

RECENT DEVELOPMENTS IN THE SITUATION OF RROMA REFUGEES IN SWITZERLAND

Rroma Foundation - June 2000

I. INTRODUCTION

Rroma¹ refugees from Kosovo - at least those who made an individual demand (Wiedererwägungsgesuch) to the BFF - have been currently allowed to stay in Switzerland till August 2000. However, we have seen several worrisome developments in the argumentation of some people as to the possible return of those refugees as well as towards their identity itself.

These various statements, as well as the procedures currently in place are, once again, prompting us to write a paper on those issues. Specifically, this paper is meant to address two issues: First, the means and ways of establishing one's identity as well as the pitfalls that may occur and second, the issue as to whether there is a safe haven for Rroma refugees to where they could possibly return.

II. APPURTENANCE

1. Interviews

As we have repeatedly stressed in our previous reports², it is a exceedingly difficult task to prove one's identity and appurtenance. The matter that concerns us most currently are the interviews that are conducted by "experts" of Rroma refugees.

In these interviews, the refugee is interviewed by someone whom he does not see and has to answer a series of questions concerning, in the cases that we currently know of, about food, weddings, traditions, special feasts and so on. Besides the obvious, namely that one can be a Rrom without knowing what Vasilica - a specific Rroma feast - is, one can only but say that such an approach passes the most important point: It is not necessarily what one is that is relevant, but rather what other think one is.

To dwell further in that topic, many Jews in Germany where converted, had no Jewish traditions and in many cases would not have been able to answer any such questions about Judaism. Nevertheless, for the Nazis, they were Jews and as such were persecuted and killed. Hence, in our opinion, such a rough and overly simplistic approach could potentially have denied such people of a chance to be admitted as refugees.

¹ As usual, we refer to Rroma in the general sense, i.e. encompassing all the Rroma groups, in the case of Kosovo, Rroma, Arlii, Prilep Arlii and their subgroups such as the Arabajdzhi, Ashkali, Egyptians etc. We refer to the Foundation's paper "Rroma or Something Else"

² See the reports: "Rroma or Something Else?", "Rroma, Ashkali, Egyptians, A Kosovo Peculiarity?", "New Developments in Rroma Politics in Kosovo", "Position Paper of the Rroma Foundation concerning Rroma from Kosovo" as well as various shorter reports.

A similar situation arises in the context of Rroma from Kosovo: They are considered as madzhup by the Kosovar, although in some cases, their main culture is Albanian. While most will pass such a test, we are very much concerned by the minority that may fail.

2. Experts

Our foremost question concerning those interviews is the qualification of the "experts", especially in view of the involved situation in Kosovo. We have already repeatedly stressed that there are political factors that may bias the view of any given expert.

First, there is the blatant racism and discrimination against Rroma in Kosovo. But then, there is also the fact that Kosovars have claimed their numbers to be much higher than they actually were in that region. This by the inclusion of a large percentage of the Rroma population as "Albanians" prior to the war but also by the division of Rroma into several subgroups along nearly non-existing lines. Hence, the Albanian nationalists are in somewhat of a quandary: they are "missing" quite a large number of Albanians and thus are trying exceedingly hard to convince some of the Rroma to return. All this while the persecutions and killings against Rroma go on unabated and under the eyes of the KFOR and UN.

Hence the impartiality of such an expert from Kosovo may be questioned. His or her qualification, that is, his or her knowledge of Rroma at large remains a subject of assessment that we will certainly have to undertake should our fears prove to be founded. We sincerely hope that this will not come to this point, but we also sincerely doubt that most experts will, say be able to give you a list of all the Rroma groups and subgroups in Kosovo, as well as about their peculiarities and specific traditions.

3. Rromanes

One may argue that in view of the potential bias of the Albanian population, a Rrom may be better suited for such a purpose. First, as we already have insisted, there are several issues among Rroma themselves which need to be addressed: We have already mentioned that some Gurbet (who call themselves strictly Rrom in Kosovo) tend to deny that an Arlii speaks Rromanes. Hence, should one undertake such interviews in Rromanes, we do think it only possible should the translator speak the same dialect as the person interviewed. This is not to say that one does not understand each other, but this requires some experience and there are several minor points that are different. Even the simplest questions such as what in "bread" in Rromanes will, to our account bring you up to ten varied answers (depending on the group and subgroup) and the same applies to "water", "town", "to live" etc.

Lastly, Rroma groups and current borders have little in common. The Gurbeti, for example are found in Bosnia and Serbia (where they are the majority of the Rroma in those regions) while the Arlii are found in Kosovo, South Serbia, Macedonia, Albania and Bulgaria. the same applies to each Rroma group found in the region.

III. A SAFE HAVEN FOR RROMA

It has been suggested by some that, according to the rule of the law, Rroma refugees from Kosovo could eventually return to either some safe haven in Kosovo itself or even to Serbia proper. In the case of a return to Serbia, this statement is based on the international conventions pertaining to refugees and on the fact that in theory, Kosovo is still part on Yugoslavia.

We will not enter into details nor discuss these facts but simply concentrate on the situation itself:

- **Most Rroma supported the Albanian Cause:** We have repeatedly said that many of the refugees from Kosovo either fled the Serbs in the first place or at least where active supporters of the Albanian cause. In fact, among those refugees that we have counselled, many paid their dues to the UCK, that is, often 3% of their income. That they were later persecuted and had to flee from the UCK and the Albanians is besides the point in the discussion of their possible "return" to Serbia. After all, they fled Serbian persecutions and were active supporters of what the Serbs regard as a terrorist organisation. As such, they would once again be confronted to the very same situation that most fled in the first place and that the Swiss (and other European countries) acknowledged as a valid ground for asylum.
- **Identity:** It seems almost moot to state that most Rroma from Kosovo are Moslem and carry Albanian names. As such, they will be assimilated to the Albanians in Serbia proper and their security is not guaranteed. After all, it is only a fortnight ago that the Serbs condemned several Kosovars to prison terms for having supported the UCK. In addition, Serbia has become exceedingly prone to ethnic cleansing within its own borders. Rroma in several cities have suffered, even in those under the opposition's rule.

Thus, as such, Rroma from Kosovo being sent back to Serbia proper would be exposed to exactly the same problems as the ones that warranted them being given asylum in Switzerland in the first place, somewhat a contradiction... We sincerely hope that this "idea" will not take hold. Besides, we do hope that those people who uttered this thought would not send a Kosovo Albanian back to Serbia in the first place.

Remains the idea of a Kosovo "Safe haven" in Kosovo itself, under the protection of the KFOR and the UN. Well, a short glance at the situation in several cities with a Serbian minority shows that this is currently all but impossible. Unless, one considers that loosing one or two members of the community each week (under full view of the KFOR) or that having rockets or grenades tossed in one's house is a safe haven.

In fact, the UNHCR, the KFOR and the UN administration are going a step further than most European authorities. They are all asking for a moratorium on the return of refugees to Kosovo as even for Albanians, the number of destroyed houses and the current situation prevent any decent return o refugees. What would it be for other minorities who are currently persecuted not only by Albanians but also by Serbs.

IV. CONCLUSION

Roma refugees from Kosovo currently have no other choice but to stay here. Their return would be akin to a death warrant. Already in Switzerland, they are under extreme pressure from Kosovars not to declare themselves as Roma and threats against such refugees are increasingly common even in the refugees homes. The upcoming elections are adding to this plight and we have already encountered the first Roma in Switzerland who were forcefully told, for the sake of their families and for their own, that they should register.

Such threats and actions are unfortunately a bad omen about the prospect of return within a short time of those refugees to Kosovo.