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MEDICAL SERVICE DELAYED TO PATIENT FROM ROMA COMMUNITY AT THE UNIVERSITY CLINICAL CENTRE

On 21 August 2015, KosovoPress reported an incident involving a family from the Roma community who had sought medical help at the Emergency Centre at the University Clinical Centre (UCC) of Kosovo. According to the media, members of the family had been waiting to receive medical assistance for more than 40 minutes and were not acknowledged by staff during this period.

Following the publication of the video on KosovaPress, in which the patient is seen waiting for assistance while the medical personnel appear to be neglecting him for a lengthy period of time, Mr. Kujtim Paçaku, a member of the Kosovo Assembly representing Roma community, and Mr. Jollxhi Shala, the Deputy Minister for Communities and Returns, visited the Emergency Centre of the UCC to follow up on the case. After a delay, the medical report was found and presented to Mr. Paçaku and Mr. Shala, showing that the Roma patient was involved in a violent incidence and consequently beaten. It further documents that he received necessary medical service at the UCC and was released home for further treatment. No additional data except of the name and residence of the patient were provided.[1]

Kujtim Paçaku was cited saying, “What happened at the UCC’s Emergency Centre should not be taken as a case involving a Roma community member, absolutely not. This is an incidence

[1] http://www.rtklive.com/?id=2&r=40253

involving a Kosovo citizen…we have all witnessed how Emergency Centre personnel who have reacted inappropriately towards the patient, which clearly presents a violation of human rights."[2] Mr. Shala, Deputy Minister for Communities and Returns, echoed this viewpoint, stating that the incidence was not grounded on ethnic background.[3]

The UCCK, through its Director General, Mr. Curr Gjocaj, also spoke out regarding the incident, stating that the high number of patient visits on the day of the case resulted in the delay of locating the file. He went on to say that the serious nature of other patients caused doctors to prioritize the needs of others, but the individual from the Roma community received the necessary medical assistance his case required. [4]

Mr. Basri Lenjani, Director of the Emergency Centre, explained that all required measures were undertaken by the staff at the Emergency Centre of the UCCK, but stressed the lack of staff at the UCCK – hinting that additional cases of a similar nature can be expected in future.[5]

ECMI Kosovo reached out to the patient's family and the University Clinical Centre for comment. A member of the patient's family responded that initially the patient went to the Medical Centre (Ambulant) in Fushë Kosovo/Kosovo Polje, where they instructed him to go to the University Clinical Centre.

ECMI Kosovo would like to stress the importance of delivering adequate and efficient healthcare service to all citizens of Kosovo, regardless of ethnic background. Protection against discrimination, including based on ethnic background, is provided for within Kosovo law. Kosovo has incorporated international declarations into its Constitution, under Article 22, including the Universal Declaration of Human Rights, which asserts, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services."[6] Additionally, the right to health is addressed in the International Convention on the Elimination of All Forms of Racial Discrimination, which is also incorporated into the Constitution of Kosovo. The Convention calls upon States to "Prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law," and references under this provision "The right to public health, medical care, social security and social services."[7]

In addition to referencing international law, non-discrimination is also cited in domestic law. The Constitution affirms, "No one shall be discriminated against on grounds of race, colour, gender, language, religion, political or other opinion, national or social origin, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal

[2] http://www.gazetaexpress.com/lajme/qkuk-arsyetohet-per-pacientin-rom-qe-nuk-i-dha-ndihme-thone-se-nuk-ishte-rast-emergjent-124568/
[3] http://www.gazetaexpress.com/lajme/qkuk-arsyetohet-per-pacientin-rom-qe-nuk-i-dha-ndihme-thone-se-nuk-ishte-rast-emergjent-124568/
[4] https://koha.net/?id=27&l=71746
[5] http://www.gazetaexpress.com/lajme/qkuk-arsyetohet-per-pacientin-rom-qe-nuk-i-dha-ndihme-thone-se-nuk-ishte-rast-emergjent-124568/
[6] Universal Declaration of Human Rights, Article 25.
[7] The International Convention on the Elimination of All Forms of Racial Discrimination

status."[8] Finally, Article 4 of the Law on Health declares, "All the citizens and residents have the right to equal access in healthcare."[9]

Based on the aforementioned legislation, non-discrimination based on ethnic background in the healthcare sphere is clearly protected within the Kosovo legal framework. If medical centers lack sufficient staff to meet the needs of patients, this issue must be addressed in order to ensure effective implementation of the law. ECMI Kosovo urges all actors, including healthcare professional and government officials, to take the necessary steps to uphold these protections and offer medical assistance to those who seek it regardless of status or ethnic background.

[8] Constitution of Kosovo, Article 24
[9] Law on Health, Republic of Kosovo, Article 4

ON DISTURBING SLOGANS DIRECTED AT TORBESH, GORANI, AND BOSNIAK COMMUNITY IN PRIZREN

On Monday 24 August, insulting slogans addressed against the Bosniak and Gorani community appeared on the house of a Bosniak family in Prizren in a part of the city that is inhabited by Bosniaks. The slogans bore the Albanian-language inscription "Vdekje e Torbeshve", meaning "Death to Torbesh" and "Torbesh + Goran = Shkije", ("shkije" being a derogatory term for Serbs in Albanian), alongside a reference to the UÇK (Kosovo Liberation Army).[10] The incident is reported to have been very disturbing for members of Bosniak community in Prizren, provoking unpleasant memories of the time during and after the war, when over 60 Bosniaks were killed.[11] Kosovo Police is investigating the incident and is taking actions to find the suspects.[12]

Torbesh, though not an official term used in Kosovo, is a name that is used to denote the Slavic Muslim community, particularly in Macedonia. Torbesh are very closely related in cultural, linguistic, and religious matters to the Gorani community in Kosovo. Inhabitants of the Prizren and Župa region who identify as Bosniaks have many linguistic, cultural, and religious commonalities with Gorani and Torbesh. Bosniaks are generally considered to be relatively well-integrated in Kosovo society and institutions, whereas Gorani are more marginalised and are stuck between Kosovo and Serbian parallel institutuions, not receiving satisfactory participation and services from both.[13]

Ćerim Bajrami, assembly member from the ranks of the Bosniak community in the Kosovo Parliament, has released a public statement in which he stated that the graffiti sends a clear message of hatred and violence against Bosniaks in this particular part of Prizren, who mostly originate from the nearby village of Lokvicë/a in the Župa region, and to all members of this community in Kosovo. Bajrami added that Bosniaks are a clearly visible factor in Kosovo, who work very hard together with Albanian majority community and all other communities whose native country is Kosovo. He finally called on Kosovo Police to urgently investigate the incident and identify the author(s) of the message as well as to start a judicial process against hate actors.

Similarly, Coalition VAKAT has strongly condemned the graffiti, which, according to them, are not suitable for a multi-ethnic town like Prizren.[14]

ECMI Kosovo joins these calls to relevant authorities to identify the authors of the slogans and sentence them in according with hate crime legislation, in order to maintain the calm and peace in the multi-ethnic town of Prizren and prevent further possible complications and unnecessary bigotry.

[10] http://www.balkanplus.net/clanak/vijesti/lokalne/prizren-parole-smrt-torbesima-i-torbeshgoranshkije-foto/
[11] http://www.info-ks.net/vijesti/lokalne/57712/prizren-parole-smrt-torbesima-i-torbeshgoranshkije#1
[12] http://www.rtklive.com/rtk2/?id=2&r=2892
[13] See ECMI Kosovo policy briefs on unemployment, education, and decentralization among the Gorani community. http://ecmikosova.org/?p=5854
[14] http://www.balkanplus.net/clanak/vijesti/lokalne/reagovanje-koalicije-vakat-ostro-osudujemo-ovaj-zlonamjeran-cin/

ECMI Kosovo is particularly worried by this incident, which poses a threat to the stable multi-ethnic society and coexistence of communities in Kosovo. Inhabited by various communities, Prizren has always been an example of multi-ethnic coexistence in Kosovo. In a political setting dominated by ongoing negotiations between the Albanian and Serb communities in Kosovo, incidents involving these communities often receive much attention. Being less applicable for political purposes, other communities in Kosovo tend to be overlooked, but this incident shows that their position remains vulnerable. ECMI Kosovo therefore reiterates the significance of respecting the rights and diversity of each of the communities living in Kosovo and securing them security and peace, regardless of direct political benefits.

ON THE CASE OF DISPLACED KOSOVO SERBS AND THE ORTHODOX LITURGY IN GJAKOVË/ĐAKOVICA

On 28 August, displaced Kosovo Serbs from Gjakovë/Đakovica and other regions in Kosovo, visited the Serb Orthodox monastery in the city to participate in a liturgy on the occasion of the Feast on the Dormition of the Virgin Mary ("Uspenje Presvete Bogorodice" in Serbian), an important religious event for Eastern and Orthodox Christians all over the region and world. Due previous incidents surrounding such visits, there was heightened security around the monastery and increased police protection for the pilgrims who were traveling by bus.

As a result, the visit and the liturgy proceeded without any incidents. However, there was an attempt by some 20-30 *Vetëvendosje* activists, who were carrying signs saying "Serbia will not pass", and "No reconciliation without justice", to break the police barrier and move in the direction of the pilgrims. After failing to break the police cordon and after being repelled with teargas by the Kosovo Police forces securing the perimeter around the monastery, *Vetëvendosje* activists managed to throw red paint in the direction of the pilgrims as well as of the police. There were no reports of anyone being hurt or of any individuals arrested, and the crowd dispersed afterwards.[15]

Visits to the Serbian Orthodox monastery in Gjakovë/Đakovica by Serb pilgrims, most of whom used to live in the city before 1999, regularly cause skirmishes and incidents. This should be related to the particularly traumatic (post-)conflict experience of the city. The Albanian civilian population of the city suffered greatly during the 1997-1999 Kosovo War, with close to 1,000 killed and some 1,200 missing and unaccounted for at the end of the war.[16] Despite excavations of mass graves in Serbia over the recent years, there are still some 1,650 civilians missing in all of Kosovo,[17] of which some 756 are from the city of Gjakovë/Đakovica.[18] After the war, all of the 1,751 Serb inhabitants of the city fled mostly to Serbia.[19] Most of them have sold or had their properties seized by Albanian inhabitants; though there are no exact figures for Gjakovë/Đakovica specifically, the resolution of conflict-related property claims has been relatively slow and uneven in Kosovo.[20]

Earlier this year, January 6, the situation came to a flashpoint when the pilgrims visiting the city were blocked by *Vetëvendosje* activists together with the NGO Mothers Calls, representing mothers of the missing persons from the city and the vicinity, when some Vetëvendosje activists

[15] http://www.rtklive.com/rtk2/?id=2&r=2928 and http://botasot.info/lajme/446642/pelegrinet-serbe-u-priten-ne-gjakove-me-protesta/
[16] http://www.hrw.org/reports/2001/kosovo/undword-06.htm
[17] http://www.balkaninsight.com/en/article/missing-persons-week-kicks-off-in-kosovo
[18] http://old.zeri.info/artikulli/15545/thirrjet-e-nenave-kundershtojne-ashper-kandidimin-e-iniciatives-serbe-ne-gjakove
[19] http://www.icty.org/x/file/About/OTP/War_Demographics/en/milosevic_kosovo_020814.pdf
[20] http://www.osce.org/kosovo/80435?download=true and http://www.osce.org/kosovo/141131?download=true

stoned the bus carrying Kosovo Serb pilgrims to the church. The incident ended by the subsequent removal of the then Minister for Returns.[21]

It is clear that the visits need to be carefully managed by the political representatives and religious leaders and that a tolerant balance should be found between the plight of missing persons and the emotional attachment of Serb pilgrims to their hometown and places of worship. Encouraging in that regard was that the current Minister for Communities and Return, Dalibor Jevtić, took part in the liturgy and noted that "we want to send a message of peace and reconciliation", and that "life together with one another is possible, with a little more understanding and tolerance, and that we will work on this, insist on this".[22] Also the Mayor of Gjakovë/Đakovica, Mimoza Kusari-Lila, stated that "while our municipality has suffered a lot during the war, we are aware that this is a right that pilgrims have and are prepared to have the pilgrims come here to celebrate their faith". It was reported that the mayor had also visited the police securing the monastery and asked them to make sure everything went smoothly.[23]

*Through the **Kosovo Communities Issues Monitor**, ECMI Kosovo monitors, analyses, and provides recommendations on developments and concerns related to the position of minority communities in Kosovo, within the framework of international and domestic minority rights legislation. The analyses presented in the Monitor rely on close monitoring of media and interviews with relative stakeholders. While ECMI Kosovo strives at all times to provide accurate and nuanced information and to present the views and perceptions of all sides, the objective of the Monitor is not to provide journalist or factual coverage, but to offer an additional analytical element to the debate, reflecting ECMI Kosovo's longstanding experience with communities issues in Kosovo and the domestic and international legal framework in place.*

[21] ECMI Kosovo. 'ECMI Kosovo Condemns the Violent Blockage of Entrance to the Serb Orthodox Church in Gjakovë/Đakovica' (7 January 2015); ECMI Kosovo.' What Should Be Remembered From the Jablanović Case' (8 February 2015).
[22] http://botasot.info/lajme/446642/pelegrinet-serbe-u-priten-ne-gjakove-me-protesta/
[23] http://www.rtklive.com/rtk2/?id=2&r=2928

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About ECMI Kosovo

ECMI Kosovo is the principal non-governmental organisation engaged with minority issues in Kosovo, with the overarching aim to develop inclusive, representative, community-sensitive institutions that support a stable multi-ethnic Kosovo. ECMI Kosovo contributes to the developing, strengthening and implementation of relevant legislation, supports the institutionalisation of communities-related governmental bodies, and enhances the capacity of civil society actors and the government to engage with one another in a constructive and sustainable way.

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