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Kosovo (Serbia): New EU mission must bring justice

As the new European Union (EU)-led mission takes over responsibilities from the UN mission in Kosovo on 9 December, Amnesty International calls for urgent measures to resolve the massive backlog of war crimes and other human rights violations. The organization also appeals for adequate staffing and resourcing of the mission.

“Ten years after the end of the war in Kosovo, the EU-led mission should ensure that the relatives of more than 3,000 disappeared and abducted people are told the truth about the fate of their loved ones, and the perpetrators of those crimes brought to justice,” said Nicola Duckworth, Director of Amnesty International’s Europe and Central Asia Programme.

“With more than 1500 unresolved war crime investigations and hundreds or even thousands of war crimes still to be investigated, the mission should dedicate its resources to bringing justice to victims on all sides.”

The EU-led Police and Justice Mission (EULEX) is charged with overseeing the reform of the criminal justice system in Kosovo, but will also take responsibility for aspects of policing. It will continue the UN Interim Administration Mission in Kosovo (UNMIK) practice of employing international prosecutors and judiciary to investigate and prosecute war crimes and other serious crimes.

Amnesty International also urges the EU to ensure that all members of their mission are held accountable for any crimes and other human rights violations they might commit.

“The EU mission as a whole must be subject to much greater scrutiny and accountability than its predecessor UNMIK, which has left a legacy of human rights violations, many of which will never be resolved,” Nicola Duckworth said.

“In the absence of effective human rights institutions which hold the international community accountable, it is of paramount importance that the EULEX starts its mission by announcing what mechanisms are in place to ensure the accountability of its members.”

Amnesty International is concerned about the US agreement that its citizens participating in the mission would not be subject to EULEX’s jurisdiction.

The organization also notes that there is currently no independent mechanism to oversee the NATO-led peacekeeping Kosovo Force (KFOR), which will remain in place. The accountability of KFOR depends on the measures taken by troop-contributing countries to KFOR to ensure that allegations of human rights violations are fully investigated.

Background

Over the past 10 years Amnesty International has documented cases of murder, unlawful detention, torture and ill-treatment, involvement in trafficking for the purposes of forced prostitution and the continued violation of the right to health of Romani, Ashaklai and Egyptian communities living in lead contaminated refugee camps for which the responsibility lies with UNMIK.

There are currently 62 cases to be addressed by the Human Rights Advisory Panel, introduced in 2006 to investigate alleged violations by UNMIK. They include the killing of two young Albanian men by Romanian UNMIK police officers during a demonstration in February 2007. However, Amnesty International does not believe that enough is being done to uproot impunity for human rights violations.

In a report, [*Serbia \(Kosovo\): The challenge to fix a failed UN justice mission*](#), published earlier this year, Amnesty International highlighted the failure of UNMIK's justice system, and in particular the International Justices and Prosecutor's Programme.