

# AMNESTY INTERNATIONAL

## Public Statement

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### **Kosovo (Serbia): Need to consult civil society and ensure effective protection of human rights**

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As the UN Special Envoy to Kosovo (UNOSEK) addresses the UN Security Council on the progress of talks on the future of Kosovo today, Amnesty International again urges the international community to ensure that measures for the protection of human rights of all persons in Kosovo lie at the heart of the talks process and the final agreement.

Such measures should be developed, as the rule of law report of the UN Secretary-General has made clear, in close consultation with civil society.

On 20 September, the Contact Group of countries authorized UN Special Envoy to Kosovo, Martti Ahtisaari, to draw up a final document before the end of 2006. In a public statement, the Contact Group urged Kosovo's Provisional Institutions of Self-Government to promote reconciliation and build trust among ethnic communities. Regrettably the statement failed to call on the participants to the talks to ensure a process of meaningful consultation with civil society, and to include an express directive that the final document should effectively protect the human rights of all persons in Kosovo.

Amnesty International is concerned at reports that if agreement cannot be reached, a final solution may be imposed without adequate consultation. Given the failure to date of the participants to the talks to reach agreement on any substantive issues, the organization is concerned that an imposed solution would exacerbate the already heightened tensions within Kosovo, and may lead to further violations of human rights.

The organization continues to urge that any final agreement must be arrived at in consultation with, and address the rights of, all communities in Kosovo -- including Albanians, Serbs, Roma, Ashkali, Egyptians, Bosniaks, Gorani, Turks -- as well as women, even if that consultation requires further time.

#### **Background**

Under UN Security Council Resolution 1244/99 Kosovo remains a province of Serbia, and has been under the administration of UNMIK.

In October 2005, the UN Security Council authorised the Secretary-General to appoint a Special Envoy for the Future Status Process for Kosovo (UNOSEK), former Finnish President Martti Ahtisaari, to instigate and oversee talks between representatives of the Serbian government and the Kosovo Provisional Institution of

Self-Government in order to agree Kosovo's final status.

Talks began in Vienna on 20 February 2006, and have to date concentrated on "technical matters", including decentralization of power to ethnically defined municipal authorities. The talks have failed to address the protection of human rights, including those of minority communities. In August, a discussion of minority rights was boycotted by the Serbian authorities.

In a memorandum published in July, *Kosovo/Kosova (Serbia), Human Rights Protection in Post status Kosovo/Kosova: Amnesty International's recommendations relating to talks on the final status of Kosovo/Kosova*, (AI Index: EUR 70/008/2006), Amnesty International urged the participants to ensure that human rights should be the central and unifying consideration in all decisions and agreements made about the future of Kosovo. The organization also urged that there should be full and meaningful consultation with all communities in Kosovo, including in particular the full participation of representatives of all minority communities and women's organizations.

The organization urged the parties to ensure that measures should be taken to guarantee the rights of all citizens of Kosovo, without discrimination and irrespective of their ethnicity. They must also address the rights of refugees and internally displaced persons.

Amnesty International also called for the implementation of human rights compliant laws and the establishment of properly functioning institutions so as to ensure the protection of human rights and end impunity for war crimes and inter-ethnic violence. Further measures are required to ensure that all persons in authority in Kosovo have a binding obligation to respect, protect and fulfil human rights.

Amnesty International takes no position on the final status of Kosovo.

The 20 September statement of the Contact Group can be seen at

[http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/declarations/91037.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/declarations/91037.pdf)

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