

FORMER YUGOSLAV REPUBLIC OF MACEDONIA:

Humanitarian Evacuation and the international response to refugees from Kosovo

“No one knows I’m here” - not everyone is going home

Iilir tried to stop weeping as he told of how devastating it was to have to come back to live in his tent at Cegrane camp in Macedonia.¹ He had just returned from a two day journey home to his town of Vucitrn (Vushtrri in Albanian). “I have no house to go to, nothing, I will need some kind of shelter before I can go home - until then I will have to stay here.” His house had been burned to the ground. Iilir, his wife, and three children fled their home the day after Serbian police had shot out the windows of their house. Iilir told Amnesty International that on 25 April four Serb police who were wearing masks came to the house and told them they had five minutes to leave.

After staying in the hills around their house they made their way to Pristina and finally, in early May, to the border with Macedonia where they were then moved as part of a convoy of buses to the refugee camp at Cegrane. *During their time at the camp the family told Amnesty International that the only contact they ever had with any officials was some weeks after they arrived when they were registered as part of the revalidation programme conducted by international organizations to issue identity documents (Cegrane camp was “revalidated” on 20 June). The family told Amnesty International that the officials issuing them with identity documents told them that they knew nothing else about returning home - they were simply there to issue them with identity documents. “All we need is a room - just a roof over our heads - where we could stay with our small children”.*

Arjeta has been on the run for over a year since she fled with her two daughters and one son from the village of Donji Grabovac (Graboc i Ulet) near Kosovo Polje in June 1998. She had sent her children to another village to go to school and during that time she stayed with her

¹ This name and the other names of refugees in this report are pseudonyms. Their full names are known to Amnesty International.

husband and eldest son at their home. In late June they could see tanks in the hills beyond their home and as the tanks came closer they had to flee. She and her husband walked for several hours to Kosovo Polje. "I was so afraid that we were going to be killed, it was extremely hard to walk through those hills, I was tired and didn't know if I could make it. My husband went back to fight with the Kosovo Liberation Army [the armed ethnic Albanian opposition group], and I gathered my daughters and son with me in Pristina where we lived from house to house until finally on 22 May we were chased from the house by Serbian police. The police said that we could not stay there anymore because we were refugees. The police put us on a train at about 9am and we arrived at the border at 8pm". Arjeta knows that she needs help but does not know where it will come from, if it will come and when it will come. She is on her own with her children and has not seen or heard from her husband and eldest son for months. As she watched families in the tents surrounding hers packing up and heading back home to Kosovo she grew even more worried: "I would leave this minute to go back home, but I have nothing - nothing but the grass to sleep on".

Jehona thinks she is over 70 years old and lived in Kosovo for 27 years. Her husband died years ago and she has lived at the Stankovec refugee camp since coming with neighbours who helped her flee. "No one knows I am here". Sabrie is 92 years old and comes from the village of Hamidija (Hamidi) near Obilic. She told Amnesty International that she had stayed in Pristina for several months, with people she did not know, and she was eventually taken to Macedonia by her nephews who have now gone on to Germany. "I am too old to go anywhere else,

it was very difficult for me to travel here and to come to the border - I just want God to take me.”

The International Catholic Migration Commission (ICMC) told Amnesty International about several of the children in their care at Stankovec camp. Children who were at school when their families were forced from their homes, children separated from their families during the chaos of a flight from the terror of the conflict in Kosovo, children who have been living with foster families since arriving in the camps but who do not now want to go back with them - all of them children whose parents cannot be found even after two or more months of tracing efforts.

Not all refugees want to or are able to return to Kosovo immediately. These refugees remain in the camps of Macedonia and portray the need for the international community to continue with its efforts to ensure that any return to Kosovo is conducted in an orderly and voluntary manner.

Towns and villages in Kosovo are now filling with internally displaced persons returning from the hills and returning refugees. Many are coming back to find their homes only a shell and are sleeping outdoors or with neighbours. In the towns some displaced persons are taking over the empty homes of other refugees or displaced persons and it is evident that this situation will lead to further problems if their previous tenants return.

1. Introduction

Subsequent to the passing of UN Security Council Resolution 1244² on 10 June 1999, more than 400,000 refugees have already returned to Kosovo, despite warnings from the United Nations High Commissioner for Refugees (UNHCR) and other international agencies that the situation in Kosovo is not yet sufficiently secure. The mass “spontaneous”³ return that many were concerned to avoid is unfolding, and the end result is that many refugees are returning to situations that may not be safe. Refugees interviewed at camps in Macedonia towards the end of June to determine why they were returning so soon, clearly drew a great sense of security from the North Atlantic Treaty Organization (NATO) presence. They were also keen to go home to find out about the fate of relatives left behind, or to be reunited with family scattered to other areas. Many wanted to find out whether they had a home to live in and those who knew that their home had been destroyed, to start the process of rebuilding. The remarkable aspect of this “spontaneous” return of refugees is how little information they have to rely on. Many refugees in the camps are anxious to return home, but they want to know more

² S/RES 1244 (1999)

³ “Spontaneous” return is used to designate returns which take place outside officially organized programmes.

about the safety of returning and whether they will be able to survive in a place that is home, but where they have no food, shelter and varying degrees of security.

While the movement of refugees back into Kosovo is expected to continue, there is still a need to provide protection to those still abroad. In this respect, the Humanitarian Evacuation Programme (HEP) comes under renewed attention. The HEP was set in place in response to concerns regarding the ability of Macedonia to host large numbers of Kosovo Albanian refugees. The Macedonian government had stated from the outset that it would be unable to host more than 20,000 refugees, and engaged in frequent closures of the border to prove the point. It argued that if refugees were not moved in great numbers from Macedonia, the country would be destabilized based on a combination of geopolitical, ethnic, and economic factors.

Amnesty International recognizes that no state, including Macedonia, should be forced to shoulder a disproportionate share of the responsibility to host refugees merely because of its geographical location. In this regard, a large-scale evacuation programme, such as the HEP, may be an appropriate response to the situation, in order to share the responsibility of providing protection to refugees internationally. If the international community's assessment was that Macedonia would be destabilized by hosting large numbers of Kosovo Albanian refugees, then large-scale movement of those refugees from that country would seem to be the only way forward.

However, any such programme ought to be conducted in a manner which respects the rights of refugees; and this includes ensuring that the

Macedonian authorities afford refugees protection while other countries have the opportunity to respond. It is evident that many of the problems incurred in the running of the HEP had much to do with the pressure of doing things quickly - which meant that proper systems of identifying those refugees most in need of being evacuated were never established.

*Since the early stages of the refugee outflow, Amnesty International has had a research presence in Macedonia and in Albania, interviewing refugees as well as representatives of international and local agencies. In May, the organization published its report *Former Yugoslav Republic of Macedonia: The Protection of Kosovo Albanian Refugees* (AI Index: EUR 65/03/99), and expressed its concerns regarding the quality of protection being afforded to refugees in Macedonia by both the host country and the international community. This report is based on further research into the situation in Macedonia, and should be read in conjunction with the earlier report.*

2. The “rush” to return to Kosovo and the lack of information

While many of the refugees interviewed by Amnesty International in the two weeks after the signing of the peace agreement were anxious to return home and were seemingly willing to accept a high level of risk and uncertainty in so doing, some of the refugees currently hosted in Macedonia do not want to return until they have information about when they can safely return and about how they are going to survive without shelter, food or a source of income. There are also many cases of refugees who, due to their particularly vulnerable situation, should not be expected to return for some time. When considering the situation of those refugees who do not know if it is safe to return or who think that it is better for them to go elsewhere for the time being, one sees a theme re-emerging which was evident prior to the announcement of the peace plan - a host country concerned about destabilization, an international community anxious not to receive more refugees and a lack of information to refugees (which is now vital to those considering whether to return home).

Pending an independent and impartial assessment that it is safe to return, the HEP should be replaced by other durable solutions - including voluntary, organized repatriation;

the integration of refugees who will not be able to return home to Macedonia; or their resettlement in other countries.⁴

Amnesty International is concerned that provision should be made not only for priority medical cases but for other vulnerable groups of refugees such as the elderly, women at risk, people in need of medical attention including victims of torture, female headed households with minor children, the disabled and families needing to be reunified. It is also the case that there are minorities who have fled Kosovo who will continue to need international protection as refugees.

While the UNHCR and other international organizations have conducted mass information campaigns advising refugees about the dangers they face in returning too soon and recommending that they wait a little longer, there is an absence of information that would persuade refugees to stay that extra time in order to make an informed decision about when return would be appropriate. For example, several days after refugees had begun to return in large numbers there was still no information posted at the camps about what their rights were as refugees in Macedonia and whether they would be allowed to make a preliminary visit to Kosovo to assess if it was safe to return later with the rest of their family. Subsequently the Macedonian authorities and the UNHCR have informed Amnesty International that refugees registered in Macedonia will be able to cross the border twice in order to make an assessment of the safety of return. In any repatriation it is generally accepted as good practice that refugees have an opportunity to make such visits. However, it is of concern that this decision appeared not to have been made quickly by the authorities or communicated to refugees, so that many returned home permanently in ignorance of this possibility.

In the absence of clear information about whether they would be able to return to Macedonia to collect their families, in combination with a lack of documentation to prove their identity or status in Macedonia, the early tendency was to leave as a group with little knowledge of the safety of return. In mid-June there had still not been a formal announcement in at least two of the refugee camps (representing an estimated population of over 40,000 refugees) of the status of the HEP. Refugees interviewed by Amnesty International agonized over the decision of whether to wait in the hope of being reunited with their family members who had been evacuated or speculated about whether they would be able to get the medical care in Kosovo that they were waiting to obtain in a country of evacuation. Rumours in the camps that the evacuation programme had ended contributed to the level of misinformation, uncertainty and tension.

⁴ It should be underlined that there are very few countries with resettlement programmes and in the absence of any new commitment from those countries involved in the HEP this would mean that the only countries to which these refugees could be resettled would be the United States, Canada, Australia, New Zealand, Switzerland, the Netherlands, Denmark, Sweden, Norway, Finland, Chile, Burkina Faso, and Benin.

Refugees interviewed in the past week asked questions of Amnesty International that they should have reasonably expected to be answered by UN agencies present in the camps. Refugees, living in the elements, faced with the relentless wind, blowing dust and skin scorching sun, wondered if they were going to be forced to go to live in tents at camps they heard were being built in Kosovo, or if families would be separated if ill relatives were evacuated to a third country under the evacuation programme, or if those Kosovars who had been evacuated to third countries would ever be allowed to return home to Kosovo. In the words of a refugee who had not lived at home for many months, "we are not informed of anything here".

An aggravating factor is that decisions to return tend to be made by the male heads of household with little or no choice being exercised by the women. Indeed, refugee leadership structures in the camps reviewed by Amnesty International were in the main represented by men. This may lead to important factors in the decision to return being overlooked. Women should receive adequate information and participate in the decision-making. A number of non-governmental organizations present in the camps now are making efforts to bring women together to inform them or prepare them for return.

In addition to the absence of information is the absence of an adequate number of international staff to deal with the many individual cases of refugees in need of assistance. The sheer press of protection cases needing to be dealt with by overwhelmed UNHCR Protection Officers was evident. Refugees complained that they simply were not able to get access to those international staff from whom they could seek information and assistance. In the camp at Cegrane, refugees interviewed by Amnesty International reported that the International Organization for Migration (IOM) - the international organization which is organizing the transport of refugees in the HEP - had not been at the camp regularly the week before and that they simply did not know to whom to turn to find out if, how or when they might be able to be

reunited with their families or evacuated because of their medical condition. The IOM staff working on cases of refugees to be evacuated to the United States were at the camp a couple of days later and advised that they were still working on cases. However, they were no longer posting notices on the information boards at the camps as the number of cases was small and they could go tent to tent to advise those few who were to be evacuated. Amnesty International is concerned that the dissemination of information on the status of the HEP has been inadequate and refugees report that they are referred from one organization in the camp to another, never getting a clear answer. It is disheartening to see refugees poring over the notice boards each day searching for lists and names that are no longer posted.

3. Issues of registration and the lack of identity documentation

Prompt and accurate registration is crucial in any kind of refugee situation, as proper documentation is often necessary for a refugee to show that they are entitled to international protection, and to the rights provided for in international standards. The importance of registration is recognized in the 1951 Convention relating to the Status of Refugees (Refugee Convention), which states in Article 27 that states parties “shall issue identity papers to any refugee in their territory who does not possess a valid travel document”.

The importance of registration is particularly acute for refugees from Kosovo. Many refugees have had their identity documents confiscated by forces of the Federal Republic of Yugoslavia (FRY) upon leaving Kosovo, in an apparent attempt to prevent them from ever returning. Serbian officials were often meticulously thorough in their destruction of Kosovar documentation, sometimes even stripping vehicles of their Yugoslav number plates. Some refugees also report having been forced by FRY troops to renounce their Yugoslav citizenship upon fleeing Kosovo.⁵ The registration of the refugees (some 148,600) living in private accommodation with host families is done by the Macedonian police, aided by the Macedonian Red Cross. Refugees are issued with an identity document which entitles them to food and other humanitarian assistance from the Macedonian Red Cross.

⁵ See UNHCR Kosovo Emergency Update 8 June, where UNHCR expresses concern regarding this matter.

In the early stages of the inflow of refugees into Macedonia, the Organisation for Security and Co-operation in Europe Kosovo Verification Mission (KVM) offered UNHCR its logistical support for camp registration. Registration was one of the operations which was during the initial stages conducted by KVM staff, under the supervision of UNHCR. By the end of May, the KVM was only registering refugees at Cegrane camp.

Camp registration was initially separate from registration for evacuation under the HEP, though the two were later combined. Registration normally took place after arrival at the camp, with registration not only of biographical details such as the names and number of all family members and the place of birth, but also of vulnerability criteria for consideration under the HEP (see below). The completed form was then delivered to the Eurotrade centre located between the two camps, Stankovec 1 and Stankovec 2, where the details were entered by staff of the IOM into a computerised data base. It was from this data that the selection for evacuation was made by the UNHCR.

Most of the refugees interviewed said that they were registered between three days and two weeks after arrival, although some refugees interviewed by Amnesty International at Stankovec 2 reported that they had not been registered, despite having been in the camp for six weeks. Further complicating the issue is the fact that while some refugees received a copy of their registration form as proof that they had registered, many did not, and therefore have no proof that they have been registered.

To make matters worse, the HEP process has been plagued from its early stages by reports of corruption, with allegations of rich families paying poorer families for evacuation places and even ethnic Albanian Macedonians paying bribes to be registered in the camps and be evacuated. The information available to Amnesty International indicates that the persistent reports of corruption were one of the reasons that the database input operation was moved from inside Stankovec 1 (where it was previously located) to the Eurotrade Centre, outside the camp. It is difficult to know if the reports of corruption are overstated. However, it was clearly the view of a number of refugees interviewed recently, who seemed to qualify under the evacuation programme and had indicated that they wanted to be evacuated, that the HEP was not conducted in a fair manner with those most in need of going to a third country being evacuated.

Given the difficulties with the registration operation, UNHCR implemented a comprehensive revalidation exercise, whereby the camps have been cordoned off one by one and the initial registration of all refugees checked to ensure that the registration was valid. The refugees in host families were also to be registered, with all the information computerised. The outcome of this exercise was to be that every refugee would eventually obtain an identity card, with a photograph attached.

*Until recently, many refugees lacked any sort of identity documentation at all. In a paper made public on 9 June, entitled *Next Steps for the Return of Refugees and Internally Displaced Persons to Kosovo*, UNHCR notes that this is a “key issue”, and recommends that “special measures will need to be urgently established to ensure the readmission of refugees and displaced persons whose personal identity documents were confiscated, lost, or destroyed. ... In the absence of official identity documents, other documents such as refugee registration or ration cards will need to be recognised as sufficient to allow readmission.”*

During the latter part of June (when significant numbers of refugees were already going home), the revalidation programme was carried out at some camps in what was, by all accounts, a well organized and efficient manner, and many refugee families were issued with one card per family with a photograph. An important concern about the revalidation exercise remains however, in that for a number of refugees interviewed by Amnesty International, all members of the family were recorded on the same identity card and a photo of them taken together.

This raises the issue of those in the family over the age of majority (18) who have not been issued with their own identity cards and is important in the light of them being able to make independent decisions about whether to return, when and under what conditions. Families may not want to return as a group and this may result in entire families going home prematurely.

4. The Humanitarian Evacuation Programme - a premature end?

At the time of the signing of the peace agreement, there were some 247,000 refugees in Macedonia with 108,400 in camps and 148,600 living with host families. In most cases, those refugees who crossed at the three official border points were transported to camps, while those who crossed at unofficial points were accommodated with Macedonian Albanian host families.

At a time when most of the 40 countries participating in the HEP are winding down their evacuation flights, some 90,000 refugees have been evacuated out of the estimated 135,000 places offered by governments with their collective quotas. Most refugees were evacuated from two camps, Stankovec 1 and 2, with relatively few being evacuated from the largest camp, Cegrane, which held 43,000 refugees. Despite the fact that refugees accommodated in host families were not eligible for evacuation under the HEP, a few countries have evacuated

refugees accommodated with host families.⁶ On 18 June, UNHCR and IOM held informal consultations with the governments involved in the HEP, to discuss its continuation given the

⁶ The UK, France, Spain, the Netherlands, Australia, Croatia, Austria and the USA have evacuated

signing of the peace agreement, after which UNHCR announced that further discussions were needed on this point. At the time of writing, in late June, it remains unclear what will happen with the programme, though one country, Sweden, recently cancelled further evacuations, pending a further request from UNHCR. A number of countries have not filled up the "quota" of spaces for evacuated refugees they had indicated to UNHCR. Some countries, such as the United Kingdom, never gave a clear quota.

The ending of HEP may result in harsh consequences for some as evidenced in the case of Avdi (see panel, page 12). The policy of the German government was to accept refugees on the basis of referrals from the IOM and UNHCR. In taking more evacuees than any other country involved in the evacuation programme, it was the policy of the German government not to accept family reunification cases, but to accept those in vulnerable groups. The end result is that a family has been separated and faces seemingly insurmountable obstacles in trying to be reunited due to the defects in the design and administration of this programme.

The evacuation programme was premised on the basis that any evacuation must be on a strictly voluntary basis; the decision must be an informed one in the sense that those volunteering to be evacuated must know which is the destination country and their rights in the country of evacuation, and must not be subjected to pressure to accept evacuation.

Evacuation must only be carried out after registration and the refugee must be willing to be evacuated to the country offered. Under no circumstances should families be separated and refugees must be medically fit to travel.

UNHCR targeted the most vulnerable refugees and those with special needs as priority for evacuation, and concentrated on submitting

refugees from host families, primarily on the basis of family ties.

those cases to governments. Priority was to be given to refugees in camps who were enduring the most difficult conditions and in particular refugees in camps Stankovec 1 and 2. Those cases categorized by UNHCR as priority include, among others, medical cases, families with children under five years old, women over 26 weeks pregnant, those with nuclear family in a third country, unaccompanied minors with relatives in a third country, women at risk, single women, and elderly people.

4.1 Lack of unified criteria for evacuation

The practice of the HEP has proven complex and, as with registration, UNHCR has had major difficulties ensuring the operation runs in an effective and appropriate manner. Refugees sometimes did not show up for evacuation at the designated time and a number of flights have left for their destinations only half full. A number of governments sent delegations to Macedonia to assist with the evacuations, and others to conduct interviews of refugees whom the UNHCR has put forward for evacuation (see below). Some governments complained that several governments were given the same lists for evacuation. Some 3,000 cases were submitted each day by UNHCR for the delegations to select for evacuation, with between 1,500 to 2,000 departures per day actually taking place.

Although the HEP was based on an understanding that states would share the responsibility for the admission of refugees to their countries, in a few instances government missions by-passed UNHCR completely and evacuated refugees based on their own criteria. Government delegates report that this was due to frustration at UNHCR's alleged inability to coordinate the process. However, such

independent processes served to undermine the authority of UNHCR which all states said that they wanted to see respected.

Many governments decided on their own criteria for evacuation, irrespective of UNHCR's priority list. For example, many refugees have relatives in Germany, Austria, Switzerland and Sweden where there are substantial Kosovar populations. But Germany, for example, which evacuated some 14,300⁷ refugees from camps in Macedonia, took the old, the sick, children and all their respective families, but not those with family links in Germany. The German authorities have sought to justify this on the basis of the large numbers of Kosovars already in Germany. Amnesty International has interviewed many refugees who had close family in Germany, and yet were evacuated to another country. The United Kingdom by contrast, prioritised those with family links in the United Kingdom. Some government delegations conducted full interviews with refugees the UNHCR had selected and put forward for consideration, whereas other delegations did not conduct interviews, and chose the refugees from the list of cases given to them by the UNHCR, but according to their own criteria, meaning they excluded some refugees that UNHCR had wanted them to accept.

The United States delegation interviewed potential evacuees at a venue outside the camp. The German and Swedish delegations did not interview prior to evacuation, selecting refugees directly from UNHCR lists according to their own criteria. Others, such as the Dutch and Danish delegations, did conduct interviews. Subsequent to refugees not arriving at the appointed time for evacuation, leading to some half full

⁷ This figure is as of 10 June 1999 based on data issued by the UNHCR.

planes, the United Kingdom started to screen refugees for evacuation. Some delegations had trained teams from their immigration and nationality service. The team from Denmark, for example, comprised lawyers from the Danish immigration service and a nurse from the Red Cross. Other delegations used personnel who normally do not deal with refugee issues, and who may never have had any experience in working with refugees.

4.2 Lack of information about evacuation

One of the fundamental tenets of the HEP was that evacuation must be voluntary. This requires that refugees be provided with adequate information to make a truly informed choice. In its previous report, Amnesty International raised concerns that refugees were not being provided with adequate information regarding the HEP, including the terms of their legal status in the host countries to which they might be evacuated. This situation had not changed at the time of writing this report in late June.

Nearly all refugees interviewed by Amnesty International stated that there was a near total lack of official information in the camp about the HEP; indeed, many refugees found out about the HEP through rumours in the camps. Refugees interviewed said they had no idea of what the UNHCR criteria were, and whether they had any opportunity of being evacuated. Many reported dissatisfaction at seeing other refugees evacuated after a very short space of time and at not being given adequate information from UNHCR as to why the system worked as it did. Most of the refugees interviewed had been registered for more than a

month and were anxious about their chances of evacuation - an anxiety accentuated by the trauma many had already suffered.

When government delegations had made their selection for evacuation, lists were attached to the information board in the camp giving details to those refugees selected of the time that the buses would pick them up and transport them to the airport. Refugees in most cases were given only 24 hours notice of evacuation, which was alarming for those who had not been interviewed by a delegation and had no knowledge of the country they had been selected for. Not only does this bring into question the true voluntariness of the operation, it has also caused countless practical problems. One government delegation told Amnesty International that they had arrived in the camp at 3am one morning to pick up the refugees and had to resort to looking in tents to find the designated refugees, only to discover that many had already been evacuated to other countries.

Regarding the status and treatment a refugee could expect when evacuated to a particular country, there was still a lack of information being provided to refugees. Some governments, for example the United Kingdom and Denmark, gave a full explanation of what the refugee could expect in the country in a leaflet in Albanian. However, the UNHCR has yet to provide to refugees any written information regarding this matter. The legal status afforded to evacuated refugees continues to vary considerably. For example, the United States and Canada have put in place a programme that accords with the requirements of the Refugee Convention, whereas Germany has granted only three months temporary protection with a prohibition on employment. Sweden granted 11 months temporary protection. The United Kingdom granted one year's

exceptional leave to remain with rights to welfare benefits and work. Denmark granted a six months' residency permit that could be extended for two years.

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Avdi last saw his wife Drita, his five-year-old daughter, his seven-month-old son and his father-in-law when they were separated at the border crossing at Blace on 5 April. They had fled with many others from their village of Milosevo near Obilic after it became too dangerous to stay there. The family had walked the final few kilometres to the border together after being forced from their vehicles by Serbian forces. At the border, Avdi was refused entry while the rest of the family were allowed through. He reported that the Macedonian border guards told him that "you are a man, so it is okay for you to go back to Kosovo". Drita reported that the Macedonian border guards had told her that they were "setting the orders here and we are deciding who gets through". Avdi's last words - shouted to his wife and children as she stood on the Macedonian side of the border when the Macedonian officials refused to let her go back or to allow him in - were "stay together with your father, no matter what".

With no choice but to make his way back into Kosovo, Avdi sought shelter with relatives before fleeing the province again three weeks later. Drita, the children and her father were all evacuated to Germany within two days of arriving at the refugee camp near Blace. Avdi finally made his way to the camp at Cegrane, where for the past several weeks he has made every effort to be reunited with his family. However, he does not have very good prospects of being with his family soon. His choices are few: he has considered having his family come to live with him in the difficult conditions at the refugee camp, but he knows that the Macedonian government would not allow this as the entire rationale of the HEP was to ensure that Macedonia did not host a disproportionate share of refugees; and, the policy of the German government is that it will not pursue family reunification cases. His only choice - and one that he evidently is agonizing

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Edona, who is six months pregnant, her husband and their five children have not lived in their home in Topilo (Albanian Topille) near Stimlje (Shtime) for more than a year. They have heard that their house has been looted and burned. They walked for three days and reached the border crossing with Macedonia at Blace on 24 March, and were accommodated at Cegrane camp.

The physician who provided medical care to Edona recorded on her medical charts that she had a history of multiple chest infections over the past year and now persistent wheezing (which is not surprising in the extremely hot and dusty conditions at the camp). The family had understood that they had been recommended for evacuation on the basis of Edona's frail health and the fact she was nearing the final term of her pregnancy. They waited for someone to come and take them away.

Now that many refugees were returning home and tents were being cleared out from around theirs, Edona's husband was agonizing over the decision of what to do. His primary concern was to find a place where his wife had a chance to get well. He reported that he would be willing to go home to Kosovo if he knew that his wife could get medical care there. He was concerned that they had no house to return to and that the water in his village might not be safe. By the time Amnesty International interviewed him in late June, all indications were that the HEP program had ended for all but priority medical cases. However, this had not been communicated to the

refugees at that camp. Edona's husband reported that he had gone every day for several days to try and get some help from one of the international agencies, only to be referred from one agency to another without receiving any definitive answers or any resolution of the case.

The case was brought to the attention of the UNHCR by Amnesty International, but one day after that Edona and her family left the camp to make their way towards the border. The last phone call from the family was that they had found a place to stay in a village near the border where a host family would let them stay for a few days while they considered what to do next - at least, according to Edona she was out of the dust and heat of the camp - but very worried about her unborn child and what was to become of her family.

5. The Humanitarian Transfer Programme

Alongside the HEP the UNHCR coordinated the Humanitarian Transfer Programme (HTP), under which Kosovo Albanian refugees were transferred from Macedonia to Albania. UNHCR stated that the transfer of refugees to Albania had to be voluntary, safe, orderly and humane, and a leaflet was being prepared on the HTP. By mid-June, some 700 refugees had been transferred to Albania primarily for family reunification. Refugees were transferred to the Greek and German run camps in Korca, Albania.

UNHCR had also agreed with the Albanian government that refugees from Macedonia who transferred to Albania would be allowed to move to a third country to reunite with their families. It had not been

announced when this programme was to begin by the time the peace agreement was signed, and discussions had also reportedly been under way to begin direct evacuation from Albania.

6. Recommendations

While the recent crisis in Kosovo has brought the situation of Kosovo Albanian refugees to the forefront, Amnesty International is concerned that durable solutions should be sought for all refugees and internally displaced persons in the region. In the interim, the organization is concerned about a significant number of refugees currently protected in Macedonia who cannot reasonably be expected to return soon. The search for durable solutions to their plight should be given the highest priority.

- A. Amnesty International calls on the international community to continue to provide protection to those refugees unable to return to Kosovo in the immediate future. In particular, Macedonia and other countries hosting refugees should ensure that they enjoy all the rights provided for in the 1951 Convention relating to the Status of Refugees, including effective and durable protection against *refoulement*. Refugees unable to return should be allowed to continue to enjoy asylum in Macedonia, be resettled to other countries or be integrated in host countries.
- B. Particular attention should be paid to the special needs of vulnerable refugees, including, among others, families with young children; unaccompanied minors with relatives in a third countries;

women at risk such as single women; elderly people; and people in need of medical attention, including torture victims. The principle of family unity should be respected.

- C. Refugees should be provided with individual refugee identity documents, which would be valid documentation for benefiting from further protection programs and to enable their return to Kosovo until permanent measures are devised to redress the identification issues that have emerged during the conflict.
- D. Refugee women as well as men should be provided with adequate information about their rights under the 1951 Convention, available protection programmes and plans for organized return. They should be informed on what basis any assessment that areas of Kosovo are safe for return has been made. Any such assessment must be independent and impartial.

KEYWORDS: REFUGEES / UNHCR / DISPLACED PEOPLE / FEDERAL REPUBLIC OF YUGOSLAVIA