

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

18 March 2014  
AI Index: EUR 70/007/2014

### **Kosovo: Amnesty International calls on the Assembly to guarantee the rights of victims of war crimes of sexual violence**

Amnesty International urges the Kosovo Assembly on 20 March to adopt a legal amendment which would give legal recognition, respect and public acknowledgement to the victims of war crimes of sexual violence.

The proposed amendments to the Law on the Status and Rights of Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims, and their Families, would provide the victims of these war crimes, with access to reparation, including compensation in the form of financial support, and with rehabilitation and other forms of reparation.

Fifteen years after the armed conflicts in Kosovo, this law will assist the survivors of wartime sexual violence to rebuild their lives.

Amnesty International particularly welcomes the provision in the amendment which ensures that the right to reparation, including compensation, is not based on the degree of physical injury of the victim, which would have effectively excluded the majority of victims from applying.

As a result of rape and other war related human rights abuses, few survivors have physical injuries, but many survivors have developed post-traumatic stress disorder and other psychological syndromes. They feel insecurity, shame, self-blame, depression, fragmented memories, lack of concentration, nightmares, flashbacks, anxiety or mistrust of other people. As a result, survivors are denied access to psychosocial support, economic support, adequate healthcare and other forms of rehabilitation.

The authorities must also start to identify the number of survivors of war-time rape and look into their situation today. They must ensure that the public health system is well-equipped to provide them with the necessary medical and psychological care.

Amnesty International also urges all those in positions of power in Kosovo to refrain from invoking any custom or tradition or belief to avoid its obligations to provide reparation for crimes of sexual violence, and to publicly declare at every opportunity its intention to prevent, investigate, prosecute and punish all forms of violence against women.

Amnesty International therefore welcomes the initiative taken by President Atifete Jahjaga earlier this month to establish a national council for the survivors of wartime sexual violence, in order to encourage the victims of rape and other war crimes of sexual violence to come forward.

The passing of the law is also a step towards ensuring justice. Very few investigations have been opened into allegations of war crimes of sexual violence in Kosovo. Rape and other crimes of sexual violence committed over the armed conflict in Kosovo amount to war crimes. Amnesty International also urges the authorities to ensure that all of those suspected of criminal responsibility should be investigated and, if there is sufficient admissible evidence, prosecuted.

### **Background**

There is no accurate estimate of the number of women and girls who were raped or suffered other forms of sexual violence during the Kosovo war. Some estimates number in the thousands, whilst hundreds of credible accounts of rape and other crimes of sexual violence were documented by local and international NGOs, including Amnesty International. In the vast majority of reported cases, Kosovo Albanian women were raped or otherwise sexually assaulted by Serbian paramilitary, police or military forces. Amnesty International has also documented reports of rape or other war crimes of sexual violence by members of the Kosovo Liberation Army.

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