



15 June 2005



Dear Mr. Nowicki,

Thank you for your thoughtful letter dated 1 June 2005 on the issue of forced returns to Kosovo. Your letter addresses a number of important questions which merit our attention and a thorough response.

Let me begin by recalling that as an overall principle the UNHCR position paper on international protection needs as regards Kosovo will continue to provide the basis for UNMIK's policy on forced returns. As you correctly indicated, UNHCR, in its position paper issued in March 2005, expressed the view that in general the members of the Ashkali and Egyptian communities are no longer in need of international protection. UNMIK has therefore decided, after a thorough screening process, to allow for a limited forced return of members of these communities originating from certain locations where their return is deemed to be feasible and safe. Given the limited absorption capacity and continuing security considerations, UNMIK will need to control – for the time being – the number of those returned and the process applied. I have therefore asked my Office of Returns and Communities (ORC) to look at and decide these cases on an individual basis.

The agreement recently reached with Germany is in line with this policy. As you correctly stated, the number of those Ashkali and Egyptians initially returned from Germany will actually be lower than the numbers proposed. The first flight carrying members of these communities took place on 19 May 2005. Among the 37 passengers, there were 5 Kosovo-Ashkali. No Kosovo-Roma was returned. On the scheduled flights which brought returnees to Kosovo in May and early June, a total of 14 Ashkali and Egyptians were returned from Germany.

As I have recently clarified in response to incorrect media reports, I do not expect immediate and massive forced returns of Kosovo-Roma from Germany or other host countries in Europe; nor has UNMIK agreed to this.

Mr. Marek Antoni Nowicki  
Ombudsperson  
Agim Ramadani Str.  
Pristina