



# General Assembly

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## Human Rights Council

### Thirty-third session

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 August 2016]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-15362(E)



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## **Lawsuit by the Roma and Ashkali in Kosovo**

There has been a positive outcome of a lawsuit by the Roma and Ashkali in Kosovo, which was delivered by the Human Rights Advisory Panel/HRAP, part of the United Nations Mission in Kosovo (UNMIK) on February 26<sup>th</sup> 2016. The HRAP has issued an Opinion concerning the treatment that the families received over a 13 year period at the hands of UNMIK.

The panel advised UNMIK to issue a public apology and to compensate the victims.

The complaint was brought by 138 members of the Roma, Ashkali and Egyptian communities in Kosovo who used to reside in camps for internally displaced persons (IDPs) set up in northern Mitrovica (Zitkovac, Cesmin Lug, Kablare) in 1999 and demolished in 2010. All complainants reported suffering lead poisoning and other health problems on account of soil contamination in the camp sites and/or on account of the generally poor hygiene and living conditions in the camps. Shortly afterwards it became apparent that these camps had been built on contaminated ground of a lead mine. About 560 Roma, Ashkali and Kosovo-Egyptians, of whom 2/3 were children, were exposed to lead, arsenic and cadmium and were not evacuated for several years. (Full details of the effects of lead poisoning, including test results on the children conducted over a period of four years are available for download at [www.toxicwastekills.com](http://www.toxicwastekills.com).)

Following the HRAP Opinion, the UN's Office of the High Commissioner for Human Rights issued a Press Release, supporting the opinion of the HRAP. (That press release is viewable here - <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19822&LangID=E>.)

In 2006 the UNMIK pretended to have found a solution to the problem by placing the inhabitants in a new camp called Osterode only 150 meters away from the former place. It is apparent that the UNMIK condoned the inhabitants' exposure to lead and eventually their deaths (our NGO is informed about 89 cases).

In 2008 a report by the UNMIK, which verified high levels of lead in the inhabitants' blood, was not made public. Urgent appeals by the WHO and other NGOs to evacuate the inhabitants and provide medical care were also ignored by the UNMIK.

The Society for Threatened Peoples and our colleagues in the United Kingdom, Serbia and the U.S. who have campaigned on behalf of these families for many years consider it essential that UNMIK now recognizes its responsibility both publicly and in full, and take immediate steps toward payment of adequate compensation. We hope the United Nations will do all in its power to press the Special Representative of the Secretary General in Kosovo to act decisively and do everything possible to right the terrible wrongs of the past.

Society for Threatened Peoples calls on the members of the Human Rights Council:

- To remind the UNMIK to make sure that the recommendations by the Human Rights Advisory Panel in the case explained above are put into action.
- To support research into all the current places of the former inhabitants' and provide immediate medical care for them.