

19 March 2009

Human Rights Council  
Tenth Session

Item 6  
"Consideration of UPR reports"

Oral Intervention by Amnesty International on Serbia

Thank you Mr. President,

Amnesty International welcomes many of the recommendations made by states to Serbia, including calls to ensure full cooperation with the International Criminal Tribunal for the former Yugoslavia.<sup>1</sup> We also welcome calls on Serbia by several states to ensure that allegations of human rights violations are investigated, prosecuted and the perpetrators brought to justice; and to develop effective mechanisms to combat impunity.<sup>2</sup>

Amnesty International notes that since the establishment of the Special War Crimes Chamber at Belgrade District Court, Serbia has made real progress in addressing impunity for the war crimes which took place during the wars in Bosnia and Herzegovina, Croatia and Kosovo. However, the number of trials completed remains low, and the current capacity and resources of the Court are inadequate. Amnesty International urges that additional resources be allocated to the Court and the Office of the War Crimes Prosecutor. Measures should be taken to strengthen the authority, capacity and responsibility of the War Crimes Investigative Services, or it should be re-established as an independent agency or as a unit of the Prosecutor's Office.

Mr President,

We also take this opportunity to call on Serbia to carry out effective, independent and impartial investigations into incidents where the actions of the police and other state agents, including prison officers, may have led to violations of human rights. While we acknowledge the decline in the number of reported incidents, we are concerned at the long-standing failure of Serbia to address impunity in cases of torture and other ill-treatment, and at the continued inclusion in the Criminal Code of a statute of limitations on prosecutions for such human rights violations. Investigations into serious allegations against both police and prison officers appear to have been concluded without any reported outcome. Amnesty International urges the government to establish a genuinely independent and transparent mechanism to investigate allegations of torture and other ill-treatment.

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<sup>1</sup> A/HRC/10/78, paragraph 57, sub-paragraph 14.

<sup>2</sup> Ibid, paragraph 57, sub-paragraph 15.

Finally, we ask Serbia to indicate clearly which of the recommendations made during the review it supports, as required by paragraph 32 of the Annex to Resolution 5/1 (the IB Package).

Thank you, Mr. President.