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Slovenia: Amnesty International deplores decision to forcibly return "erased" person to Germany

Amnesty International deplores the decision of 30 October 2006 by the Slovenian Ministry of Interior to forcibly return from Slovenia to Germany Ali Berisha, a so-called "erased" person, his wife Mahi, and their five children.

Amnesty International is concerned that the Slovenian authorities have not restored retroactively the status of permanent residents of those "erased" in 1992 and, in this case, have ordered the deportation from Slovenia of one of them, with his family.

Ali Berisha was born in the former Yugoslavia, in Kosovo. He was registered as a permanent resident in the city of Maribor, in what is now Slovenia, between 1987 and 1992. In 1992, he was one of some 18,305 people who were "erased" (unlawfully removed from the Slovenian registry of permanent residents) and was thus deprived of his rights as a permanent resident, including his right to have access to health care and his employment and social security rights.

Following his "erasure", Ali Berisha was forced to leave Slovenia in 1993. He voluntarily returned there in September 2005 and since then has lived with his family in a reception centre for asylum-seekers in Ljubljana.

Amnesty International urges the Slovenian authorities to stop the forcible removal of Ali Berisha and his family from Slovenia. The organization reiterates its call on the Slovenian authorities to retroactively restore the status of permanent residents of those "erased" in 1992 and to provide other forms of reparation, including compensation, to the individuals affected.

Background

Following his "erasure", Ali Berisha was deported from Slovenia to Albania, for no apparent reason. The Albanian authorities returned him to Slovenia. Ali Berisha subsequently moved to Germany, and applied for asylum there. In Germany he met his wife Mahi Berisha (who was also born in today's Kosovo) and had four children, who were born in Germany after 1997. Another child was born in Slovenia in 2006. His asylum application was rejected by the German authorities and in 2005 they informed him that he would be forcibly removed to Kosovo, where he was born. Ali Berisha and his family returned voluntarily to Slovenia in September 2005, in order to escape deportation to Kosovo.

Following his return to Slovenia the Slovenian Ministry of the Interior ordered the forcible return of Ali Berisha and his family to Germany. In November 2005 Amnesty International urgently called on the Slovenian authorities not to transfer Ali Berisha and his family to Germany, where they would have been at risk of being removed to Kosovo. In Kosovo, as members of Romani/Ashkali/Egyptiani communities, they

would have been at risk of ethnically-motivated attacks. The initial decision on the forcible removal of Ali Berisha and his family was subsequently reversed by the Slovenian Supreme Court in May 2006.

For further information on the "erased" see *Slovenia: The 'erased' - Briefing to the UN Committee on Economic, Social and Cultural Rights*, AI Index: EUR 68/002/2005)
<http://web.amnesty.org/library/index/engeur680022005>