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SUMMARY OF THE INTRODUCTORY REPORT ON 
“ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS ON THE 
PREVENTION AND RESOLUTION OF CONFLICT AND TENSION?”

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The topic of our debate does not need any quotation marks. Each National Human Rights Institution has an important part to play in the prevention and resolution of conflicts and tensions. I consider my experience of over two years as the Ombudsperson in Kosovo to be a valuable example of the expectations and possibilities in this field.

Today as before, Kosovo is the site of a particularly heated and difficult ethnic and political conflict. It results mostly - but not exclusively - from the confrontation between Albanians and Serbs. Restoring peace, guaranteeing human rights, and establishing the democratic foundations are tasks that were taken up by the international community, which launched an armed intervention and took over direct administration of the territory through the UN.

The conflict in Kosovo is one of many threads and one of great complexity, which involves the clashing of interests of several parties: for reasons of international security, interests of individual States, nationalist claims, and Albanian reactions after the repressive policy of the Serbian administration under Milosevic.

As the Ombudsperson in Kosovo, I naturally have but little impact on large political processes and their outcome. However, what I try to do, instead, at a local scale, and with visible success, is to work on relations between Albanians and Serbs, launching initiatives that help reduce tension, making it easier for Serbs to endure the difficult situation they have found themselves in after 1999, and offering some hopes for the future.

My efforts focus mainly on the Albanian-Serbian neighbourly dialogue. This is not an easy task, since high levels of mutual animosity and hatred persist. However, I attempt to convince parties to the conflict that serious dialogue is possible. I try to be present wherever there is at least the ghost of a chance for such dialogue. I offer assistance to people who refuse to place their fate in the hands of extremists. This, I have to admit, I manage with varying success.

I also launch initiatives aimed at solving specific problems which give rise to protests and tension. To take one particular example, as a result of my efforts, Serbian children in a locality in Kosovo, have been given police escort on their way to school. Before that, these children were unable to go to school for over a month, as KFOR had stopped escorting them. This problem was a highly emotional one and was starting to become a political issue; it could have seriously affected the climate of discussions concerning the return of Serbs to Kosovo. It is true that this problem has not yet been solved in the whole of Kosovo. However, the Ombudsperson’s efforts have showed where the solution, to an issue of extreme importance to the Serbian community, might be found.

In addition, the Ombudsperson also becomes involved as a mediator in protests against the policies or decisions of the authorities. For example, I managed to put an end to a prolonged hunger strike of Serbian prisoners accused of war crimes who were protesting against alleged irregularities in the criminal proceedings against them, and to transfer the discussion on this issue to the highest level of political institutions of UNMIK and Serbia.

Although all these steps do not bring any radical change to the general situation, the efforts I have mentioned to – and others of a similar nature – do nevertheless contribute to eliminating sources of additional tension, preventing new conflicts and protests from arising, calming down emotional reactions and easing the atmosphere. Therefore, they do have an important role.
However, an ombudsmen (or other national human rights institutions) can only hope for his efforts to be fruitful if he or she is independent and enjoys extensive authority and trust among all those concerned. This should be the starting point for any discussions on the possible role of human rights institutions.