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Serbia/Kosovo: Time to fulfil the right to truth, justice and reparation for victims of enforced disappearances and abductions

On the International Day of the Disappeared, Amnesty International urges authorities in Serbia and Kosovo to carry out prompt, independent, effective and impartial investigations against those suspected of enforced disappearances and abductions committed before, during and after the international armed conflict in Kosovo in 1999. Fifteen years after the end of the armed conflict, around 1,700 people are still missing. Elsewhere in the region, 7,800 remain missing in Bosnia and Herzegovina (BiH) and 2,200 in Croatia.

Relatives across the region are still waiting for the bodies of their missing family members to be found. Even where bodies have been found and returned to their families for burial, few of those responsible for these enforced disappearances and abductions have been brought to justice.

The recovery of bodies generally remains painfully slow, although there are some signs of progress. In Serbia, excavations continue at Raška, where the bodies of 47 Kosovo Albanians, transported from Kosovo in 1999, have already been found. But more than 12 years after the bodies of more than 900 other Kosovo Albanians were exhumed at other sites in Serbia, no one has been brought to justice.

In 2014, a special court was announced for Kosovo, to prosecute former members of the Kosovo Liberation Army alleged by a Special Investigative Task Force to be responsible for the abduction of Serbs, Roma and Kosovo Albanians, and their transfer to Albania, where they are believed to have been killed. Yet the UN Interim Administration in Kosovo (UNMIK), which between 1999 and 2008 was responsible for investigating these and other abductions, has refused to provide reparation to the families of the missing for failing to conduct effective investigations, as recommended by UNMIK's own Human Rights Advisory Panel.

In BiH, the mortal remains of 435 people had been exhumed by late 2013 at a mass grave in Tomašica village, in the north-west of the country. Some 283 Bosnian Muslims and one Bosnian Croat were identified and reburied on 20 July 2014. The victims were allegedly disappeared and killed by Bosnian Serb forces during the armed conflict in the Prijedor area in 1992, from where 3,176 people were reported missing, according to associations of victims and relatives.

Although Bosnia and Herzegovina, Serbia and Montenegro have ratified the Convention for the Protection of All Persons from Enforced Disappearance, they have yet to carry out their obligations to provide the relatives of missing persons with to the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation, and the fate of the disappeared person. Croatia and Macedonia have signed but have yet to ratify the Convention.

Following a visit to the region, in July 2014 the UN Working Group on Enforced or Involuntary Disappearances called for "new national and regional strategies and a renewed commitment at the highest political level" to "to fulfil the right to truth, justice and reparation for victims".

Amnesty International echoes their concern and calls on all former commanders and political leaders involved in the armed conflicts to provide full information on the location of potential burial sites, and re-establish protocols for the exchange of this information.

The organization also calls on all parties to the conflict to take every measure to bring the perpetrators to justice, and ensure that the relatives of all missing persons are guaranteed reparation, including compensation for the pain and suffering caused by the loss of their family member.

Additional information

30 August was declared the International Day of the Victims of Enforced Disappearances on 21 December 2010, by the UN General Assembly, which expressed its deep concern at the increase in enforced disappearances worldwide, and welcomed the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance.

Public Document

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