

Death penalty

There was a lack of transparency regarding the application of the death penalty. Executions were carried out in secret and no official death sentences or execution statistics were available. Prisoners were reported to be living in appalling conditions and were held on death row for more than 24 months. Authorities failed to notify family members when prisoners on death row were executed.

Health – environmental contamination

Despite passing a law on toxic and hazardous chemicals in 2006, the government failed to monitor the use of toxic chemicals such as mercury and sodium cyanide in mining. Large amounts of these chemicals were reportedly used in more than 20 *soums* (districts) in 9 *aimags* (provinces), polluting the local water supply. According to the National Human Rights Commission, in Khongor *soum* mercury contamination was 100 to 125 times higher than recommended levels and sodium cyanide was 900 times higher than recommended levels.

Violence against women

A dramatic increase in migration contributed to the growing number of women (and girls) trafficked internally and across borders. Women were trafficked for sexual exploitation, forced labour and marriage. There was a lack of protection and assistance for victims of trafficking, and a tendency to prosecute trafficked victims for related offences such as illegal immigration.

Mongolia was not a state party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime (Palermo Protocol).

Torture and other ill-treatment

The Mongolian Criminal Code was amended to include a definition of torture and a provision for torture victims to seek compensation. However, there was no recourse to rehabilitation for victims. Torture and other ill-treatment in police stations and pre-trial detention centres remained prevalent. There was a lack of awareness among prosecutors, lawyers and the judiciary of international standards relating to the prohibition of torture.

MONTENEGRO

REPUBLIC OF MONTENEGRO

Head of state:
Head of government:
Death penalty:
Life expectancy:
Adult literacy:

Filip Vujanović
Željko Šturanović
abolitionist for all crimes
74.1 years
96.4 per cent

Montenegro failed to resolve outstanding war crimes and suspected extrajudicial killings, and did not ensure prompt, impartial and effective investigations into allegations of torture or other ill-treatment.

Background

In May, Montenegro joined the Council of Europe. In the same month, the Ministry of Foreign Affairs concluded an agreement – which Amnesty International considered unlawful – with the USA agreeing not to surrender US citizens to the International Criminal Court. In October, Montenegro signed a Stabilization and Association Agreement with the European Union.

A new constitution adopted in October was not fully compatible with the provisions of the European Convention on Human Rights (ECHR), and failed to ensure independence of the judiciary or afford minorities adequate protection against discrimination.

Impunity for war crimes

In June, police assisted in the arrest in Budva of Vlastimir Đorđević, indicted by the International Criminal Tribunal for the former Yugoslavia (Tribunal) for war crimes in Kosovo; he was previously believed to be at large in Russia.

No progress was made in investigations of six former police officers indicted in February 2006 for the enforced disappearance of 83 Bosniak (Bosnian Muslim) civilians in 1992.

■ In related civil proceedings, in 25 out of 38 first instance decisions, Montenegro was found responsible for the enforced disappearances or deaths of the Bosniak civilians, and compensation was awarded to survivors, or to family members for the deaths of their relatives. The state appealed each decision. The court rejected claims that the authorities had violated the relatives' rights under

Article 3 of the ECHR in failing to provide information on the fate and whereabouts of the disappeared.

Torture and other ill-treatment

Allegations of torture and ill-treatment continued, including during arrest and detention: the Youth Initiative for Human Rights documented some 23 cases between September and October alone. Victims were often charged with obstruction of police officers, who were rarely charged.

■ In March, the Ministry of the Interior reported on the failure of an internal police investigation into allegations of torture and other ill-treatment of 17 ethnic Albanian men during their arrest and subsequent detention in Podgorica police station in September 2006. In response to a criminal complaint by seven of the men, in June the state prosecutor opened a criminal investigation; by November four police officers were reportedly under investigation.

Trial proceedings against the 17 men, which opened on 14 May at Podgorica District Court, were not conducted in accordance with international standards, including the use in evidence of testimonies which Amnesty International considered had been extracted under duress.

Possible extrajudicial executions and political attacks

An appeal against the acquittal in December 2007 of the only suspect for the murder in May 2004 of Duško Jovanović, editor of daily *Dan*, continued. Investigations continued into the murder in October 2006 of Srđan Vojičić, driver of novelist Jevrem Brković. Other attacks on journalists critical of the government included:

■ On 1 September, Željko Ivanović, director of Montenegrin daily *Vijesti*, was attacked. Željko Ivanović alleged that the indictment of two men, who according to eye-witnesses were not the perpetrators, was an attempt to cover up a politically motivated attack.

■ On 1 November Tufik Softić, head of the Berane radio station, was hospitalized after being beaten with baseball bats by two unknown assailants. He had previously reported threats to his life. An investigation is ongoing.

The trial of 10 defendants indicted in August 2006 on suspicion of the 2005 murder of former Montenegrin police chief Slavoljub Šćekić opened in January, but had not concluded by the end of 2007.

Human rights defenders

■ After participating in a broadcast on enforced disappearances, journalist Aleksandar Žeković, member of the Council for the Civilian Control of Police, received threatening telephone calls in April. The Supreme Court refused to confirm whether he was under surveillance, citing state security concerns; recordings of calls suggested police involvement.

Minority rights

In June, a survey of participating governments' progress in the Decade of Roma Inclusion ranked Montenegro in ninth (and last) place; denied the right to education, some 87 per cent of the Romani population were estimated to be illiterate.

Refugees

Some 16,155 predominantly Roma refugees from Kosovo, considered to be internally displaced, remained at risk of forcible return; some 1,870 still awaited decisions on displaced person status. A further 8,527 refugees from Bosnia and Herzegovina or Croatia also remained in Montenegro. The Council of Europe, on Montenegro's accession, required the authorities to issue personal documentation to displaced persons and refugees; ensure their access to social, economic, and political rights and prevent those without documentation from becoming stateless.

Trafficking in human beings

The Council of Europe called for increased efforts in the provision of assistance and protection to victims of trafficking, in accordance with the Convention on Action against Trafficking in Human Beings, which Montenegro signed but did not ratify.

Amnesty International report

■ Europe and Central Asia: Summary of Amnesty International's concerns in the region, July-December 2006 (EUR 01/001/2007); January-June 2007 (EUR 01/010/2007)

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