



European Roma and Travellers Forum

HDIM 2007 – “EUROPEAN ROMA RIGHTS CHARTER” – A GUIDING ROUND FOR ERTF ROMA RELATED POLICIES

Warsow 2007

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Open question about the destiny of Kosovo Roma

- About 100.000 Roma are still refugees from Kosovo

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- **The purpose** of the creation of Skopje Group was to have a structure and a body of Roma representatives that can monitor the Roma refugee's situation, that can work together on finding ways how to urge for improvement, and first of all to organize the Roma refugee representatives among them and constantly to inform the Roma refugee community.

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- **Roma voice and Romani community** were not considered as subject in the Kosovo status negotiation process, in that context Roma as minority on Kosovo are not included, and international community and Kosovo authorities are expecting Roma to return on Kosovo, which remain main political concern.

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- **Roma 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.

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So we need:

- Without delay, provide real, effective and durable protection to all Roma individuals and communities on Kosovo and IDP's in Serbia.
- To investigate and bring to justice all issues related to human rights issues, property issues, damage issues and etc, regarding Roma individuals and communities.
- To establish procedures to provide comprehensive survey in the matter of the Roma minority protection on Kosovo, such that all subject will be brought to justice, and Roma members and their families have access to due remedy.
- Ensure that, in compliance with UN Security Council Resolution 1244, refugees and displaced Roma enjoy unimpeded, safe and secure return to their homes in Kosovo if they are willing to return to.



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- We have **reasonable** and **legitimate right** to ask for European Roma Rights Charter. Creation of a European Roma Rights Charter is an excellent opportunity to fill the gaps in the present system of protecting Roma rights in Europe.

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We need to urge the authorities:

- To honour their commitments under international law and refugee standards to provide asylum seekers with access to a fair, independent and transparent asylum procedure, and not to return any person to a country or territory where they may face serious human rights violations or place barriers in the way of international protection for those who need it.
- To ensure that asylum seekers are only detained when absolutely necessary in compliance with international standards and that asylum seekers and irregular migrants are not detained in cruel, inhuman and degrading conditions.
- To ensure that respect for human rights is a precondition of any co-operation with countries of transit of origin, and that both short and long term strategies on irregular migration are grounded in respect for the basic rights of migrants

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- 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

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- 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, 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.
- without access to justice there can be no justice, which is a core component of the rule of law. We need to urge for effective implementation of OSCE commitments concerning both the rights of persons belonging to national minorities and the right to equality and non-discrimination;

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