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**PROCEDURES SPECIALES DU  
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS  
OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL**

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the  
Special Rapporteur on trafficking in persons, especially women and children.**

REFERENCE: AL G/SO 214 (33-27) Trafficking (2004-5)  
ALB 1/2011

28 October 2011

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on extrajudicial, summary or arbitrary executions, and Special Rapporteur on trafficking in persons, especially women and children pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 17/5 and 17/1.

In this connection, we would like to bring to the attention of your Excellency's Government allegations that trafficking in persons for the purpose of sexual exploitation and removal of organs was committed in secret detention facilities located within the Albanian territory.

According to the information received:

Beginning at the latest in 1998, a number of prominent Kosovo Liberation Army ("KLA") personalities allegedly engaged in organized crimes, including trafficking in human beings and human organs. It is reported that immediately after the end of the armed conflict in Kosovo in June 1999, members and affiliates of the KLA abducted and detained civilians at secret locations. 470 persons reportedly disappeared after the arrival of the NATO's Kosovo Stabilisation Force ("KFOR") on 12 June 1999, 95 of whom were Kosovo Albanians and 375 non-Albanians, mainly Serbs.

An ad hoc network of detention facilities was maintained by KLA at various locations in Albania, including Bicaj, Burrel, Rripe and Fushë-Krujë. The captives were reportedly moved to at least two detention facilities or "way stations" in different locations and forced to undertake a blood test and medical examination. After this process of "filtering", a selected group of the captives was taken to a makeshift clinic where they were killed and their organs were removed.

To further illustrate these allegations, we would like to bring to the attention of your Excellency's Government to the information which suggests that between 100 and 300 people were abducted from Kosovo and taken by truck and van to detention facilities in or near the towns of Kukes and Toropoje in northern Albania. The captives in the detention facility near Tropoje last seen in late July or early August 1999 included: **A, B, C, D, E**, and **Ms. F**. The Serbian captives who were delivered to the detention facility in Kukes on or about 20 July 1999 included **G** from Silovo and **H** from Prizren. According to the drivers of the KLA who transported the captives to these locations, the Serbian captives were overwhelmingly civilian men between the age of 25 and 50. They also received unusual orders not to harm the captives and not to hit captives in the torso with guns or other blunt instruments.

Beginning in August 1999, some of the captives in the detention facility at Kukes, ranging between 24 and 100, were transferred to secondary detention facilities in central Albania, mainly near the town of Burrel. The captives were moved in small groups again to a house in the south of Burrel in the hands of a man named **X**, a KLA operative nicknamed "the Chinese". The house was set up as a makeshift clinic which contained medical equipment to extract organs from the captives. A foreign doctor and an Albanian doctor called Dr. A were reportedly present at this house/clinic to run medical tests on the captives. After the organs are removed, they were allegedly transported to the Rinas airport near Tirana and shipped out of Albania for the international "black market" of organ transplantation, while the human remains were buried behind and near the house. Similarly, the information received suggests that a two-storey house located in Fushë-Krujë was also one of the "end points" of the organ removal processes, where the captives were killed by a gunshot to the head and their kidneys were removed.

Many of the captives were not aware of their ultimate fate when they were abducted by the KLA members. During their transfer to the detention facilities, they were often told by their captors that they would be made to work in farms or to cut trees. Some of the captives reportedly pleaded to be killed immediately, rather than being "chopped into pieces", once they became aware of what awaited them at the end of the transfer.

In addition, it is alleged that the KLA members were implicated in trafficking a large number of women and girls for the purpose of sexual exploitation. It has been reported that groups of women were often transported between different detention facilities as prostitutes. More specifically, it has been alleged that a large number of women and girls were brought to the house of the K. family in R, also known as the "Yellow House", and sexually exploited by the KLA personnel as well as some members of the R community.

Without prejudging the accuracy of the allegations reported to us, we would like to call upon your Excellency's Government as recommended in the report of the mandate on extrajudicial, summary and arbitrary executions to Albania that "the Government of Albania should cooperate fully with EULEX and other independent investigations into abuses by the KLA on Albanian territory, including by providing access to Albanian territory for the purposes of evidence-gathering and excavation and by responding to EULEX requests for judicial assistance." A/HRC/17/28/Add.3 para 75.

We reiterate the concerns expressed in the report that "the perpetrators should be criminally investigated and prosecuted, and serious efforts made to investigate sites on Albanian territory that may contain further evidence and the bodies of victims. Unless the Government of Albania cooperates fully and meaningfully with EULEX and the other independent investigators into the reported abuse and killings by the KLA and other actors in Albanian territory, impunity will continue. In response to the present report, the Government indicated that it had invited "Mr. Marty to provide proof of the war crimes and organ trafficking described in his report and to turn them over to the relevant authorities." Reversing the onus of proof in this way is entirely incompatible with the function of human rights fact-finding and with the Government's own responsibility to investigate, prosecute and punish." (A/HRC/17/28/Add.3, Para. 66)

We would like to recall the obligations of your Excellency's Government to prevent and combat trafficking in persons, pursuant to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime ("the Palermo Protocol"), ratified by Albania on 21 August 2001.

In addition, we would like to draw the attention of your Excellency's Government to the Recommended Principles and Guidelines on Human Rights and Human Trafficking ("Recommended Principles and Guidelines"), issued by the Office of the High Commissioner for Human Rights in July 2002. Principle 13 provides that States shall effectively investigate, prosecute and adjudicate trafficking, including its component acts and related conduct, whether committed by governmental or by non-State actors. We would also like to highlight Guideline 11, which recommends States to consider, inter alia, "developing procedures and protocols for the conduct of proactive joint investigations by law enforcement authorities of different concerned States" and "ensuring judicial cooperation between States in investigations and judicial processes relating to trafficking and related offences, in particular through common prosecution methodologies and joint investigations".

As it is our responsibility under the mandate provided to us by the Human Rights Council to seek to clarify all cases brought to our attention, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the case accurate?

2. Please provide details, and where available the results, of any investigation, judicial or other inquiries which may have been carried out in relation to **A, B, C, D, E, F, G and H**, who were last seen in July 1999 or early August 1999 and whose whereabouts are unknown to date.
3. Please provide details, and where available the results, of any investigation, judicial or other inquiries which may have been carried out in relation to the individuals who are allegedly implicated in trafficking in persons for the purposes of the removal of organs and sexual exploitation, including X and the two doctors at the house/clinic in the south of Burrel.
4. Please provide details, and where available the results, of any investigation, judicial or other inquiries which may have been carried out in relation to allegations of trafficking in women and girls for sexual exploitation. If there have been such investigations, please provide information on the number of victims, their identities, the timeframe and circumstances in which they were allegedly trafficked, and the progress the authorities have made so far in holding the perpetrators accountable.
5. Please provide information on the existing or planned framework of cooperation with the Kosovo administration and/or the European Union Rule of Law Mission in Kosovo (“EULEX”), which has taken over certain functions in the justice sector previously fulfilled by the United Nations Interim Administration in Kosovo (“UNMIK”) and is mandated to assist and support the Kosovo authorities in the rule of law area or any other relevant authorities, in carrying out investigations into the above allegations.
6. Please indicate whether the victims or the families of the victims have access to adequate procedures of reparations for damages from those legally responsible.

We would appreciate a response within sixty days. We undertake to ensure that your Excellency’s Government’s response to each of these questions is accurately reflected in the reports we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Christof Heyns  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Joy Ezeilo

Special Rapporteur on trafficking in persons, especially women and children