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Serbia: EU accession is key to ending impunity for war crimes

The European Union (EU) must do everything it can to ensure Serbia addresses the culture of impunity for war crimes, crimes against humanity, and genocide, committed by Serbian police, military and paramilitary forces during the wars of the 1990s, said Amnesty International in a new report published today.

Serbia: Ending Impunity for Crimes under International Law details how and why thousands of victims – across Bosnia and Herzegovina, Croatia and Kosovo - have been denied access to justice. Few have received any reparation or compensation for the violations they endured.

“The next few years are crucial in tackling the climate of impunity in Serbia. Time is passing, witnesses are dying, and memories are fading. Perpetrators of war crimes must urgently be tried to ensure victims receive justice before it is too late”, said John Dalhuisen, Amnesty International’s Director for Europe and Central Asia.

“The process of Serbia’s accession to the EU is a unique opportunity to address the shortcomings in the legal system, and ensure that over the next few years, Serbia has the tools and resources to investigate and prosecute these heinous crimes.”

The new report is published in advance of accession negotiations on human rights commitments, which Serbia will be required to implement before joining the EU. It analyses the problems within the prosecutorial and judicial system, and identifies a number of obstacles and institutional barriers to the thorough, impartial and effective investigation and prosecution of crimes under international law.

Ten years after the opening of a Special War Crimes Court in the capital Belgrade, only 160 or so perpetrators have been tried for the crimes under international law which took place across the region during the wars of the 1990s.

“The relatives of the disappeared are still waiting to find out who was responsible for the deaths of their loved ones; women and girls who suffered war crimes of sexual violence are still waiting for the perpetrators to be brought to justice”, said John Dalhuisen.

Amnesty International is calling on the European Commission to use the current accession negotiations to push Serbia to adopt a series of concrete measures which would end impunity for war crimes. These include:

- Providing sufficient staff and resources to the Office of the War Crimes Prosecutor;
- Creating an effective Police War Crimes Investigation Unit;
- Ensuring adequate witness support, including specialised support for the survivors of war crimes of sexual violence;
- Ensuring the right of victims to reparation, including compensation.

The report also calls for the reform of the Witness Protection Unit (WPU), alleged to have intimidated protected witnesses. In this context, Amnesty International welcomes the belated dismissal of the Head of the WPU, just as the report went to press.

“We’re asking the European Commission to adopt the same kind of rigorous monitoring on Serbia’s progress in the investigation and prosecution of these crimes as they applied to Croatia when it was seeking to join the EU”, said John Dalhuisen.

“Progress will only be achieved with a commitment by the Serbian government to implement concrete measures to ensure justice for all. Unless the authorities demonstrate the political will to end the climate of impunity in Serbia, no progress can be achieved, and no justice will be received”.

Amnesty International considers that addressing impunity for crimes under international law must be a crucial element in satisfying the accession criteria.

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