Dear all,

Below are the comments send by Katrien's and James to Francoise on the recommendations in the 27 April draft of the Kosovo report (latest version).

Many greetings, until thursday 12.00,

Wilna

1. Our greatest concern is the relationship between the text and the recommendations. The text focuses on atrocities committed against Kosovars -- that is, the situation inside Serbia -- yet the recommendations deal with refugee protection issues. The only recommendation that seems to follow from the text concerns the confiscation of documents and the problems it causes those deported. We would like to see recommendations that follow from the text.

While we agree with some of your protection-related recommendations, we are extremely reluctant to raise them without presenting a factual basis for our concern. For instance, we should not be making recommendations about registration without first describing the process and what has occurred, and the differences in Macedonia, Albania and Montenegro. The separation of the military from humanitarian assistance is of course an important concern, but again, without a full discussion of what is taking place on the ground, our recommendation is very weak. Also it is unclear what you mean in the sentence beginning "-- limiter l'instrumentalisation des secours..."

2. In the first paragraph of the recommendations, you seem to be saying that the Kosovars in the camps have been deported and are entitled to prima facie refugee status. We agree, but feel that the point should be made clearly and directly. In our reading of your French the point does not come off forcefully. (There also needs to be a discussion of those who have fled to Montenegro, who of course are IDPs and not refugees.) Perhaps this is only a translation matter, but we would say "unlawful deportation" and not "criminal deportation."

3. It is not clear to us why you want to mention the international criminal court in this context. No one disputes that the qualification of rights violations has consequences for humanitarian assistance and protection. Mentioning the court just muddles things.
Please get back to either me or Katrien if you wish to discuss any of these issues further.

Best, James