

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

## **Kosovo: Mon Balaj and Arben Xheladini, died February 2007 – their families and other victims still wait for justice**

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Seven years ago, on 10 February 2007, Mon Balaj and Arben Xheladini were killed during a demonstration organized by Vetëvendosje in Priština/Prishtinë. They died when members of a Romanian Formed Police Unit under the control of United Nations Interim Administration Mission in Kosovo (UNMIK) police fired rubber bullets at the demonstrators. Others, including Zenel Zeneli, Mustafa Nerjovaj and Hysni Hyseni, were seriously injured.

Amnesty International again repeats its call on UNMIK to provide both the injured and the relatives of the murdered men with access to justice and full reparations for their loss and injury.

In 2013, Amnesty International also urged the government of Kosovo to support the establishment of an impartial and independent investigation into the deaths and injuries.

An internal UNMIK investigation in 2007 found that the two men were killed and others injured after being hit with out-of-date rubber bullets, where the rubber had perished, revealing the steel ball beneath. UNMIK concluded the victims had been killed or injured by unknown members of the Romanian police unit, who had already been repatriated by the time the findings were made public.

No independent criminal investigation in Kosovo has ever been opened into the killings, and the injuries of others. An investigation by a military prosecutor in Romania was closed in December 2009, without identifying the perpetrators.

Amnesty International notes that the families of Mon Balaj and Arben Xheladini, and two of the injured men were initially offered compensation in relation to material damages through an internal UN procedure in 2009. However, neither the relatives of the deceased nor the injured men have yet received any of the other forms of reparation to which they are entitled under international human rights law and standards.

A complaint brought by the relatives and the victims against UNMIK's failure to conduct an effective investigation is due to be considered by the Human Rights Advisory Panel - introduced in March 2006 to provide remedies for acts and omissions by UNMIK.

They claim that UNMIK violated the right to life of the victims, and their right to peaceful assembly, and that they failed to conduct an effective investigation into the incident. They also claim that by not being able to bring a claim against UNMIK before a court or before any other body capable of providing redress, their rights to a fair trial and to an effective remedy have been violated.

Public Document

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