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3 August 2012

Mr. Duško Marković
Vice-President
Minister for Rights and Human Rights

Dr Suad Numanović
Minister of Labour and Social Affairs

Mr. Ivan Brajović
Minister of Interior

(by email)

Object: Situation of the Kosovo Roma refugees in Konik

Honorable Minister Marković
Honorable Minister Brajović,
Honorable Minister Numanović,

We are writing to you in order to express our concerns regarding the situation of the approximately 850 Kosovo Roma and Egyptians, who have lost their homes and belongings in the fire which destroyed most of the camp I in Konik.

As organisations, which actively involved in defending the rights of Roma refugees and migrants, we are all too familiar with the situation in Konik. We are therefore well aware, that it is not the first time, a fire breaks out in the camp. In February 2011, a fire destroyed three barracks in Konik I, leaving 17 families including 86 people homeless. A six-month old baby incurred burnings in his face.

These fires, which have marked the history of the camp, are the result of the grossly inadequate living conditions in Konik and a situation of permanent overcrowding.

We are, therefore, even more surprised, that no precautions have been taken to avoid the spreading of such fires through the entire camp. We are also worried by allegations, according to which it took the fire brigade more than an hour to reach the camp.

The Konik camp was initially conceived to provide a provisional housing solution for at least some of the several thousand Kosovo Roma refugees, who were stranded in Montenegro following their violent expulsion from Kosovo. We are

well aware of Montenegro's generosity to host these refugees, who had no other place to go. With the passing of time, however, the continued existence of the Konik camp became tantamount for the absence of willingness to provide a durable solution for the refugees in Montenegro.

In February 2012, the European Commission against Racism and Intolerance (ECRI) denounced, what it considered as a de facto segregation of the residents of the camp. ECRI found unusually sharp word to denounce the substandard housing conditions characterized by a lack of running water, electricity and sanitation and the destitution of the population. ECRI's call for a rapid closure of the camp echoed an earlier call by the Council of Europe Human Rights Commissioner, who, in 2008, had already asked for a solution to the precarious living conditions of Roma in Konik.

We understand that Montenegro has now embarked on a housing project for the Kosovo Roma refugees, which will be funded under the IPA scheme. It foresees the construction of 90 housing units in the area which is currently occupied by camp I, whereas Konik II should be used for industrial development. This goes against the recommendations of the ECRI, which specified: "They [the residents of the camps] should not simply be moved to a better housing area which is also segregated. This would only promote the development of new ghettos. Nor should they remain in the segregated setting in which they already find themselves." (ECRI: ECRI Report on Montenegro(4th monitoring cycle), 21 February 2012, para. 63)

Moreover, we are worried by the fact, that the project actually pursues a double aim, local integration and voluntary return to Kosovo. As the project outline contains no information regarding the type of buildings and the number of beneficiaries, we are afraid that there won't be many, and that most of the refugees will be forced to choose, either to continue life in barracks and cardboard shacks, or return to Kosovo.

Our fears are propelled by the way the current emergency situation has been handled, including the repeat calls on the Kosovo authorities to care for their people. We understand, that the tent settlement may have been the only solution, which was readily available to accommodate several hundred people over night. However, it is not made to withstand weeks and, eventually, months, only to be replaced by containers.

We would like to encourage you to find an emergency solution for all the refugees, who have become homeless. Such as solution should imply the refugees having access to running water and electricity. They should also have the possibility to prepare their own food and not depend on food packages. As a next step, all refugees should be provided with individual or family housing. Ideally, this should occur before the end of Summer, at least for those families, who have children in school age, to give the children the possibility to attend school, in their new location, but in any event before Winter.

Finally, we ask you to reconsider your plans for the housing units to be built under IPA and to take into consideration the recommendations made by ECRI. While we believe that it is essential for this project to start as soon as possible, we also consider it essential to involve the refugees in the planning project and not to perpetrate their isolation, at the outskirts of Podgorica.

In the aftermath of the fire, the focus was put on the housing situation. However, we would like to recall, that the refugees have not only lost their homes, but also everything which they gathered and worked for in 13 years. Many of them may also have lost their income possibilities as they were dependent on the conditions in the camp to store scrap metal and other recyclable material. We suggest that part of the donations which will be attracted via the new account, which was set up to face the consequences of the fire, should be used to compensate the refugees for their personal losses.

Thank you very much for your consideration!

Yours sincerely,

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Chachipe a.s.b.l., Luxembourg

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Cc: Mr. Nils MUIŽNIEKS, Council of Europe Commissioner for Human Rights
Ms. Navanethem PILLAY, High Commissioner for Human Rights
Mr. António GUTERRES, UN High Commissioner for Refugees
Ms. Rita IZSÁK, UN Independent Expert on minority issues
Mr. Jenő KALTENBACH, Chairperson of the European Commission against Racism and Intolerance (ECRI)

Mr François SANT'ANGELO, Vice-chair of the ECRI

Ambassador Mitija DROBNIC, Head of the EU Delegation to Montenegro

Mr. Martin PAMMER, Ambassador of Austria

Mr. Alain KUNDYCKI, Ambassador of Belgium

Ms. Dominique GAZUY, Ambassador of France

Mr. Pius FISCHER, Ambassador of Germany

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Mr. Zoran LUTOVAC, Ambassador of Serbia

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Mrs. Emine BIRGEN KESOGLU, Ambassador of Turkey

Mrs. Oksana SLUSARENKO, Ambassador of Ukraine

Mrs. Catherine KNIGHT-SANDS, Ambassador of the United Kingdom

Mrs. Sue Kathrine BROWN, Ambassador of the United States

Mr. Charles TANNOCK, European Parliament Rapporteur on Montenegro

Mr. Željko ŠOFRANAC, Director, Bureau of Care for the Refugees, Head of the Coordination Team

Mr. Sucko BAKOVIC, Protector of Human Rights and Freedoms

Ms. Britta HELLELAND, UNHCR Representative in Montenegro

Mr. Rastislav VRBENSKY, Resident Coordinator of the UN System in Montenegro

Mr. Stephan SELLEN, Deputy Director, Directorate General for Loans, Council of Europe Development Bank

Mr. Leon HERRERA, Roma coordinator, Council of Europe Development Bank