

# AMNESTY INTERNATIONAL

## Public Statement

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## **Serbia and Montenegro: Amnesty International urges the honouring of human rights commitments**

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On the occasion of Serbia and Montenegro's ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the European Convention for the Prevention of Torture, Amnesty International today released a report: *Serbia and Montenegro: Amnesty International's concerns and Serbia and Montenegro's commitments to the Council of Europe*, (AI Index: EUR 70/002/2004).

Amnesty International welcomed the steps, such as the ratification of the ECHR, taken by Serbia and Montenegro (SCG) towards fulfilling some of the commitments taken by SCG on entering the Council of Europe in April last year. However, the organization remains concerned at SCG's ongoing failure to fulfil some of the key commitments, notably those referring to addressing the past legacy of war crimes, and the continuing prevalence of police torture and ill-treatment. Amnesty International called on the Council of Europe to take cognizance of the lack of progress, and to use its influence to help SCG fully fulfil its commitments aimed at ensuring respect for and protection of human rights of all persons.

In the report, Amnesty International deplores the refusal by the authorities to transfer to the International Criminal Tribunal for the former Yugoslavia (Tribunal) people indicted for war crimes and crimes against humanity such as Sreten Lukić who remains in office as Serbian Assistant Interior Minister and Chief of Public Security Department. He and three other generals, former army chief Nebojša Pavković, former commander of Priština Corps Vladimir Lazarević, and former Assistant Interior Minister and former Chief of Public Security Department Vlastimir Đorđević, were indicted by the Tribunal on 2 October 2003 for crimes against humanity and violating the laws or customs of law in Kosovo in 1999. By refusing to transfer them, the authorities are obstructing the Tribunal in bringing alleged perpetrators to justice.

Amnesty International continues to call for all those responsible for war crimes and crimes against humanity to be brought to justice. In the report the organization especially noted the scandal of Batajnica, where over 700 murdered Kosovo Albanian civilians were buried in secret graves in an Interior Ministry compound, and that after over four and half years still no domestic indictments have been served for this crime against humanity. Amnesty International also calls for the introduction of legislation criminalizing command responsibility for certain crimes under international humanitarian law, including war crimes and crimes against humanity.

Amnesty International also remains deeply concerned about allegations of torture and ill-treatment of detainees by security forces and the apparent lack of adequate, if any, investigations into these widespread and credible allegations of torture including asphyxiation by taping bags over the head, beatings, electric shocks to the head and body, and mock executions. The organization believes that there are serious deficiencies in addressing ongoing police torture and ill-treatment at all levels in the system: from the police, through to the prosecutors and investigative judges, on to the judgments of some of the courts themselves including problems in implementing court decisions awarding damages to victims. The combination of these failures has perpetuated a climate of impunity similarly to that surrounding war crimes and crimes against humanity.

The report also detailed Amnesty International's concerns at the continuing discrimination against Roma, especially Kosovo Roma displaced following the 1999 conflict, as well as concerns at aspects of legislation which for the first time introduced a genuine alternative to military service for conscientious objectors.

Public Document

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566  
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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