

Roma refugees and IDP's from Kosovo

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Roma, Ashkali and Egyptians after the war conflicts in the Balkan region are still refugees, IDP's, failed asylum seekers, or are facing with deportation from countries of Western Europe. Although their free and safe return to Kosovo is guaranteed with various measures and standards, with the United Nations Security Council Resolution 1244 (1999), the Constitutional Framework and international standards for implementation of human rights. This safe return is not happening in conformity with these standards. About 100.000 Roma are still refugees from Kosovo.

All efforts therefore must be made to remove existing obstacles with regard to the return to the places of origin, and refugees and internally displaced persons have the fundamental human right to return to their homes, irrespective of their ethnicity, in either a spontaneous or an organised and assisted manner. Yet, Roma, enjoy a guaranteed representation in the Kosovo Assembly (four seats to be shared among the most successful party of each community). At local level, such mechanism which would guarantee a participation of the three communities is not in place yet. The current discussions on decentralisation in the framework of the status talks did not yet address this important issue.

Further, the issue of Roma, Ashkali and Egyptian returnees from Western Europe should be discussed in the status talks in the framework of decentralisation.

IDPs/refugees within and outside Kosovo live in unstable and often unacceptable conditions in locations other than their place of origin, facing with many difficulties and problems that are endangering their existence and future. In order to improve their situation we need more concrete measures and actions plans to deal with discrimination, poverty, lack of personal documentation, infrastructure and housing conditions regarding Roma families, safe living conditions on Kosovo and many others.

Effective government enforcement is insufficient in some areas, and societal and cultural discrimination based on gender, race, religion, social class, and disability exists. Concrete Plan and Strategy for the Roma refugee and IDP's community should be adopted and implemented as well, developing the following issues:

- Implementation of adopted documents and regulations with international character on a national and local level, because although various conventions, resolutions and agreements are signed, they must be reviewed in practice
- Effective monitoring of human rights issues should be realized and accomplished by the international community, and Roma NGO's, in order to detect violations and mistreatments towards the Roma community.
- Political participation and representation of Roma in decision making bodies and to establish other equality bodies for minorities on Kosovo
- Civil registration and lack of personal documentation among the Roma community must be solved due to the proper statistic database for census or elections on Kosovo, and the fact that personal documentation is condition for performing other civil rights.
- Special programmes for return and reintegration of Roma, Ashkali and Egyptians (RAE) on Kosovo, based upon free will and real opportunity to integrate in the society.
- To assist to IDP's and returnees to repossess their real estate and personal property on Kosovo as pre-condition for normal living or to secure for them normal living standards and housing if needed in other possible areas.

What is deferring the implementation of all documents related with the status of minorities on Kosovo, or the situation of Roma refugees and IDP's. Current situation must be taken seriously and urgently solved, because after 7 years of the Kosovo crisis the problem is still existing, few steps were taken in practice but the number of refugees and IDP's is still very high. Although many refugees from the Roma community have applied for asylum in FYR of Macedonia, in most of the cases they were rejected and they were faced with immediate banishment from the territory of FYR of Macedonia right after the negative reply. Most probably, the main reason for their rejection was the visit to their homes in Kosovo, provided by UNHCR, but in reality, Kosovo is not a safe territory. There is legal vacuum for their situation, they can not back on Kosovo where their homes are ruined, and in FYROM are rejected as applicants for asylum, their status is not defined again. Proper solution must be found, because once again are facing with banishment, where should they go? The started negotiations for the final status of Kosovo by the special emissary, Marri Ahtisaari, hasn't produced not a single statement containing precise plan about the Roma as an ethnicity on Kosovo yet. We all should be aware that was happening to the Roma refugees is a defeat for all of us. The negotiations for the final status of Kosovo, are already ongoing, although the Roma as entity are not included, but on the other hand if Kosovo is promoting multiethnicity then it should provide safe and secure living conditions for all citizens regarding the nationality.

To find realistic solutions to the many difficult issues those need to be addressed. These should include, inter alia, freedom of movement, transparent and constructive links between local communities in Serbia and Kosovo, mechanisms for resolving the fate of missing persons and a specific package of measures for the protection of religious communities and sites. Arrangements for good relations between Roma and Albanian community and within the region must also be part of a settlement. Decentralisation of government will be crucial to the status settlement. Decentralisation can ensure that minority communities remain a vital part of Kosovo's future and give impetus to the return of displaced persons who should be able to choose where they live in Kosovo. It is not necessary always to put the blame on the Balkan countries, but International organizations are also responsible of the refugees, to improve their situation, and to make efforts to integrate them again in the society. Large amount of money was spent for the Roma refugees, but the community itself didn't felt benefits from the undertaken action. The abandoned refugees, IDP's are left by themselves to strive for the recognition of the status. The Roma refugees often are facing with different diseases, for example the case with poisoning with lead in the Mitrovica's camps, caused by irresponsible accommodation near by the Trepca's mine, accomplished by the international subjects now is a matter of concern and discussion.

Because of all these still existing issues on various level related with the situation of refugees and IDP's in the Balkan region, and on the other hand the efforts for the drawing near Europe policies, these issues should be addressed with immense attention and affirmative actions in the forthcoming period.