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Balkans: Thousands still missing two decades after conflicts

If I could know where my son Albion is, and if I could bury him and put a flower on his grave and I would be in a better place

Nesrete Kumnova, from Kosovo whose son's body is believed to be among those transported to Serbia, and reburied there, during the 1999 conflict.

Some 14,000 people remain unaccounted for in the countries that make up the former Yugoslavia – nearly half of the total number who disappeared in the decade since war broke out in 1991.

Between 1991 and 2001, a total of 34,700 people were reported missing due to enforced disappearances or abductions in the region. The majority of their relatives are still waiting for justice.

In a briefing published today on the International Day of the Disappeared, [*The right to know: Families still left in the dark in the Balkans*](#), Amnesty International calls on the authorities in the Balkans to investigate enforced disappearances – crimes under international law – and to ensure the victims and their families receive access to justice and reparations.

“People living in the Balkans have not closed the chapter on enforced disappearances. They are a daily source of pain for the relatives still waiting to learn the fate and whereabouts of their loved ones, still searching for truth, justice and reparation,” said Jezerca Tigani, Europe and Central Asia Deputy Programme Director.

“The victims of enforced disappearances come from all ethnic groups and from all walks of life. Civilians and soldiers, men, women and children – their families have the right to know the truth about the circumstances of the enforced disappearance, the progress and the result of the investigation and the fate of the disappeared person. For families of the disappeared, having the body returned for burial is the first step towards achieving justice.”

“The governments must ensure that all victims and their families have access to justice and receive, without further delay, adequate and effective reparation for the harm they have suffered.”

The briefing highlights cases of enforced disappearances and abductions in Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia and Kosovo. All six governments have failed to abide by their international legal obligations to effectively investigate and prosecute these crimes.

Some perpetrators have been brought to justice by the International Criminal Tribunal for the Former Yugoslavia (ICTY), but the Tribunal is nearing the end of its mandate.

Domestic courts are slow to abide by their responsibility to seek out, identify and prosecute the remaining perpetrators.

“The lack of investigations and prosecutions of enforced disappearances and abductions remains a serious concern throughout the Balkans,” said Jezerca Tigani.

“The major obstacle to tackling impunity and bringing the perpetrators to justice is a persistent lack of political will in all countries of the region.”

Croatia

Of the 6,406 people reported as missing after the 1991-1995 war in Croatia, it has been possible to establish the fate of 4,084. More than 2,300 people remain missing, of which 1,735 are Croatian citizens. In the last two years the fate of only 215 missing people has been revealed and the remains of approximately 900 bodies await forensic identification.

Bosnia and Herzegovina

Out of a population of 3.4 million at the end of the conflict in 1995 an estimated 30,000 people were reported as missing. The fate of an estimated 10,500 people, most of whom are Bosnian Muslims remains unknown. The families of more than 7,000 people, deliberately and arbitrarily killed in 1995 in the Srebrenica genocide, are still waiting for justice and reparation. Many alleged perpetrators continue to live in the same communities as their victims and their families.

Macedonia

For a decade after the 2001 armed conflict between the ethnic Albanian National Liberation Army and the Macedonian security forces, the authorities failed to effectively investigate allegations of enforced disappearance.

No adequate measures had been taken to investigate the cases of six ethnic Albanians believed to be the victims of enforced disappearances by the Macedonian Ministry of Interior police during the armed conflict.

Relatives have challenged a decision by the Macedonian parliament in 2011 which effectively ended the investigation of four war crimes cases returned from the ICTY for prosecution in Macedonia, by extending the provisions of a 2002 Amnesty Law. This included the investigation of the abduction of 12 ethnic Macedonians and one Bulgarian national, allegedly by the Albanian National Liberation Army

Montenegro

In May 1992, some 83 Bosniak civilians, who had fled the armed conflict in Bosnia and Herzegovina, were arrested in Montenegro and transferred back across the border where they were transferred into the hands of Bosnian Serb forces. Twenty one men from the group are believed to have been killed in a prison camp in Foča, in the Republika Srpska. The fate of at least 34 of them remains unknown.

In March 2011, nine former police officers and government officials were acquitted on charges of war crimes related to the enforced disappearances of these individuals on the basis that there was no armed conflict in Montenegro in 1992. In 2012 the verdict, which failed to reflect international humanitarian law, was overturned after an appeal by relatives of the disappeared. A retrial opened in 2012.

Serbia and Kosovo

Some 3,600 people were reported as missing in Kosovo during the 1998-9 armed conflict and in its immediate aftermath. They include more than 3,000 ethnic Albanian victims of enforced disappearances by Serbian military, police and paramilitary forces. They also include Serbs, Roma and members of minority communities (an estimated 600), who are believed to have been abducted by Kosovo Albanians, including the Kosovo Liberation Army.

An estimated 1,797 remain unaccounted for. Families in both Kosovo and Serbia are still waiting for the bodies of their relatives to be exhumed, identified and returned to them for burial. Even where the bodies have been found and returned to their families, few of the perpetrators of these enforced disappearances and abductions have been brought to justice.