

## TABLE OF CONTENTS

ALBANIA .....	3
Background.....	3
Allegations of torture and ill-treatment.....	3
Police custody .....	3
Ill-treatment in prisons and pre-trial detention premises .....	4
Conditions of detention.....	5
Enforced “disappearance” and impunity – the case of Remzi Hoxha [update to AI Index: EUR 01/005/2004].....	5
Domestic violence.....	5
Trafficking of human beings.....	6
BOSNIA AND HERZEGOVINA .....	7
General and political developments.....	7
War crimes and crimes against humanity (update to AI Index: EUR 01/007/2006) ..	7
International investigations and prosecutions .....	7
Domestic investigations and prosecutions .....	8
Enforced disappearances (update to AI Index: EUR 01/007/2006).....	9
Right to return in safety and with dignity (update to AI Index: EUR 01/007/2006) .....	10
‘War on terror’ (update to AI Index: EUR 01/007/2006).....	11
Lack of access to education for Romani children .....	11
Violence against Women .....	12
UN Human Rights Committee.....	12
CROATIA.....	14
General and political developments.....	14
War crimes and crimes against humanity (update to AI Index: EUR 01/017/2006) .....	14
International prosecutions .....	14
Domestic investigations and prosecutions .....	15
Missing persons and enforced disappearances (update to AI Index: EUR 01/017/2006) .....	15
Right to return (update to AI Index: EUR 01/017/2006).....	16
Lack of access to education for Romani children .....	17
Violence against women .....	17
MACEDONIA .....	18
Background.....	18
Impunity for War Crimes (update to AI Index: EUR 01/017/2006).....	18
War on Terror (update to AI Index: EUR 01/017/2006) .....	19
Torture and ill-treatment .....	19
Freedom of expression .....	19
Discrimination against minorities .....	20
Refugees from Kosovo (Update to AI Index: EUR 01/017/2006) .....	20
Violence against women (Update to AI Index: EUR 01/017/2006) .....	20
MONTENEGRO .....	21
Background.....	21

Montenegro: The right to redress and reparation for the families of the “disappeared”, (AI Index: EUR 66/001/2006).....	21
Torture and ill-treatment .....	22
Possible extrajudicial executions and political killings (Update to AI Index: EUR 01/017/2006).....	22
Forced displacement .....	22
Minority Rights .....	23
Violence against women .....	23
SERBIA .....	24
(including Kosovo) .....	24
General and political developments.....	24
Final status of Kosovo .....	24
Impunity for war crimes: proceedings at the Tribunal (Update to AI Index: EUR 01/001/2007).....	25
Serbia .....	25
Domestic war crimes trials (Update to AI Index: EUR 01/001/2007).....	25
Enforced disappearances.....	26
Torture and ill-treatment .....	26
Discrimination against minorities .....	27
Violence against women .....	27
Kosovo .....	27
Inter-ethnic violence .....	28
War crimes trials .....	28
Disappearances and abductions .....	28
Excessive force and ill-treatment by the police .....	29
Discrimination.....	29
Violence against women .....	29
SLOVENIA .....	30
The “erased” (update to AI Index: EUR 001/017/2006) .....	30
Discrimination against Roma.....	30

# amnesty international

---

## Summary of Amnesty International's Concerns in the Balkans

July – December 2006

### ALBANIA

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

#### **Background**

In September the European Parliament ratified a Stabilisation and Association Agreement between the European Union (EU) and Albania. In November the Albanian parliament ratified Protocol 13 to the European Convention on Human Rights and Fundamental Freedoms (ECHR), thereby abolishing the death penalty in all circumstances. Various legislative reforms were delayed because of party disputes related to forthcoming local elections (February 2007), which led to the boycott of some parliamentary sessions by opposition deputies towards the end of the year.

#### **Allegations of torture and ill-treatment**

##### *Police custody*

In July the European Committee for the Prevention of Torture (CPT) published its reports on visits to Albania in 2003 and 2005. The CPT reported that during both visits most of the detainees interviewed alleged that they had been beaten by police, often during questioning. In some cases the alleged beatings amounted to torture. In a number of cases a medical examination of the complainant found injuries consistent with these allegations. The Organization for Security and Co-operation in Europe (OSCE) in its report *Analysis of the Criminal Justice System in Albania* published in November, based on research carried out at

13 pre-trial detention premises from October to December 2005, reached similar conclusions. The report noted: “Many arrestees, i.e., 35 out of 71 (49%) interviewed, seven of whom were juveniles, stated that they were physically maltreated during either the arrest, the transport to the police station or the first interrogation at the police commissariat.”

Ill-treatment by police was facilitated by a failure to respect legal safeguards for people arrested or taken into police stations for questioning, in particular the right of prompt access to a lawyer. In July the Albanian Ombudsperson drew particular attention to the violation of the legal safeguards for children. He stated that he had received many complaints from children or their parents that police officers had ill-treated them or had in other ways violated their rights when they were taken in for questioning by police as suspects or as witnesses. In most cases they had been questioned without a lawyer or a social worker being present, in violation of the law. He called on the Minister of the Interior to assign to the police the necessary funds to pay for lawyers and social workers to assist children.

A total of over 140 complaints concerning “arbitrary acts” (a term covering ill-treatment and certain other forms of misconduct) by police officers was reportedly received by the Ombudsperson’s Office during 2006. Upon investigation, the Ombudsperson reportedly found 69 per cent of these complaints to be well-founded. The Ombudsperson criticized local police chiefs for not only failing to punish police officers who ill-treated detainees, but also for pressing their subordinates to achieve high detection rates, regardless of means.

The Ministry of the Interior was reported to have stated in response that during the year more than 40 police officers accused of ill-treating people, taking bribes or other misconduct in relation to the treatment of suspects at police stations had been punished administratively and been referred to prosecutors’ offices for investigation. However, few were brought to trial, and it appeared that none had been prosecuted under Article 86 of the Criminal Code (“Torture and any other degrading or inhuman treatment”). Trial proceedings before Tirana District Court against two police officers on lesser charges of “arbitrary acts” - generally punished by non-custodial sentences - had not been concluded by the end of the year.

The wording of Article 86 was so vague that it failed to define the elements of the crime of torture and ill-treatment, and was consequently criticized in 2005 by the UN Committee against Torture, which called for its amendment. Draft amendments to various articles of the Criminal Code, including Article 86 – designed to bring its definition of torture into line with that of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) – could not be adopted, after opposition deputies walked out of a parliamentary session in November.

### ***Ill-treatment in prisons and pre-trial detention premises***

Between March and August, the Ombudsperson inspected a number of prisons and pre-trial detention premises, and reportedly identified at least 10 cases of the “unjustified use of violence” by prison guards and police officers. The Ombudsperson deplored the fact that none of his earlier recommendations, regarding measures to be taken to prevent such abuses, had been acted upon. In September the Ombudsperson received complaints about ill-treatment from prisoners held in Burrel prison. Commissioners from the Ombudsperson’s office, who subsequently visited the prison to investigate these complaints, confirmed that during cell searches prison guards had physically and psychologically ill-treated prisoners. They also reportedly stated that some prisoners had been shut into the prison wash-rooms, and made to stand against a wall for several hours with their hands raised and their legs apart. The prison director reportedly denied that prisoners had been ill-treated and threatened to sue the commissioners.

### **Conditions of detention**

Experts from Euralius (European Assistance Mission to the Albanian Justice System), the OSCE, the Albanian Ombudsperson's Office, and Albanian human rights organizations all repeated previous criticisms of detention conditions. In particular, they emphasised sometimes severe overcrowding, very poor hygiene and sanitation, an inadequate diet based on the norms established in 1974 under communist rule, and poor, or sometimes non-existent, on-site medical provision for detainees. Conditions for detainees held at police stations, including Durrës, Korça and Elbasan police stations, were reportedly particularly harsh. Concern was also voiced at the lack of appropriate accommodation and treatment of mentally ill prisoners. Various measures proposed by the authorities to remedy these problems had not been implemented by the end of the year. In particular, parliament had not yet adopted an amnesty law intended to alleviate over-crowding, nor had improved prison food rations, promised for some time, been introduced.

However, in November the Minister of Justice promised a major increase in funding (with EU assistance) for remand centres and prisons. In particular, there were plans to build new prisons in Fushë-Kruje and Korça, a new remand centre in Vlora, and an institution for mentally ill prisoners in Durrës. The prison authorities also announced plans to increase the small numbers of social workers and psychologists working in prisons.

### **Enforced “disappearance” and impunity – the case of Remzi Hoxha [update to AI Index: EUR 01/005/2004]**

In October the Prosecutor General announced that an investigation into the “disappearance” of Remzi Hoxha, an Albanian from Macedonia, had been re-opened.

Remzi Hoxha (pictured with his wife, above), was taken from his workplace in Tirana on 21 October 1995 by men in civilian clothes driving a car reportedly belonging to the National Information Service (ShIK), the secret police. Earlier investigations had been suspended; in 2003, two ShIK officers were detained and charged with his alleged torture but were released without being brought to trial on the basis of an amnesty law of 1997. In November Bashkim Gazidede, the ShIK director at the time that Remzi Hoxha disappeared, but who had lived abroad from 1997 to late 1995, was summoned for questioning by prosecutors; he denied any knowledge of the case. However, his successor as director of ShIK was reported to have stated that he had learned that Remzi Hoxha had died at a ShIK base in October 1995 as a result of torture, but that it had not been possible to determine where his body had been buried or who was immediately responsible for his death. By the end of the year the persons responsible for the “disappearance” of Remzi Hoxha had still not been brought to justice.

### **Domestic violence**

Domestic violence is not specifically prohibited in the Criminal Code, although it is generally recognized that such violence, particularly against women and children, is widespread. In its report, issued in November the OSCE noted that “domestic violence is under-reported, under-investigated, under-prosecuted and under-sentenced”, and that “the overwhelming majority of perpetrators are granted impunity”.

There were signs, however, that official and general public awareness of this issue had increased. In July the Director General of the State Police directed the police to implement recommendations made by AI in its report issued in March, *Albania: Violence against women in the family: “It’s not her shame”* (AI Index: EUR 11/002/2006). He ordered police to

respond promptly to all reports of domestic violence, to document complaints made by victims and order their examination by forensic doctors, and to liaise with local non-governmental organizations (NGOs) offering legal assistance and shelter to victims of domestic violence.

Possibly as a result of these directives, more victims of domestic violence reported their partners or parents to the police. According to police sources, there were 208 cases of domestic violence reported to police in 2006 - an increase of 112 over the previous year. Nonetheless, many victims did not seek assistance from the police; others who did were not always provided with adequate protection, despite repeated violent incidents..

Between mid-July and the beginning of August the wife and daughter of N.T. reported him three times to Berat police because of his alleged violence to them and to three younger children in the family. It appears that apart from briefly detaining N.T. the police took no effective action after these incidents. Early in August his wife fled to her parents for safety, after which N.T. also temporarily left the home. Their daughter, aged 17, left alone at home with her three younger siblings, attempted suicide. On 12 October N.T. was again detained by police after further alleged violence to his family, but yet again no effective action was taken by police and he reportedly escaped from the police station the same day.

In December parliament adopted a law "On measures against violence in family relations" drafted by a group of domestic NGOs. This is a civil law and does not criminalize domestic violence. The law aims both to prevent such violence and to introduce procedures to give victims of domestic violence effective protection. It is reportedly due to come into force in mid-2007.

### ***Trafficking of human beings***

The trafficking of women, often minors, for sexual exploitation abroad appeared to have decreased, as a result of tighter border controls and other preventive measures, such as the establishment of local anti-trafficking committees. However, internal trafficking of women for forced prostitution reportedly increased. Children, mostly Roma, were trafficked to be exploited as beggars, for cheap labour, crime or for adoption.

Prosecutors noted that the work of the police had played little part in the identification of traffickers and in the collection of evidence against traffickers. As a result, prosecutions were almost always started on the basis of a complaint by an alleged victim of trafficking and relied heavily on the evidence of victims. However, these prosecutions frequently failed because victims withdrew their evidence at trial, as a result of threats made against them or their families by traffickers – or more rarely – because traffickers bribed them to withdraw their evidence. Witness protection continued to be weak, although in November the Minister of the Interior reportedly stated that the Office for the Protection of Witnesses was to be upgraded to department level. According to official statistics, during the year there were 103 prosecutions relating to charges of trafficking women for prostitution, and 11 to charges of trafficking children. Over the same period, 12 people were convicted of trafficking women for prostitution, and six people for trafficking children.

In December the Serious Crimes Court convicted Muhamet Kraho of trafficking for prostitution a 16-year-old girl to Greece and Italy in 2004. He was sentenced to 16 years' imprisonment.

In November, Albanian police arrested two men on a charge of attempting to sell a four-year-old Romani child to Greece; five other people allegedly involved in the same transaction were arrested in Greece.

# BOSNIA AND HERZEGOVINA

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

## ***General and political developments***

Bosnia and Herzegovina (BiH) remained divided in two semi-autonomous entities, the Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH), with a special administrative status granted to the Brčko District. The international community continued to exert significant influence over the political process in BiH, as part of the civilian implementation of the Dayton Peace Agreement, led by a High Representative whose nomination is proposed by the Peace Implementation Council (PIC), an intergovernmental body that monitors implementation of the Dayton Peace Agreement.

Approximately 6,000 troops of the European Union (EU)-led peacekeeping force EUFOR remained in BiH mandated to ensure the implementation of the Dayton Peace Agreement and to contribute to a safe and secure environment in BiH. EUFOR's mandate was extended by the UN Security Council in November for a further year. In addition to EUFOR, about 150 North Atlantic Treaty Organisation (NATO) troops remained in the territory of BiH, reportedly to assist the BiH authorities in defence reform, to provide support to the International Criminal Tribunal for the former Yugoslavia (Tribunal) with regard to the detention of persons indicted for war crimes, and to combat terrorism.

In October general elections were held in BiH, the first to be fully administered by local authorities. The electoral campaign saw the widespread use of nationalist rhetoric, including calls to organize a referendum for the independence of the RS. Results showed that the electorate remained divided along ethnic lines. At the end of the period under review, a new government had yet to be formed.

In November, NATO offered BiH membership of the alliance's Partnership for Peace. BiH officially joined the programme in December. The Tribunal's Prosecutor stated that the decision to allow BiH to join Partnership for Peace, despite the failure of BiH to fully cooperate with the Tribunal (see below), was a powerful signal that the international support for the Tribunal was decreasing.

## ***War crimes and crimes against humanity (update to AI Index: EUR 01/007/2006)***

### *International investigations and prosecutions*

The Tribunal continued to try alleged perpetrators of war crimes and crimes against humanity committed during the violent collapse of Yugoslavia. None of the Tribunal indictees still at large was transferred to the Tribunal's custody in the period under review and a total of six publicly indicted suspects remained at large at the end of December.

Under the terms of the "completion strategy", laid down in UN Security Council Resolutions 1503 and 1534, the Tribunal was expected to complete all trials including appeals, by 2010. As a result of the tight deadlines imposed by the "completion strategy", the Tribunal continued with its policy of referring cases involving lower level perpetrators to national jurisdictions in the former Yugoslavia. In September the case of Paško Ljubičić was

transferred to BiH. The accused is suspected of having committed crimes against humanity and war crimes against the Bosniak (Bosnian Muslim) population, including persecutions and murder, in connection with his alleged role as a commander in the military police of the Croatian Defence Council (Hrvatsko vijeće obrane, HVO), the Bosnian Croat armed forces. In October, the case of Savo Todović and Mitar Rašević was also transferred to BiH. The two are accused of having committed crimes against humanity and war crimes including persecutions, torture and beatings, wilful killings and murder, and enslavement of non-Serb detainees in Foča. According to the indictment, Savo Todović and Mitar Rašević were commanders in the Foča “KP Dom” prison camp.

In July the trial of Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Vinko Pandurević, Radivoje Miletić and Milan Gvero started at the Tribunal. All suspects are accused of crimes against humanity and war crimes. Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Vinko Pandurević are also accused of genocide and conspiracy to commit genocide. For all the accused, charges relate to their alleged role as commanders of the Bosnian Serb Army (Vojska Republike Srpske, VRS) in the systematic killing of thousands of Bosniak men and boys in Srebrenica in July 1995. Zdravko Tolimir, jointly indicted with the accused on charges of genocide, conspiracy to commit genocide, crimes against humanity and war crimes, remained at large.

In September Momčilo Krajišnik, who between 1991 and 1995 held high-ranking positions in the Bosnian Serb leadership, was sentenced to 27 years' imprisonment for crimes committed against the non-Serb population. He was found guilty of persecution, extermination, murder, deportation and forced transfer. He was acquitted of genocide and complicity in genocide charges.

Cooperation between the RS authorities and the Tribunal remained inadequate. So far not a single person indicted by the Tribunal has been arrested by the RS police and no progress was made by the RS in locating former Bosnian Serb leader Radovan Karadžić. Radovan Karadžić faces charges, including of genocide, for his alleged role in crimes committed against the non-Serb population, including in Srebrenica in 1995. In December, in her address to the UN Security Council, the Tribunal Prosecutor noted that central institutions were not working efficiently and that RS authorities, despite some recent improvements, did not show a robust willingness to arrest Radovan Karadžić and Stojan Župljanin, the fugitives most likely to be in BiH.

### *Domestic investigations and prosecutions*

Progress was made in the domestic prosecution of war crimes, including in proceedings at the War Crimes Chamber (WCC) within the BiH State Court, although efforts to bring perpetrators to justice remained insufficient given the scale of the crimes committed and the potentially huge number of crimes to be investigated and prosecuted. Moreover, there continued to be concerns over the lack of financial and other resources needed to ensure the long-term sustainability of the WCC and to enable it to carry out its activities effectively.

In July, after proceedings at the WCC, former RS policeman Boban Šimšić was found guilty of having assisted members of the Bosnian Serb Army in committing in 1992 the crimes of enforced disappearance and rape against non-Serbs in the Višegrad area. He was sentenced to five years' imprisonment.

Following the airing of a video showing a former Army of Bosnia and Herzegovina (Armija Bosne i Hercegovine, ABiH) commander apparently ordering the burning of Bosnian Serb villages during military operations in 1995, an investigation was opened in October by the Office of the Prosecutor at the WCC into the role of ABiH members in war crimes.



Nikola Kovačević, a former member of Bosnian Serb forces, was sentenced in November by the WCC to 12 years' imprisonment for the persecution of the non-Serb population in the Sanski Most area. Marko Samardžija, former VRS commander in the Ključ area, was found guilty of crimes against humanity and sentenced to 26 years' imprisonment, including for his role in the killing of at least 144 Bosniak detained men.

Also in November, the WCC rendered its first judgement in a case transferred by the Tribunal. Radovan Stanković was found guilty of crimes against humanity committed against the non-Serb population in the Foča area. Radovan Stanković, a former VRS member, was convicted of having participated in the rape of women held in detention by Bosnian Serb forces and sentenced to 16 year's imprisonment.

In December, Nikola Andrun, a former member of the HVO, was sentenced to 13 years' imprisonment for war crimes committed in his capacity of Deputy Commander of the Gabela detention camp, including the torture and intimidation of non-Croat detainees. After proceedings at the WCC, former VRS member Dragan Damjanović was sentenced to 20 years' imprisonment for having committed murder, torture, rape, enforced disappearance and other inhuman acts against non-Serbs in the Vogošća Municipality and surrounding villages.

Also in December, the re-trial of former member of Bosnian Serb forces Nedo Samardžić before an appellate panel of the WCC ended with a prison sentence of 24 years for crimes against humanity committed against the Bosniak population in the Foča area. Such crimes included severe deprivation of physical liberty, sexual slavery, rape, and other inhuman acts. In April he had been sentenced to 13 years and four months' imprisonment after a first instance trial. The first instance verdict was revoked in October.

Some war crimes trials of low-level perpetrators were also held in local entity courts. Courts at the entity level continued to face difficulties in dealing with war crimes cases, including as a result of lack of staff and other resources. In these proceedings, victims and witnesses remained without adequate protection from harassment, intimidation and threats including as a result of a failure to implement existing witness protection legislation.

In July, after proceedings at the Sarajevo Cantonal Court, former ABiH member Samir Bejtici was sentenced to 14 years and six months' imprisonment for his role in the murders of Bosnian Serbs in Kazani, near Sarajevo, in 1992 and 1993.

In October, an indictment was confirmed at the Sarajevo Cantonal Court against a man suspected of having committed, as a member of Bosnian Serb forces, war crimes against the civilian population and prisoners of war. The indictment *inter alia* alleges that the suspect was involved in the beating and abduction of Vladimir and Radislav Mađura from their home in Iliđza, a suburb of Sarajevo. The bodies of Vladimir and Radislav Mađura were exhumed and identified in 2004.

### ***Enforced disappearances (update to AI Index: EUR 01/007/2006)***

According to estimates of the International Commission on Missing Persons (ICMP), over 13,000 persons who went missing during the 1992-1995 war were still unaccounted for. Many of the missing were victims enforced disappearances, whose perpetrators continued to enjoy impunity.

Progress continued to be slow in transferring competencies from the missing persons commissions of the FBiH and the RS to the national Missing Persons Institute (MPI). The MPI's Steering and Supervisory Board members were appointed in December by the BiH Council of Ministers.

In July the bodies of 305 mostly Bosniak people were buried in Prijedor in a ceremony attended by international and local officials, including the Chairman of the BiH Presidency. The bodies had been exhumed from mass graves in the Prijedor area and identified, mostly through DNA analysis.

In August the exhumation of a mass grave in Kamenica, near Zvornik, uncovered 1,009 incomplete and 144 complete skeletons. The site is believed to contain the remains of victims killed by Bosnian Serb forces in Srebrenica in 1995, and was reportedly the biggest mass grave excavated since the end of the war.

In November the exhumation of a mass grave in Snagovo, a village north of Srebrenica, was completed. The grave contained 90 complete and 66 incomplete bodies, believed to be victims of killings in Srebrenica.

Also in November, 115 complete skeletons and 162 incomplete mortal remains were uncovered from a mass grave in Gorice, near Brčko. Some of the identification documents of the victims, found during the exhumations, were reportedly those of non-Serbs from Brčko listed as missing. Some of the bodies presented indications that the victims had been executed by gunshot from close range.

In December the commission implementing a 2001 decision by the BiH Human Rights Chamber on the “disappearance” of Avdo Palić (Palić Commission) was reportedly reactivated. In April 2006 the Palić Commission had presented a report to the Office of the High Representative, which claimed to reveal the location of the mortal remains of Avdo Palić and to detail his fate. The report was also forwarded to the BiH Prosecutor. However, the information contained in the report proved to be insufficient to carry out the exhumation of the body. ABiH Colonel Avdo Palić had “disappeared” after reportedly being forcibly taken by VRS soldiers from the UN Protection Force compound in Žepa on 27 July 1995. He had gone there to negotiate the evacuation of civilians from the town which had just surrendered to the VRS.

***Right to return in safety and with dignity (update to AI Index: EUR 01/007/2006)***

Since the end of the war, out of an estimated 2.2 million people displaced during the conflict, more than a million refugees and internally displaced persons (IDPs) were estimated to have returned to their homes. Progress in the return of those still displaced was limited. The office of the UN High Commissioner for Refugees in BiH registered approximately 1,100 returns between July and October. Of these, approximately 900 were returns in a minority situation.

Cases of violence and harassment by non-state actors (private individuals) against returnees and minorities were reported, especially in the months leading up to the general elections in October. These included threats, harassment, damage to property and religious buildings and violent attacks.

In October, an anti-tank rocket was fired at a mosque in Mostar, causing considerable material damage. A man suspected of involvement in the attack was identified and arrested by local police in November.

Lack of access to employment continued to be a major obstacle to the sustainable return of refugees and IDPs. Employment opportunities were scarce in general, reflecting the weak economic situation and difficulties of economic transition and post-war reconstruction. In addition, returnees faced discrimination on ethnic grounds.

In August an agreement was reportedly reached by the Aluminij company in Mostar and the F BiH government dealing inter alia with the issue of former employees dismissed during or shortly after the war. As a result of these dismissals, from being a company with a significant

number of Bosniak, Bosnian Serb and Bosnian Croat employees, Aluminij has now an overwhelmingly ethnic Croat workforce.

The agreement provided for all former workers who were employed by Aluminij on 31 December 1991, to register with the company and to have their working years at Aluminij recognized. The deadline for former workers to present their documentation to Aluminij was 14 October 2006. Aluminij informed AI that, by this deadline, more than 3,000 workers had presented their claims, which were still being processed at the end of the period under review.

### ***'War on terror' (update to AI Index: EUR 01/007/2006)***

The six men of Algerian origin who in 2002 were unlawfully transferred by the FBiH authorities to US custody and detained in Guantánamo Bay, Cuba, remained in detention.

In July the European Parliament adopted a resolution on the “alleged use of European countries by the CIA for the transportation and illegal detention of prisoners”. The resolution inter alia urged “that investigations be continued to clarify the role of US soldiers, who were part of the NATO-led Stabilisation Force (SFOR), in the abduction and transfer to Guantánamo Bay of six Bosnian nationals and/or residents of Algerian origin” and called for the possible role of the BiH authorities in this case to be examined further.

In September lawyers representing the six detainees filed applications to the European Court of Human Rights on behalf of their clients. The applications claim that the failure of the authorities in BiH to implement binding decisions by domestic courts and to act to protect the rights of the detainees is in violation of a number of provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols No. 6 and No. 13.

The BiH State Commission for the Revision of Decisions on Naturalization of Foreign Citizens, which had begun its work in March 2006, continued its activities. Reportedly, the Commission had decided to withdraw approximately 300 citizenships, at the end of the period under review. The Commission can propose to the BiH Council of Ministers to withdraw the citizenship of, among others, those who are deemed to have obtained it not in accordance with the relevant regulations, or on the basis of false information, in those cases where the individuals affected would not be rendered stateless.

Reportedly, the activities of the Commission could affect approximately 1,500 individuals, many of whom are reported as having come to BiH to join Bosniak forces as volunteer foreign fighters during the 1992-95 war, or to work for Islamic charities during and after the war. There were concerns that decisions to withdraw citizenship would not be subject to an effective appeal and that those whose citizenship was withdrawn would be deported, extradited or otherwise transferred to countries where they would be at risk of human rights violations, including the death penalty, torture and other ill-treatment.

### ***Lack of access to education for Romani children***

Primary school attendance rates for Romani children were low and extreme poverty remained one of the main causes of the exclusion of Roma from education. Moreover, Romani language, culture and traditions were not included in a systematic way in school curricula. Insufficient progress was made by the authorities at state, entity and cantonal level, in the implementation of the 2004 Action Plan on the Educational Needs of Roma and Members of Other National Minorities.

A Council for National Minorities of Bosnia and Herzegovina, tasked with overseeing the implementation of the Action Plan on the Educational Needs of Roma and Members of Other National Minorities, which had been formally created in April, was not yet operational at the end of the period under review.

In November AI published the report *False starts: The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia* (AI Index: EUR 05/002/2006), dealing with the human rights violations suffered by Roma as a result of their exclusion from primary education in the three countries. In the report AI called on the authorities in BiH *inter alia* to ensure that accurate data and statistical information are collected on the Romani population, as well as on its inclusion in education, disaggregated by gender and age; to take steps to ensure that children from low-income Romani families are provided with assistance in a timely and comprehensive manner, in order to overcome barriers in access to education; to take steps to ensure that Romani culture, history and traditions are included in school curricula; to take steps to ensure that Romani children have access to pre-school programmes of a sufficient duration; to take steps to ensure that Romani assistants and mediators are employed in a systematic and comprehensive way in all schools and pre-schools with a significant Romani population; to take steps to ensure that teachers and other staff working in schools receive training on Romani culture, history, traditions and language; and to provide pedagogical and other relevant training to Romani assistants and mediators.

### ***Violence against Women***

The reported incidence of domestic violence remained high. In 2006, Cantonal Ministries of Internal Affairs in the FBiH recorded 712 criminal acts of violence in the family. However, both local non-governmental organizations and police authorities estimated that a significant proportion of cases of domestic violence went unreported. Moreover, in criminal proceedings charges against the perpetrators were often reportedly brought on the basis of provisions in the entities' criminal codes, and not on the basis of provisions in more recent legislation on domestic violence, adopted in the two entities.

In September, the BiH Council of Minister adopted a Gender Action Plan, detailing a number of measures to address gender inequality and violence against women. *Inter alia*, the Action Plan envisages legislative changes to harmonize legislation on domestic violence in the two entities and the adoption of all relevant regulatory acts necessary to its implementation. The Action Plan also foresees the education and training of judges, prosecutors, members of police forces and social workers on legislation on domestic violence and violence against women. Moreover, the Action Plan provides for the collection, analysis, and publication of statistical data on violence against women.

### ***UN Human Rights Committee***

In November the UN Human Rights Committee (HRC) issued its Concluding Observations after considering BiH's initial report on the implementation of the International Covenant on Civil and Political Rights. The HRC *inter alia* expressed concern about the underfunding of entity courts dealing with war crimes cases and the unsatisfactory implementation of witness protection legislation at the entity level. The HRC called on BiH to "allocate sufficient funds and human resources to the district and cantonal courts trying war crimes and ensure the effective application of the State and Entity Laws on Protection of Witnesses".

Moreover, the HRC noted with concern that the fate and whereabouts of "some 15,000 persons who went missing during the armed conflict (1992 to 1995) remain unresolved" and

urged BiH to take immediate and effective steps to investigate all cases of missing persons and ensure without delay that the MPI becomes fully operational.

The HRC was also concerned “about the reported lack of implementation of the State and Entity laws on protection against domestic violence, underreporting, lenient sentences for perpetrators and inadequate assistance for victims of acts of domestic violence in both Entities”. The HRC called on BiH to ensure the effective implementation of legislation to combat domestic violence, to intensify the training provided to judges, prosecutors and law enforcement officers on the application of such legislation, to introduce standard procedures for the collection of medical evidence of domestic violence, and enhance victim assistance programmes and access to effective remedies.

# CROATIA

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

## **General and political developments**

The government of Ivo Sanader continue to pursue Croatia's full European integration. The first phase of the accession, the screening by the European Union (EU) and Croatia of the *acquis communautaire* (the body of EU common rights and obligations that candidate countries must accept) was completed in October. The screening is conducted in order to identify priority areas where progress is needed in the harmonization of national provisions with the *acquis communautaire*.

In November the EU Commission issued its Progress Report on Croatia which observed that, despite some progress in war crimes prosecutions, “[a] systematic mechanism for resolving and ending ethnic bias by ensuring application of a uniform standard of criminal responsibility has not been developed”. The report noted that witnesses, particularly those called to testify against members of the Croatian army, still faced intimidation. The EU Commission Progress Report also highlighted little change in overcoming the difficulties faced by returning refugees. The main concerns remained access to housing and employment, as well as the lack of convalidation of working years in areas under Croatian Serb control, resulting in smaller or no pension for those affected.

## **War crimes and crimes against humanity (update to AI Index: EUR 01/017/2006)**

### *International prosecutions*

In August the International Criminal Tribunal for the former Yugoslavia (Tribunal) found Josip Jović, former editor in chief of the Croatian daily *Slobodna Dalmacija* (Free Dalmatia), guilty on charges of contempt of the Tribunal. In 2000 the newspaper had published court transcripts and parts of a testimony in closed session by protected witness Stjepan Mesić, President of Croatia, in the case against Croatian Army General Tihomir Blaškić.

In October the Appeal Chamber of the Tribunal confirmed the decision by the Trial Chamber to join the case against Ante Gotovina and the case against Ivan Čermak and Mladen Markač. The three suspects are former Croatian Army commanders and are accused of crimes against humanity and war crimes against Croatian Serbs, including persecutions, deportation and forcible transfers, and murder. Also in October, the Trial Chamber denied requests by the Republic of Croatia to appear as *amicus curiae* (adviser to court on points of law) in the case against Ante Gotovina, Ivan Čermak and Mladen Markač as well as in another case against six Bosnian Croat former military and political leaders. Croatian Prime Minister Ivo Sanader had been quoted in September as stating that Croatia had a right to act as *amicus curiae* in these cases, on the grounds that the indictments were not correct and that “Croatia has the right to explain the background, historical circumstances and the situation on the ground” in the period covered by the indictments.

In November the Tribunal's Referral Bench ordered the transfer of the case of Vladimir Kovačević to Serbia. The accused, a former commander of the Yugoslav People's Army, was suspected of having committed war crimes, including murder, cruel treatment and attacks on

civilians, during an attack on the Croatian City of Dubrovnik. Vladimir Kovačević had been declared unfit to stand trial by the Tribunal's Trial Chamber in April 2006, on mental health grounds. The Referral Bench was satisfied that mechanisms exist in Serbia for the monitoring of the health of the accused and the resumption of proceedings, should he become fit to stand trial.

### *Domestic investigations and prosecutions*

Trials for war crimes and crimes against humanity continued or started before local courts, often *in absentia*; the vast majority of such trials were against Croatian Serb defendants. There continued to be widespread impunity for crimes allegedly committed by members of the Croatian Army and Croatian police forces despite some steps taken with a view to investigating and prosecuting cases of war crimes against Croatian Serbs.

Investigations into the alleged involvement of Branimir Glavaš in war crimes, including murders, committed against Croatian Serb civilians continued, although they were suspended in December after the health of the suspect reportedly deteriorated, following a hunger strike. Branimir Glavaš had formerly been a local leader of the ruling Croatian Democratic Union (Hrvatska demokratska zajednica, HDZ) Party in the Osijek region. In May the Croatian Parliament had lifted his immunity from prosecution.

The trial continued at the Osijek County Court of two suspects accused of having committed war crimes, including murders, against Croatian Serbs in Osijek. Proceedings were ongoing at the end of the period under review. In October, six former members of a military formation were arrested on suspicion of having murdered Croatian Serb civilians in Osijek in 1991-92. Following the arrest, the Osijek County Court investigative judge ordered the opening of an investigation into the alleged role of Branimir Glavaš in these crimes as well.

The third retrial continued at the Karlovac County Court of a former member of the Croatian special police on charges of having shot dead 13 disarmed Yugoslav People's Army (Jugoslovenska narodna armija) reservists in 1991 in Karlovac, by firing bursts from his machine gun. Two earlier acquittals of the suspect had been overturned by the Croatian Supreme Court.

In December an indictment was issued by the Zagreb County Court in the case of Rahim Ademi and Mirko Norac, which had been transferred by the Tribunal to Croatia in November 2005. Reportedly, the delay in issuing the indictment was due to difficulties in incorporating in an indictment compatible with Croatian law the charges included in the Tribunal indictment. Rahim Ademi and Mirko Norac are former Croatian Army commanders and are suspected of having committed war crimes against Croatian Serbs during military operations in the so-called "Medak pocket" in 1993.

### ***Missing persons and enforced disappearances (update to AI Index: EUR 01/017/2006)***

In various public statements, the Croatian authorities continued to claim that they were still searching for approximately 1,100 missing persons, mostly from the first phase of the 1991-95 war. Despite the reported creation of a unified list of missing persons earlier in 2006, this figure does not include people, mostly Croatian Serbs, who went missing during military operations "Storm" and "Flash" in 1995. The authorities reported that, in 2006, the mortal remains of 176 people were exhumed and 74 bodies were identified.

Many of those reported as missing are believed to be victims of enforced disappearances. Impunity for these crimes, especially with regard to those allegedly committed by the Croatian Army and Croatian police forces, remained widespread.

***Right to return (update to AI Index: EUR 01/017/2006)***

At least 300,000 Croatian Serbs left Croatia during the 1991-95 war, of whom only approximately 125,000 are officially registered as having returned. This figure is widely considered to be an overestimation of the real numbers of those who have returned and remained in Croatia.

Croatian Serbs continued to be victims of discrimination in access to employment and in realising other economic and social rights. Many Croatian Serbs, especially those who formerly lived in urban areas, could not return because they had lost their occupancy/tenancy rights to socially-owned apartments. Implementation of existing programmes to provide “housing care” to former occupancy/tenancy rights holder was very slow.

In August the Croatian government announced plans to make available 4,000 flats (3,600 of which to be newly built) to former occupancy/tenancy rights holders. However, there were concerns that the deadline for the completion of the plan was only in 2011, and that under this scheme occupants would not be able to purchase the flats at a substantially reduced price, putting them in a less favourable position than those occupants, mostly ethnic Croats, who in the past were given the opportunity to purchase their flats.

In December the European Court of Human Rights found that Croatia had violated Article 1 of Protocol 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), protecting the peaceful enjoyment of possessions, and of Article 13 of the ECHR, providing for the right to an effective remedy. The application originated from the failure of the Croatian authorities, for more than six years, to return to the applicant her privately owned flat, which she had vacated and which after the war had been allocated by the authorities to a temporary occupant. The European Court of Human Rights found that, as it took more than six years for the applicant to repossess her flat through administrative and civil action, these remedies to protect her right to property were not effective.

Cases of violence and harassment by non-state actors against Croatian Serbs continued to be reported. These have included racist graffiti, threats, damage to property and violent acts. In July four houses of Croatian Serbs in the village of Biljane Donje, near Zadar, were stoned and surrounding vegetation set on fire. The incident was condemned by the Croatian Government and President. Four men were arrested shortly after the incident on suspicion of their involvement in the attack and faced proceedings before the Benkovac Municipal Court on charges of racial discrimination.

The perpetrators of the murder in May 2005 of an elderly Croatian Serb man in Karin, near Zadar, were still at large at the end of the period under review. No progress was made in the investigation into the deaths, in October and November 2005, of two Croatian Serb returnees who were killed by explosive devices in a wood in the village of Jagma, in the Lipik municipality. The incidents raised particular concern since they occurred under similar circumstances, in an area that was not considered affected by mines.



### ***Lack of access to education for Romani children***

Members of Romani communities in Croatia lacked full access to primary education, especially in geographical areas not covered by existing governmental and other programmes to promote the inclusion of Roma in education.

Although “Roma only” classes were increasingly rare, Romani children still experienced discriminatory treatment because of teachers’ negative stereotyping and low expectations. Romani children with little or no command of the Croatian language faced extreme difficulties when they started school. The languages spoken by Roma in Croatia were not used in schools, unlike other minority languages. Despite improvements in this area, notably in the Međimurje region, the majority of Romani children remained excluded from pre-school programmes.

In November AI published the report *False starts: The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia* (AI Index: EUR 05/002/2006), dealing with the human rights violations suffered by Roma as a result of their exclusion from primary education in the three countries. In the report AI called on the Croatian authorities *inter alia* to ensure that the placing of children in separate primary school classes or groups is not discriminatory; to take steps to ensure that Romani culture, history and traditions are included in school curricula; to ensure that Romani children, especially in areas not adequately covered by existing initiatives, have access to pre-school programmes of a sufficient duration; to take steps to ensure that Romani assistants and mediators are employed in a systematic and comprehensive way in all schools and pre-schools with a significant Romani population; and to take steps to ensure that teachers and other staff working in schools receive training on Romani culture, history, traditions and language.

### ***Violence against women***

The reported incidence of domestic violence remained high. In August the non-governmental organization Autonomous Women’s House Zagreb filed a criminal complaint against employees of the Ivanić Grad Centre for Social Welfare and two judges at the Ivanić Grad Municipal Court and Misdemeanour Court for their failure to act to protect a 25-year-old woman who had been killed in June by her husband, who then committed suicide. The victim was murdered while she was visiting her child placed in a home for children in Zagreb. Reportedly, before being killed, she had requested assistance and protection to the relevant authorities in connection with the violent behaviour of her husband. In February 2006, in particular, she applied for an emergency protection order to the Ivanić Grad Misdemeanour Court on which reportedly the Court failed to act.

The criminal complaint was rejected as unfounded by the Velika Gorica County Prosecutor in November.

# MACEDONIA

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

## **Background**

In elections held on 5 July, the government was replaced by a coalition of the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity, (Vnatrešno-Makedonska Revoluciona Organizacija-Demokratska Partija za Makedonsko Nacionalno Edinstvo, VMRO-DPMNE) and the Democratic Union for Integration (Demokratska Unija za Integracija, DUI). Nikola Gruevski, replaced Vlado Buckovski as prime minister in August.

Following the parliamentary elections, the Democratic Party of Albanians (Partia Demokratike Shqiptare, DPA) – who had won more seats than the DUI – protested their exclusion from the government, including by blocking roads and holding mass demonstrations. Party leaders alleged that the Ohrid Agreement, which concluded the 2001 internal conflict, had broken down.

Legal reforms required by the Stabilization and Association Agreement with the European Union (EU) continued. In October the EU Commissioner stated that it was too early to set a date for the start of negotiations. The EU 8 November progress report noted concerns about the independence of the judiciary, widespread corruption, failure to ensure the representation of minorities in public administration, and the situation of Roma.

In November the North Atlantic Treaty Organization announced that Macedonia would be invited to join the Partnership for Peace programme in 2008.

## **Impunity for War Crimes (update to AI Index: EUR 01/017/2006)**

Former Minister of Internal Affairs Ljube Boshkovski remained in the custody of the International Criminal Tribunal for former Yugoslavia (Tribunal); the trial was expected to start in March or April 2007. He had been indicted in 2005, along with Johan Tarchulovski, for command responsibility for the attack on the village of Ljuboten in August 2001 when seven ethnic Albanian men died and over 100 more were detained and subjected to torture and ill-treatment.

In Helsinki in October, the Chief Prosecutor of the Tribunal announced that four other cases over which the Tribunal had seized primacy, but for which they had not issued indictments, would be returned in 2007 to the Macedonian authorities for prosecution. It was confirmed by the Minister of Justice, Mihajlo Manevski, that the cases would be returned to local courts, starting in January. Almost all of the defendants, former members of the Albanian National Liberation Army, are currently officials of the DUI party.

No further progress was reported in November in an investigation into the whereabouts of three ethnic Albanians – Sultan Memeti, Hajredin Halimi and Ruzdi Veliu – who are believed to have been “disappeared” by the Macedonian authorities during the 2001 internal conflict. The case of the 12 Macedonian citizens abducted by armed ethnic Albanians in 2001 remained with the Tribunal.

### ***War on Terror (update to AI Index: EUR 01/017/2006)***

No progress was made by the Macedonian authorities in investigating the involvement of security and intelligence officials in the unlawful arrest, detention and ill-treatment of Khaled el Masri, a German citizen of Lebanese descent. The authorities had allegedly held him for 23 days in 2003 in a Skopje hotel, before rendering him to the US authorities in Skopje airport, from where he was flown to Afghanistan.

Although in November the Minister of the Interior informed AI that they would cooperate with investigations conducted by the Parliamentary Assembly of the Council of Europe and the European Parliament, the authorities failed to publicly acknowledge that any violations had taken place.

### ***Torture and ill-treatment***

The non governmental organisation (NGO) the Helsinki Committee for Human Rights in Republic of Macedonia, criticized the draft Law on the Police – which aimed to ensure the representation of the Albanian community in the police force – for failing to provide an independent mechanism for police accountability, including over the “Alpha” special police units, suspected of ill-treatment and torture; the law was passed in October. Local NGOs and international organizations called for the establishment of an office of police ombudsperson or other independent body. The Ministry of the Interior favoured a reform of existing internal procedures, which NGOs alleged were neither impartial nor thorough. Cases of torture and ill-treatment, which continued to be reported, included incidents where police officers arbitrarily beat people in the street, including women working as prostitutes, drug users and other vulnerable individuals.

On 29 September 2006 two unarmed Romani man were reportedly beaten outside a police station in Skopje and subsequently dragged into the police station where officers continued to beat them severely until they bled. The head of the Helsinki Committee for Human Rights, and a member of the NGO, who happened to be passing, were eyewitness to the beating and, following the men into the police station, asked to report a crime. They were informed that no form was available and were instructed to wait to talk to the commanding officer. He arrived 40 minutes later and informed the head of the NGO that he could not accept the complaint. She waited another 15 minutes to report the crime to the police internal control officers; they also informed her that they could not accept her report, and told her to make her complaint in writing. The Helsinki Committee was subsequently informed that the Sector for Internal Control and Professional Standards had undertaken an investigation, which concluded that “the use of coercion against the individuals A.S. and S.S. by authorized personnel ... was in accordance with the valid legal rules”. The eyewitnesses who had lodged the complaint were not contacted by the authorities. With the consent of the two men, the Helsinki Committee has opened a private prosecution.

### ***Freedom of expression***

Despite the removal of penal sanctions for the offence of defamation in May, several journalists were prosecuted under the old legislation and sentenced to terms of imprisonment. On 21 November journalist Zoran Bozinovski was released from a three-month prison sentence for defamation, following domestic and international appeals.

### ***Discrimination against minorities***

Despite the official implementation in July of aspects of the Ohrid agreement introducing minority representation in the police and in employment at municipal level, members of the DPA continued to report discrimination against Albanians in these areas of public life.

The Roma community continued to suffer massive discrimination. In November the UN Committee on Economic, Social and Cultural Rights noted widespread discrimination against Roma, including in obtaining citizenship and personal documents required for social insurance, health care and other benefits, and recommended special measures to address discrimination in employment faced by Roma and other minority women.

In a mission to Macedonia in November, AI delegates found that Romani women were denied access to basic social and economic rights, including education, employment and health, on the basis of both their ethnicity and their gender. A coalition of Romani women's NGOs launched a platform for action to address these violations, which the Macedonian government had failed to address, despite its participation in the Decade of Roma Inclusion.

### ***Refugees from Kosovo (Update to AI Index: EUR 01/017/2006)***

The majority of an estimated 2,000 predominantly Roma and Ashkalia from Kosovo who remained in Macedonia had been denied refugee status under the Law of Asylum and Temporary Protection. Those given temporary protection, extended on an annual basis, feared deportation to Kosovo. Some 25 persons refused any status (often after appeal) were awaiting deportation, although in November the deportation of one family was prevented after an intervention by the Office of the high commissioner for Refugees (UNHCR).

AI concluded that many persons had been denied refugee status on the basis of decisions that often failed to provide them with an individual determination – particularly in the case of women. In some cases, where appeals had been lodged, decisions made by a commission within the Ministry of the Interior or the Supreme Court were flawed in that they did not refer to the appellant by their correct name or circumstances of the case.

Access to basic rights including housing, education and health care were denied by the government, and instead such services were provided by UNHCR in the absence of Macedonia's willingness to abide by its obligations.

### ***Violence against women (Update to AI Index: EUR 01/017/2006)***

The UN Committee on the elimination of Discrimination against Women (CEDAW) remained concerned about the high prevalence of violence against women, including domestic violence, and the persistence of trafficking in women and girls despite the formulation of a National Programme to Combat Human Trafficking and Illegal Migration. Local NGOs reported an increase in internal trafficking. The government began to harmonise relevant legislation in accordance with the Council of Europe convention on Action against Trafficking in Human Beings.

In most proceedings against traffickers, defendants were convicted for less serious offences. In October the Kumanovo Basic Court ordered eight defendants to pay compensation for material and non-material damages to women they had trafficked into forced prostitution; the verdict was appealed.

# MONTENEGRO

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

## **Background**

Montenegro had declared independence from Serbia and Montenegro (SCG) on 3 June, following a referendum held on 21 May. It was recognised as a UN member state on 28 June.

Parliamentary elections held on 10 September resulted in victory for the pro-independence government coalition led by Prime Minister Milo Djukanović who, contrary to all expectations announced his resignation in October. He was succeeded in November by former Justice Minister Željko Šturanović.

Following the referendum the European Union Commissioner for Enlargement had previously announced in May the preparation of a separate mandate to negotiate a Stabilization and Association Agreement (SAA) with Montenegro; talks continued in October and technical agreements were concluded by December; a date for talks on the SAA was anticipated early in the new year.

Montenegro had formally requested membership of the Council of Europe in June, but the Parliamentary Assembly of the Council of Europe (PACE) deferred their decision, requiring Montenegro to adopt a new constitution before entry.

In October, the Venice Commission on behalf of the PACE, concluded that priority areas for reform included the protection of human rights and minority rights; the independence of the judiciary; and corruption and the fight against economic and organised crime. Relevant legislation in force remained to be implemented. In November rapporteurs for the PACE Legal Affairs and the Monitoring Committees criticized constitutional provisions relating to the appointment of judges and stressed that the new constitution must ensure that international law should take precedence over local jurisprudence.

On 4 September all serving conscripts were dismissed from compulsory military service which was abolished on 31 August. Montenegro joined the North Atlantic Treaty Organization's Partnership for Peace programme on 14 December.

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

Civil proceedings continued against the state of Montenegro in connection with the enforced disappearance in 1992 of some 83 Bosniak civilians, from Montenegro to territory in the Republic of Bosnia and Herzegovina then under Bosnian Serb control (Republika Srpska).

On 18 September 2006 Podgorica District Court issued a decision awarding damages to the relatives of Suad Karačić, a 26-year old waiter, who was deported to and killed at Foča. On 17 November, the wife and four children of Izet Tufekčić, originally from Višegrad in BiH, were awarded €120,000 for the emotional pain caused by the death of their relative. In both cases – as in all six cases heard by the end of the year – their application for reparations for their suffering due the failure of the authorities to open an investigation into the "disappearance" was dismissed. In each case Montenegro appealed the court's decision, on

grounds including that there had been no causal link between the actions of the Montenegrin police in detaining the “disappeared” and handing them over to the de facto military and police authorities of the Republika Srpska, and their subsequent deaths.

AI reminded the authorities that the European Court of Human Rights has consistently held that the failure of states to inform the relatives of the “disappeared” of the fate and whereabouts of their loved one amounts to inhuman and degrading treatment under Article 3 of the European Convention on Human Rights.

In November 2006 the investigative judge began to issue witness summons, including to the relatives of the disappeared living in Bosnia and Herzegovina, in relation to criminal proceedings against six former police officers indicted in February for the arrest and subsequent “disappearance” of the Bosniak civilians.

In December Montenegro sought to exempt itself from proceedings for genocide brought against Serbia and Montenegro (then the Federal Republic of Yugoslavia, FRY) by Bosnia and Herzegovina at the International Court of Justice, on the grounds that they were not the legal successor state to the FRY.

### ***Torture and ill-treatment***

On 9 September, following the Orlov let (Eagle’s flight) “anti-terrorist” arrest operation, some 17 males of ethnic Albanian origin, including three US citizens, were arrested. In statements made to their lawyers and human rights organizations, they reported ill-treatment - - in some cases amounting to torture -- and racist abuse, by members of the special police, uniformed and plain-clothes law enforcement officers and court police during their arrest and subsequent detention at Podgorica police station. They were remanded into pre-trial detention at Spuž prison on 12 September; 14 of them remained in detention by the end of the year. On 7 December 18 men (some *in absentia*), including five US citizens, were indicted on conspiracy charges for “terrorism” and armed insurrection.

Despite a criminal complaint made by five of the men on 29 September, the prosecutor had reportedly failed to complete investigations into allegations against the police by the end of the year.

### ***Possible extrajudicial executions and political killings (Update to AI Index: EUR 01/017/2006).***

On 14 August 10 suspects were indicted in connection with the murder in August 2005 of Slavoljub Šćekić, former chief of the Montenegrin police. On 27 December Damir Mandić was acquitted of being an accomplice to murder in 2004 of Duško Jovanović, editor of the newspaper Dan, on the basis of insufficient evidence; appeals were immediately lodged. On 24 October, the right wing author Jevrem Brković was attacked and his driver Srdjan Vojičić murdered.

### ***Forced displacement***

In addition to 6,926 persons displaced from Bosnia and Herzegovina and Croatia before 1995, some 16,196 Roma and Serbs displaced from Kosovo in 1999 remained in Montenegro at the end of the year. Persons displaced from Kosovo had previously been unable to gain access to civil, political, economic or social rights – as civil registration had been denied to them. The office of the United Nations High Commissioner for Refugees (UNHCR) continued to provide them with accommodation and access to health care and social benefits. No displaced

persons had been granted refugee status under an asylum law introduced earlier in the year, and which the authorities had not yet fully implemented. AI urged the authorities to provide displaced persons with continued international protection and access to basic rights. UNHCR reported that a further 2,000 people were still awaiting decisions on displaced person status, and that a large number of persons without documentation remained in Montenegro, at risk of statelessness.

### ***Minority Rights***

In July the Constitutional Court of Montenegro ruled that the provisions of the minority rights Act, adopted only days before the referendum on independence, were unconstitutional in that the law contravened the principle of the equality of all citizens as laid down in the constitution.

### ***Violence against women***

A draft law on Protection from Violence in the Family failed to include measures to criminalize the breach of protection orders issued by the court. NGOs called for the establishment of a coordination body to ensure the effective application of the law after its introduction.

# SERBIA

## (including Kosovo)

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

### **General and political developments**

Negotiations with the European Union (EU) on Serbia's Stabilization and Association Agreement remained suspended over the authorities' failure to arrest suspects indicted by the International Criminal Tribunal for the former Yugoslavia (Tribunal) – in particular former Bosnian Serb General Ratko Mladić.

Just over 50 per cent of voters in a referendum in October favoured the new Serbian Constitution, which restated that Kosovo and Metohija were part of Serbian territory. The Albanian minority in southern Serbia boycotted the referendum, and ethnic Albanians in Kosovo were not eligible to vote.

After the secession in May of Montenegro from the state of Serbia and Montenegro (SCG), Serbia's progress in assuming the responsibilities and international obligations as the successor state was slow. The Council of Europe continued to monitor Serbia's compliance as a successor to SCG with conditions which had been previously agreed on accession to that organization. On 14 December Serbia was admitted to the North Atlantic Treaty Organization's Partnership for Peace programme.

### **Final status of Kosovo**

Kosovo remained part of Serbia - administered by the UN Interim Administration Mission in Kosovo (UNMIK). In August Joachim Rucker replaced Søren Jessen-Peterson as the Special Representative of the UN Secretary General (SRSG). Talks on the future status of Kosovo concluded in October without agreement between the parties. The Contact Group (an informal group of countries - France, Germany, Italy, Russia, United Kingdom and USA - with a significant interest in the Balkans), urged the UN Office of the Special Envoy for Kosovo (UNOSEK) to impose a solution by the end of 2006, while UNOSEK and the EU advocated delaying until after the Serbian elections, then planned for December. In November UN special envoy Martti Ahtisaari announced – with the agreement of the UN Secretary General – the postponement of the publication of his proposal on final status until after Serbian elections, to be held in January 2007.

AI advocated in a July report for human rights protection for all in persons in Kosovo to be at the heart of the talks process, and for the meaningful inclusion of representatives of non-Serb minority communities in the talks (*Human Rights Protection in Post-status Kosovo/Kosova: Amnesty International's recommendations relating to talks on the final status of Kosovo*, AI Index: EUR 70/008/2006). The organization also called for women to be represented in the process, as set out in UN Security Council Resolution 1325 on Women, Peace and Security.

The process of transferring government responsibilities from UNMIK to the Provisional Institutions of Self Government (PISG) in Kosovo continued; in August it was announced that



responsibility for missing persons had been transferred to the Ministry of Justice. On 1 June the SRSG announced that UNMIK had begun preparations to leave Kosovo and to hand over to an EU Crisis Management Operation, which then prepared for the establishment of a European Defence and Security Policy mission in 2007.

*Impunity for war crimes: proceedings at the Tribunal (Update to AI Index: EUR 01/001/2007).*

Carla del Ponte, Chief Prosecutor to the Tribunal, continued to express serious concerns at the lack of cooperation by the Serbian authorities. In July additional funds were allocated to the action plan for cooperation with the Tribunal.

Proceedings continued against former Yugoslav National Army officers known as the “Vukovar Three”. Mile Mrkšić, Miroslav Radić, Veselin Šljivančanin were indicted for crimes against humanity and violations of the laws or customs of war for their responsibility for the forcible evacuation of at least 264 Croatian men and two women from the Vukovar Hospital in 1991, their transfer to the Ovčara farm where they were ill-treated, and their murder. Proceedings against lower ranking soldiers had already been conducted in Serbia (see below).

Following the joining of two previously separate indictments for Kosovo, proceedings started in July against six senior political, police and military officials indicted for crimes against humanity and violations of the laws and customs of war. Former deputy Serbian president Milan Milutinović, former deputy prime minister Nikola Šainović, former General Chief of Staff (later Minister of Defence) Dragoljub Odjanić, former police colonel general Sreten Lukic (later Assistant Interior Minister), former Yugoslav Army colonel generals Nebojša Pavković and Vladimir Lazarević were jointly charged with crimes against humanity and grave violations of the Geneva Convention. Former police colonel general Vlastimir Đorđević, who had also been indicted for Kosovo, remained at large, apparently in Russia.

Proceedings against Vojislav Šešelj, currently leader of the Serb Radical Party and indicted for crimes against humanity and violations of the laws and customs of war in Bosnia and Herzegovina (BiH), were disrupted after 11 November when he started a hunger-strike protesting against restrictions that the Tribunal placed on visits by his wife and on his ability to chose the defence team of his choice.

On 17 November the Tribunal transferred to Serbia the indictment against Vladimir Kovačević, although the Tribunal had declared him unfit to enter a plea on medical grounds in April; he is charged with six counts of war crimes in connection with the bombing of Dubrovnik in Croatia.

In separate but related proceedings, the International Court of Justice continued public hearings on genocide charges filed by BiH against Serbia and Montenegro.

## **Serbia**

*Domestic war crimes trials (Update to AI Index: EUR 01/001/2007).*

In July 10 suspects, including former security chief Jovo Djogo, were indicted for assisting former Bosnian Serb General Ratko Mladić to escape arrest. They had allegedly kept him hidden in at least five apartments in Belgrade. Proceedings opened in [check] September, and in October Ratko Mladić’s former driver, arrested in May, was indicted for the same offence.

Progress was made in bringing Serbs suspected of war crimes to justice in domestic proceedings at the special War Crimes Chamber of the Belgrade District Court, although most were low-ranking officials.

The trial continued of five former members of the paramilitary unit known as the Scorpions. They were charged with war crimes, with three others, for the killing of six Bosniak civilians in 1995 at Godinjske bare near Trnovo in BiH. In October, charges against two defendants were changed, indicting them as accessories to murder.

On 9 August Vladimir Vučković, the war crimes prosecutor opened an investigation into the killing of 700 Bosniaks by Serbian paramilitary forces in the vicinity of Zvornik in BiH in June 1992; in December, he reported that an investigation had been opened in connection with a mass grave in the Zvornik region, believed to contain between 670 and 750 bodies.

Later in August two former Serbian police officers were indicted for the murders of three brothers - Agron, Mehmet and Ilijem Bytici - in Kosovo in July 1999. The brothers of Kosovo-Albanian origin held US citizenship, and had reportedly joined the Atlantic Brigade fighting alongside the Kosovo Liberation Army (KLA). The trial opened on 13 November.

On 18 September the special War Crimes Chamber sentenced Anton Lekaj, a former KLA soldier to 13 years' imprisonment for war crimes, including the rape of a Romani girl in Kosovo and the murder of three Romani men.

On 2 October, the trial started at the special War Crimes Chamber of eight former police officers – including Radoslav Mitrović, former Kosovo special police commander and Radojko Repanović, police commander in Suva Reka – indicted on 25 April for the murder of 48 ethnic Albanian civilians, all but one from the same family, in Suva Reka in March 1999. Some of their bodies had been exhumed at Batajnica.

In December, the Serbian Supreme Court overturned the decision against 15 defendants, sentenced in December 2005 and January 2006, for involvement in war crimes against Croatian civilians in 1991 at Ovčara farm in Croatia.

### *Enforced disappearances*

On 30 June the last of the bodies of more than 700 ethnic Albanians exhumed from mass graves were returned to Kosovo. Police investigations were opened, according to reports in September, but no indictments had been published by the end of 2006 relating to the responsibility for the transfer of those bodies to Serbia from Kosovo.

Evidence relating to the transfer was presented at the trial of eight former police officers indicted for the murder of 48 ethnic Albanian civilians in Suva Reka in March 1999, (see above). Prosecution witnesses described how the bodies were originally buried in military ranges in Prizren, and subsequently - allegedly on the orders of former general Vlastimir Đorđević - transported to Batajnica.

### *Torture and ill-treatment*

In November police used excessive force against prisoners who had locked themselves into areas of Niš prison in protest against the government's failure to implement an amnesty law; lawyers and relatives were unable to visit some of the 50 prisoners who were hospitalized - some with very serious injuries - or had been placed in solitary confinement. The Minister of Justice announced that an internal investigation would be opened, but no progress had been reported by the end year.

*Political killings and political violence (update to AI Index: EUR 01/017/2006)*

The retrial of Mirolad Ulemek and former secret police chief Radomir Marković continued, after the Supreme Court had in May cited serious violations of procedure. The two men, along with eight others, had been convicted of the attempted murder of government minister Vuk Drašković and the murder of four other men Mirolad Ulemek and Radomir Marković had been sentenced in June 2005 to 15 and 10 years' imprisonment respectively.

In October, Dobrosav Gavrić, Milan Djurić (in absentia) and Dragan Nikolić were convicted of the murder of former paramilitary commander Željko Ražnatović (also known as Arkan) at the Intercontinental Hotel in Belgrade in 2000, and each sentenced to 30 years' imprisonment.

In November, Aleksander Simović was arrested for the murder on 3 June of Zoran Vokojević, a witness at a separate trial of Mirolad Ulemek and others charged with the murder of former Serbian Prime Minister Zoran Đinđić. Aleksander Simović was found dead at the side of a road in Belgrade, his wrists handcuffed behind his back. Others indicted for the murder remained at large.

On 10 September municipal Election List for Sandžak candidate Ruždija Durović was killed in a shooting incident at a polling station in Novi Pazar believed to be politically motivated. Three others were injured. Two suspects were arrested within 24 hours. Four people were injured in November when an explosive device was thrown into the home of a Democratic Action Party official.

*Discrimination against minorities*

Discrimination continued against Rom and other minorities. A survey of 36,000 Romani people published in December revealed that almost half the Romani people in Serbia did not have identification documents providing them with the right to state services. In most cases, documentation was denied because they lived in unregistered or temporary settlements.

The Serbian authorities took action in a number of cases involving private individuals ('non-state actors'), including the arrest on 29 August of a Serb and a US national for an alleged anti-Semitic attack; and the arrest of 37 people in October after a racist incident in Čačak in which football supporters wearing Klu Klux Klan outfits taunted a Zimbabwean member of their own club; eight were charged. Also in November, police detained 152 football fans in Belgrade, 47 of whom were under 18 years of age, on suspicion of inciting racial hatred during a match against a predominantly Bosniak team from Novi Pazar in the Sandžak region of Serbia, reportedly shouting "Serbia for the Serbs, out with the Turks". The Minister for Sports and Education called for "fast action and harsh sentences".

*Violence against women*

Violence against women, including domestic violence and trafficking for the purposes of forced prostitution, remained widespread. On 10 January, the Ministry for Labour, Employment and Social policy published a draft strategy on combating violence against women.

**Kosovo**

The UN Human Rights Committee criticized the lack of human rights protection in Kosovo following consideration of an UNMIK report in July, see *Kosovo (Serbia and Montenegro)*:

*United Nations Interim Administration Mission in Kosovo (UNMIK) – Conclusions of the Human Rights Committee, 86th Session, July 2006* (AI Index: EUR 70/011/2006). UNMIK failed to establish a Human Rights Advisory Panel which was intended to provide persons in Kosovo with access to remedies for acts and omissions by UNMIK.

In November the European Court of Human Rights considered the admissibility of a case against France brought by the father of a 12-year old child who was killed in May 2000 by an unexploded cluster bomb, which a multi-national contingent of the Kosovo Force (KFOR) led by France had failed to detonate or mark; his younger son was severely injured. A decision was expected in 2007.

### *Inter-ethnic violence*

The perpetrators of ethnically motivated attacks were occasionally brought to justice. Most attacks involved the stoning of buses carrying Serb passengers by Albanian youths. In some cases, grenades or other explosive devices were thrown at buses or houses, and Orthodox churches were looted and vandalized.

On 26 August, nine people were reportedly injured in a grenade attack on a café in north Mitrovicë/a. A 16-year-old ethnic Albanian was detained, although a witness to the attack reportedly identified a 40-year-old man as the perpetrator.

In September four members of a Serb family who had returned to Klinë/Klina in 2005 were injured when an explosive device was thrown at their apartment. Other returnees were subjected to ethnically motivated bombings, armed attacks, and physical and verbal attacks. Those forcibly returned to Kosovo from EU member states were rarely provided with support and assistance by the authorities.

### *War crimes trials*

Impunity for war crimes against Serbs and other minorities continued; few investigations or criminal proceedings were conducted by international prosecutors and judges.

On 11 August former KLA member Selim Krasniqi and two others were convicted before an international panel of judges at Gnjilanë/Gjilan District Court of the abduction and ill-treatment at a KLA camp in 1998 of ethnic Albanians suspected of collaborating with the Serb authorities. They were sentenced to seven years' imprisonment. A visit to Selim Krasniqi in prison by Prime Minister Agim Çeku provoked an outcry.

### *Disappearances and abductions*

By the end of November some 2,150 persons were still listed as missing by the International Committee for the Red Cross. UNMIK police failed to conduct investigations into outstanding cases of abducted members of minority communities. On 13 October the bodies of 29 Serbs and other non-Albanians exhumed in Kosovo were handed over to the Serbian authorities and families for burial in Belgrade.

In October, the PISG adopted a decision to establish a *Government Commission on Missing Persons – Persons Unaccounted For* mandated to coordinate activities to ensure the fate and whereabouts of all persons missing in Kosovo between 1998 and 1999. Their decision was assisted by the International Commission for Missing Persons who had helped to establish similar commissions elsewhere in the region.

### *Excessive force and ill-treatment by the police*

UNMIK and Kosovo Police Service (KPS) police used excessive force on a number of occasions during protests by the non-governmental organization Vetëvendosje! (Self Determination!).

On 23 August, 15 people were reportedly ill-treated following arrest at Pristina police station. The acting Ombudsperson asked the prosecutor to open an investigation in the case of one man whose arm and nose were broken and eyes injured. Tear gas was used by police during a demonstration in November.

On 6 December the commander of Peja/Peć KPS and two KPS officers were reportedly suspended from duty following a detainee's death in custody.

### *Discrimination*

Romani, Ashkali and Egyptian families who had been living on lead contaminated sites near Mitrovicë/a had voluntarily moved to a former military camp at Osterode at the beginning of the year (see AI Index: EUR 01/017/2006). The lack of meaningful consultation with the communities which had occurred before relocation continued with respect the rebuilding of their former homes in the Roma *mahala* (neighbourhood) of south Mitrovicë/a. By the end of the year some families had moved into the completed houses and apartments, but community leaders expressed concerns that guarantees for their safety and access to education had not been provided.

Research conducted by the Serbian non-governmental organization Humanitarian Law Centre (HLC) reportedly found that although members of some minority communities enjoyed increased freedom of movement and integration in 2006, this was not the case for Serbs and Roma. The HLC also reported that the rights of all minorities continued to be violated, with little response from the authorities, including in the restitution of property.

### *Violence against women*

Up to three cases a day of domestic violence were reported by the UNMIK police. The Ministry of Justice and Social Welfare agreed in July to provide funding for the women's shelter in Gjakova/Đakovica, and promised financial support for other shelters.

Trafficking in persons for the purposes of forced prostitution continued to be widespread; women and girls were trafficked from both outside and within Kosovo. The KPS Human Beings Trafficking Investigation Sector arrested some 79 suspects of whom 30 were charged with trafficking in human beings, 21 for soliciting prostitution, six for prostitution and 12 for other criminal acts.

Fifty-eight trafficked persons were provided with shelter and services by government- and NGO- run shelters and the International Organization for Migration. Of 10 internally-trafficked minors, five were successfully reintegrated with their families as part of a project by the ministry of Labour and Social Welfare to reintegrate children working in severe forms of child labour, including trafficking. Some prosecutions took place, but little progress was made in implementing aspects of the Kosovo Action Plan of Trafficking related to the justice system, including an effective system of witness protection.

# SLOVENIA

This country entry has been extracted from a forthcoming Amnesty International (AI) report, *Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July – December 2006* (AI Index: EUR 01/001/2007), to be issued later in 2007. Anyone wanting further information on other AI concerns in Europe and Central Asia should consult the full document.

## ***The “erased” (update to AI Index: EUR 001/017/2006)***

The Slovenian authorities failed to restore the status of the “erased” and to ensure that they have full access to economic and social rights, including their right to employment, pension, and health care. Moreover, those affected by the “erasure” continue to be denied access to full reparation, including compensation. The “erased” include at least 18,305 individuals unlawfully removed from the Slovenian registry of permanent residents in 1992. They were mainly people from other former Yugoslav republics who had been living in Slovenia and had not acquired Slovenian citizenship after Slovenia became independent. Of those “erased” in 1992, some 12,000 had their permanent residence status restored, but only with effect from 1999 or later. Some 6,000 people remain without Slovenian citizenship or a permanent residence permit.

In October, the Slovenian Ministry of Interior decided to forcibly return from Slovenia to Germany Ali Berisha, an “erased” person, his wife Mahi, and their five children (see AI Index: EUR 68/001/2006). Following his “erasure”, in 1992, Ali Berisha was forced to leave Slovenia. He voluntarily returned there in September 2005 and since then has lived with his family in a reception centre for asylum-seekers in Ljubljana. In November 2005 Amnesty International had urgently called on the Slovenian authorities not to transfer Ali Berisha and his family to Germany, where they would have been at risk of being removed to Kosovo (see AI Index: EUR 68/003/2005). In Kosovo, as members of Romani/Ashkali/Egyptiani communities, they would have been at risk of ethnically-motivated attacks. An appeal against the decision to forcibly return from Slovenia to Germany Ali Berisha and his family was pending at the end of the period under review.

## ***Discrimination against Roma***

The Slovenian authorities failed to fully integrate Romani children in the Slovenian educational system and tolerated in some cases the creation of special classes for Romani children, where often a reduced or simplified curriculum is taught. A policy allowing for the creation of different groups and classes on the basis of the pupils’ knowledge and performance in school has led to the development of the so-called “Bršljin model”, which is being implemented at the Bršljin School in Novo Mesto. This model provides for the creation of separate groups of children experiencing difficulties in certain subjects. Teachers in Bršljin admit that such groups are composed mostly, and in some cases only, of Romani pupils. This model had been criticized in Slovenia by education experts for being de facto a continuation of the old segregation approach.

In July a project was completed for the standardization of the two main variants of Romani language spoken by Roma in Slovenia. This project entailed the creation of grammar books and dictionaries. The standardization of Romani languages was intended to be the first step leading to the inclusion of such languages in school curricula and to the preparation of textbooks and other teaching materials.

In November AI published the report *False starts: The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia* (AI Index: EUR 05/002/2006), dealing with the human rights violations suffered by Roma as a result of their exclusion from primary education in the three countries. In the report AI called on the Slovenian authorities inter alia to ensure that the implementation of the “Bršljin model” does not result in the effective segregation of Romani pupils; to ensure that, in those cases where this is not happening, children from low-income Romani families are provided with assistance in order to overcome barriers in access to education; to take steps to ensure that Romani culture, history and traditions are included in school curricula; to take steps to ensure that Romani children have access to pre-school programmes of a sufficient duration; to take steps to ensure that Romani assistants and mediators are employed in a systematic and comprehensive way in all schools and pre-schools with a significant Romani population; to take steps to ensure that teachers and other staff working in schools receive training on Romani culture, history, traditions and language; and to provide pedagogical and other relevant training to Romani assistants and mediators.

In October, members of a Romani family composed of approximately 30 persons, living in the village of Ambrus, were forced to leave their homes under police escort after having been targeted in ethnically motivated attacks by non-Roma. They were provided temporary accommodation in a reception centre for refugees and subsequently prevented from returning to their homes. The authorities promised that they would find a permanent housing solution for the members of the family, whose homes were demolished in December on the grounds that they had been built illegally. The authorities failed to investigate ethnically motivated attacks with a view to bringing those responsible to justice.

Events in Ambrus prompted the Council of Europe Commissioner for Human Rights to visit Slovenia in November, to be informed of the circumstances surrounding attacks against Roma. In a letter to the Slovenian Prime Minister, following his visit to Slovenia, the Council of Europe Commissioner for Human Rights noted that “it is unacceptable that a group of people have to leave their homes because the majority population in the neighbourhood so require and that safety of the minority group is at risk” and urged the authorities, as well as opposition parties, to manifest a common position against xenophobia and hate speech.