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MONTENEGRO

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Head of state: Filip Vujanovi»

Head of government: Ueljko ©turanovi», replaced Milo Djukanovi» in November

Death penalty: abolitionist for all crimes

International Criminal court: ratified

Montenegro declared independence from Serbia and Montenegro and was recognized as a UN member state in June. Some progress was made towards overcoming impunity for war crimes and political killings. Torture and ill-treatment by law enforcement officers were widespread.

Background

In a referendum held on 21 May, 55.4 per cent of voters were in favour of independence. Montenegro declared independence on 3 June and on 28 June was recognized as a UN member state. New defence and foreign ministers were appointed.

Negotiations began in September with the European Union (EU) on the EU Stabilization and Association Agreement.

In June Montenegro formally requested membership of the Council of Europe, but a decision was delayed pending the introduction of a new constitution.

In August compulsory military service was abolished by decision of the President.

Parliamentary elections in September resulted in victory for the pro-independence government coalition led by Prime Minister Milo Djukanovi», who resigned in November.

Impunity for war crimes

Progress was made in tackling impunity for crimes committed during the wars of the 1990s. On 18 May the Serbian Supreme Court confirmed the verdict handed down by Belgrade District Court in May 2005, which had convicted four members of the Bosnian Serb paramilitary group, the Avengers (Osvetnici), for the abduction and murder of 16 Montenegrin members of the Bosniak ethnic group in October 1992.

In February six former police officers were indicted for the enforced disappearance of some 83 Bosniak civilians, apparently "deported" from Montenegro to territory under Bosnian Serb control in the Republic of Bosnia and Herzegovina in 1992. Investigative proceedings did not open until September. The state prosecutor rescinded an earlier decision to stop civil cases in which relatives and survivors of enforced disappearance had petitioned the authorities for reparations.

- In June Podgorica District Court acknowledged that Sanin Krdulija had been unlawfully deported to Fo½a in 1992. His mother and daughter were awarded damages for the emotional pain caused by his death, but their application for reparations for suffering caused by the failure of the authorities to investigate his enforced disappearance was dismissed. Courts similarly dismissed applications in five other cases.

Torture and ill-treatment

In May, following a 2005 visit to Serbia and Montenegro, the European Committee for the Prevention of Torture reported that it had received numerous allegations of torture and ill-treatment of detainees by police officers. The majority of cases reportedly occurred at the time of arrest or during the first hours of detention at police stations, apparently to extract confessions.

Abuses reported included a mock execution in which a gun was placed in a detainee's mouth. Baseball bats and garden tools associated with reports of ill-treatment were found in Bar and Budva police stations.

- On 9 September, 17 men of ethnic Albanian origin, including three US citizens, were arrested and reportedly racially abused, ill-treated and, in some cases, tortured by police officers, during arrest, in court and at Podgorica police station. The men were transferred to Spu prison on 12 September and 14 of them remained in detention at the end of the year. On 7 December, 18 men, including five US citizens, were indicted for conspiracy, "terrorism" and armed insurrection. An internal investigation was opened into complaints of ill-treatment by the police lodged on behalf of seven of the men.

Suspected political killings

In August, 10 suspects were indicted in connection with the murder in August 2005 of Slavoljub ©»eki», former chief of the Montenegrin police.

In December Damir Mandi» was acquitted of being an accomplice to the murder in 2004 of Du@ko Jovanovi», editor of the newspaper Dan.

On 24 October, Srdjan Voji¹2i», a driver, was killed during an attack on author Jevrem Brkovi».

Denial of rights to displaced people

Some 16,545 Roma and Serbs displaced from Kosovo in 1999 remained in Montenegro. They had previously been denied access to civil, political, economic and social rights by being refused civil registration.

Violence against women

The authorities took over the funding of a shelter for victims of trafficking in January.

A draft law on Protection from Violence in the Family failed to include measures to criminalize people who violate court protection orders. Non-governmental organizations called for a co-ordination body to be established to ensure the effective application of the law.

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Report

- Montenegro: The right to redress and reparation for the families of the "disappeared" (AI Index: EUR 66/001/2006)