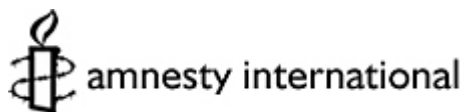


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	24
Land:	Montenegro
Kilde:	Amnesty International
Titel:	Annual Report 2010
Udgivet:	28. maj 2010
Optaget på baggrundsmaterialet:	24. juni 2010

Title	Amnesty International Report 2010 - Montenegro
Publisher	Amnesty International
Country	Montenegro
Publication Date	28 May 2010
Cite as	Amnesty International, <i>Amnesty International Report 2010 - Montenegro</i> , 28 May 2010, available at: http://www.unhcr.org/refworld/docid/4c03a8125a.html [accessed 21 June 2010]



Amnesty International Report 2010 - Montenegro

REPUBLIC OF MONTENEGRO

Head of state: Filip Vujanovic
Head of government: Milo Dukanovic (re-elected in March)
Death penalty: abolitionist for all crimes
Population: 0.6 million
Life expectancy: 74 years
Under-5 mortality (m/f): 11/9 per 1,000
Adult literacy: 96.4 per cent

Some progress was made in prosecuting war crimes; freedom of expression was compromised by threats, fines and unresolved political killings; Roma suffered discrimination. The European Commission prepared an opinion on Montenegro's accession to the European Union.

Justice system – war crimes

In July parliament approved a Law on Co-operation with the International Criminal Court; a 2007 bilateral agreement providing US citizens with immunity remained in force.

In March, the Bijelo Polje Special Court for War Crimes and Organized Crime (SCWC) opened proceedings against eight former Yugoslav People's Army (JNA) soldiers, accused of murdering 23 Kosovo Albanian civilians, at Kaluderski Laz in April 1999.

In May, at Podgorica SCWC, the trial began of five former JNA Montenegrin reservists for the torture and inhumane treatment at Morinj camp of 169 Croatian civilians and prisoners of war between October 1991 and August 1992. Proceedings had been transferred from Bijelo Polje in March, after witnesses had received threats; measures for their protection were subsequently agreed.

Proceedings opened in November against nine former government officials and high-ranking police officers, with five of them being tried in their absence. They had been indicted in January for the enforced disappearance in 1992 of at least 79 refugees from Bosnia and Herzegovina (BiH) who were subsequently handed over to the then Bosnian

Serb authorities. S.P., a former police inspector who refused to participate in the disappearances and was forced to retire from the police, had since 1992 continued to receive threats to his life, assaults, and damage to his property. In December, he was granted protection as a witness in proceedings.

Torture and other ill-treatment

In January, the UN Committee against Torture (CAT) urged the authorities to guarantee fundamental legal safeguards to detainees and to promptly investigate allegations of ill-treatment.

In March, Montenegro ratified the Optional Protocol to the Convention against Torture, and in May proposed the Protector of Human Rights and Freedoms as the national prevention mechanism.

The NGO Youth Initiative for Human Rights (YIHR) confirmed a decrease in reported allegations of ill-treatment, following the CAT's recommendations.

Freedom of expression

In April, following a retrial, Damir Mandic was convicted as an accomplice to the murder of Dusko Jovanovic, former editor of the newspaper *Dan*, and sentenced to 30 years' imprisonment. No other suspects were identified. The newspaper subsequently received threats, including a bomb scare.

In August, the mayor of Podgorica and his son were charged with assaulting two journalists from the newspaper *Vijesti*. No progress was made in investigating the murder of Srdjan Vojcic, bodyguard to author Jevrem Brkovic, or the serious assault in May 2008 on journalist Mladen Stojovic, after he requested police protection following his reports on organized crime in football.

In May, the Prime Minister publicly criticized NGOs and independent journalists, who were subject to punitive fines. In August, Andrej Nikolaidis and the journal *Monitor* were ordered by the Supreme Court to pay 12,000 euros in damages to film director Emir Kusturica.

Discrimination

A draft anti-discrimination law was prepared. In November the Minister for Human Rights and Minorities made discriminatory statements about homosexuals.

The UN Committee on the Elimination of Racial Discrimination (CERD) noted in March "continued allegations of police brutality and ill-treatment and lack of prompt and impartial investigations of cases with respect to disadvantaged ethnic groups, particularly Roma." According to the YIHR, 75 per cent of Roma reportedly stated they would not make a complaint if ill-treated.

The CERD further concluded that socio-economic conditions for Roma were "precarious and discriminatory". UNHCR, the UN refugee agency, assisted Roma without birth certificates to obtain identity documents – required for eligibility to social security, health, education and employment.

Refugees and asylum-seekers

According to UNHCR, approximately 4,476 Roma, Askhali and Egyptians from Kosovo remained in Montenegro. A proposed amendment to the Law on Foreigners would allow them, and others displaced from Croatia and BiH, to apply for residency.

Violence against women and girls

In June the US State Department placed Montenegro on its 2009 Watch List of trafficking in persons, as it continued to be a transit country for women and girls trafficked for sexual exploitation, but failed to convict traffickers or identify victims. A draft domestic violence law did not include adequate provisions on the implementation of protection orders.

Amnesty International visit/report

- Amnesty International delegates visited Montenegro in October.
- Amnesty International's concerns in Montenegro: January-June 2009 (EUR 66/004/2009)

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