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Serbia: Time for a human rights agreement with Kosovo

Amnesty International urges the European Union to facilitate top-level negotiations on a human rights agreement between Serbia and Kosovo.

The organization considers that the resolution of past human rights violations and abuses on both sides is crucial to the “normalization” of the relationship between Kosovo and Serbia, and would build on the political agreement reached between Serbia and Kosovo in April 2013.

Amnesty International is calling on Catherine Ashton, EU High Representative for Foreign Affairs and Security Policy, who facilitated the political agreement, to call on both parties to continue the high-level talks, with the aim of reaching an agreement on the resolution of outstanding and unresolved human rights violations and abuses.

Amnesty International considers that priority must be given to resolving the fate of more than 1,700 people who remain missing almost 15 years after the end of the armed conflict. Efforts need to be made on both sides in order to find the bodies, both of Albanians disappeared by Serb forces, and the bodies of Serbs, Roma and members of other ethnic communities who were abducted by the Kosovo Liberation Army.

Attempts on both sides to identify and locate the remaining burial sites and mass graves has slowed down massively over the past few years. Amnesty International considers that high level negotiations involving the Prime Ministers of both Serbia and Kosovo, are the only way forward.

Both the Prime Minister of Serbia and of Kosovo should agree to call on former military, paramilitary and police commanders to ensure that information regarding the location of remaining burial sites and mass graves is made available to the relevant bodies including the International Committee of the Red Cross and the commissions for missing persons in both Serbia and Kosovo.

Amnesty International believes a human rights agreement should guarantee the relatives of the missing their right to know what happened to their loved ones and be given the chance to grieve and lay them to rest.

Further talks should address impunity and ensure that the perpetrators of enforced disappearances, abductions and other crimes under international law are brought to justice, and the relatives of the missing are provided with reparation, including compensation.

In a separate process, Serbia will begin negotiations on 21 January with the European Commission on their membership of the EU. These talks will open on outstanding issues related to the political agreement, under Chapter 35 of the *acquis communautaire*. Subsequently priority will be given to negotiations on judiciary and fundamental rights (Chapter 23) and justice, freedom and security (Chapter 24).

In April, Amnesty International will publish a report suggesting a programme of measures to be taken by Serbia to ensure that the justice system has the capacity and resources to address impunity for crimes under international law which took place during the 1990s wars in Bosnia and Herzegovina, Croatia and Kosovo.

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