

China. This occurred even though at least one of them was in the process of having his claim for refugee status determined by UNHCR, the UN refugee agency, violating the *non-refoulement* principle by carrying out deportations before the process of status determination was completed, and sending individuals to a country where they were at risk of serious human rights violations.

## MONTENEGRO

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### Montenegro

Head of state: **Filip Vujanović**

Head of government: **Milo Djukanović**

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**Decisions in war crimes cases continued to be inconsistent with international law. Independent journalists were subject to threats and attacks. Impunity persisted for law enforcement officers suspected of torture and other ill-treatment.**

### CRIMES UNDER INTERNATIONAL LAW

In June, both the Committee against Torture and the UN Working Group on Enforced Disappearances found that the courts had failed to fully apply domestic law and had misinterpreted international humanitarian law in decisions in cases prosecuted since 2008.

On 31 December 2013, a former Yugoslav Army commander and seven reservists were acquitted of the murder in April 1999 of 18 refugees from Kosovo in the village of Kaluđerski Laz near Rozaje.

In February, the Appellate Court upheld the conviction of four former Yugoslav Army reservists for the torture and other ill-treatment of around 250 Croatian Prisoners of War at Morinj detention camp in 1991-1992. They were sentenced to periods of imprisonment that were less than the statutory minimum and failed to reflect the gravity of their crimes. In March, seven

former prisoners held at Morinj camp were each awarded compensation of between €20,000 and €30,000 for their ill-treatment. A further 200 former prisoners were claiming reparation.

In March, former police officials acquitted of war crimes in 2013 opened a case for compensation against Montenegro for €1 million, on the grounds that they were unlawfully detained and deprived of their liberty.

In August, Montenegro signed a regional declaration on missing persons, and committed to establishing the fate and whereabouts of 61 missing people.

### FREEDOM OF EXPRESSION

Following the establishment in 2013 of a Commission to monitor police investigations into attacks and threats against journalists and independent media, investigations were reopened into the 2004 murder of Duško Jovanović, editor of the *Dan* newspaper. Suspects in the 2007 attack on journalist Tufik Softić were arrested in July for attempted murder. Investigations continued into a series of attacks on the daily newspaper *Vijesti*. Arrests were made in the case of *Dan* journalist Lidija Nikčević, who was attacked by masked men outside her office in Nikšić in January.

### TORTURE AND OTHER ILL-TREATMENT

In May the European Committee for the Prevention of Torture reported that in 2013 people detained or invited for “informative talks” by the police ran an “appreciable risk” of ill-treatment. They urged that law enforcement officers be regularly informed that ill-treatment is illegal.

In October, three police officers were convicted and sentenced to the minimum of three months’ imprisonment for assisting in the ill-treatment of Aleksandar Pejanović in the Betonjerka detention centre in 2008 by up to 10 masked members of the Special Intervention Police Unit, whose identities were

not disclosed to the prosecution by senior police officials.

## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE**

Discrimination against LGBTI people, including threats and physical attacks, continued. Perpetrators were rarely identified, and where prosecutions took place, attacks were generally classified as misdemeanors. Legislative provisions introduced in 2013 allowing for the hate motive to be considered in sentencing were not applied. The LGBTIQ social centre in Podgorica was attacked 26 times during 2014, despite being provided with police protection; the authorities failed to conduct effective investigations and bring perpetrators to justice. The Podgorica Pride, held in November, was adequately protected by police; 10 counter-protestors were arrested.

## **DISCRIMINATION - ROMA**

Roma, Ashkali and Egyptians displaced from Kosovo in 1999 remained without adequate housing, including those living in containers at the Konik collective centre. In November, the foundation stone was laid for the construction of adequate housing at Konik. In May, Roma families who had been under threat of eviction in Zverinjak for three years were promised adequate housing in 2015.

## **REFUGEES' AND MIGRANTS' RIGHTS**

In July, eight men were acquitted of the unlawful transportation to Italy of 70 Roma refugees from Kosovo in 1999. Thirty-five of the refugees drowned when the boat *Miss Pat* - registered to carry six passengers - capsized in Montenegrin waters.

Around a third of the 16,000 refugees in Montenegro, including most of the 4,000 Roma, Ashkali and Egyptians displaced from Kosovo, remain at risk of statelessness. While a few had acquired the status of "foreigner with permanent residence", the remainder had not yet applied or faced barriers to obtaining personal documents,

including passports, required to apply for the status before the December 2014 deadline. Montenegro remained a transit country for migrants and asylum-seekers. Asylum procedures were not effective; between January and November only two people were granted asylum.

# **MOROCCO/ WESTERN SAHARA**

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**Kingdom of Morocco**

Head of state: **King Mohamed VI**

Head of government: **Abdelilah Benkirane**

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**The authorities continued to restrict rights to freedom of expression, association and assembly. They curtailed dissent, prosecuting journalists and imprisoning activists, restricted human rights groups and other associations, and forcibly dispersed peaceful and other protests. Torture and other ill-treatment in detention persisted due to inadequate safeguards and accountability, and courts' acceptance of torture-tainted confessions. A new law closed a loophole that had enabled rapists to evade justice, but women remained inadequately protected against sexual violence. Authorities collaborated in the unlawful expulsion of migrants and asylum-seekers to Morocco from Spain. The death penalty remained in force but the government maintained a longstanding moratorium on executions.**

## **BACKGROUND**

Following the introduction of a new Constitution in 2011, the government began implementing legal and judicial reforms. Legislators approved a law to end trials of civilians before military courts and amended the Penal Code to prevent rapists evading