


Sent to PN 11/01/2007

<p>NATIONS UNIES  UNITED NATIONS</p> <p><b>OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS</b></p> <p>Palais des Nations CH-1211 Geneva 10</p> <p>Telex: 41 29 62 Fax: 00 41 22 917 90 06 Tel: 00 41 22 917 92 55</p>		For Cable Officer Only
Authorized by	S. Raadi Azarakhchi Chief Special Procedures Branch	OHCHR
Room No.	Tel No.	Date
3-016	00 41 22 917 92 55	10 January 2007
Priority	To:	Seq. No.
IMMEDIATE	Mr. Joachim Rücker Special Representative of the Secretary-General United Nations Interim Administration Mission in Kosovo (UNMIK) Kosovo 001 212 963 8113	
File No.		Routing Code
UA Housing (2000-6) Health (2002-4) Minorities (2005-1) Toxic waste (1995-11) KSV 2/2006		
Serial No.		

Text:

(3 PAGES ATTACHED)

ENCLOSED HEREWITH AN URGENT APPEAL SENT BY THE  
SPECIAL RAPPORTEUR ON THE RIGHT OF EVERYONE TO THE ENJOYMENT OF THE HIGHEST  
ATTAINABLE STANDARD OF PHYSICAL AND MENTAL HEALTH, THE INDEPENDENT EXPERT ON  
MINORITY ISSUES, THE SPECIAL RAPPORTEUR ON ADEQUATE HOUSING AS A COMPONENT OF  
THE RIGHT TO AN ADEQUATE STANDARD OF LIVING AND THE SPECIAL RAPPORTEUR ON THE  
ADVERSE EFFECTS OF THE ILLICIT MOVEMENT AND DUMPING OF TOXIC AND DANGEROUS  
PRODUCTS AND WASTES ON THE ENJOYMENT ON HUMAN RIGHTS

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
UNITED NATIONS, GENEVA

RECEIVED  
 11 JAN 2007  
 J.S.K.

**NATIONS UNIES**  
**HAUT COMMISSARIAT AUX DROITS DE L'HOMME**



**UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**PROCEDURES SPECIALES ASSUMÉES PAR LE**  
**CONSEIL DES DROITS DE L'HOMME**

**SPECIAL PROCEDURES ASSUMED BY THE HUMAN**  
**RIGHTS COUNCIL**

**Mandates of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Independent Expert on Minority Issues, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment on human rights**

Téléfax: (41-22)-917 90 06  
Télégrammes: UNATIONS, GENEVE  
Télex: 41 29 62  
Téléphone: (41-22)-917 92 55  
Internet [www.ohchr.org](http://www.ohchr.org)  
E-mail: [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)

Address:  
Palais des Nations  
CH-1211 GENEVE 10



REFERENCE: UA Housing (2000-6) Health (2002-4) Minorities (2005-1) Toxic waste (1995-11)  
K.S.V 2/2006

10 January 2007

Dear Mr. Rücker,

We have the honour to address you in our capacities as Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment on human rights and Independent Expert on Minority Issues pursuant to Commission on Human Rights resolutions 2005/24, 2004/21, 2004/17 and 2005/79, to General Assembly resolution 60/251 and to Human Rights Council decision 2006/102.

We would like to thank you for your letter dated 11 April 2006 concerning the issue of the camps for internally displaced persons affected by lead contamination in northern Mitrovica/Mitrovicë, which indicated certain positive measures and developments. However, requests for information in our letter of 27 March 2006 on the provision of emergency medical treatment to affected persons were only briefly addressed in your response. In the meantime we understand from information in the media, such as your press release of 1 September 2006 and information available to the Office of the High Commissioner for Human Rights (OHCHR) field presence in Kosovo that the Žitkovac/Zhikovc and Kablare/Kablar camps have been closed after their inhabitants voluntarily moved to the Osterode camp (mainly between March and July 2006), but that up to 150 individuals still remain in the Česmin Lug/Çesmin Llugë camp. We also understand that specialized medical treatment for some of the residents of the Osterode camp commenced at the end of August.

The medical evidence revealing widespread lead poisoning among persons belonging to Roma, Ashkali and Egyptian minority groups who lived in or still live in the Žitkovac/Zhikovc, Česmin Lug/Çesmin Llugë and Kablare/Kablar camps, appears to be both unanimous and overwhelming. We appreciate the work of UNMIK with respect to closing down these three contaminated camps, and relocating the majority of IDPs to the Osterode camp. However, it is alleged that Osterode camp is also located on contaminated soil. According to information received, however, the effectiveness of medical treatment is contingent upon removing affected persons from the source of poisoning. In this connection,

Mr. Joachim Rücker  
Special Representative of the Secretary-General  
United Nations Interim Administration Mission in Kosovo (UNMIK)  
Kosovo  
001 212 963 8113

we note that Osterode is referred to as a "lead-safer environment" in your press release of 1 September 2006.

Furthermore, it is alleged that with the exception of members of the Mustafa family who have received treatment in Germany with the assistance of several NGOs, children affected by lead poisoning did not start to receive medical treatment until late August and that many remain to be treated.

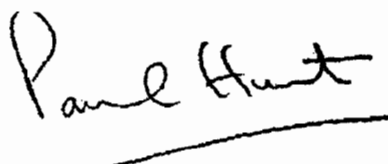
In that respect, we would like to repeat the request made in the letter of 27 March 2006 for further information and clarification from UNMIK as to the measures it is taking to provide adequate medical treatment to persons suffering from lead poisoning.

The right of everyone to the enjoyment of the highest attainable standard of physical and mental health is affirmed by Article 12 of the International Covenant on Economic, Social and Cultural Rights. Article 12 requires inter alia the improvement of all aspects of environmental and industrial hygiene, and the prevention, treatment and control of epidemic, endemic, occupational and other diseases. We welcome and appreciate UNMIK's commitment to the Covenant, as well as the responsibility UNMIK has accepted under the UN Security Council Resolution 1244 for 'protecting and promoting human rights' in Kosovo. This responsibility includes the protection of the existence of minorities, as reflected in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

We also note the recommendation made by the Human Rights Committee in their Concluding Observations at its Eighty-seventh session, held in July 2006, that, "UNMIK should ensure that the remaining inhabitants of lead-contaminated IDP camps, as well as those temporarily transferred to the Osterode camp, are relocated to environmentally safe areas... and that the victims of lead contamination are provided with adequate medical treatment and access to effective remedies to seek and obtain compensation for any damage caused to their health." We further note that in its dialogue with the Committee, UNMIK also stated that where serious health impediments were clearly attributable to action - or inaction - on the part of UNMIK, the persons affected would be compensated.<sup>1</sup> While we appreciate UNMIK's acknowledgement that relocation to the Osterode camp can only be a 'temporary measure, a stepping stone to the permanent return of the IDPs to their homes', we would repeat our urgent request for further information and clarification as to what reconstruction and other measures are being taken to achieve these outcomes.

We would be grateful if you could respond in detail to the issues in this letter concerning the highest attainable standard of health and adequate housing.

Please accept, Excellency, the assurances of our highest consideration.

A handwritten signature in black ink that reads "Paul Hunt". The signature is written in a cursive style and is underlined with a single horizontal stroke.

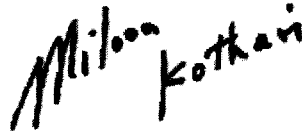
Paul Hunt

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

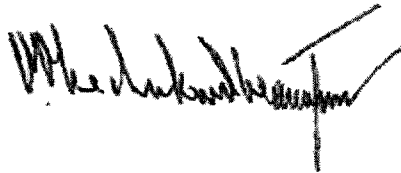
<sup>1</sup> Human Rights Committee, Eighty-seventh session, Summary Record of the 2384th Meeting held at the Palais Wilson, Geneva, on Thursday, 20 July 2006, at 10 a.m., CCPR/C/SR.2384, 28 July 2006, para 48.



Gay McDougall  
Independent Expert on Minority Issues



Miloon Kothari  
Special Rapporteur on adequate housing as a component of the right to an  
adequate standard of living



Okechukwu Ibeanu  
Special Rapporteur on the adverse effects of the illicit movement and dumping of  
toxic and dangerous products and wastes on the enjoyment on human rights