

Press Release

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Kosovo¹: "Human rights should not be held hostage to current political tensions" says Commissioner Hammarberg

Strasbourg, 27.03.2009 - Thomas Hammarberg, Council of Europe Commissioner for Human Rights, today presented his preliminary impressions on the general human rights situation in Kosovo after a four-day visit.

"I have endeavoured to assess the degree of human rights protection for ordinary people, both in the majority and in the minority", the Commissioner said. "As an independent human rights observer, I wanted to make sure that human rights are not held hostage to current political tensions and disagreements."

The Commissioner underlined the importance of democracy built on rule of law, and a functioning justice system. "Trust in the functioning of the court system is crucial. More work needs to be done in order to ensure the independence of the judiciary, as well as professionalism and an absence of corruption."

"Kosovo has a good legislative framework in place, yet I agree that implementation of the norms still needs to be ensured", noted Commissioner Hammarberg. "I have been impressed by the comprehensive and thorough approach to human rights planning as reflected in the authorities' Strategy on Human Rights."

The Commissioner underlined that an independent, competent and well-resourced Ombudsperson Office is fundamental for protecting human rights. "After four previous unsuccessful attempts, I urge the Assembly of Kosovo to elect an Ombudsperson as soon as possible" emphasised the Commissioner, who also underlined the necessity of ensuring that the international intergovernmental structures which are active in Kosovo continue to be held accountable through a credible complaints mechanism.

Mr. Hammarberg expressed deep concern about the lead-contaminated Roma camps in northern Mitrovica. "This is a humanitarian disaster of the most serious nature. It is no less than scandalous that no solution has been found to protect the inhabitants, including children, even five years after it was conclusively established that living in this area was hazardous. I appeal urgently to all those responsible to ensure that the affected families can move without delay to a secure environment and that proper medical care is provided to all those contaminated."

While the Commissioner focused on the rights of minorities, he underlined that there are other human rights issues which should not be forgotten, for instance, the problem of domestic violence and the rights of persons with disabilities. He also discussed the need for further efforts to clarify the fate of the nearly 2 000 persons who still remain missing after the 1999 war.

The Commissioner appealed to governments in Europe to avoid returning by force refugees who have come from Kosovo. "Such deportations should still be avoided and I

¹ "All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo."

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do not think it is appropriate to put pressure on local authorities to accept such forced returns in the present situation" stated the Commissioner.

A photo gallery of the visit will be available on the Commissioner's website.

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