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# RI BULLETIN

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## A POWERFUL VOICE FOR LIFESAVING ACTION

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### **Kosovo: Roma Returns Stalled by Security Concerns, Politics and Discrimination**

The situation for displaced Roma (RAE --- Roma, Ashkali, and Egyptian) populations in Kosovo is precarious as they remain in unsuitable living conditions in camps throughout Kosovo and in the Former Yugoslavia Republic of Macedonia six years after their original displacement. Approximately 100,000 Roma refugees continue to live throughout Europe. While the overall situation in Kosovo is not conducive to mass return due to the continued uncertain security situation, opportunities do exist for voluntary RAE return. The Roma, however, face clear neglect and discrimination in the return process.

The return process for Roma has been stalled by conflicting political objectives of the European Roma diaspora, the Kosovar Albanian population, and the Serbs. One standard for Kosovo to meet to achieve conditional independence is that "all refugees and displaced persons who wish to return to Kosovo must be able to do so in safety and dignity." The Serb National Council (SNC), realizing that return of Roma will put Albanians one step closer to meeting the standards, has encouraged Serbs to urge the RAE in camps to resist agreements for return. Roma in other European nations who do not want to return are pressuring those internally displaced in Kosovo not to accept resettlement deals for fear that once the communities for Roma are rebuilt and camps are emptied that they will be forced to return. Even within the Roma communities in each camp there is sometimes a conflict of interest between the self-designated camp leader and other members of the camp. The conditions for return expressed by camp leaders often do not represent a consensus of the desires of the camp population. Some community leaders have resisted allowing international workers to speak to residents. One humanitarian worker concluded, "Community leaders are unhappy that they are losing their constituency."

Further, the RAE populations of Kosovo face continued discrimination and neglect in the return process. While funds are available in the Kosovo Government Consolidated Budget, the authorities refuse to allocate them to Roma returns, even though specific return projects have been approved by the local municipal working groups and the regional divisions. The UN Mission in Kosovo (UNMIK) has clearly stated they are relying on the bilateral European Government funds for Roma returns and reintegration. International NGOs that have submitted such projects to European donors have discovered that the Serb return projects are more likely to get funded. They have received little to no interest for the RAE programs. As documented below, the investment of just nine million euros would allow at least 250 Roma families to return to their place of origin in dignity and begin the process of social, community and economic reintegration.

Some RAE displaced persons have experienced harassment, as documented by the Office of the UN High Commissioner for Refugees (UNHCR) March 2005 position paper (see <http://www.reliefweb.int/rw/RWB.NSF/db900SID/RMOI-6BC77H?OpenDocument>). In March 2004, the tensions between Albanians and Serbs exploded and in the ensuing violence Albanians burned down 70 houses owned by Ashkali in Vushtri. Many humanitarian workers suspect violence could erupt again and expressed concern regarding safety of the RAE displaced after the decision regarding Kosovo's status

in 2006. The Roma displaced who are suspected of having collaborated with the Serbs during the conflict cannot move freely outside the camps, are often harassed, and therefore have little hope of ever integrating back into their communities. Other RAE displaced are fearful of the Albanians who have moved into their communities after 1999 as they are not familiar with them. Many feel safer if they return at the same time with at least a majority of the community.

Some refugees outside of Kosovo are hesitant to return. Municipal officials encouraged one RAE camp leader to visit the camps in Macedonia to tell the RAE communities that they should return to Kosovo. The leader was beaten in the camp because the refugees did not believe it was safe for them to return and told him, "When the camps in Kosovo are closed, we will return."

The March 2005 UNHCR paper states that members of Kosovo Serb and Roma communities as well as ethnic Albanians in a minority situation should not be forcibly returned. Some humanitarian workers told Refugees International that UNHCR was pressured by staff of UNMIK and UNHCR headquarters to say that Bosnians and Gorani could be returned. Governments are also applying pressure. In a letter written in April 2005 to the Special Representative of the Secretary General, Soren Jessen-Petersen, the governments of Denmark, Sweden, Norway, and Iceland expressed their concern that "the present UNHCR guidelines, which ban return of minorities to Kosovo, could unintentionally contribute to ethnic cleansing of minorities in Kosovo.". These governments have urged UNHCR to lift the ban on return and to have all cases decided on an individual basis. Even though a return of minority communities is ideal, considering the level of violence just a little over a year ago, UNHCR's guidelines are reasonable. It is important that return is not rushed by political motivations or the deadlines of UNMIK or other nations.

Press reports in May 2005 indicated that as many as 34,000 RAE refugees were threatened with immediate return from Germany. A German official, however, denied to RI that there was ever an intention to send back more than 1,000 to 1,200 Ashkalis or Egyptians in one year and said that the return process would take at least eight years to complete. Since March 2005 fewer than 20 Ashkali and Egyptian refugees have been forced to return, though the press reports did provoke a number of RAE refugees to leave Germany for other countries to avoid being forced to return home.

Although the number of Kosovars who will be returned from European nations in the next few months is not as high as reported, there is and has been a continued effort throughout Europe to return refugees to Kosovo. Nations such as Germany and Sweden, which provide refugees social assistance, including medical care, would like to reduce the cost of the social services for Kosovars, some of whom have been in their countries since the early 1990s. Based on the terms of an April 2005 Memorandum of Understanding with UNMIK, each month Germany has been submitting a list of 300 possible cases of return (which may rise to 500 returns in August and will be unlimited starting in May 2006). From that list only 20% may be returned and each case is assessed by UNMIK's Office for Return and Communities (ORC).

ORC and the local municipalities remain unprepared to assist with forced returns. In a letter to European governments in March 2005 (<http://www.ombudspersonkosovo.org/>) and again in June 2005, the Ombudsperson, Marek Antoni Nowicki, urged UNMIK and the local governments to provide more support to people forced to return when they first arrive in Kosovo and social programs to help them integrate. He argued, "There is also no budget to assist such returnees, e.g. by creating collective centers, establishing proper screening procedures, offering some sort of social assistance as well as medical and psychological treatment, establishing information sheets for returnees informing them on where to go and which bodies to contact for assistance."

RI talked with recently returned families from Germany and they were poorly informed of what would happen to them and whether their home was destroyed or occupied. One couple that went to Germany in 1992 after their son was targeted by the Serbian police was picked up one morning in June by the German police and given twenty minutes to pack (and no time to close out bank accounts). German officials did not respond to the husband's concern that he did not know if his house was occupied or destroyed. At the airport they were interviewed by Kosovar police and relied on their cousin for transportation and shelter.

His Albanian neighbors had blocked the road to his house and he had to negotiate with the occupiers of his house to leave in one month. He was lucky to have relatives assist with his return and that the occupiers were willing to leave. He told RI, "For those who return, every family has a critical situation --- either they are without a house, their house has been destroyed or occupied, or they have problems...with their neighbors." RI also talked with the mother of one woman who was forced to return from Germany and is living at Leposaviq, a camp with horrible conditions. The mother claimed that her daughter had gone crazy and out of anger was beating her.

Opportunities exist for RAE return. The following are specific examples of cases in which Roma return is feasible if sufficient resources are made available and desirable to the Roma:

- Plemetina camp situated in Obilic just outside Pristina hosts approximately 110 families from various towns throughout Kosovo. According to a 2002 assessment of these families by UNHCR partners, more than 90% of the RAE displaced families in Plemetina want to and could go home. An estimated three million euros would provide a durable solution for this group of RAE.
- Sixty RAE families have already successfully returned to the Abdulla Preshova neighborhood in downtown Gjilan in 2004 under the aegis of a Dutch-funded project. The families are well integrated into the mixed neighborhood. Phase II of this return project would cost 2.5 million euros and facilitate the return of RAE displaced scattered in different towns and IDP camps throughout southern Serbia. Funding for this project has been requested since 2002.
- In 1999 more than 600 RAE displaced persons fled the thriving Roma Mahallah in South Mitrovica to IDP camps in North Mitrovica. In April 2005, the Municipality of Mitrovica and UNMIK signed an agreement that outlines the details of reconstruction. UNMIK presented this plan at a donor meeting on May 5, 2005, but to date only 500,000 euros have been pledged. Three million euros is needed for the first phase of this project, enabling more than 100 families to return. Eight million euros will be needed to for the return of all RAE families of this neighborhood.

**Therefore Refugees International recommends that:**

- The European Agency for Reconstruction and the Dutch, British, German, Swedish and American governments make commitments to allow Roma return to go forward in the coming months.
- Donors continue to fund minority returns, especially those designed for RAE. All aspects of return should be given adequate funding, especially income generation projects.
- The UNMIK Office for Return and Communities strengthen its capacity to closely monitor returns from Europe and exercise its power to reject individual cases, paying special attention to security concerns.
- UNMIK expedite the review process of return projects, as it is currently the construction season.

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*Shannon Meehan and Nicole Mailman just returned from a two-week assessment mission to Kosovo.*