



Konrad-Adenauer Stiftung e.V.
Rule of Law Programme South East Europe
February 2021
www.kas.de/rlpsee



Rule of Law - South East Europe

Press Review February 2021

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Regional

Democracy Index 2020: Albania moves up, Serbia achieves the lowest score since 2006

<https://europeanwesternbalkans.com/2021/02/04/democracy-index-2020-albania-moves-up-serbia-achieves-the-lowest-score-since-2006/>

February 4, 2021



Protests in front of the National Assembly; Photo: FoNet

LONDON – According to the 2020 Democracy Index published by the Economist Intelligence Unit, Albania is the only country that has managed to improve its democratic status, while most of other Western Balkans countries experienced backsliding. Serbia has achieved the lowest average score since the launch of the Democracy Index in 2006 (6.22).

This index measures the state of democracy based on the electoral process and pluralism, the functioning of government, political participation, political culture, and civil liberties. The observed countries are then classified in four categories: full democracy, flawed democracy, hybrid regime or authoritarian regime.

In the region of Eastern Europe, which also includes the Western Balkan countries, only Albania managed to move up from the category of “hybrid regime” to become a “flawed democracy” by improving its score for 0.19 points.

The report states that the progress of Albania was driven by the increase in public support for democracy and the electoral reforms undertaken by the Government that seeks to bring Albania's election laws in line with EU standards as the country prepares for the start of EU accession talks.

„However, it remains unclear whether the reforms will result in completely free and fair elections“, the report reads.

Albania is still markedly below the regional average in the category “political participation”, with only 4.44 points. It makes up the low score in this category with an above-average score of 6.25 in “political culture”.

Serbia, which experienced a partial election boycott in 2020, is the biggest backslider in the region (-0.19 points), followed by North Macedonia (-0.08 points) and Bosnia and Herzegovina (-0.02 points). Montenegro managed to improve the score for 0.12 points but remained in the group of hybrid regimes.

Bosnia and Herzegovina has achieved a comparatively very low score of 2.93 in the category “functioning of the government”. Other regional countries received between 5 and 6 points in the same category.

All the Western Balkans countries that were assessed are in the group of flawed democracies (Serbia and Albania) or hybrid regimes (North Macedonia, Montenegro and Bosnia and Herzegovina).

Out of 167 countries, Serbia is ranked 66th, Albania 71st, North Macedonia 78th, Montenegro 81st, while Bosnia and Herzegovina is 101st.

Albania

Albania to Probe Wiretaps Revealing Mafia Bribes of Officials

[Albania to Probe Wiretaps Revealing Mafia Bribes of Officials](#) | [Balkan Insight](#)

February 4, 2021 - Fjori Sinoruka

Investigation, based on the work of Italian prosecutors, will focus on suspected mafia bribes of Albanian officials to obtain building permits and concessions to launder illegal cash.



Albania's Special Prosecution Office against Corruption and Organised Crime. Photo: spak.al

Albania's Special Prosecution Office against Corruption and Organised Crime, SPAK, on Friday launched an investigation into wiretapping carried out by the Anti-Mafia Prosecution Office in Catanzaro, in Calabria, southern Italy.

The wiretaps, made public for the first time in Albania by the local media outlet RTV Ora, reveal that members of the so-called Ndragheta bribed senior officials in Albania to obtain building permits and concessions in order to launder money. The criminals were to invest their proceeds in construction and health.

In some of the wiretapped conversations, two Italian businessmen, Antonio Gallo and Antonio Speziali, talk to a lawyer, Claudio Larussa, a lawyer and representative of counsellors in Catanzaro and to others about their connections with Albanian politicians and prices of real estate.

The probe comes after the Anti-Mafia Prosecution in Italy, following a four-year investigation, arrested 50 people linked to the mafia, including seven Albanians, on January 18.

The Albanian investigation follows “on the basis of several articles published in various media regarding the investigations carried out by the Anti-Mafia Prosecution of Catanzaro in Italy, which have raised suspicions of the involvement of Albanian and foreign citizens in criminal activities in the Republic of Albania,” the press statement by SPAK said.

It said the suspected criminal offences included passive corruption of persons exercising public functions and laundering the proceeds of crime.

SPAK also said that a coordination meeting had taken place in Rome on Thursday between the head of the National Anti-Mafia and Anti-Terrorism Prosecution in Italy, Federico Cafiero de Raho, and the head of the Albanian Special Prosecution, Arben Kraja, regarding the clarification of the circumstances and facts.

More revelations may yet follow. The Italian ambassador in Tirana, Fabrizio Buçi, on Wednesday told Euronews Albania television station that “some of the wiretaps have been made public, but not all”.

European Court Rejects Albanian Ex-Judge's Appeal Against Sacking

<https://balkaninsight.com/2021/02/09/echr-dismisses-albania-former-judge-claims-against-justice-reform/>

February 9, 2021 - Gjergj Erebara

The European Court of Human Rights rejected claims by former Albanian Constitutional Court judge Altina Xhoxhaj that her rights were violated when she was dismissed from her job because she could not justify her wealth.



Former judge Altina Xhoxhaj in April 2018 in Tirana. Photo: LSA

The Strasbourg-based European Court of Human Rights on Tuesday dismissed claims by former judge Altina Xhoxhaj that her rights to a fair trial and to respect for private and family life were violated in 2018 when she was fired from the Albanian Constitutional Court after an investigation showed she owned properties whose cost could not be justified by her income.

The ECHR said in a statement that the official bodies that vetted Xhoxhaj had been "independent and impartial" and that "the proceedings had been fair".

"The court furthermore considered that the dismissal from office had been proportionate and that the statutory lifetime ban imposed on the applicant on re-joining the justice system on the grounds of serious ethical violations had been consistent with ensuring the integrity of judicial office and public trust in the justice system, and thus had not breached her rights under Article 8 [of the European Convention on Human Rights]," the statement added.

Albania undertook an extraordinary re-evaluation of all its judges and prosecutors in 2016 as part of a general overhaul of its justice system.

During the process, a total of 109 judges and prosecutors were dismissed, 111 were confirmed in their posts and 46 decided to resign to avoid scrutiny.

Some 20 of those who were dismissed have applied to the ECHR, claiming their dismissal was disproportionate, and that the process they faced was unfair.

The US ambassador to Tirana, Yuri Kim, hailed the ECHR decision in a Twitter post. "Vetting proceedings leading to dismissal of Constitutional Court judge were fair and dismissal proportionate," Kim wrote.

The justice reform was sponsored by Albania's Western partners and is being monitored by a joint mission made up of senior judges and prosecutors from EU member states and the US.

While the vetting process has seen scores of judges and prosecutors dismissed in the last three years, it has also paralysed several important institutions.

Xhoxhaj was one of five members of the Constitutional Court who were dismissed, while three others resigned. Only one of its nine members remained, leaving the country for about two years without an effective Constitutional Court.

600 State Employees Lost Jobs Due to Criminal Record Since 2015

<https://exit.al/en/2021/02/10/600-state-employees-lost-jobs-due-to-criminal-record-since-2015/>

February 10, 2021 - Exit Staff



About 600 state employees have lost their jobs as a result of the implementation of the decriminalization law in 2015.

Following an agreement in late 2014, the three largest parties in the country – SP, PD, and LSI – agreed to draft a decriminalization law in order to prevent the candidacy and appointment of persons with a criminal record in parliament, municipality, or public administration.

By law, every candidate is required to declare on a form whether or not he or she has had a final sentence at home or abroad. If there are convictions for serious crimes or electoral crimes, the candidate is not allowed to run. This also happens when he has been sentenced to over 2 years in prison or over 6 months when the crime was committed intentionally.

If the candidate does not declare the data correctly or honestly, he is dismissed from the post he holds.

According to a study by the Institute for Political Studies supported by the Dutch embassy, most of the people affected by decriminalization are public administration employees. 281 employees were fired or resigned from the public administration and 195 from the central government administration. 35 municipal council members have been fired and 21 have resigned as a result of decriminalization.

In terms of Mayors, three have lost their post. The first was the mayor of Kavaja, Elvis Roshi, who lost his mandate in 2016 for concealing a sentence and an investigation for drug trafficking in Italy.

Following the 2019 local elections, two elected SP mayors, Agim Kajmaku of Vora and Valdrin Pjetri of Shkodra, lost their mandates after hiding their sentences in EU countries.

Decriminalization has also led to the removal of MPs from the Assembly, which is the reason why it was created as a law in the first place.

During 5 years, 7 deputies left, Mark Frroku, Arben Ndoka, and Armando Prenga resigned from their mandates after the denunciations of the opposition for involvement in criminal activities abroad.

Whereas, Shkëlqim Selami, Gledjon Rehovica, Dashamir Tahiri, and Aqif Rakipi were dismissed from the post of deputy after the CEC decided that they had hidden sentences in the self-declaration form.

Albania Arrests 'Corrupt' Judge and Aides Over Suspicious Prison Releases

<https://balkaninsight.com/2021/02/11/judge-and-doctors-arrested-in-albania-over-prisoners-early-releases/>

February 11, 2021 - Gjergj Erebara

Albania has arrested 13 persons, including a judge, two doctors and a lawyer, on suspicion of running a racket whereby prisoners jailed for serious crimes walked free after paying the racketeers bribes.



Albania's Special Court Against Corruption and Organised Crime, in Tirana. Photo: LSA

An investigation carried out by Albania's Special Prosecution Against Corruption and Organised Crime, SPAK, has resulted in 13 persons, including a judge, Enkeleida Hoxha, two doctors, a defence lawyer and some private citizens, facing corruption charges.

Prosecutors investigated the allegations of corruption against Judge Hoxha after she issued a series of controversial rulings that resulted in the early release from prison of notorious criminals – and after uncovering plans for similar releases.

"Our investigation discovered a criminal enterprise in which criminals serving time in the Fushe Kruja prison obtained reduced sentences in exchange for irregular benefits," SPAK said, meaning bribery.

The released prisoners "chose as their lawyer Aldo Tabaku who, thanks to his relations with Judge Hoxha, secured sentence reductions for payments ranging from 6,000 to 12,000 euros," SPAK added.

The Fushe-Kruja facility is a high-security prison in central Albania where some of the country's most notorious criminals serve time.

Judge Hoxha controversially granted early release for several of them, who, as a result, walked free only few years after being jailed for grave crimes.

Shkëlqim Korbi, a psychiatrist, was arrested after it was found that he had changed a medical examination in favour of one suspect.

Hours after the arrests, Prime Minister Edi Rama on Twitter applauded the action, saying that it should encourage "everyone who expects justice for the crimes of corrupted judges and prosecutors".

"The arrest of notorious Kruja judge and her criminal network is much-awaited news for all of us and for the vast majority of Albanians who have backed us in justice reform," Rama said.

Albania's justice system is notoriously corrupt and is undergoing major reforms with help of the country's Western partners.

SPAK was created as part of this wider overhaul, with the aim of tackling high-level corruption and organised crime. However, since its creation in 2019, SPAK has not yet brought charges against any high officials, while some notorious court cases have ended inconclusively.

Evidently aware of the low expectations of the Albanian population, the US ambassador in Tirana, Yuri Kim hailed the investigation against Judge Hoxha as proof of the success of the reform.

"For those who are sceptical and think that nothing will happen, that the justice reform will not happen and that SPAK will fail, I have a news for you: You are wrong!" Kim told journalists. "You should see the measures undertaken by SPAK in all cases, including this one," she added.

Comment: Why is the World Bank Equality-Washing Albanian Women?

[Comment: Why is the World Bank Equality-Washing Albanian Women? - Exit - Explaining Albania](#)

February 25, 2021 - Alice Taylor



A recent report by the World Bank has given Albania almost full marks for the way in which policymakers addressed issues relating to women, business, and the law, during the COVID-19 pandemic.

The Women, Business, and the Law 2021 report aims to identify the laws and regulations that restrict, and support the economic opportunity of women across 190 jurisdictions. It includes factors like parenting, retiring, and working and provides measurable benchmarks for global progress towards gender equality.

There's no doubt that the unprecedented challenges of the COVID-19 pandemic have exposed and deepened global sex inequality. For many women, this means not just economic insecurity, but also threats against their health, safety, and general wellbeing. As a response, it's necessary to create a legal environment that encourages women's economic inclusion and makes them less vulnerable in the face of a crisis.

Still, many laws continue to inhibit women's ability to enter the workforce or start a business. On average, women have just three-quarters of the rights of men.

Albania scored maximum points in mobility, workplace equality, equal pay, marriage, and entrepreneurship. A score of 50 was recorded in terms of pensions and 80 in parenthood. Globally, Albania ranked at number 34 out of 190, beating the United States, Switzerland, Japan, Singapore, and Bulgaria. Top of the list was Belgium, Canada, Denmark, France, and Iceland.

This paints a picture of a very supportive legal environment for women. But this doesn't reconcile with the lived experience of women in Albania during the last year or statistics. Overall the report noted that women struggled with childcare responsibilities during the COVID-19 pandemic. The main issue was widespread gender inequality in the home. As schools and kindergartens closed, women bore the brunt of childcare responsibilities and often had to choose between work or their children. Even when both parents were able to work from home, men were still not performing their share of the childcare and unpaid work as women.

On average across all countries, women were doing 4.5 hours of unpaid work a day, whereas men were doing around half.

Previous data from Albania from a range of sources put this figure as much higher prior to the pandemic. Data suggests that Albanian women spend almost a quarter of their day doing unpaid work such as cooking, cleaning, and caring. Men on the other hand do just 3.47%.

This equates to Albanian women working 40 hours a month, almost a full working week, for free.

These findings were reinforced by data collated by the government. Albania scored just 60 points out of a possible 100 for equality, putting it below the EU average.

The worst gender gap observed was that of 'time' where Albania managed to score only 48.1 out of a possible 100, indicating a "very unbalanced responsibilities regarding care for family members and unpaid household work".

It also noted that while women carry most of the responsibilities, they do not participate in social activities as much as men despite the fact they are "important for their well-being and quality of life".

The third biggest gap observed in the government index was in the domain of 'knowledge'. While Albanian women study more, for longer, they mainly study education, health, and welfare, humanities, and arts. Their male counterparts tend to avoid these subjects, resulting in a number of sectors including law, medicine, economics, and politics, losing out on their share of highly educated women

Despite this, women are still earning less than their male counterparts, despite being more educated and working longer hours.

In terms of employment mobility, while the World Bank ranks the country well, data from the World Economic Forum found that Albanian women are more educated and work harder but this does not translate into leadership positions. Women only hold around 18.1% of C-level or ownership roles in the country.

There may well be policies in place to help this situation, but if so, they don't seem to be working.

But let's take a look at the issue of domestic violence. While not mentioned in the World Bank's report, this is an issue that affects at least half of all Albanian women, at least once in their lives.

The WEF noted that high-rates of sex-based violence and maternal mortality result in inequality in the healthcare system. More than 12% were unable to access contraception or abortion and 7.2% of women get married when they are children.

The country has one of the highest instances of domestic violence in Europe yet according to data from the State Police seen by Exit, only 13% of complaints of domestic violence were criminally prosecuted between January and December 2020.

Out of 4701 reported cases of domestic violence during the year, the police prosecuted 615. They also issued 2816 protection orders, equating to 59.9% of the reports.

In 2019, there were 4627 reported cases and 535 criminal prosecutions, equating to an 11.5% prosecution rate. This shows an increase in the prosecution rate in 2020 but it's still not enough.

From what I understand from the figures and statistics, there is a problem with gender equality in Albania. Having laws on paper is one thing, but if they do not reach those that need to benefit from them most, they are not worth the paper they are written on.

[.....]

Patting politicians on the back for drafting and implementing laws, while doing little to highlight the significant issues that face women on a day-to-day basis is disingenuous, dishonest, and harmful to those that are fighting for their most basic rights.

Why not do a report on sex-based abortion, 'virginity' surgery, sexual violence, sex-based online harassment, the derogatory and sexist portrayal of women in the media, or the fact that many women cannot go for a coffee without the permission of their husband, let alone in public after dark? I understand that gender policy is important but if they aren't being implemented what is the point?

Bosnia and Herzegovina

Serb Chetniks' Links to War Criminals and Extremists Uncovered

<https://balkaninsight.com/2021/02/05/serb-chetniks-links-to-war-criminals-and-extremists-uncovered/>

February 5, 2021 - Albina Sorquc, Haris Rovcanin

Court records in Bosnia reveal that prominent members of Serb nationalist Chetnik organisations have been charged with war crimes, while the Bosnian Security Ministry has warned that such groups are extremists who could pose a security risk.

"There will be hellish scenes and blood on the River Drina," sang a man called Rajko Lecic at a gathering of Serb nationalists in Bosnia in March 2019. "Here come the Chetniks from the Serbian mountains!"

As Lecic sang, some of the black-clad members of so-called Ravna Gora Chetnik associations who were attending the gathering in Visegrad, a city on the River Drina, filmed him on their cellphones, while others joined in with his belligerent song.

Visegrad was the scene of brutal ethnic cleansing by Bosnian Serb forces during the 1992-95 war. Bosniaks were killed, imprisoned or driven out.

The Bosnian Security Ministry has warned that rowdy gatherings of Serb nationalists who identify themselves as Chetniks cause fear among Bosniaks who have returned to live in areas like Visegrad after being expelled during the war.

But even though inter-ethnic relations remain highly sensitive, members of Chetnik associations from Bosnia and Serbia who participate in these events did not face any consequences for staging their rowdy celebrations and singing nationalist songs that seem to threaten bloodshed until last year.

By analysing hundreds of pages of documents from the official court registrations of all 16 associations in Bosnia and Herzegovina whose names include the terms 'Ravna Gora' or 'Chetnik', BIRN has established that some of them have strong connections with war criminals.

The documents revealed that a number of individuals from these associations have either been convicted or are currently on trial for war crimes in Bosnia and Serbia. Most of them are former members of the Bosnian Serb Army. One prominent Chetnik was convicted of manslaughter in Serbia.

BIRN has also discovered that Bosnia's State Investigation and Protection Agency is monitoring associations whose names contain the words Chetnik and Ravna Gora because of suspicions that they are propagating extremist ideas.

Other extremist connections that Chetnik associations have cultivated were revealed when a Bosnian citizen was prosecuted for going to fight for pro-Russian separatist forces in the Donbas region of eastern Ukraine. At the trial, the Bosnian state court heard how the Ravna Gora Movement from Serbia was funding Serb volunteers to travel to the Ukrainian conflict zone.

War crimes and Chetnik 'dukes'

The original Chetniks were a loosely-structured movement that united Serb nationalist and royalist movements in occupied Yugoslavia during World War II, and collaborated with Nazi-led Axis occupation forces.

They were also known as the Ravna Gora Movement because the organisation was established in the Ravna Gora highland area of Serbia in 1941.

They were banned in post-war Communist Yugoslavia and their leader, Dragoljub 'Draza' Mihailovic, was executed for high treason and Nazi collaboration in 1946.

They re-emerged amid the rise of Serbian nationalism in in Yugoslavia after Slobodan Milosevic came to power in 1989 and self-style Chetnik units participated in the 1990s wars in Bosnia and Croatia. The most prominent 'Chetnik duke' involved in organising paramilitary units was far-right Serbian Radical Party leader Vojislav Seselj, who was later convicted of crimes against humanity by the UN court in The Hague.

The contemporary Ravna Gora associations' statutes say that they uphold the traditions of Serb forces in the 1990s wars as well as World War II – referring to both as 'liberation wars' – and that they promote the 'truth' about WWII leader Draza Mihailovic. They gather at Ravna Gora each year, dressed in black uniforms, to commemorate the WWII Chetnik leader, who was rehabilitated by a Belgrade court in 2015.

"As a member of the Bosnian Serb Army who fought in the [1990s] war for several years, I have the right to cherish veterans' traditions," explained Goran Ljepojevic, who described himself as the representative in Republika Srpska of one of several Serbian Chetnik organisations.

"I also cherish the tradition of the [World War II-era] Chetniks and the Yugoslav Army in the fatherland under the command of Dragoljub 'Draza' Mihailovic," Ljepojevic said.

Another association, the Chetnik Ravna Gora Movement, which is registered in Republika Srpska' main city, Banja Luka, has cultivated relations with Bosnian Serb Army veterans.

However, Ljepojevic insisted that war criminals should be prosecuted: "I am all for condemnation of each and every person who committed war crimes, Chetniks and anyone else," he said.

But documents analysed by BIRN suggest that some of the key roles in the governing council of the United Ravna Gora Movement of the Serbian Fatherland association, of which Ljepojevic used to be president, were held by war crime defendants.

According to a document from a Banja Luka court file on the United Ravna Gora Movement of the Serbian Fatherland, in 2013 and 2014, the organisation's regional governing council was headed by Jovan 'Joja' Tintor, the former president of the Serb-led wartime Crisis Committee in the Vogosca municipality who was also an adviser to Bosnian Serb leader Radovan Karadzic.

In 2019, Tintor was convicted of the unlawful detentions and abuse of Bosniak and Croat prisoners in the Vogosca area during wartime and jailed for ten years. He was also convicted of manslaughter in Serbia in 2015.

Mileta Pavicevic, president of the United Ravna Gora Movement of Montenegro and a member of the governing council, claimed that Tintor, who is now serving his sentence, was "unjustly arrested".

Rajko Kusic is another member of the council who is due to stand trial for alleged wartime crimes. The charges, accusing Kusic of crimes against civilians in Rogatica in Bosnia, were transferred from Sarajevo to the Serbian war crimes court because he now lives in Belgrade. Kusic and other council members hold the title of 'duke' – the highest rank in the Chetnik and Ravna Gora hierarchy.

Meanwhile Veljko Papic, one of the founders and vice-presidents of the Ravna Gora-Romanija Movement in Sokolac, is currently on trial at the Sarajevo Cantonal Court for war crimes. The indictment accuses wartime Bosnian Serb Army soldier Papic of mistreating civilians in Sarajevo, intimidating them and forcing them to do hard labour. Papic declined to speak to BIRN.

Serbian historian Milivoj Beslin argued that the Ravna Gora associations are extremist by nature.

"Speaking of the nature of all these Chetnik organisations, not only are they representatives of the most extreme form of nationalism and neo-fascism, but they should actually be declared terrorist organisations in any country governed by the rule of law, because that is what they actually are," Beslin explained.

"You have paramilitary groups that wear some kind of uniform, they obviously have some arms as well, and they are threatening to provoke a war," he added.

But Ljepojevic argued that Chetnik associations are not military organisations, and have the right to exist because "we are legally recognised by the decisions of the court".

Ukrainian insurgents and death's head logos

At the trial of Gavrilo Stevic, who was ultimately acquitted by the Bosnian state court of going to fight in Ukraine, it was heard that Bratislav Zivkovic of the Ravna Gora Movement from Serbia was involved in organising Serb military volunteers' trips from Bosnia to the eastern Ukrainian front, where Moscow-backed rebels have been battling government forces in a long-running insurgency.

"The financing was done through the Chetnik Movement," Zivkovic, who describes himself as a Chetnik commander, explained to BIRN.

"We received help from [Russian nationalist] Cossack organisations. I have strong connections with them. They paid, we sent money, bought tickets and people came to Luhansk [in eastern Ukraine] under my command," he added.

Zivkovic is banned from entering Bosnia because, he said, he has been classified as a threat to national security. He spoke to BIRN via Facebook Messenger from Ukraine, where he still lives.

But prior to the ban, he regularly attended gatherings of Ravna Gora movement members in Visegrad. He also said he went to Bosnia during the war as a military volunteer, but his Serb comrades did not let him go to the frontlines to fight because he was only 16 at the time.

In 2017, the Bosnian Security Ministry's annual assessment of crime and security threats, a document based on intelligence and police sources, raised the alarm about Chetnik associations, warning that "according to the Intelligence Agency in Bosnia and Herzegovina, ethnic/national extremism clearly exists and has a negative impact on the security environment".

The Chetnik associations are committed to "aggressively denying the legitimacy of the state of Bosnia and Herzegovina and obstructing Bosnia and Herzegovina's Euro-Atlantic integration", the Security Ministry said. Serb nationalists see Bosnia and Herzegovina as illegitimate and want Republika Srpska to secede and unite with Serbia.

The current president of the United Ravna Gora Movement, and a member of its so-called 'Ducal Council', is Slobodan Maric. Maric is a former police officer in Bosnia's Serb-dominated Republika Srpska entity, and declined to be interviewed.

Republika Srpska's Interior Ministry did not respond to a question about how the head of an association which was considered to be a security risk by the Bosnian Security Ministry was allowed to work as a police officer.

Despite the Security Ministry's concerns, some municipalities in Republika Srpska also continue to provide direct or indirect support to Ravna Gora associations. The authorities in the town of Ugljevik, for example, allocated a total of 18,700 Bosnian marks (around 9,600

euros) from 2016 to 2019 to the local branches of the Ravna Gora Movement and the Ravna Gora Movement of Serb Countries.

Zoran Lukic, the president of Ravna Gora Movement of Serb Countries, said that its finances are properly accounted for and should be of no interest to journalists, and that the association only does what its court-approved statute states: "Nurturing the tradition that is connected with our association's ways. Marking certain dates, visiting monuments."

Members of the Ugljevik branch of the Ravna Gora Movement of Serb Countries have posted several photos on Facebook of their gatherings. The pictures show a black flag emblazoned with a death's head and the slogan "With Faith in God, Freedom or Death" in the background. The death's head logo is used by several other Ravna Gora associations.

The same death's head logo could be seen on an envelope sent to the Bosnian state parliament on November 6, 2019, photographs published in Dnevni Avaz newspaper showed. In the envelope was a bullet wrapped in a cotton-wool swab.

The photos also showed that the envelope was marked as having been sent from Serbia, but the Bosnian state prosecution has never announced the outcome of its investigation into the envelope's origins.

While Zivkovic was talking to BIRN from Ukraine via Facebook, a black flag with the same logo was on display behind him. "When a bullet is sent to someone, it means they have been sentenced to death," he said.

But he denied that his group was involved in sending the threatening letter to parliament. "They're just using our symbols and our insignia for some petty propaganda of their own. They're trying to drag me and my detachment into all sorts of stupid things," he insisted.

'Their goal is reviving Greater Serbia'

After years of inaction, the Bosnian state prosecution last year charged three members of the Ravna Gora Movement with inciting ethnic, racial and religious hatred, and provoking discord and intolerance at the uniform-clad rally in Visegrad in March 2019.

The indictment charging Dusan Sladojevic, Slavko Aleksic and Risto Lecic alleged that the suspects "caused distress and fear among the population in Bosnia and Herzegovina, particularly [post-war] returnees and residents of Visegrad and surrounding places by playing and singing a song expressing threats of violence".

According to the documents analysed by BIRN, Sladojevic is the president of the Ravna Gora Movement of the Serbian Fatherland. He could not be contacted for a comment on the indictment.

In a previous interview with BIRN, he insisted that hatred and intolerance was not enshrined in his movement's statute.

"We have the honourable intention of correcting inaccurate history," Sladojevic said at the time.

Nejra Veljan of the Sarajevo-based Atlantic Initiative think-tank, co-author of a research paper entitled 'History, Ideology and Structure of the Modern Chetnik Movement', argued that the Chetnik associations cannot be dissociated from the concept of creating a 'Greater Serbia' – the 1990s war goal of the Bosnian Serb authorities, which led to ethnic cleansing and mass killings.

"They will never say in their official statutes that their goal is to revive the [idea of a] Greater Serbia, but they will fill them up with nice words. We should focus more on their actual activities and not on what is written about them [in the statutes]," Veljan said.

One of the most comprehensive verdicts handed down by the UN war crimes tribunal in The Hague, the one that convicted Bosnian Serb political leader Radovan Karadzic, mentions several times that during the ethnic cleansing of Bosniaks and Croats, prisoners were sometimes forced to sing Chetnik songs, while some of the crimes were committed by people who called themselves Chetniks.

Veljan said that junior Chetnik recruits do not understand that they are part of a movement that committed serious crimes during World War II and in the 1990s war in Bosnia.

"They are taught the opposite – that the Chetniks are their [Serbs'] saviours. This can be problematic for the future of the country and inter-ethnic relations," she said.

She explained that her research has shown that there has been an increase in the Ravna Gora movements' activities from 2015 onwards, and that their gatherings not just harmless uniformed parades.

"It is no longer about insignia and beards and guys dressed in black, now we have young men and women wearing shirts depicting [Bosnian Serb military chief] Ratko Mladic and Radovan Karadzic and glorifying this movement because, as well as celebrating World War II, they are now also celebrating the events that happened in the 1992-95 war," she said.

Bosniaks to Boycott Elections in Srebrenica over Alleged Fraud

<https://balkaninsight.com/2021/02/16/bosniaks-to-boycott-elections-in-srebrenica-over-alleged-fraud/>

February 16, 2021 - Danijel Kovacevic

Bosniak parties will boycott re-runs of local elections in the town of Srebrenica, claiming that the authorities are not doing enough to tackle irregularities that caused the original results to be annulled.

Bosniak political parties are to boycott re-run local elections in the town of Srebrenica on February 21, claiming the authorities are not doing enough to tackle irregularities which they allege worked to the benefit of Serb candidates in the original vote in November.

Last month, Bosnia's Central Election Commission, CIK annulled the results of the vote in most polling stations in Srebrenica in the east of the country and Doboj in the north.

Experts identified various irregularities connected to voter signatures, indicating forgery. Voting with invalid ID documents and the use of documents issued outside the legal deadline was also registered.

But the results of the Srebrenica elections were only annulled at regular polling stations, not for votes cast from abroad, which sparked the Bosniak parties' boycott.

Alija Tabakovic, candidate for mayor of Srebrenica from the My Address: Srebrenica alliance of Bosniak political parties, told media that there were many reasons for the CIK to annul the mail-in ballots for the Srebrenica local elections.

Due to delays in printing election materials for the November elections due to a lack of funding, voting materials were sent abroad later than usual.

"The responsibility lies solely with the CIK. It is their fault that they did not send the voting materials out on time," Tabakovic said.

He said that the My Address: Srebrenica alliance would call on people not to go to the polls. However, Zeljko Bakalar, the president of the CIK, told N1 TV that candidates from My Address: Srebrenica will be on the ballots because they were registered earlier.

Sadik Ahmetovic, president of the My Address: Srebrenica election headquarters, claimed on Monday that the mail-in voting error deprived the alliance of 1,000 votes.

"We have a lot of evidence that the mail-in ballots should be annulled because we have confirmations from the postal operators that the election material was 25 to 26 days late," Ahmetovic told media.

He alleged the aim was to "erase Bosniaks from political life in Republika Srpska [Bosnia's Serb-dominated entity]".

He argued the only solution is to call new elections and vowed to appeal to the Bosnian Constitutional Court.

The now-annulled results gave victory to Srebrenica's incumbent mayor Mladen Grujicic, a member of the Alliance of Independent Social Democrats, the party headed by Bosnian Serb political leader Milorad Dodik, over Alija Tabakovic, a candidate backed by Bosniak political parties in Srebrenica.

Elections in Srebrenica are always closely watched because of the 1995 massacres of more than 7,000 Bosniak men and boys by Bosnian Serb forces. International and domestic court rulings have classified the killings as genocide.

In December, Bosnian police arrested three people, Bego Bektic, Enver Hamzic and Muamer Sandzic, all members of the non-ethnic Social Democratic Party, on suspicion of trying to tamper with the election in Srebrenica.

They are suspected of illegally using people's personal data to cast votes by post from Serbia in favour of Grujicic.

Bulgaria

EU anti-fraud body seeks recovery of nearly 6M euro after alleged abuse of power at Bulgarian ministry

<https://sofiaglobe.com/2021/02/01/eu-anti-fraud-body-seeks-recovery-of-nearly-6m-euro-after-alleged-abuse-of-power-at-bulgarian-ministry/>

February 1, 2021

Written by The Sofia Globe staff on February 1, 2021 in Bulgaria - Comments Off on EU anti-fraud body seeks recovery of nearly 6M euro after alleged abuse of power at Bulgarian ministry



The Bulgarian Ministry of the Interior breached the terms of a grant agreement by using European Union money to buy SUVs from older stocks instead of new all-terrain police cars, according to an investigation closed recently by OLAF, the European Anti-Fraud Office, the office said on February 1.

OLAF has recommended the recovery of nearly six million euro in European funds and that criminal proceedings could be considered against officials of the Interior Ministry.

The episode took place at the time that Plamen Uzunov was Interior Minister in the caretaker government appointed by President Roumen Radev and headed by Ognyan Gerdzhikov and that was in office from January to May 2017.

Uzunov currently is Radev's secretary for anti-corruption. Uzunov was arrested in July 2020 on an unrelated charge in connection with alleged trading in influence. He has denied wrongdoing.

Earlier, when then-interior minister Mladen Marinov ordered an investigation into the acquisition of the vehicles, Radev's office said that the process of the acquisition had begun before Uzunov took office and concluded after he left office.



Uzunov also was caught up in controversy in 2017 when photos emerged of him having attended a party four years earlier dressed as Adolf Hitler. He rejected calls from Bulgaria's governing party for him to resign from his post at the presidential administration.

OLAF's investigation began in July 2018 following allegations of fraud and the misappropriation of EU funds from the EU Internal Security Fund grant agreement managed by the Bulgarian Ministry of Interior.

The agreement concerned the delivery of 350 all-terrain vehicles for use by the police. During the course of its investigation, OLAF collected and analysed all the relevant documentation from the Bulgarian Ministry of Interior and interviewed all the key participants in the preparation and implementation of the tender. All parties concerned in the investigation cooperated fully with OLAF's investigators, the statement said.

OLAF discovered that the Ministry of Interior had breached the provisions of the grant agreement by unilaterally changing its conditions. In particular, the Ministry opted to purchase a number of SUVs (sport utility vehicles) instead of the all-terrain vehicles that were the subject of the grant agreement.

OLAF also concluded that there were grounds to believe that a criminal act (abuse of power under the Bulgarian Penal Code) affecting the financial interests of the EU could have been committed by officials of the ministry.

The investigation was closed by OLAF in December 2020 with recommendations to the European Commission (which manages the fund) to recover 5 948 569 euro.

Further recommendations were made to the Bulgarian Prosecutors' Office to consider opening a criminal investigation for abuse of power to the benefit of a third party.

"It is for the competent EU and national authorities to examine and decide on the follow-up of OLAF's recommendations. All persons concerned are presumed to be innocent until proven guilty in a competent court of law," OLAF said.

Ville Itälä, OLAF Director-General, said: "Manipulated tenders allowing potential fraudsters to line their own pockets at the expense of citizens is a typical fraud pattern seen by OLAF's investigators all too often.

"It is all the more worrying when such a vital public service as the police could have been the victim of this sort of activity, and I urge the Bulgarian Prosecutor's Office to give proper consideration to our recommendation of legal action. This would send a clear message that nobody is above the law and that OLAF and its partners across Europe will continue to work tirelessly to protect European taxpayers' money," Itälä said.

The Economist: Bulgaria Continues to Fall into the Group of "Defective Democracies"

https://m.novinite.com/view_news.php?id=207892

February 3, 2021



pixabay

The Economist: Bulgaria continues to fall into the group of "defective democracies" Bulgaria continues to deteriorate and has already moved to the bottom half of the "defective democracies" category.

The [Economist Intelligence Unit](#) explains this in its annual ranking of the state of democracy in the world in 2020.

The reason is mainly in the concern for the independence of the judiciary and the freedom of the media, as stated in the September Rule of Law Report by the European Commission. It also says that "the appointment of a prosecutor general who is allegedly linked to the government has provoked mass anti-government protests across the country".

Comments on the EIU for Bulgaria in the last two years are increasingly worrying, because last year the conclusion was that democracy stopped progressing 3 years ago, and in 2019 there was a finding that for 12 years in practice the democratic development of the country is in stagnation. In the world ranking, Bulgaria is ranked 52nd after Suriname and ahead of India.

This is not the worst position for a country in the European Union - followed by Hungary (shares position 55 with the Philippines), Croatia (shares 59th place with Ghana) and Romania (62).

In the company of imperfect and "hybrid" countries No former communist country in Eastern Europe is outside the group of democracies with imperfections, but this year the analyst group of the Economist magazine adds France and Portugal, for example.

Bulgaria is in a region with many regimes that The Economist defines as hybrids between authoritarianism and democracy - Northern Macedonia, Montenegro, Bosnia and Herzegovina and Turkey (which is otherwise among the few in Europe to improve its position - to 104th in the world.).

Viewed in the context of Central and Eastern Europe, the assessment of the electoral process in Bulgaria is the same as that of Poland (9.17 units out of a maximum of 10). The same goes for the functioning of the government (5.71), but by this criterion two of the following countries are better, although they are behind in the overall ranking - Hungary (6.43), Croatia (6.07), Romania (5.36), Serbia (5.36), Albania (5.36). The participation of Bulgarians in political life - perhaps due to the long protests - is estimated at 7.22 units of the index, and only Slovenia and Ukraine have such a high indicator last year.

For "political culture", however, the indicator is 4.38, while Poland in the seventh position, is 5.63, and in Hungary, which is behind us - 6.25. In the "Political Freedoms" category, the score is 7.06 units, but it is exactly the same in Northern Macedonia and Serbia, and 7.35 in Albania./[Economist](#)

EC opens infringement proceedings against Bulgaria on telecom rules

<https://sofiaglobe.com/2021/02/04/ec-opens-infringement-proceedings-against-bulgaria-on-telecom-rules/>

February 4, 2021

Written by The Sofia Globe staff on February 4, 2021 in Bulgaria - Comments Off on EC opens infringement proceedings against Bulgaria on telecom rules



The European Commission said on February 4 that it was opening infringement procedures against 24 member states, Bulgaria among them, for failing to enact EU's new telecom rules, the European Electronic Communications Code.

Member states had until December 21 2020 to transpose the directive into national law, but only Greece, Hungary and Finland have notified the Commission that they adopted all necessary measures for transposing the rules, the EC said in a statement.

The other member states have been sent letters of formal notice, the first step in EU's infringement process, requesting them to adopt and notify the relevant measures. All of them have two months to reply, the EC said.

EU's new rules are meant to modernise the European regulatory framework for electronic communications, enhancing consumers' choices and rights, and includes provisions ensuring clearer contracts, quality of services, and competitive markets.

But it also allows operators to benefit from rules incentivising investments in very-high capacity networks, as well as from enhanced regulatory predictability, leading to more innovative digital services and infrastructures, the EC said.

EP Democracy Monitoring Group Prepares Mission to Probe into Corruption and Rule of Law Breaches in Bulgaria

<https://www.novinite.com/articles/207939/EP+Democracy+Monitoring+Group+Prepares+Mission+to+Probe+into+Corruption+and+Rule+of+Law+Breaches+in+Bulgaria>

February 5, 2021



The European Parliament's Democracy Monitoring Group is today discussing the organisation of a mission to look into corruption and the rule of law in Bulgaria. This was announced by Bulgarian MEP Elena Yoncheva, who is the only Bulgarian representative in the group chaired by the Dutch MEP from "Renew Europe" Sophie in't Veld, reported BNT.

The group includes 14 MEPs.

The mission is planned for the end of the summer because of the anti-epidemic measures. The situation in Bulgaria is one of the four main topics that will be in the focus of the group's attention in the coming months, Yoncheva said.

As early as September, the group's head, Sophie in't Veld, said MEPs wanted to visit Bulgaria. The Group organizes hearings of representatives of Bulgarian authorities, the prosecutor's office and NGOs on issues related to the supremacy of law and the recommendations of the Venice Commission regarding the Prosecutor General and media freedom.

The group sent additional written questions to the Bulgarian authorities on two occasions.

ECHR finds against Bulgaria in discrimination cases lodged by Bulgarian Jews and Roma over Siderov statements

<https://sofiaglobe.com/2021/02/16/echr-finds-against-bulgaria-in-discrimination-cases-lodged-by-bulgarian-jews-and-roma/>

February 16, 2021

Written by The Sofia Globe staff on February 16, 2021 in Bulgaria - Comments Offon ECHR finds against Bulgaria in discrimination cases lodged by Bulgarian Jews and Roma over Siderov statements



The European Court of Human Rights (ECHR) said on February 16 that it had ruled against Bulgaria in two cases, one lodged by two Bulgarian Jews and one by two Roma people, over rulings against them in cases they had lodged against far-right politician Volen Siderov.

Plovdiv residents Gabriela Behar and Katrin Gutman, both Bulgarian Jews, approached the ECHR after courts in Bulgaria ruled against them in a case against Ataka party leader Siderov over his antisemitic remarks and Holocaust denial in two books and public statements on television, in interviews and in speeches.

Behar and Gutman cited as the basis for their court action two articles in the European Convention on Human Rights, one the right to respect for private and family life, and the other, the prohibition of discrimination.

In Bulgaria, the two had sought an application for a court order against Siderov, seeking an apology for his antisemitic remarks and that he refrain from such remarks in the future. In a separate case, Kremena Budinova and Vasil Chaprazov, Bulgarians of Roma ethnicity, also had lodged court action against Siderov over numerous anti-Roma statements on television, radio and in public speeches.

They complained to the ECHR that by dismissing their claim against Siderov, the courts in Bulgaria had in effect legitimised his statements.

They also complained, citing the articles in the European Convention on Human Rights, that by dismissing the claim against Siderov and by referring to his assertions as a "fact" the Sofia District Court, whose judgment was upheld by the courts, in effect legitimised Siderov's racist attitudes, displayed racial bias, denied the applicants a fair trial, and discriminated against them.

The ECHR found that the courts in Bulgaria had erred in their rulings in both cases. It found that statements in the two books by Siderov had meant to vilify Jews and stir up prejudice and hatred towards them.

Viewed in the light of those earlier statements and of the antisemitic discourse in which his political party had been engaging, Siderov's statements at a pre-election rally and in Parliament could be seen as directed against, among others, Jews, the Court held.

In the case of Budinova and Chaprazov, Siderov's statements had gone beyond being a legitimate part of public debate about ethnic relations and crime in Bulgaria "amounting as they did to extreme negative stereotyping meant to vilify Roma in that country and stir up hatred and prejudice towards them."

"By in effect ascribing considerable weight to the politician's freedom of expression in relation to the impugned statements, and by playing down their effect on the applicants' right to respect for private life as respectively ethnic Jews and ethnic Roma living in Bulgaria, the domestic courts had failed to carry out the requisite balancing exercise in line with the (European) Court's case-law," the ECHR said.

"By refusing to grant the applicants redress in respect of the politician's discriminatory statements, they had failed to comply with their positive obligation to respond adequately to discrimination on account of the applicants' ethnic origin and to secure respect for their 'private life,'" the Court said.

The ECHR ordered the Bulgarian state to pay 2762.53 euro to Behar and Gutman for costs and expenses, and 2900 euro to Budinova and Chaprazov for costs and expenses.

Bulgaria's Parliament Voted down Presidential Veto on PPC Amendments Related to Special Prosecutor

https://m.novinite.com/view_news.php?id=208095

February 17, 2021



Bulgaria's National Assembly voted on February 17 to overturn President Roumen Radev's vetoes on amendments to the country's Penal Procedure Code and the urban planning law.

The Penal Procedure Code bill, which envisions the appointment of a special prosecutor with the authority to investigate the top ranks of the prosecutor's office, was vetoed in its entirety, with Radev saying in his motives that it did not "offer a just and sustainable solution to the problem of lacking effective investigation of the Prosecutor-General or Deputy Prosecutor-General."

The motion to overturn the veto passed with 125 MPs in favour, 77 opposed and three abstentions. The veto was backed only by the two largest opposition parties, the socialists and predominantly ethnic Turk Movement for Rights and Freedoms (MRF).

In the debate preceding the vote, opposition MPs largely echoed the points raised by the head of state, describing the position of the special prosecutor as a "legislative Frankenstein."

In riposte, government coalition MPs argued that this was the only way.

Croatia

Croatia Criticised for 'Slow Justice' in War Crime Trials

<https://balkaninsight.com/2021/02/22/croatia-criticised-for-slow-justice-in-war-crime-trials/>

February 22, 2021 - Anja Vladislavjevic

Justice for victims is being delayed and public trust in the rule of law jeopardised because war crimes trials in Croatia drag on for too long, two human rights organisations said.

Two Croatian human rights organisations criticised Croatia for the “slow processing of war crimes” in a statement to mark the European Day for Victims of Crime on Monday.

“Criminal proceedings for war crimes are undoubtedly of special importance... Their effective implementation guarantees justice for the victims,” said the Zagreb-based Documenta – Centre for Dealing with the Past and the Osijek-based Centre for Peace, Nonviolence and Human Rights.

They pointed out that in a number of ongoing war crimes trials, no hearings have been scheduled over the past year.

One of these is the decade-long legal process in the case against Croatian MP and wartime general Branimir Glavas, who has been tried repeatedly for crimes against Serb civilians in the eastern city of Osijek in 1991.

“The retrial of defendant Branimir Glavas and others for crimes in Osijek began again on June 3, 2019. The largest concentration of hearings followed in November 2019, after which the court refused for months to directly question the seriously ill Nikola Jaman, a key witness for part of the indictment,” the two rights groups said.

“Then on March 9, 2020, three defence witnesses testified, and up to today, no [more] hearings have been scheduled to continue the trial,” they added.

The Glavas case will be even further prolonged because the presiding judge in the trial at Zagreb County Court, was named as a judge on the newly-established High Criminal Court and her current cases, including Glavas, will now be distributed to other judges.

The two rights groups also noted that hearings in war crimes trials at Osijek County Court – for example, cases related to the fall of the town of Vukovar in 1991 and crimes committed in Serbian-run detention camps – are not being scheduled as often as prescribed by Croatia’s criminal code.

“It is inadmissible for judicial bodies to allow proceedings to be conducted for such a long time – too long a time – and at a significant cost in time and resources,” they said.

This not only makes trials more expensive and harms defendants and victims, but also jeopardises public trust in the effectiveness of the rule of law.

Kosovo

Voting in Kosovo Election Delayed for Citizens Living Abroad

<https://balkaninsight.com/2021/02/02/voting-in-kosovo-election-delayed-for-citizens-living-abroad/>

February 2, 2021 - Xhorxhina Bami

Kosovo citizens living outside the country have not been able to start voting because the Central Election Commission has not uploaded the ballot paper yet and only some of those who applied to vote have been officially verified.



Illustration. Photo: EPA-EFE/PAULO NOVAIS

Voters living abroad were not able to start downloading ballot papers for Kosovo's snap general elections directly after midnight on Tuesday morning as promised, and the Central Election Commission CEC, has yet to upload the ballot paper so voters can access them. Voters outside Kosovo were scheduled to be able to cast their ballots by post from February 2-12, ahead of the in-person voting on February 14. However, not all of those who applied to vote from abroad have yet been officially verified by telephone, and the list of candidates has also not yet been uploaded.

BIRN contacted the CEC to find out why it had not uploaded the ballot paper, but it did not answer by the time of publication.

But it announced in a media advisory that it will have a meeting at 5pm on Tuesday, with "certification of the final list of voters for the early elections" and the "review and approval of the ballot" on the agenda.

"The CEC is shortening the deadline for members of the diaspora to send in votes because the voting should have started today, but the CEC has not published the list of voters and it has not approved the ballot paper, which is a suppression of the diaspora's right to vote," Lirim Krasniqi, the head of the NGO GERMIN, which deals with diaspora issues, told BIRN. CEC spokesperson Valmir Elezi said on Monday that "ballots must be accepted by the CEC by February 12".

But some voters living abroad are concerned that postal delays and confusion about whether or not people have been properly verified could mean that their votes arrive later than the deadline and will not be accepted, as happened at the previous snap elections in Kosovo in October 2019.

In December 2020, Kosovo's Constitutional Court annulled a Supreme Court ruling that allowed postal votes that arrived after the deadline to be counted.

According to the Kosovo Agency of Statistics, around 800,000 Kosovo citizens live outside the country and their interest in voting in their homeland's elections has risen over the years.

A report by GERMIN on out-of-country voting for the October 2019 snap election said that in 2014, some 29,745 people living abroad applied to registered. Only around 16,500 of them were approved.

In 2017, only 20,345 registered to vote, with around 15,100 of them approved. The number of applications doubled in 2019, with around 40,300 applying and over 35,000 being approved.

The CEC has said it has received 175,000 applications from citizens living abroad to vote in February's election, of which over 103,000 have been given preliminary approval. However, prospective voters living abroad must be verified by telephone. Krasniqi claimed that the CEC has only managed to call 65,400 applicants so far.

In mid-January, the CEC decided to verify voters abroad via telephone calls. It decided to call applicants a maximum of three times, in case they did not answer immediately. If the applicant did not answer after three calls, their application was rejected. The move was criticised by NGOs as a violation of overseas voters' rights.

Krasniqi claimed that of the 65,400 applicants who have been called so far, fewer than 0.4 per cent failed the verification process, showing that the CEC did not have "a legitimate reason behind its decision to verify potential voters from the diaspora".

Some Kosovo citizens living abroad have taken to social media to complain about the difficulties they have had in registering to vote, and about problems with verification by telephone. Some wrote on Twitter that they or their relatives have been called several times by different CEC officials even though they already answered, while other applicants have not even been called once.

Attack on Kosovo Investigative Journalist Condemned

<https://balkaninsight.com/2021/02/25/attack-on-kosovo-investigative-journalist-condemned/>

February 25, 2021 - Xhorxhina Bami

International and Kosovo media associations have condemned the brutal Wednesday night attack on Kosovo investigative journalist Visar Duriqi, with some warning that 'violence against journalists in Kosovo is on the rise'.



Illustration. Photo: BIRN/Xhorxhina Bami

International and local Kosovo press associations have condemned the attack against an investigative journalist who was brutally beaten near his house in Fushe Kosove/Kosovo Polje, at around midnight on Wednesday.

Visar Duriqi, a journalist of the local Kosovo online news portal Insajderi as well as the author and producer of local show INDOKS, was assaulted by three unidentified individuals at around midnight after a TV debate.

"Three people had been waiting for the journalist Duriqi, in front of the entrance of his apartment. He was attacked as soon as he got out of his car," Insajderi reported on Thursday. Duriqi has authored several episodes on crime and corruption on Insajderi's show, INDOKS. The police are investigating the case.

"It is suspected that three masked persons attacked the victim with fists at the entrance of his apartment, causing bodily injuries. The victim was sent to the UCCK (University Clinical Center of Kosovo in Pristina), for necessary medical treatment and then he was discharged," a police statement read.

The Association of Journalists of Kosovo, AJK, condemned the attack as a threat to freedom of “speech and media” and called on the authorities “to investigate the motives ... and shed light over this case”. The AJK pledged also to inform domestic and international stakeholders.

On Thursday, the European Center for Press and Media Freedom, ECPMF, on Twitter also condemned “this brutal attack on journalist Visar Duriqi” and urged Chief Prosecutor Aleksander Lumezi “to urgently and thoroughly investigate and hold the criminals responsible to account”.

Flutura Kusari, legal advisor at ECPMF, wrote on Facebook that “violence against journalists in Kosovo is on the rise” and added that it can only be curbed if the punishments of attackers include “harsh sentences”, similarly to when a politician is attacked.

Kosovo Indicts Ex-Intelligence Chief Over Deportation of 'Gulenists'

<https://balkaninsight.com/2021/02/25/kosovo-indicts-ex-intelligence-chief-over-deportation-of-gulenists/>

February 25, 2021 - Adelina Ahmeti, Arta Sopi

Kosovo's Special Prosecution has told BIRN it has indicted three people over the extradition of six Turkish citizens in March 2018, including the former Kosovo Intelligence Agency chief, Driton Gashi.



Driton Gashi. Archive photo: Kallxo.com

Kosovo's Special Prosecution has confirmed to BIRN that an indictment has been filed against three individuals in connection with the highly controversial deportation of six Turkish nationals to Turkey on March 29, 2018.

BIRN has learned that the three individuals are Driton Gashi, former head of the Kosovo Intelligence Agency, Valon Krasniqi, director of the Department of Citizenship and Migration at the Interior Ministry, and Rahman Sylejmani, head of the Directorate of Migration and Foreigners in the Kosovo Border Police.

Gashi and Krasniqi are both accused of "abuse of official position or authority", while Sylejmani is accused of both "abuse of official position or authority" and "illegal deprivation of liberty."

Krasniqi told BIRN that he has been made aware of an indictment but has not officially received it. Sylejmani said he had not been informed about an indictment being filed against him, but was aware that he was being investigated.

Sylejmani added that both he and the Kosovo Border Police had acted in accordance with the law during the deportation process, stating that the institution was the third link in the chain following the Intelligence Agency and the Ministry of the Interior. "We performed procedures in accordance with the law," he told BIRN. "We'll face this in court, there is no problem."

BIRN also contacted former head of the Intelligence Agency, Driton Gashi, but he was not available for comment at the time of publication.

Gashi was dismissed from his post following the arrest and extradition of the six Turkish citizens in March 2018. The then prime minister, Ramush Haradinaj, claimed the incident had happened without his knowledge.

A report published by a Kosovo parliamentary commission in February 2019 [found](#) that 31 breaches of laws and procedures took place during the deportation. Members of the parliamentary commission authoring the report have [accused](#) former president Hashim Thaci of being behind the incident.

A number of the group extradited to Turkey have since been handed heavy prison sentences for being members of an "armed terrorist group" owing to their links with the exiled cleric Fethullah Gulen's movement, which Ankara refers to as the 'Fethullah Terror Organisation', FETO, and blames for a failed coup in 2016. In January 2020, an Istanbul court [sentenced](#) one of the six, Hasan Hyesin Gunakan, to eight years and one month in prison.

The report by Kosovo's parliamentary commission specifically cited Gunakan's deportation as unlawful, stating that it violated the Kosovo constitution, administrative instructions and various principles of international human rights law.

Five of those arrested worked at "Gülenist" educational institutions in Kosovo, including the Mehmet Akif high school and elementary schools in Prizren and Gjakova.

Moldova

ECHR in 2020 received lowest number applications against Moldova, LRCM

https://www.ipn.md/en/echr-in-2020-received-lowest-number-applications-against-moldova-lrcm-7967_1079368.html

January 29, 2021

In 2020, the European Court of Human Rights (ECHR) received the lowest number of applications against the Republic of Moldova during the last 12 years – 523. This is by 18% less than in 2019. However, against the country's population, the number of applications is very high. By this figure, Moldova in 2020 ranked ninth out of 47 member states of the Council of Europe. The Moldovans went to the ECHR three times more often compared with the European average. On December 31, 2020, 1,054 applications submitted by plaintiffs from Moldova were still pending. Of these, 4% were considered without chances of success at first sight. Respectively, over 95% have big chances of being solved successfully. The data were presented by the Legal Resources Center from Moldova (LRCM) in a [news conference](#) at IPN.

Daniel Goinic, legal adviser at the LRCM, said that given that confidence in the judiciary hasn't changed considerably in 2020 compared with 2018-2019, the decrease in applications is due to the decline in the ECHR's popularity among the population, but the pandemic situation also had an impact. Since 1998 until December 31, 2020, the ECHR recorded over 15,300 applications against Moldova. The Republic of Moldova on December 31, 2020 had 473 judgments in Moldovan cases, 32 of which were pronounced in 2020. "Together with the pending over 1,000 applications, the figure can at least double the next few years," stated Daniel Goinic.

Globally, the ECHR in 2020 logged by 6% fewer applications than in 2019. 43% of the received applications were against Turkey and the Russian Federation. Over 2/3 of the pending applications were against the Russian Federation, Turkey, Ukraine or Romania. In this regard, Moldova ranks tenth out of the 47 member states of the European Convention on Human Rights. In 2020, the ECHR passed 871 judgments. Most of them were against the Russian Federation, Turkey and Ukraine. Moldova came seventh.

LRCM president Vladislav Gribincea noted that the number of judgments passed in Moldovan cases in 2020 was by 41% lower than in 2019. By the total number of judgments, Moldova outstrips considerably such countries as Germany, Spain, Portugal and the Netherlands, which joined the ECHR much earlier than Moldova and have a population that is much larger than Moldova's. "By the number of judgments against the situation in the Republic of Moldova, in general, during all the years the Republic of Moldova has been among the top ten countries. These statistics confirm once against that we probably have a serious problem in the legal system," stated Vladislav Gribincea.

In the 32 judgments passed in 2020, the ECHR ascertained 50 violations of the European Convention on Human Rights. Most of them refer to the activity of judges. Fifteen violations concern the right to a fair trial. Among the most important decisions passed in 2020 were the arbitrary detention in penitentiary, maltreatment of a minor by detainees and the removal of the Our Party from the race for the parliamentary elections without convincing evidence and based on arbitrary decisions.

The analytical note "Republic of Moldova at the European Court of Human Rights in 2020" was compiled in the framework of the project "Ensuring Implementation in Moldova of Better Human Rights Standards" that is implemented by the Legal Resources Center from Moldova and is financially supported by the Embassy of the Netherlands.

Jail terms for use of fascist, racist and xenophobe symbols in public

https://www.ipn.md/en/jail-terms-for-use-of-fascist-racist-and-xenophobe-symbols-7965_1079532.html

February 5, 2021



The constitution, joining or supporting of fascist, racist or xenophobe organizations will be punished with up to ten years in jail. Jail terms will be also given for the spread and use of fascist, racist and xenophobe symbols in public, as a bill that was given a first reading by Parliament provide...

Strategy for ensuring independence of justice sector returned to Parliament

https://www.ipn.md/en/strategy-for-ensuring-independence-of-justice-sector-returned-to-parliament-7965_1079772.html

February 17, 2021



President Maia Sandu sent back to Parliament the strategy for ensuring the independence and integrity of the justice sector for 2021-2024 and the action plan for implementing it. The official argued that without several key elements that are to be included in this document, the strategy cannot achieve the declared goals, IPN reports.

Maia Sandu noted the document should have envisioned the mechanism for external assessment of judges and the launch of a viable reform in the anticorruption system. Among the necessary elements were also mentioned the ensuring of the effective checking of property and interest statements of judges and prosecutors and the drafting and tabling of a bill to amend the Constitution so as to provide for the confiscation of the property that cannot be justified by civil servants and functionaries. "I request Parliament to incorporate these measures into the strategy. We cannot approve strategies that look well on paper, but do not bring about real changes in the justice sector," stated President Sandu.

The strategy for ensuring the independence and integrity of the justice sector for 2021-2024 and the action plan for implementing it were passed by Parliament at the end of last November. The policy document contains three strategic intervention directions, namely: independence, responsibility and integrity of justice sector players; access to justice and quality of justice; efficient and modern management of the justice sector. The strategy and plan were adopted by the votes of the Socialist MPs and the MPs of the For Moldova Platform that includes the MPs of the Shor Party.

Montenegro

Montenegro's New Authorities Move to Fire Special Prosecutor

<https://balkaninsight.com/2021/02/03/montenegros-new-authorities-move-to-fire-special-prosecutor/>

February 3, 2021 - Samir Kajosevic

The new authorities in Montenegro on Wednesday announced plans to axe the Special Prosecutors Office, headed by Milovoje Katnic – a contentious figure for his links to the former government and key role in the so-called 'coup plot' trials



Ruling majority MPs and government members in the Montenegrin parliament.

The new majority in Montenegro has proposed a Law on the Prosecution for Organised Crime and Corruption that will open the way to dismiss Special State Prosecutor Milivoje Katnic.

Katnic was deeply unpopular with the former opposition for his role in securing guilty verdicts for 13 people – including two opposition leaders – accused of plotting to overthrow the previous government in 2016.

On Wednesday, the three blocs comprising the ruling majority announced that parliament will debate the proposal on February 18, adding that a new prosecutorial office was needed to improve the fight against widespread corruption in the country.

“To affirm the rule of law and the fight against corruption, certain changes need to be made. So far, the Special State Prosecutor’s Office has not met expectations in the fight against

corruption and has a very limited scope, so we need to form a special office to deal just with this problem," the proposed law says.

The current Special Prosecutor's Office was formed in 2015 and was led for two mandates by Katnic, who was often criticized by opposition parties and civic activists for his ties to the then ruling Democratic Party of Socialists, DPS.

In parliamentary elections held in August last year, three opposition blocs won a slender majority of 41 of the 81 seats in parliament, ousting the DPS, which had ruled Montenegro since the early 1990s.

After the new government was formed on December 4, 2020, the coalition leaders announced changes to the prosecution, saying they wanted to make the fight against corruption and organised crime a priority.

In its latest report on Montenegro's progress towards membership, the European Commission noted only "limited progress" in the fight against corruption, which it said remained "prevalent in many areas and remains an issue of concern".

The DPS, now in opposition, has condemned the proposed law, accusing the new authorities of wanting only to settle accounts with the prosecution. "The intention of the ruling majority is to put political pressure on the independence and autonomy of the prosecutors' organisation," a DPS MP, Danijel Zivkovic, said.

On December 25, 2020, leaders of the Democratic Front, one of the main components of the new majority, said Katnic must be dismissed because of his ties to the so-called "coup plot" trials.

"We will not support the [new] government if they continue to tolerate prosecutors who were arresting us just because of our political beliefs. Katnic has to be dismissed because of his role in the 'coup plot' trial," one of the Democratic Front leaders, Milan Knezevic, said. Katnic filed an indictment against two Democratic Front leaders, Andrija Mandic and Milan Knezevic, for staging an attempted coup in October 2016.

In a first-instance verdict in May 2019, the Higher Court sentenced 13 people, including Mandic, Knezevic, two Russian military intelligence officers and eight Serbs to up to 15 years in prison for staging an attempted coup.

They were found guilty of plotting to commit "terrorist acts" and undermine the constitutional order of Montenegro during the parliamentary elections, with a view to overthrowing the pro-Western DPS-led government and preventing the country from joining NATO.

Opposition parties accused the DPS government of inventing the coup plot in order to discredit them.

Montenegrin Special Prosecutor Accused of Protecting Former Officials

<https://balkaninsight.com/2021/02/15/montenegrin-special-prosecutor-accused-of-protecting-former-officials/>

February 15, 2021 - Samir Kajosevic

Montenegro's embattled Special State Prosecutor, Milivoje Katnic – man out of favour with the new government – has been accused of halting investigations into an ex-minister suspected of corruption, and of carrying out covert surveillance operations on former opposition politicians.



Montenegrin Special State Prosecutor Milivoje Katnic in Podgorica. Photo: PR Centar.

Montenegro's State Prosecutor, Zivko Savovic, on Monday accused the Special State Prosecutor, Milivoje Katnic, of illegal acts during investigations into former ruling party officials.

At a press conference, Savovic said Katnic had stopped an investigation into former transport minister Ivan Brajovic, who had been accused of corruption in connection with the Bar-Boljare highway project.

"I asked Katnic about the charges against Brajovic. He told me: 'We won't do an investigation now into unscrupulous work ...' I told him the case should be submitted to the Basic State Prosecutor's Office. He asked us to carry out expertise, which has not happened yet," Savovic said.

In March 2019, the prominent NGO MANS filed criminal charges against Brajovic, accusing him of losing the state budget about 134 million euros because he failed to put the

Smokovac crossroad into the project concluded with the highway's investor, the China Road and Bridge Corporation, CRBC.

The Bar-Boljare highway represents the Montenegrin leg of a larger highway that will run from the Adriatic coast to the Serbian capital, Belgrade.

Savovic also accused Katnic of conducting secret surveillance of prosecutors and former opposition Democratic Montenegro politicians.

On February 3, he submitted a complaint to the Supreme Prosecutors Office, calling on them to investigate the Special Prosecutor's work in the "coup plot" trial, and saying he had discovered illegal acts there as well.

Sixty-four-old Katnic was appointed Special State Prosecutors for his first mandate in 2015, and reelected in June 2020.

He is highly unpopular with the former opposition for his role in securing guilty verdicts for 13 people – including two opposition leaders – accused of plotting to overthrow the previous government led by the Democratic Party of Socialists, DPS, in October 2016.

He filed an indictment against two leaders of the then opposition Democratic Front leaders, Andrija Mandic and Milan Knezevic, for staging an attempted coup.

In a first-instance verdict in May 2019, the Higher Court sentenced 13 people, including Mandic, Knezevic, two Russian military intelligence officers and eight Serbian nationals to up to 15 years in prison.

However, in parliamentary elections held in August last year, three opposition blocs won a slender majority of 41 of the 81 seats in parliament, ousting the DPS, which had ruled Montenegro since the early 1990s.

On February 3 this year, the new majority proposed a Law on the Prosecution for Organised Crime and Corruption that would open the way to dismiss Katnic – adding that a new prosecutorial office was needed to improve the fight against widespread corruption in the country.

Soon after, on February 5, the Appeal Court annulled the first-instance verdicts issued in the "coup" trial, asking the Higher Court to repeat the trial. The convicted former opposition leaders claimed the original trial was politically led from start to finish.

On February 12, the Special Prosecutors' office published surveillance transcripts of two Democratic Montenegro officials, Dragan Krapovic and Boris Bogdanovic, in which they supposedly negotiated about sponsoring an educational trip for Savovic's son.

The two Democratic Montenegro officials have denied these claims, accusing Katnic of trying to put political pressure on the new majority in parliament.

The saga of selection of a head of National Police continues

<https://www.cdm.me/english/the-saga-of-selection-of-a-head-of-national-police-continues/>

February 21, 2021



Sergej Sekulović

Interior Minister **Sergej Sekulović** will propose a candidate for the head of the National Police to the government regardless of the recent announcements that some ministers and the Prime Minister won't back it, Dan daily has learned.

Also, if they refuse his proposal, it's expected that Minister Sekulović resigns. This would lead to the reconstruction of the government and pave the way for some political parties to enter the government, that is, executive power.

Meanwhile, the National Security Agency has been tasked with checking on the candidates Mr **Zoran Brđanin** and Mr **Dragan Klikovac**.

The selection of the head of the police went wrong after the part of the government announced they were not going to vote for the proposal of Minister Sekulović. The Democratic Front, DF, also announced they were not going to back it.

Testing of candidates for the new head of the all-Montenegro police was carried out in the Human Resources Management Authority on 16 February.

North Macedonia

Criminal Code of North Macedonia to provide more safety for journalists

<https://www.coe.int/en/web/skopje/-/criminal-code-of-north-macedonia-to-provide-more-safety-for-journalists>

February 11, 2021



The latest proposed amendments to the Criminal Code of North Macedonia aiming to enhance safety of journalists and ensure freedom of media were discussed in a webinar with representatives from the Basic Public Prosecutor's Office, the Ministry of Justice and professional journalists, lawyers, prosecutors as well as civil society representatives.

This is the second in a set of two webinars being organised in the framework of the EU and Council of Europe joint action on "Freedom of Expression and Freedom of the Media (JUFREX)" aiming to discuss with key actors in the field how to enhance the safety of journalists in North Macedonia.

During the webinar, representatives of the Basic Public Prosecutor's Office and the Ministry of Interior exchanged their experience and views on how the public prosecutor's office can contribute to a greater protection of media workers.

During the meeting, valuable input was provided from the international expert of the Council of Europe in the field of protection of journalists Jonathan Price, who shared key recommendations for the improvement and alignment of the provisions of the Criminal Code of North Macedonia in line with the European standards. In this context, the EU and Council of Europe are determined to support journalists in North Macedonia and enable

them to better perform their role as a watch-dog, by ensuring freedom of expression and promoting a safe working environment for journalists and other media workers.

The discussion continued with the contribution from lawyers and journalists focusing on the recommendations for the amendment of the Criminal Code in North Macedonia aiming to achieve greater protection for media workers and prevention of attacks on them. In the coming months, the Association of journalists of Macedonia, as civil organization will continue its activities in this field and will apply the acquired knowledge and exchanged experiences from this webinar in fulfilling its agenda for ensuring the protection of journalists under the Criminal Code.

This thematic webinar was organised under the EU & Council of Europe joint action "Freedom of Expression and Freedom of the Media in North Macedonia (JUFREX)" in cooperation with the partner organisation Association of Journalists of Macedonia (AJM).

JUFREX Action is part of the "Horizontal Facility for the Western Balkans and Turkey II", a joint EU and Council of Europe programme implemented by the Council of Europe, which aims at assisting Beneficiaries in the Western Balkans region and Turkey to comply with the Council of Europe standards and European Union acquis in the framework of the enlargement process, where relevant.

Romania

Romania ranks 4th in Europe on sentences to ECHR

<https://www.romaniajournal.ro/society-people/law-crime/romania-ranks-4th-in-europe-on-sentences-to-echr/>

February 3, 2021 - Diana Salceanu



In 2020, Romania ranked 23rd on number of complaints and 12th on number of convictions ruled by the European Court of Human Rights (ECHR) reported on the number of population, according to the latest report of the Court in Strasbourg. In absolute figures, Romania ranks fourth in Europe, after Russia, Turkey and Ukraine.

In terms of population, among those 47 European states that signed the European Convention of Human Rights, Romania ranks 23rd of the most reclaimed states. According to VeDem Just NGO, Romania also ranks 12th in terms of convictions, with three convictions per 1 million inhabitants.

In absolute figures, Romanian ranks fourth on complaints to ECHR. Most complaints last year came from Russia (13,645), Turkey (11,750), Ukraine (10,408), Romania (7,561), Italy (3,469). Almost 3,000 complaints against Romania were declared as not admissible by ECHR, which proves a low level of knowledge of those who are suing the state to the ECHR on the court's expertise and on the applicable procedure.

Romania was sentenced in 64 cases out of those 82 solved by the ECHR. Our country ranks fourth on convictions, after Russia (173 sentences), Turkey (85 sentences) and Ukraine (82). In the last previous years to 2020, Romania also ranked fourth, after it had ranked third in 2016.

The first sentence pronounced in Romania for Holocaust denial

<https://www.romaniajournal.ro/society-people/law-crime/the-first-sentence-pronounced-in-romania-for-holocaust-denial/>

February 5, 2021 - Diana Salceanu



Former intelligence officer Vasile Zărnescu has been sentenced today by the District 3 Court to one year and one month in jail, conditional sentence and on a surveillance run of two years, for the crime of Holocaust denial. The sentence is a first in Romania.

The court's ruling makes reference to several articles signed by Zărnescu, on the *altermedia.info* website, entitled "The falsehood of the Holocaustologist notion", "The Scam of the 20th century", but also to the book "Sabin Orcan supporter", published by Tempus Bucharest Publishing House, put up for sale at the Eminescu book store in the Capital.

According to RFI, Vasile Zărnescu, former high-ranking of the Romanian Intelligence Service, published a book in 2016 called "The Holocaust- the Evil Bugbear-The Holocaust money extortion".

The launching of the book was scheduled on April 8, 2016 at Eminescu Book store, but it was cancelled later on.

Justice Minister sends Gov't bill proposal for dismantling SIJ: CSM's negative opinion on this issue is just advisory

https://www.nineoclock.ro/2021/02/12/justice-minister-sends-govt-bill-proposal-for-dismantling-sijj/?fbclid=IwAROXFzoU939A-15jdNbHgoo0xTGkwM7iDb4GLr2J6uk_AQIAkwAMiSE9Q60

February 12, 2021



Justice Minister Stelian Ion announced having sent on Friday morning to the government the bill on the abolition of the Section for the Investigation of Judicial Crimes (SIJ), emphasizing that the negative opinion given by the Supreme Council of Magistrates (CSM) on this matter is just advisory.

"This morning I signed and sent to the Government of Romania the bill proposal for the abolition of SIJ. As you know, CSM had a long meeting yesterday to debate this legislative draft. A negative opinion was given in the end. I would like to point out that this opinion is advisory and that after having analyzed all the arguments, I decided to proceed with this bill for the abolition of the SIJ. It is important to return the judiciary to normalcy. From my point of view, dismantling this section means normalization. It's a promise we have made, it is a very clear and well-defined point in the governing program, and we keep all these promises. Of course, I listened to all arguments, but they can be considered in a different context. We will discuss the justice laws and see if other adjustments are needed," Minister Stelian Ion told a press conference.

The Justice Minister said that there were "unimaginable anomalies" in the Special Section's way of operation, mentioning the investigations launched against several European officials or the case opened against Laura Codruta Kovesi.

"The way the SIIJ works now, it's clear that it has failed in its mission to hold the magistrates accountable to the law, I mean those who violate the law, because the Special Section is an absolutely inefficient body that was wrongly conceived from the start as a central office, with no local structures; it therefore cannot handle all the issues in all the courts and prosecutor's offices in the country and has almost 6,000 cases on its hands. It is relevant to say that in all these years, the SIIJ sent to court an average of two cases a year, which is very little. There was no indictment on corruption. We cannot imagine that all acts of corruption among magistrates have disappeared all of a sudden after the creation of the SIIJ," Stelian Ion said.

According to the JusMin, certain issues raised questions, such as the unexplained abandonment of appeals in favor of certain politicians and magistrates.

"There have been issues with the promotion and initiation of criminal proceedings against certain magistrates who did not agree, at the time of the promotion of the justice package in 2017-2018, with those provisions. One by one, they were summoned to the SIIJ, which proves that the purpose of this section was to put pressure on honest magistrates who had a say on those laws. We also saw unimaginable anomalies, such as the investigation of senior European officials, although the section had no competence in this area. There were also attempts to stop the access to a certain European position, in a certain situation, by acts that were ruled illegal by the court. Also, CSM magistrates were called to the Section as a form of intimidation," Stelian Ion explained.

The Justice Minister voiced his disappointment at the negative opinion given by the CSM on the bill to abolish the SIIJ, arguing that the members of the Council didn't come up with concrete proposals at the meeting on Thursday, and that he doesn't agree with magistrates enjoying "super-immunities".

"For me, CSM's negative opinion is a disappointment. Let me tell you that I have never been insensitive to the idea of guaranteeing and strengthening the independence of magistrates. On the contrary, I considered several variants, but they did not materialize because no constitutional formula was found to promote them. At the same time, there were no concrete proposals from the CSM members other than the ones we removed from the original text – those additional immunities – to call them so – I did not agree and will never agree with," said the Minister.

He went on to show that unlike other categories, the magistrates already enjoy some sort of immunity under Article 42 of Law 317/2004, which provides that searches, arrests, detentions and precautionary measures cannot be done without the approval of the competent CSM section.

"To now introduce other immunities, so that criminal proceedings cannot even be initiated without the prior consent of the Prosecutor General, who – as a side note, didn't even want such a variant – is not acceptable. To have yet another additional element, the approval of the CSM section for judges and for prosecutors, respectively, in order to proceed with indictments means immunities or, as they were publicly called, super-immunities," Stelian Ion argued, according to Agerpres.

Judges Forum criticises CSM's negative opinion in case of dissolution draft of Justice Crimes Special Investigation Section

Two professional associations of magistrates, the Judges Forum Association of Romania and the Initiative for Justice Association, harshly criticized Thursday's negative vote given by the Superior Magistracy Council (CSM) in the case of the dissolution bill of the Justice Crimes Special Investigation Section (SIJ), claiming that most CSM members had an "outrageous attitude" by conditioning the abolition of the SIJ on instituting some "inadmissible privileges".

"The exponents of the negative vote of the CSM regarding the draft to abolish the SIJ disregard the ideals of honesty and integrity to which the Romanian magistrates' corps adhered, by its essence, regarding the exclusion of any procedural obstacles in the conduct of criminal proceedings. The Judges Forum Association of Romania and the Initiative for Justice Association have noted with concern the outrageous attitude of the majority of CSM members to condition the abolition of the Justice Crimes Special Investigation Section on the establishment of inadmissible privileges, which ensure impunity, an unconceivable fact in stable democratic societies," the two associations inform in a release issued on Friday.

JusMin Ion: Opposition to the abolition of the SIIJ shows that attempts to weaken the DNA continue

<https://www.nineoclock.ro/2021/02/25/jusmin-ion-opposition-to-the-abolition-of-the-sij-shows-that-attempts-to-weaken-the-dna-continue/>

February 25, 2021



The Minister of Justice, Stelian Ion, on Thursday stated that the fact that “some people” are still opposing the idea of dismantling the Section for investigating criminal offences within the judiciary (SIIJ) “shows that attempts to weaken the DNA continue.”

“We want to put an end to the period in which DNA and anti-corruption prosecutors were permanent targets of those who wanted to weaken the judiciary. Opposition to the abolition of the SIIJ shows that attempts to weaken the DNA continue. Even today, there are some people who are still dreaming to block anti-corruption and compromise prosecutors. I am DNA’s partner in defending the independence of prosecutors and I support institutional efforts to fight corruption and corruption-related offences,” said Stelian Ion, on the occasion of the presentation of the activity report of the DNA for 2020, according to a press release of the Ministry of Justice quoted by Agerpres.

According to him, the professionalism of DNA prosecutors can be one of the strongest guarantees for the observance of the rights of the investigated persons – magistrates or other members of the society, by resorting to specialized anti-corruption prosecutors.

At the same time, the Minister believes that it’s opportune to regulate some criteria that will ensure the appointment and keeping in office at the DNA of some prosecutors whose activity will rise to the highest ethical and professional standards.

Stelian Ion appreciates that the activity of DNA to fight corruption from a special perspective, and the reform of the judiciary, from a general perspective, are very important aspects for citizens, which involve not only legislative and institutional measures, but also thorough and permanent assessments of how these measures are felt in reality.

Serbia

Abuse of Journalists Rarely Punished by Serbian Courts: Report

<https://balkaninsight.com/2021/02/23/abuse-of-journalists-rarely-punished-by-serbian-courts-report/>

February 23, 2021 - Milica Stojanovic

Only one in ten criminal complaints about threats to or attacks on journalists results in a court verdict, and any sentences are mostly suspended, says a new report by a Serbian media freedom NGO.



Illustration. Photo: Pixabay

A report analysing court cases for crimes against journalists, published on Tuesday by the Belgrade-based Slavko Curuvija Foundation and Centre for Judicial Research, says that on average, only one in ten criminal complaints about threats to or attacks on journalists results in a court verdict.

The report, entitled 'Protection of Freedom of Speech in the Judicial System of Serbia', analysed 20 court cases dating from 2017 and 2020 that involved the alleged crimes of endangering someone's security, general endangerment, persecution, violent behaviour and inciting ethnic, racial and religious hatred and intolerance.

"Most reports of acts against journalists don't go any further than the prosecutor's office. Only every tenth reported case ends with a final court decision," the report says.

The report claims that when deciding not to press charges, "it seems that the prosecution did not consider the specifics of these cases carefully and attentively enough".

It also says that in cases where there have been convictions, courts imposed suspended sentences in eight of them and a year of home detention in one case, while the only custodial sentence imposed was six months in jail.

The report also analyses 305 misdemeanour cases from 2017 and 2019 in which journalists, editors, publishers and media outlets were sued.

It says that most cases drag on for too long, meaning that a final judgment is often made too long after the initial incident for it to provide adequate legal satisfaction for the defendants or plaintiffs in terms of protecting their rights.

“In by far the largest number of cases, the process lasts longer than a year,” the report says. It partly blames delays in sending out copies of verdicts, which in turn delays appeals.

The report also says that some media publish articles without properly checking the facts and the source of the information.

“Compensation is often awarded for using the image of the wrong person to illustrate an article,” it says.

Sources

Media sources that are regularly read and used for the compilation of this Press Review include inter alia:

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www.albanianfreepress.al
www.albaniannews.com
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