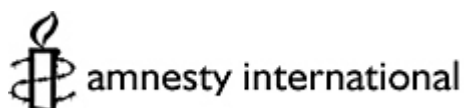


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Amnesty International Report 2009 - Montenegro

Head of state: Filip Vujanovic

Head of government: Milo Dukanovic (replaced Zeljko Sturanovic in February)

Death penalty: abolitionist for all crimes

Population: 0.6 million

Life expectancy: 74.1 years

Under-5 mortality (m/f): 25/23 per 1,000

Adult literacy: 96.4 per cent

The authorities did not resolve impunity for cases of enforced disappearances, alleged political killings and police ill-treatment. Journalists were denied freedom of expression. Roma, including refugees from Kosovo, were denied access to basic rights.

Background

Milo Dukanovic was elected Prime Minister for the third time. In March he was questioned by the Italian authorities in connection with an investigation into money laundering and cigarette smuggling between Montenegro and Italy between 1994 and 2002; charges were filed against six of his close associates in October.

International justice – war crimes

In July, the Appeals Panel at the International Criminal Tribunal for the former Yugoslavia decided that former Yugoslav National Army (JNA) commander Pavle Strugar should be convicted on two further counts, in addition to his conviction in 2005 for failing to prevent the 1991 attack on Dubrovnik launched from Montenegro. However, his original eight-year sentence was reduced by six months due to his ill-health.

Justice system – war crimes

In August, four former JNA Montenegrin reservists indicted by the Montenegrin courts were arrested for the torture and inhumane treatment of 169 Croatian civilians and

prisoners of war at Moringj camp between 1991 and 1992. Seven former JNA soldiers were also arrested for the murder of 23 Kosovo Albanian civilians near Rozaje in April 1999.

Enforced disappearances

Judicial investigations proceeded slowly into the enforced disappearance in 1992 of 83 Bosnian Muslims (Bosniaks) who had fled to Montenegro from the then Republic of Bosnia and Herzegovina (R BiH). In May, a retired senior police officer testified that the then Minister of Interior Pavel Bulatovic had ordered that the Bosniaks be detained and handed over to the Bosnian Serb Army. In June, Milo Dukanovic, also Prime Minister in 1992, denied knowledge of the "deportations".

On 25 December, the government recognized the state's responsibility for the enforced disappearances. In this unprecedented decision, they agreed to provide reparations to nine survivors and their families, and to the relatives of those who were killed as a result of their unlawful "deportation" by the Montenegrin police to Bosnian Serb military forces.

Torture and other ill-treatment

There was no progress in the bringing to justice of those responsible for the alleged torture of some members of a group of ethnic Albanians arrested in September 2006 during Operation Orlov let (Eagle's flight).

Proceedings against the group of 12 men, including four US citizens, and five others had opened in May 2007 at Podgorica District Court. The case was not conducted in accordance with international standards as the evidence against them included testimonies extracted under duress or unlawfully obtained. In August, 12 out of the 17 men were convicted of association for the purposes of terrorism and sentenced to prison terms of up to six and a half years. The others were convicted of possessing firearms and received suspended sentences, although the court subsequently ordered their detention.

In October, five members of the Special Anti-Terrorist Unit involved in Operation Orlov let were convicted and sentenced to three months' imprisonment for the ill-treatment of Peter Sinistaj, father of one of the detainees.

Allegations of ill-treatment followed the arrest of more than 100 people involved in demonstrations in October against Montenegro's recognition of Kosovo; investigations were opened, including into allegations by Aleksandar Pejanovic that he had been beaten with sticks by masked police officers.

Unlawful killings

- Proceedings opened on 9 September against Damir Mandic, after the Appeals Court overturned his acquittal in December 2006 for the murder of Dusko Jovanovic, editor-in-chief of the newspaper Dan, in 2004.

Freedom of expression – journalists

Journalists critical of the government were criminally indicted for defamation.

- In May, Zeljko Ivanovic, managing editor of the newspaper Vijesti who had accused the Prime Minister Milo Dukanovic of complicity in an assault on him in 2007, was convicted of inflicting mental suffering on the Prime Minister and fined €20,000.

- In May, sports journalist Mladen Stojovic, a contributor to Belgrade-radio B92's investigation into the football mafia, was seriously assaulted in his apartment in the town of Bar.

Discrimination – Roma and Roma refugees

The authorities failed to address discrimination against Roma, the majority of whom were denied access to citizenship due to a lack of personal documentation, and consequently excluded from access to basic rights. An estimated 60 per cent of Romani children were denied education and some 82 per cent of adults were unemployed.

UNHCR, the UN refugee agency, reported that 4,458 Roma, Ashkali and Egyptian refugees from Kosovo remained in Montenegro; defined as internally displaced persons and denied refugee status, they remained at risk of statelessness.

Violence against women and girls

In July, Montenegro ratified the Council of Europe Convention on Action against Trafficking in Human Beings. In June, the authorities arrested a group responsible for trafficking, via Montenegro, two Ukrainian women for the purposes of sexual exploitation in Kosovo.

Despite an increase in the number of domestic violence incidents reported to the police, arrest, prosecution and conviction rates remained low.

Amnesty International reports

- Montenegro: Submission to the UN Universal Periodic Review (14 July 2008)

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