvo"), Prishtinë **KOSOVA**
Adresa: Ul. Agim Ramadani (Bivša zgrada "Kosovodrvo"), Priština **KOSOVO**
Tel: ++381 (0) 38 501 401, 545 303, 540 447, 548 087, Fax: ++381 (0) 38 545 302
e-mail: ombudspersonkosovo@ombudspersonkosovo.org
web site: www.ombudspersonkosovo.org

18 May 2004

Mr. Patrick Dewael, Minister of the Interior of Belgium
Mr. Bertel Haarder, Minister for Refugees, Immigration, Integration and European Affairs of Denmark
Mr. Otto Schily, Minister of the Interior of Germany
Ms. Erna Solberg, Minister of Local Government and Regional Development of Norway
Ms. Barbro Holmberg, Minister for Migration and Asylum Policy of Sweden
Ms. Rita Verdonk, Minister for Immigration and Integration of the Netherlands

Dear Sir/Madam,

I am writing to you on behalf of certain refugees from Kosovo of Roma, Ashkali and Egyptian ethnicity currently staying in your country.

For some time now, I have been receiving information that your country, along with other European states hosting Roma and Ashkali refugees from Kosovo, still intends to return these persons to Kosovo in the near future.

Bearing in mind the current situation in Kosovo, I strongly advise you to reconsider such a plan. Apart from the miserable conditions in which most Roma and Ashkali live here and the high unemployment, which affects members of ethnic minorities even more than members of the Albanian majority, the security situation is far from being such as to allow persons of Roma or Ashkali ethnicity to lead a peaceful and safe life.

Instead of improving, the situation for ethnic minorities here has recently gotten worse and neither UNMIK nor the local police are able to adequately guarantee these persons' safety. This was effectively demonstrated by the recent riots that took place on 17 – 20 March 2004, when a violent and angry mob conducted organised attacks not only against members of the Serbian minority, but

also against other persons of non-Albanian ethnicity. In the town of Vushtrri/Vucitrn in central Kosovo, for example, all Ashkali families were forcibly expelled from their homes, which were then burned by a violent mob. These persons have no place to go and are currently staying at a French KFOR base. The security situation is so grave that they are not able to move around Kosovo without being accompanied by an escort.

Based on the above, but also on a day to day assessment of the situation in Kosovo, I consider that returning Roma and Ashkali persons to Kosovo at this moment would involve considerable risks for their personal safety and would violate international human rights standards. I therefore urge you to seriously re-evaluate your position on sending these people back to Kosovo, at least for a certain period of time.

Considering the importance of this matter, I trust that you will understand my motivation in raising this question. I look forward to your response and hope that you and other countries hosting persons of Roma and Ashkali ethnicity will find a solution to this problem that will take into proper consideration the rights and interests of all parties involved.

Yours sincerely,

Marek Antoni Nowicki
Ombudsperson

cc. Mr. Herman De Croo, President of the Chamber of Representatives of the Federal Parliament of Belgium
Mr. Christian Mejdahl, Speaker of the Folketing of Denmark
Mr. Wolfgang Thierse, President of the Bundestag of Germany
Mr. Hans Brattestå, Secretary-General of the Storting of Norway
Mr. Björn von Sydow, Speaker of the Riksdag of Sweden
Mr. Frans Weisglas, President of the Parliamentary Chamber of the Netherlands
Mr. Javier Solana, EU High Representative for the Common Foreign and Security Policy
Mr. Kofi Annan, Secretary-General of the United Nations
Mr. Jan Kubis, Secretary-General of the OSCE
Mr. Pat Cox, President of the European Parliament
Mr. Walter Schwimmer, Secretary-General of the Council of Europe
Mr. Peter Schieder, President of the Parliamentary Assembly of the Council of Europe
Mr. Alvaro Gil-Robles, Commissioner for Human Rights of the Council of Europe
Mr. Ruud Lubbers, UN High Commissioner for Refugees
Mr. Bernard Ramcharan, Acting UN High Commissioner for Human Rights
Mr. Harri Holkeri, Special Representative of the Secretary-General in Kosovo
Mr. Bajram Rexhepi, Prime Minister of Kosovo
Mr. Fernando Gentilini, Personal Representative in Pristina of the EU High Representative for CFSP
Mr. Eduard Lintner, Chairperson of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe
Mr. Aaron Rhodes, Executive Director of the International Helsinki Federation for Human Rights
Mr. Bob Hepple, QC, Chairman of the Board of Directors of the European Roma Rights Centre