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Chairperson: Ms. Majodina

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Second periodic report of Serbia (CCPR/C/SRB/2, CCPR/C/SRB/Q/2 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Serbia took places at the Committee table.*

2. **Ms. Jašarević-Kužić** (Serbia) said that the 2006 Constitution of the Republic of Serbia covered a wide range of human rights, and that the rules of international law and ratified international treaties constituted part of, and were directly applied in, the domestic legal system. Serbia was party to the seven core United Nations human rights treaties and had signed the Convention on the Protection of Migrant Workers and Members of their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.

3. In the years covered by the report, the pace of legislative activity had accelerated, with passage of numerous laws and ratification of international conventions, including the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the Council of Europe Convention on Action against Trafficking in Human Beings, and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

4. Since Kosovo and Metohija Province was administered by the United Nations Interim Administration Mission in Kosovo (UNMIK), Serbia was not able to implement and monitor application of the Covenant in that province, and the second report therefore did not include detailed information in that regard. Five years having passed since consideration of the 2006 UNMIK report on the implementation of the Covenant, she suggested that UNMIK should be asked to submit additional information. Serbia was ready to supply all available information, in order to contribute to the work of the Committee.

5. In the Constitutional and legal system of Serbia, everyone was equal and entitled to the same legal protection. Discrimination was prohibited on any grounds, and separate measures could be introduced with a view to ensuring the attainment of full equality

by persons or groups of persons who were essentially in an unequal position.

6. Discrimination was defined as a criminal act in the Penal Code, which also prohibited promotion and incitement to hatred, violence and discrimination, as well as public threats of perpetration of criminal acts against persons or groups on the basis of personal characteristics.

7. In March 2009, the Law on Prohibition of Discrimination, which prohibited a wide range of types of discrimination, was adopted. Victims could initiate a lawsuit before a court of law or lodge a complaint with the Commissioner for Protection of Equality. Specific areas where discrimination occurred most often could be regulated separately. For example, the Law on Professional Rehabilitation and Employment of Disabled Persons provided for specific protection for that group, and a Strategy for Advancement of the Position of Disabled Persons had been adopted for the period 2007-2015.

8. The Law on Gender Equality defined in more detail the prohibition of gender-based discrimination and the rights of both sexes. The starting point for advancement of gender equality was the 2009 National Strategy for Improvement of the Position of Women and Advancement of Gender Equality, which laid out State policy with respect to elimination of discrimination against women. Other anti-discrimination documents and strategies covered human trafficking, assistance to refugees and internally displaced persons, the fight against HIV/AIDS, protection and prevention of violence against children and advancement of Roma.

9. Estimates indicated that the real number of Roma citizens might be higher than the figure of 108,193 indicated in the 2002 census. Dire poverty was their main problem, and the Strategy for Advancement of the Position of Roma and the Action Plan for its implementation encompassed various priority areas, including education, housing, employment and displacement. Local efforts included the drafting of strategic documents and the appointment of coordinators and advisers for Roma issues. Annual budget allocations were provided for ten ministries and the Commissariat for Refugees for that purpose.

10. The judicial system had undergone reform in 2008, with a reduction in the number of courts and judges, and the establishment of a Judicial Academy to train members of the judiciary.

11. The Constitution provided for a constitutional appeal of actions perpetrated by officials, to be brought after all other legal remedies had been exhausted. Other provisions of the Constitution required humane and dignified treatment of persons deprived of their liberty, an area also covered by the Law on Execution of Penal Sanctions.

12. In addition to the March 2009 ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, amendments and addenda to the Criminal Code in August 2009 stipulated harsher punishments for such offences.

13. Various laws prohibited hate speech, the displaying of Neo-Nazi and Fascist symbols, demonstrations and a variety of other actions directed towards propagation of those ideologies. With the ratification of the Convention on Cybercrime, use of computer systems for the promotion of ideas and theories that promoted or incited hatred and discrimination had been prohibited.

14. The Constitution and laws protected the rights of national minorities to full equality and preservations of their identities, including the right to protection from discrimination and equal participation in public affairs. Serbia had ratified the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The Constitution and the 2009 Law on National Minority Councils allowed minorities to elect national councils for the purpose of exercising their rights to self-management in the areas of culture, education, information and language. The Council for National Minorities, established in July 2009, monitored cooperation between the minority councils and the competent organs of Government. Elections for 19 national minority councils had been held in June 2010. Separate laws regulated the exercise of minority rights, with measures being taken in specific areas, including participation of national minorities in the management of public affairs and in State administrative bodies. To that end, use of the languages of national minorities was being promoted in notices of public-sector vacancies and in administrative operations. Joint projects by State organs, non-governmental organizations (NGOs) and international institutions, conferences, seminars and sports events were fostering tolerance and intercultural dialogue. The State was continuing its efforts to strengthen its system of human

rights protection and to cooperate with international bodies dealing with those issues.

15. **The Chairperson** invited the Committee to pose queries on questions 1 to 16 of the list of issues (CCPR/C/SRB/Q/2).

16. **Mr. Thelin** noted, with respect to question 2 on the list of issues, that while the Covenant was directly applicable by the courts and legal institutions, the question concerning its invocation and application by or in the courts had not been answered. The reports submitted by the Belgrade Centre for Human Rights on 31 December 2010 and by the National Ombudsman on 16 February 2011 seemed to indicate that knowledge of the Covenant was overshadowed by awareness of the European Convention on Human Rights. He would like assurance that the Covenant would be better understood and taught, since if it was not known the Courts could not apply it.

17. He noted the excellent quality of the report submitted by the Office of the National Ombudsman, established in 2007. With respect to local ombudsmen, existing currently in only 10 per cent of communities, he wondered when all communities could be expected to have offices. The lack of local ombudsmen affected the monitoring of detention practices at police stations. He asked for information on the delineation of responsibilities, and noted the need for clarification on the allocation of resources.

18. **Mr. Flinterman**, turning to question 4, commended the Government for the steps taken to promote gender equality, including the Law on Gender Equality, the Law on Election of Deputies and the National Strategy for the Protection of Women. Noting, however, the continued gap between law and reality, he requested information on the resources used to implement gender legislation, practical measures and mechanisms implemented and to be implemented in order to ensure equal representation of women in public positions and actions taken to combat and dismantle persistent patriarchal stereotypes. Information on procedures available for women to report discrimination, the types of cases presented to date, the role of the Ombudsman, the existence of special measures for minority women to ensure their equal access to basic services, and equal access of minorities to Government positions would be helpful.

19. Turning to question 5 concerning domestic violence, he asked if the recommendation of the

Committee on the Elimination of Discrimination against Women that a specific domestic violence law should be adopted had been implemented. Information received indicated that the Family Law was not being implemented and the judiciary was still being lenient on perpetrators of domestic violence; there was a lack of coordination and exchange of information among officials. He asked if there were mechanisms that could contribute to the implementation of the Family Law and what measures were being considered in terms of training and the enforcement of restraining orders. What measures were being taken to encourage women to report domestic violence? While NGOs were providing help to victims, there was no system of Government support for NGOs. He asked what Serbia was doing to address the problem, in terms of plans for funding of shelters and centres, coordination with NGOs, and dissemination of information on the subject of domestic violence.

20. **Mr. Neuman**, noting the serious concern expressed not only by the Committee during its consideration of the State party's initial report but also more recently by the Ombudsman in his report of February 2011 with regard to the Roma minority and the exercise of their civil rights, said that he would like to know whether the State recognized the persistence of problems and, if so, what further measures it was taking to address them. With regard to the violent attacks against minorities referred to in the written replies, he asked for more information on the investigation, prosecution and sanctioning of such incidents.

21. Noting the Ombudsman's concerns regarding implementation of the Law on the Prevention of Discrimination against Persons with Disabilities, he said that updated information on the number of court proceedings initiated on the basis of the Law would be useful. It would also be interesting to know whether the reporting State had explored the reasons for its infrequent use by the courts or taken action to implement it. With regard to persons with mental disabilities, information had reached the Committee that courts often deprived individuals of their rights by relying only on the testimony of family members or expert opinions. Furthermore, it appeared that most children with special needs did not participate in the national public school system. He would like to know whether the current situation remained the same and, if so, how the State planned to make improvements. The

delegation should also clarify the status of the Law on the Prevention of Discrimination against Persons with Disabilities, specifically, whether it had been adopted in anticipation of the Convention on the Rights of Persons with Disabilities. If, on the other hand, it constituted national implementation of that Convention, it would be useful to learn whether new laws must be adopted in order to bring the legal system in line with the Convention.

22. **Mr. Salvioli**, referring to the recently adopted non-discrimination law (question 7 on the list of issues), asked which court had jurisdiction in cases of alleged discrimination. Additional information on any discrimination-related proceedings instituted to date and the results thereof would be welcome.

23. Turning to question 8 on the list of issues, he expressed concern at statements by NGOs and European and United Nations bodies according to which Roma continued to be the victims of discrimination. Serbia should indicate the practical effects of the legislative measures taken by the State thus far to address the issue. Indeed, it was difficult to understand that the situation had not improved significantly since the adoption of the non-discrimination law. The dire poverty and illiteracy of Roma populations made them even more vulnerable to discrimination, and thus was also a cause for concern. The practical obstacles that hampered exercise by Roma of their right to legal personality, without which they could not access many other basic rights, should be indicated. With regard to education, information had reached the Committee that many children in Roma communities were sent to special schools not for lack of ability, but for lack of language skills.

24. **Sir Nigel Rodley**, referring to question 11 (a) on the list of issues, asked whether the cases pending at the time at which Serbia had submitted its written replies had been finalized and whether those convicted were now serving their sentences. Given Serbia's recent violent history, the numbers of cases involved seemed quite low. Respected NGOs had suggested that there was a serious problem of bringing cases forward for fear by witnesses of being treated as traitors by the Ministry of the Interior; the delegation's comments would be appreciated in that regard.

25. Turning to question 11 (b) on the list of issues, he said that he failed to understand why the Special War Crimes Chamber had not received any requests for

investigation or raised indictments for criminal offences related to the corpses exhumed from the mass grave in Batajnica. Moreover, was there not sufficient evidence of a crime to justify sua sponte action by the Chamber?

26. Clarification would be appreciated regarding the reply to question 11 (c) on the list of issues according to which claims for indemnification had been directed to a civil action because injured parties had failed to specify their claims within criminal proceedings. Specifically, he asked whether said parties had failed to be explicit about their claims or had failed to make a formal complaint in the context of the criminal proceedings; if it was the latter, he would like to know what opportunity had been given to them in the first place to make claims in the context of those proceedings.

27. The reporting State should further clarify to what extent claims had to be made against perpetrators who were convicted pursuant to military crimes and whether claims could be brought against the State itself. The Committee had received information according to which the Belgrade First Municipal Court had reached a verdict in April 2009 rejecting a reparation claim against Serbia filed by the Humanitarian Law Centre on behalf of families of victims of crimes committed by the Serbian police because of the statute of limitations for a reparation claim. He would welcome comment on whether it was correct as a matter of law not to be able to sue a State because it was protected by a statute of limitations. He wondered if it might not be reasonable for the State to establish a special fund or body for reparations due when the State's responsibility was clearly engaged and in respect of offences for which a statute of limitations was hardly apposite.

28. Turning to question 12 on the list of issues, he enquired as to the reasons why the Accountability for Human Rights Violations Act had not been implemented in practice.

29. He welcomed the cooperation between the State party and the International Criminal Tribunal for the Former Yugoslavia (reply to question 13) and the development of real political will it represented. Nevertheless, he would be grateful for further details on the large quantities of information gathered by security services, as referred to in paragraph 70 (e) of the written replies, particularly as some sources had

suggested that those very services were not committed to arresting the two remaining persons whose surrender had been demanded by the Tribunal. He also wondered whether the Accountability for Human Rights Violations Act might have been useful in that regard.

30. He commended efforts to prevent abuses in penitentiaries but noted that less information was available regarding police detention. He expressed surprise at the statement in the written replies it had been determined that only 4 of 299 complaints against police officers had been founded, especially considering that they had been handled by the Internal Control Division of the Police. It would be useful to learn whether any external controls had been able to investigate such allegations. Any relevant information regarding questions 14 (d) and (e) on the list of issues should be provided.

31. Turning to question 15 on the list of issues, he asked for clarification on any existing statute of limitation on offences of torture. He welcomed the information that there was no statute of limitation in respect of crimes against humanity and other goods protected by international law but asked whether the same was true for war crimes. Clarification should also be provided as to what "other goods" were being referred to in the written reply. As for Operation Sabre, it would be useful to learn what measures had been taken with regard to the officers in respect of whom 12 complaints had been submitted.

32. **Mr. Bouzid**, referring to question 12 on the list of issues, asked whether the Commission for investigating accountability for human rights violations had been established yet. If so, the Committee would appreciate additional information on its composition and the nature of its decisions, whether binding or non-binding, and whether or not they were subject to appeal. It would also be interesting to learn whether, under Chapter V of the Accountability for Human Rights Violations Act, the sentences pronounced by the Commission could lead to the suspension of the functions of the persons concerned. Clarification on whether some human rights violations could be brought to the courts as crimes, as well as any relevant examples, would be appreciated.

The meeting was suspended at 4.25 p.m. and resumed at 4.55 p.m.

33. **Mr. Vujić** (Serbia), referring to the implementation of the Covenant, said that its provisions

had been transposed into national legislation. With regard to the implementation of the Covenant in the courts, in response to the Human Rights Committee decision in the *Bodrožić v. Serbia and Montenegro* case and the Committee against Torture decision in the *Ristić v. Yugoslavia (Serbia and Montenegro)* case, the Supreme Court of Serbia had reinstated the civil procedure for initiating indemnity claims against the State in cases where the statute of limitations had expired.

34. Although training for Serbian judges and prosecutors tended to focus on the European Convention on Human Rights, the Judicial Academy had recently developed training curricula that also covered the Covenant, protection against discrimination, gender equality and domestic violence for use in the regular and the continuing education programmes. The first judges to be trained using those curricula would enter the workforce in late 2012.

35. Serbian courts had adopted decisions that respected the spirit of the Covenant without directly invoking it. Meanwhile, the Constitutional Court had invoked the Constitution, the Covenant, the European Convention on Human Rights and other international conventions ratified by Serbia in its decisions. The constitutional appeal procedure had been declared an effective legal remedy by the European Court of Human Rights.

36. **Ms. Mohorović** (Serbia) said that national, provincial and local ombudsmen's offices had been established by different laws and regulations and no hierarchy existed among them. In 2009, the Office of the National Ombudsman had opened local offices in Preševo, Bujanovac and Medveđa in South Serbia, as provided under the Law on the Ombudsman and had sent experts to Roma settlements to educate citizens about their rights and enable them to file complaints directly.

37. Funding for the Office of the National Ombudsman was allocated from the national budget and corresponded to the financial plan submitted by the Ombudsman. While not earmarked for the deputies of the National Ombudsman, funding remained available. Funds for the Office of the Provincial Ombudsman were allocated from the budget of the Autonomous Province of Vojvodina. The funding allocated for both offices had grown over the preceding years.

38. One of the four deputies of the National Ombudsman specialized in the protection of rights of

persons deprived of liberty. While Serbia had ratified the Optional Protocol to the Convention against Torture, it had not yet enacted a formal national preventive mechanism against torture. The Ministry of Human and Minority Rights had initiated an amendment to the law on the ratification of the Optional Protocol that envisaged the Office of the National Ombudsman assuming the role of national preventive mechanism against torture.

39. **Ms. Jašarević-Kužić** (Serbia) said that effectively the national preventive mechanism against torture already existed and the ministerial initiative would serve to formally designate the Office of the National Ombudsman in that role.

40. **Mr. Vujić** (Serbia) said that domestic violence was a criminal offence and was prosecuted ex officio under the Criminal Code. In addition, the recently adopted Family Law required that judges hearing cases involving domestic violence must specialize in family law and included provisions for the eviction of the perpetrator of domestic violence from the home as a measure of protection for the victims. There was an ongoing effort to improve the enforcement of the national legislative framework for combating domestic violence.

41. In addition to training prosecutors and judges, social workers and the police were also being sensitized to the issue of domestic violence. It was necessary to involve all of society in the protection and empowerment of the victims of domestic violence, who were often the only witnesses to the crime and frequently withdrew from the trial proceedings, making it hard to prosecute the perpetrators. The persistence of patriarchal stereotypes in Serbian society meant that domestic violence was being ignored. Serbia was committed to combating violence and discrimination and had initiated media campaigns to that effect.

42. Serbia had adopted the General Protocol on the protection of children against abuse and neglect based on the Law on Juvenile Criminal Offenders, which stipulated the obligation of the State and the judicial system to protect juvenile offenders and minors who were victims of abuse. It was not possible to lower the minimum penalty envisaged by the Criminal Code for the abuse and neglect of minors due to the gravity of those offences and the State's obligation to protect children against acts of violence.

43. **Ms. Mohorović** (Serbia) said that hotlines were available to provide counselling for victims of domestic violence but that few were free of charge. Shelters were available for victims of domestic violence and their children. Those services were offered mostly by NGOs and occasionally by local authorities and funded by international donors and local authorities. A number of safe houses for women had received initial funding from the Ministry of Labour and Social Policy from its Social Innovation Fund. In the Autonomous Province of Vojvodina, shelters had been opened in a number of cities with funding provided by the provincial and local governments.

44. A national hotline for children's issues, established and funded by the Ministry of Labour and Social Policy, had been in operation since 2005. The Ministry was also developing a strategy for combating and raising awareness of gender-based violence that included media campaigns, round tables, joint activities with local agencies that promoted gender equality and recognition of individuals who made special contributions to raising awareness of gender-based violence.

45. **Mr. Vujić** (Serbia) said that it was necessary to empower domestic violence victims in order to keep them from staying in the safe houses for too long. Women staying in the safe houses for longer than six months entered a vicious cycle that prevented them from returning to normal life.

46. The Prosecutor's Office had created a separate unit to ensure the protection of victims of domestic violence. Also, when cases involved children, judges ensured that they were introduced to the court setting in a considerate manner.

47. **Ms. Jašarević-Kužić** (Serbia) said that Serbia considered it a priority to address the continuing problem with internally displaced persons by improving their living conditions and providing them with access to personal documents, especially since Serbia had been included on the Schengen White List.

48. Internally displaced persons were Serbian citizens and enjoyed all of the rights set out in the Constitution, national laws and the United Nations Guiding Principles on Internal Displacement. All registered internally displaced persons from Kosovo and Metohija had been issued identification cards that had the same validity as the national identification card and granted

them access to education, health care, social protection and housing in collective centres as requested. Internally displaced persons, rather than refugees, now constituted the majority of those living in the collective centres. The Ministry of Human and Minority Rights, with assistance from the United Nations Development Programme (UNDP), had conducted a survey of internally displaced persons living in 42 informal collective centres to identify ways to improve their living conditions. Consequently, one such centre had been closed and funding had been provided by the Office of the United Nations High Commissioner for Refugees (UNHCR), Germany and the European Union that enabled a number of families to start living independently.

49. Internally displaced persons belonging to minority groups, such as the Roma, Ashkali and Egyptians, lacked personal documents and could not access public services. In an effort to simplify the procedure for obtaining personal documents, a new Law on Registers had been adopted. Internally displaced persons could turn to the Coordinator for Roma Issues of the Commissariat for Refugees of the Republic of Serbia for help with that procedure. The staff of the Ministry of Human and Minority Rights had conducted on-site visits to register both internally displaced persons and so-called "legally invisible" persons, the Roma people in particular, the majority of whom did not have citizenship status due to the lack of personal identification. To assist in that process, funds had been allocated for the computerization of registration records. In addition, records for the territory of the Autonomous Province of Kosovo and Metohija would be kept in Niš, Kragujevac, Kraljevo, Kruševac, Jagodina, Vranje and Leskovac. The exact number of persons without recognized legal personality was still unknown despite a study conducted by UNHCR. The Government believed that the amendment of existing laws and the simplification of the registration procedure, rather than the adoption of a new law, was the right solution to the problem.

50. **Mr. Vujić** (Serbia) said that the procedure for declaring a person unable to work was quite lengthy and complex, a fact that the European Court had noted in some of its verdicts. The procedure must be initiated by the interested party, whose case must then be reviewed by a number of experts before the court rendered its verdict. It was true that in some cases, though not all, the subject of the proceeding was not

consulted. Persons who were declared unable to work, whether due to a disability or another cause, and who had been the victims of a crime, had the right to take part in the procedure by giving a statement. Criminal acts were more severely punished if the victim was disabled, but in civil cases the voice of the disabled was heard less frequently. Such cases more often involved the elderly than children or youth.

51. Children with both mental and physical disabilities had been included in regular school programmes as of 2010, and funding for the initiative had been increased in 2011. It was part of a trend of inclusion, and some special schools were being closed. Moreover, independent living facilities were being established for persons with disabilities in Serbia's larger cities and would be expanded to other locations.

52. **Ms. Mohorović** (Serbia) said that guidelines had been adopted mandating additional health care and social services for pupils with disabilities, as well as textbooks in Braille, personal digital assistants and other technologies to help them better adapt to schooling. Access to school buildings and transportation for persons with disabilities were being improved, with funding expected to come from the national and local budgets, as well as from the World Bank and the European Union.

53. **Mr. Vujić** (Serbia) said that the reduction in ethnically motivated crimes was the result of harsher penalties, due in many cases to the increasing imposition of the maximum rather than minimum sentence. The general climate had changed, and ethnically motivated violence was now frowned on. That change had been encouraged by Serbia's highest-ranking officials and the media and, together with the changes in sentencing policies, had made Serbians far less tolerant of violence. Noting that people understood that violence led to violence, he underscored the need to prevent a chain of violence in which hooliganism, at sporting events for instance, might eventually result in ethnically based violence.

54. **Ms. Mohorović** (Serbia) underscored the importance of annual Government funding for the various strategies intended to help the Roma, including employment policies. The strategy appeared to be paying off, as the Roma had shown an increased interest in accessing employment support, including employment orientation training and job fairs. A number of public works programmes focused on hiring Roma.

55. **Ms. Jašarević-Kužić** (Serbia) said that the vast majority of so-called legally invisible persons were Roma and that the Government was working to register them. One Government working group specifically addressed the manner in which a lack of a fixed residence prevented Roma from gaining the legal foothold provided by official documentation. Recent efforts in that regard suggested that people who said they were not registered often in fact were. Serbia's ministries were working to address such legally invisible populations, including through field work. In addition, a new law had facilitated the registration of children whose parents were unknown, who were under the care of a guardian or who had been adopted.

56. **Mr. Knezević** (Serbia), said that four more enforceable rulings involving cases of torture had been handed down. One involved a case in which 200 prisoners of war had been tortured or subjected to inhumane and degrading treatment in Vukovar in November 1991. In connection with that case, 15 people had been sentenced to a total of 207 years in prison. In a separate torture case, one person had received a five year sentence, and in a third case, 18 people had been sentenced to a total of 323 years' imprisonment.

57. **Mr. Krstajić** (Serbia) said that there were 17 cases in investigative proceedings before the Belgrade Higher Court and 14 before the chamber of first instance. The investigation of war crimes was very important to the Government, and those war criminals whose sentences had been enforceable had already been imprisoned.

58. As for the Batajnica massacre, there had been only one request for a new investigation. Referring to the so-called Kosovo cases, he said that the problem was evident: in order to conduct an investigation on an exhumed body and assemble the details of that person's death, the person's identity and last place of residence had to be ascertained and someone must be found to provide other relevant information. In Kosovo, those tasks could only be undertaken in cooperation with the local law enforcement authorities. As for the "yellow house" case, involving the trafficking of organs of Serbs and other non-Albanians in Kosovo, Serbian law enforcement officials had not received any cooperation from their counterparts in Kosovo. The only solution was to establish an interregional cooperative body.

59. Laws had been amended to include witness-protection mechanisms in order to encourage witnesses

to testify. He himself had prosecuted war crimes cases in the Higher Court, and he assured the Committee that there was no instance of a witness having been prevented from enjoying such protections as long as they could state why they had been needed.

60. Turning to question 11 (b) on the list of issues, he said that according to Serbia's Code of Criminal Procedure, indemnity claims did not necessarily forestall civil proceedings. For example, such cases entailed a special problem of reimbursement. According to a Supreme Court decision, there were two aspects of indemnification: the first targeted the perpetrator, in which case there was no statute of limitation because the criminal act itself was not subject to the statute of limitations; in the second — in which the claim was forwarded to the State — a five-year statute of limitations applied under contract and tort law. While the Supreme Court decision was debatable, the newly established Supreme Court of Cassation had not yet taken a position on war indemnity claims. Several claims had been filed before it but they were on hold pending the outcome of several appeals that had been lodged. A resolution of the problem was therefore pending.

The meeting rose at 6 p.m.