

# Rule of Law - South East Europe

## Press Review March 2020

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# Regional

## Commission Reports Raise EU Hopes in Albania, North Macedonia

<https://balkaninsight.com/2020/03/02/commission-reports-raise-eu-hopes-in-albania-north-macedonia/>

March 02, 2020

Albania and North Macedonia have “stepped up their work and delivered further tangible and sustainable results in the key areas,” since June 2018 the revised European Commission progress reports published on Monday said. Together with the recently presented new EU enlargement methodology, the positive reports are expected to boost the chances of both countries getting a start date to open accession negotiations.

“The European Commission stands firmly by its recommendations to open accession negotiations with Albania and North Macedonia, and I hope that the Member States will take a positive decision in the coming weeks,” Enlargement Commissioner Oliver Varhelyi wrote.

On Albania, the updated report outlines progress made in justice reform and in vetting judges and prosecutors, as well as its improved track record in the fight against corruption and organised crime, “including when it comes to cannabis cultivation and hard drugs trafficking”. The report also noted progress in other relevant issues, such as a political agreement on the way forward to electoral reform and efforts to tackle unfounded asylum claims.

On North Macedonia, the updated report said the country had taken “significant steps to strengthen the independence of the judiciary”, including the recent adoption of an EU-sought Law on the Prosecution, which parliament passed in mid-February before it dissolved for the April elections. North Macedonia also “shows an improved track record in the fight against corruption and organised crime as well as progress in the reform of intelligence services and public administration”, the Commission noted.

The Commission started work on a new enlargement methodology, presented last month, and prepared the updated country reports, after the European Council in Brussels last October sank North Macedonia’s and Albania’s hopes of getting a start date for membership talks, insisting on reforms of the enlargement process first. France was joined by other enlargement-sceptic countries in dashing Albania’s hopes. Unable to offer to open membership talks, the Council then only said it would revert to the issue before the EU-Western Balkans summit in Zagreb, Croatia, in May.

However, there is hope now in Brussels, Tirana and Skopje that the progress noted in the new reports, as well as the new enlargement methodology, may persuade France and other sceptical countries to allow the offer of a start date for membership talks sooner than May.

This would be especially good news for North Macedonia’s pro-European government, led by the Social Democrats, who are expecting a tough electoral fight to stay in power in the April 12 elections.

## **COVID-19 pandemic: How are the Western Balkan countries dealing with the disease?**

<https://europeanwesternbalkans.com/2020/03/20/covid-19-pandemic-how-are-the-wb-countries/>

March 20, 2020 - By Sofija Popović

More than 250.000 people in 120 countries in the world have so far been infected by COVID-19. Around 10.000 people have lost their lives, while 90.000 have been cured. So far, in Western Balkans countries, governments have been trying to prevent the spreading of the virus through varying degrees of drastic measures for their citizens.

More than 300 people in the region have tested positive for COVID-19, with two reported deaths, both in Albania.

All countries in the region declared a "high epidemic risk". North Macedonia and Serbia have imposed the state of emergency and postponed all preparations for parliamentary elections in April, with political leaders in Skopje confirming they will delay the date of the election. New measures are introduced on a daily basis in an attempt to mitigate the virus' spread.

COVID-19 measures triggered flight suspension across the region, partial border closures, local road lockdowns and temporarily school shutdowns. Countries banned large gatherings and imposed travel restrictions, which get stricter by the day.

The return of the large number of citizens, most of them students and temporary workers, from abroad, has caused concerns in some countries, notably in Serbia, due to apparent disrespect of quarantine measures by some of the returnees.

On 16 March, the World Health Organization criticized the countries regarding the measures taken and requested they should do more coronavirus testing.

"The most effective way to prevent the infections and to save lives is to cut the transmission chain. In order to do this, testing has to be carried out, followed by isolation. We have a simple message for all countries: testing, testing, testing", said Tedros Adhanom Ghebreyesus, Al Jazeera reported.

The transparency is considered to be a major problem for the Balkan countries with regards to the quantities of medications and instruments in the health system to prevent the spread of the virus.

### *National emergency declared in Serbia and North Macedonia*

Fifteen new cases of COVID-19 were confirmed in Serbia on Friday, bringing the total number of infection so far to 118, which is the highest number in the Western Balkans.

Since this morning, Serbia's borders were closed for all travelling by road, railway and river, with the exception of trucks transporting goods to and from the country, President Aleksandar Vučić announced in a press conference.

He also added that all inter-cities bus traffic is to be cancelled beginning at noon. "In the coming days, we are likely to make further decisions on the increasing of what some call curfew, and we call a ban on movement", Vučić announced.

The President has announced the state of emergency on 15 March. It is the most drastic constitutional tool for dealing with crises, allowing for certain basic rights to be suspended. So far, the Government has suspended freedom of movement and gathering, with a total ban of movement from 8 PM to 5 AM, excluding some journalists and government officials.

While the number of COVID-19 infected in North Macedonia rose significantly on Friday morning (from 50 to 67), authorities say that, for now, at least, preventive measures have slowed down the spread of the virus.

President Stevo Pendarovski declared a 30-day state of national emergency on 18 March. However, according to Justice Minister Renata Deskoska, this does not mean banning free movement, curfew and closing stores.

Starting on Friday, all markets and pharmacies in North Macedonia will have to organise a team which will take care of the order and proper distancing of customers in stores.

### *Long fight ahead*

Albania, the first country in the region significantly hit by the pandemic, has not declared the state of emergency, but nevertheless introduced a sweeping set of measures in order to achieve as much social distancing as possible. Prime Minister Edi Rama warned his citizens that a long struggle awaits.

"This, dear friends, is not going to be a short fight and it has nothing to do with a national-level wrestling game that we can end up wrapping up for a weekend or a week or two at home. No one knows, anywhere in the world, how long this war with the invisible enemy, which is closing at home, the peoples of the entire planet, captivating even the world's largest economic and technological powers", Rama said earlier this week.

In Bosnia and Herzegovina, 25 new cases of the coronavirus have been confirmed in the last 24 hours, which was the highest rise since March 5, when the first infection was recorded, Al Jazeera reported.

Earlier this week, Council of Ministers declared the state of natural disaster in accordance with the law, while the Presidency decided on the use of the Armed Forces of Bosnia and Herzegovina. On Thursday, setting up tents at border crossings began, which will serve as mandatory quarantine facilities in which everyone who enters the country will spend 14 days.

Presidency member Željko Komšić became the first highest state official in the Western Balkans to undertake self-isolation, after meeting with the Prime Minister of Canada Justin Trudeau last week.

In a highly decentralised country, each entity has its own authority when it comes to the crisis. Republika Srpska declared an emergency situation on Monday, with its Government committing to regular daily meetings dedicated to the enactment of measures necessary to combat the epidemic.

*First political casualty of the pandemic: The government of Kosovo?*

The total number of infections in Kosovo so far is 21. The Government of Albin Kurti, however, disagreed with the proposals that national emergency should also be declared in his country. Kurti also sacked his Interior Minister, nominated by the coalition partner Democratic League of Kosovo, for allegedly spreading fear over the crisis.

Both of the reasons have led to the decision of LDK to prepare a motion of no confidence against their own government. According to Gazeta Express, the proposal for a national unity government with a limited task of combating the epidemic will be on the table.

The final country to report COVID-19 cases not only in the Western Balkans, but also in Europe, was Montenegro. A total of 13 have contracted the virus in the country, while 4,369 others are under medical supervision, Vijesti reported.

Boban Mugoša, the director of the Institute for Public Health, said the increase in the number of confirmed COVID-19 indicates that the pandemic is spreading.

“This indicates that we did not respect what was recommended – to keep social distance, to take care of ourselves, but also of others. The only way to prevent the spread of this epidemic, that could potentially affect a lot of people in Montenegro, is to turn around, look ourselves in the eye and say I’ll stay home, keep myself safe, keep my family and community safe,” he said.

Protests against the Law on Freedom of Religion, which were taking place in Montenegro for the past two and a half months, were postponed since the government introduced measures limiting public gatherings.

While the virus reached the Western Balkans later than the rest of Europe, it is yet to be seen will the governments use the extra time and experience of other countries to withstand the inevitable spread of the disease that will take place in the following weeks.

## Reforming public procurement crucial for fighting corruption in the Western Balkans

<https://europeanwesternbalkans.com/2020/03/20/reforming-public-procurement-crucial-for-fighting-corruption-in-the-western-balkans/>

March 20, 2020 - By **Nikola Cuckić**

Public procurement system in the Western Balkans is one of the critical corruption zones – as the government mechanism for buying everything “from a needle to a locomotive” it has been for a long time considered as such by the European Commission, and with a good reason.

In the region with a common communist past, stuck in the transition towards functional market economy, the public procurement system serves not just for procuring goods, services and works by respecting market criteria, but often to transfer public funds into private pockets in a crony-capitalist manner.

As public procurement, now in Chapter 5 of the accession negotiations process, is about to be officially recognized as a part of the “Fundamentals” and placed in a cluster alongside Chapters 23 and 24 according to the new enlargement methodology proposal of the European Commission, European Western Balkans discussed with the experts from the region what is the state of play in this area and how some of the challenges could be addressed.

Problems exist in the entire procurement cycle

For the European Union it is important that future members respect and implement rules that ensure that public procurement of goods, services and works is transparent and open to all EU companies on the basis of non-discrimination and equal treatment.

According to German Filkov, President of the Center for Civil Communications from Skopje and member of the Balkan Tender Watch network, we are not close to fulfilling these criteria, as the inefficiency in the entire public procurement cycle is a common denominator across the Western Balkans.

„We have problems in every step – starting from weak need assessment and planning of procurement, to setting tender requirements to fit favourable bidder, to poor and uncontrolled contract execution“ said Filkov and added that very low level of competition in public tenders, very high percentage of direct contracts (negotiating procedure) and a big number of tenders with only one bidder also represent significant issues.

Filkov also said that EU integration can serve as a transformative agenda for public procurement, but there is a problem of political will for honest reforms. „The EU directives are the only framework for a certain area or process. It is on each country individually to decide how deep and honest will it regulate them while transposing into domestic legislation“ Filkov concluded.

*No trust in the public procurement system in Serbia among businesses*

According to the Public Procurement Office report, in 2018 Serbia has procured goods, services and works in value of around 3,5 billion euros or roughly 8% of the GDP.



Although the value of public procurement is increasing, the process is getting shorter and there are less cancellations of procedures. What is worrying trend is that the number of bidders, which is main indicator of competitiveness of the process, is decreasing.

In 2018 there were 2,5 bidders per public procurement, which is the lowest number of bidders since 2013.

According to Nemanja Nenadić, Program Director of Transparency Serbia, there are several reasons why the level of competition is very low in Serbia, which could be summarized into three categories – difficult formal requirements for participation, lack of trust that the game is not “rigged” and the existence of small number of possible providers on the market.

“There are formal requirements that are difficult to be met, especially by the small and medium enterprises, such as obtaining certificates or owing taxes, and there are also irrelevant additional conditions in terms of previous experience or capacity that artificially reduce competition”, said Nenadić.

He also pointed out at the low level of trust in the public procurement system, caused by the potential bidders’ bad experience or indirect knowledge that it is not possible to get a contract with the Government unless the deal is previously reached.

“While there is a legal possibility to challenge irrelevant tender conditions, bidders are reluctant to do so, because they want to avoid retaliation of the contracting authority (i.e. the Government), and there is no guarantee that they will get the contract if they succeed in appeal, but they certainly have to pay a high fee”, he explained.



*The Government of the Republic of Serbia; Photo: The Government of the Republic of Serbia*

Nenadić also said that it should be remembered that a large part of procurement, especially infrastructure, is excluded from these statistics, where Law on Public Procurement is not applying but specific procedures or intergovernmental agreements.

#### *Big infrastructural projects – outside the Law on Public Procurement*

The practise of conclusion of contracts on infrastructural projects based on loan agreement which contains an obligation of the country to hire a particular contractor or bypassing the Law

on Public Procurement by the so-called “lex specialis” laws is commonly seen throughout the region.

This is often the case with investments from China, which are sometimes labelled as “corrosive” because of their undermining influence on the legal system, but it does not apply only to China. “The ones who are responsible for such practices are not the money lenders, such as China in this case, but the ones responsible for spending our money – governments. This practise can be easily found in all countries, including my country – North Macedonia” Filkov explained.

He said that these projects need to be a part of the public procurement because public money is being spent and there is no reason for special treatment of any kind. “If any other investor is that competitive as they are proclaimed to be with justification of these projects, then that is one more reason to go and compete in an open market”, he concluded.

For Nenadić the legal solutions for this kind of problem could be only found in the constitutional changes, because inter-governmental agreements have higher power than the laws. „This is mostly the question of political will and the pressure that could be exerted from the partners of the Government, which was not the case so far“ concluded Nenadić.

#### *Montenegro: Big problems with the “small” procurements*

Similar to the rest of the Western Balkans, in 2018, public procurement value in Montenegro was around 9,7% of the GDP or 450 million euros. In its report from 2015 the Institut Alternativa from Podgorica stated that there is not enough transparency and reliability in the Governments reporting on public procurement, especially in terms of contract amending after it was concluded, which leaves open space for corruption, lack of capacities in the public administration, and imprecise legal stipulations. What has changed almost 5 years later?

“Not so much”, said Ana Đurnić, public policy reasercher at the Institut Alternativa and added that lack of inclusiveness in the process of transforming the public procurement system could be added to the list.

“Ministry of Finance did not organize a public discussion on the Law on Public Procurement adopted in October 2019. Similar happened in 2017 when amendments to the law came overnight and brought very problematic solutions under the excuse that it is going to be only a temporary solution”, said Đurnić and concluded that when the new law comes into force in July 2020 it will be three years since the application of the temporary and transitional solutions from 2017.

It should be noted that EU Commission in the 2018 Report on Montenegro had concluded backsliding because of the amendments introduced in the previous year.

“Small value procurements under these amendments became very non-transparent, discretionary and with the least competition, because they were not regulated by the law, but by the internal act of contracting authorities, without any law restriction”, Đurnić said.

The biggest problem was that legal protection in form of appealing to the Commission for Control of the Public Procurement Procedures, guaranteed by the law, could not be applied on the bidders in a small value procurement process.

In the meantime, Public Procurement Office of Montenegro, as an independent state authority from the beginning of 2019, became a unit within the Ministry of Finance.

“Our key observation was that this decision was never justified”, said Đurnić. She explained that the impact of this decision is already visible, especially in terms of transparency and reporting.

“The first annual report prepared by this Directorate for Public Procurement within the Ministry of Finance on public procurement had significantly less information than the one prepared by the Public Procurement Office”, she pointed out.

#### *New laws, new hope?*

Both Serbia and Montenegro have adopted new laws on Public Procurement in the end of 2019 in order to align with the 2014 EU Procurement Directive and both laws will come into force in July 2020.

But there is always a doubt in the Western Balkans whether good legal solutions will become a reality for the citizens and the economy.

Nenadić explained that in Serbian case, the new law brings harmonization with EU standards but also the norms that do not correspond to Serbian reality.

“The new law will reduce formal requirements to prove compliance with the mandatory conditions. Also, more procurement by the lots will have positive impact on the competition”, he said and pointed out that electronic procedure will consume less time and that more foreign companies may be incentivized to submit offers.

“It remains to be seen whether there is going to be a measure to increase confidence of the economy in the public procurement system, but so far there are no such indicators, having in mind that control mechanisms in the public procurement have been weakened”, Nenadić said and added that the thresholds have been drastically increased, so now a large number of procurements will fall under the threshold.

“Law on Public procurement in Montenegro has envisaged by-laws in order to regulate areas such as procurement in the field of defence and security, low value procurement and centralized procurement, and it is too early to speak about its possible impact”, said Đurnić. She also explained to us that general tendency that could be observed is that more and more procurements are outside the law, especially those that would fall within the category of open procedures.

“The new law has raised the threshold for the so-called “simplified procurements” on which this law won’t be applicable”, Đurnić explained and said that the positive thing is that now these procurements will be regulated by the act of the Government, and not separately by the contracting authorities.

#### *Public procurement ≠ tendering*

As problems with public procurement in the Western Balkans could be found in the entire procurement cycle then the approach to the problem should not be partial, focusing on one stage only.

“Public procurement process is not just buying goods, services and works, but also planning, tendering, contract execution and evaluation whether the goods, service and works obtained fully match the contract and satisfy the needs of the public institution”, Filkov explained and added that prosecution and judiciary need to be more efficient in this regard.



Photo: Pixabay

Filkov said that looking at the corruption through the entire cycle could also help detecting corruption risks, because corruption is usually agreed in the first, pre-tendering phase, and it is finally realized in the last, post-tendering phase while the mid-tendering phase serves as a bridge phase that enables corruption.

“Increasing transparency can help in this regard, to narrow the room for corruption in public tenders, but it does not solve all the problems. It must go hand-in-hand with improved integrity of people and institutions that spend public money in order to be fully effective”, Filkov concluded.

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## Coronavirus: Rule of law under attack in southeast Europe

<https://www.dw.com/en/coronavirus-rule-of-law-under-attack-in-southeast-europe/a-52905150>

March 24, 2020 - by Keno Verseck, DW

Several states in central and south eastern Europe are using the COVID-19 crisis to undermine the principles and institutions upholding the rule of law. First among them is Hungary.



To curb the [COVID-19 outbreak](#), countries around the world have been forced to accept wide-ranging restrictions on public life. People have been told to stay at home, respect curfews and avoid any unnecessary travel — all in an effort to slow the spread of the disease.

Several countries in central and south eastern Europe, however, appear to be taking advantage of the crisis to undermine the rule of law, with Hungary leading the way. On March 20, Viktor Orban's right-wing nationalist government presented a draft law that would give the executive branch dictatorial powers for an unlimited period of time. Known as the "law to protect against the coronavirus," it's expected to be approved by next week.

Hungary has already called a state of emergency in order to respond to the outbreak, which as of Tuesday afternoon had infected 187 people and killed nine. But the special powers granted to the government during this time only last for 15 days and must be extended by parliament.

### *Endless state of emergency*

Under the new law, which would come into force after a one-off vote by parliament, the state of emergency would be in place indefinitely, allowing the government to issue any decrees to protect the population and stabilize the economy that deviate from existing law. Parliamentary functions, elections and referendums would be suspended for the duration of the state of emergency; only the Constitutional Court would be allowed to convene. According to the draft law, it would be up to the government to decide when to end the state of emergency.

Two new offenses have also been introduced in the new law. Those found to be obstructing measures to fight the pandemic would face up to eight years in prison, depending on the severity of the offense, and anyone found spreading false or distorted information could be imprisoned for up to five years.

Parliament is expected to pass the law next week, with Orban's Fidesz party enjoying a two-thirds majority.

### *'Open dictatorship'*

Opposition lawmakers have been unanimous in their criticism of the law, saying it would usher in "total power for Orbán," giving him a "blank check to govern by decree." They have called for a limit on the law's period of validity and further legal guarantees.

Hungarian NGOs and critics have also expressed great concern, including left-wing philosopher, Gaspar Miklos Tamas. "When we see the Orbán government using the epidemic as a pretext to introduce an open, structural dictatorship, how can we still believe that restrictive measures are justified and well-founded?" he wrote in an article for HVG magazine.

### *Not just Hungary*

The COVID-19 outbreak has also served as a pretext for dubious restrictions in other countries across the region. In Slovakia, the new centre-right government plans to pass a law allowing state institutions to access data from telecommunications operators. Prime Minister Igor Matovic argued on Tuesday that mobile phone tracking would ensure that people stay isolated while in quarantine.

Four of the Council of Europe's 47 member states — Armenia, Latvia, Moldova and Romania — have announced a so-called derogation from the provisions of the European Convention on Human Rights. The move allows these countries to suspend certain civil rights during the coronavirus state of emergency, though critics have said the measures are excessive.

On Sunday, Bulgarian President Rumen Radev partially vetoed a controversial law on emergency measures that would introduce prison sentences for spreading false information about infectious diseases, similar to those in Hungary. Another controversial regulation was intended to give authorization to the army to implement emergency measures, including identity checks usually carried out by the police. Surprisingly, some members of governing coalition accepted Radev's veto, but it remains to be seen whether the law will simply be reformulated. Parliament is expected to vote in the coming days.

### *Not the time for rule of law?*

Coronavirus management has also been a source of controversy in the Western Balkans. In Serbia, democratic opposition politicians and independent legal experts have accused President Aleksandar Vucic of declaring a state of emergency on March 15 without any constitutional basis. The move, they say, has put Serbia "one step away from dictatorship."

In Albania, Prime Minister Edi Rama announced harsh penalties for those who ignore curfews. Armored vehicles with machine guns have been sent to patrol the streets of the capital, Tirana, prompting sharp criticism from the opposition.

In Montenegro, the government has used its official website to publish and constantly update a list of names and addresses of quarantined citizens. Prime Minister Dusko Markovic has said the list is necessary because authorities aren't able to control all those confined to their homes, but citizens need to be informed. He called it a matter of life and health, adding that it wasn't the time to debate legal nuances and personal data protection. Human rights activists have been highly critical of the lists, calling them a "call to lynch."

## Europe's Other Coronavirus Victim: Information and Data Rights

<https://balkaninsight.com/2020/03/24/europes-other-coronavirus-victim-information-and-data-rights/>

March 24, 2020 - Marija Ristic, Milica Stojanovic, Miroslava German Sirotnikova, Akos Keller-Alant, Hamdi Firat Buyuk, Anja Vladislavljevic, Marcel Gascón Barberá and Madalin Necsutu - Belgrade, Berlin, Bratislava, Bucharest, Budapest, Chisinau, Sarajevo, Zagreb - BIRN

Arbitrary arrests, surveillance, phone tapping and privacy breaches increase as countries of Central and Southeast Europe impose emergency laws to combat Covid-19.

From claims that salt water can stop the coronavirus spreading to your lungs to false instructions, miracle medicines and supposed vaccines, people in Central Europe and the Balkans are being bombarded by thousands of fake news stories and propaganda messages via traditional media, tabloid outlets, online portals, social media and messaging apps like WhatsApp and Viber.

With a highly unregulated media scene and low levels of media literacy, creators of disinformation have been spreading panic by sharing unverified information. Media outlets, officials and even prime ministers also share the blame.

Albanian Prime Minister Edi Rama, a stern critic of media he deems unfriendly and an advocate of draconian media policies, shared a video last weekend that he claimed showed Spanish police pushing protesters from the streets to enforce a curfew. Rama later had to apologise after it emerged the video was actually recorded in Algeria. He blamed an unnamed Albanian who forwarded it to him from Italy.

In the semi-democracies of the region, as lives moved from the public to the digital sphere, many freedoms were likewise suspended, while the burden of responsibility for violations fell on citizens as government imposed restrictions that in many cases flouted normal standards of human rights.

Just in the last two weeks, 80 people have been arrested, some of them jailed, for spreading fake news and disinformation, with the most draconic examples in Turkey, Serbia, Hungary and Montenegro.

Governments in Montenegro and Moldova made public the personal health data of people infected with COVID-19, while official websites and hospital computer systems suffered cyberattacks in Croatia and Romania. Some countries like Slovakia are considering lifting rights enshrined under the EU General Data Protection Regulation, while Serbia imposed surveillance and phone tracking to limit freedom of movement.

In responding to the COVID-19 pandemic, some governments are enhancing surveillance, increasing censorship, and restricting the free flow of information, warned Allie Funk, Research Analyst for Freedom on the Net, a Freedom House team monitoring internet freedom.

"Alarmingly, some authorities are exploiting the crisis for their own political gain," Funk told BIRN. "China has deployed its sophisticated censorship apparatus to muzzle independent information coming from activists, journalists, and ordinary netizens. Authorities in places like

Thailand, China, and Turkey have resorted to detaining or arresting internet users for posts on their social media accounts.”

### *Listing health data*



*Illustration: BIRN*

Despite a population of just 640,000, Montenegro’s government took the drastic step of publishing a list of citizens’ authorities said should self-isolate, arguing some were not respecting their obligations. The government said it received approval from the country’s Agency for Personal Data Protection.

“Security forces can’t control every citizen who should be in self-isolation,” the government said. “Considering that anyone leaving self-isolation threatens the entire community, we decided to publish their names.”

Opposition parties and rights organisations were outraged. “This announcement sounds like a call to lynch,” said Tea Gorjanc Prelevic of Action for Human Rights. “We expect to see a legal basis for limiting the constitutionally guaranteed right to privacy. Otherwise, it’s illegal.”

Prime Minister Dusan Markovic said the government had judged that “the right to health and life is above the right to the unconditional protection of personal data.

Health privacy data rights were also violated in Moldova, where President Igor Dodon on March 9 named the first woman infected with Covid-19 and who remains in hospital in Chisinau.

GDPR expert Sergiu Bozianu said Dodon clearly broke the law. “In this case, Igor Dodon’s statement could have serious consequences for the patient, the woman’s children, all relatives and friends,” said Bozianu.

Some Central European countries, such as Slovakia, are considering suspending some the GDPR restrictions.

Last week, incoming Slovak Prime Minister Igor Matovic criticised the departing government’s response to the pandemic and raised the idea of allowing telecommunications operators to send quarantine reminders to people returning home from coronavirus hotspots.



He said special permission to lift some of the GDPR restrictions was needed. "In a situation like this, we think a crisis communication by the state with these people in this form is acceptable," he said.

Tomas Krissak, an expert on disinformation and a political analyst at the Open Society Foundation, said Matovic's incoming cabinet should proceed with caution. "This proposal of the new cabinet should definitely be consulted with experts in this area," he said. "There is nothing worse than adopting inconsistent and unconsidered measures in this area."

On March 19, Human Rights Watch published Human Rights Dimensions of COVID-19 Response, underlining that "health data is particularly sensitive, and the publication of information online can pose a significant risk to affected persons and in particular people who are already in positions of vulnerability or marginalisation in society". According to HRW, rights-based legal safeguards should govern the appropriate use and handling of personal health data.

Personal health data have also come under online attack. Romanian cybersecurity giant Bitdefender said on Friday that online attacks linked to Covid-19 "have risen by 475 per cent in March as compared to the previous month", and the numbers are expected to rise further before the end of the month. "Almost one third of the Covid-19-related attacks target public authorities and healthcare institutions," Bitdefender said in a statement.

One of the medical centres targeted was a hospital in the Czech Republic currently being used for coronavirus tests.

*Surveillance "of movement, not talk"*



*Illustration: Joan Wong for Foreign Policy. Photo: Stephane Cardinale/Corbis/getty images*

China and Iran were the first countries to use mass surveillance during the crisis, followed by Israel, where Prime Minister Benjamin Netanyahu has authorised the country's security agency to tap into cell phone data to retrace the movements of people who have contracted the coronavirus and identify others who should be quarantined because their paths crossed.

Serbia picked up the baton, though the scale of wiretapping and surveillance remain undisclosed as the only person to talk about it is President Aleksandar Vucic. "We follow telephone numbers, Italian above all," Vucic told reporters on March 19. "We are not tapping," he said, "we are following are they moving, people with Italian numbers in roaming – and yes, they are". He said police would pay special attention to areas where there is "a large influx of people from abroad"

and where “we see them moving”. “Do not try to trick us by leaving the phone in one spot [while moving] because we find another way to track who violates the rules prescribed by the state, how and where.

But Danilo Krivokapic, director of Share Foundations, said that under the Serbian constitution, the right to personal data protection as a human right is guaranteed even during the kind of state of emergency currently in force in Serbia.

According to the Law on Electronic Communication (Article 128), access to mobile data (including geolocation) is allowed only with a court order. “This means that any access to this data without a court order is illegal at the moment,” Krivokapic told BIRN. “A state of emergency doesn’t allow the government to break laws arbitrarily, but there is a specific procedure if some of the rights need to be restricted.”

### *Arrests for “posting” panic*



*Illustration. Photo: BIRN*

From WhatsApp to Facebook, fake news and propaganda have flooded social media networks from Turkey to Slovakia. In many cases, both traditional and online media were part of the disinformation machine.

Turkey, Serbia, Hungary and Montenegro have imposed heavy fines and carried out arrests for social media posts that, according to authorities, cause panic and endanger security.

Since most of the states have introduced emergency law, many of the cases ended in draconian fines or custody without legal justification. Just in the last two weeks, more than 80 people were arrested and at least 260 fined for spreading disinformation, according to data obtained by BIRN.

The Anti-Cybercrime unit of the Hungarian police arrested several people for spreading fake news, starting in early February when police raided the operators of a network of fake news sites. The sites had been operating for some time but were only shut down by police after they began reporting on the presence of coronavirus in Hungary, before authorities confirmed the virus was present.

Police subsequently began monitoring Hungarian online media for coronavirus-related fake news. In mid-March, a YouTuber was arrested for spreading fake news about a lockdown in the capital, Budapest.

Independent media also came under fire from the government and affiliated media outlets after they published stories about healthcare in Hungary. Many fear that proposed legislation would increase attacks on independent media and legalise draconian punishments for whatever authorities deem fake news and fear mongering.

A bill, expected to be passed by parliament next week, specifies that anyone who, during the special legal order, publicly makes or spreads untrue claims or true claims that are distorted as to prohibit or frustrate the results of protection measures faces a prison term of one to five years. According to Hungarian police, there are ongoing proceedings against 14 people for spreading rumours and against 12 for endangering the public.

In neighbouring Serbia, where emergency laws are already in place, four people were arrested last week on suspicion of causing panic and disorder.

On Thursday, a man was arrested in Belgrade after he shared false information via a Viber group that petrol pumps would stop serving individuals. On the same day, police in Krusevac, central Serbia, arrested another man for posting information about someone allegedly infected with Covid-19. Another was arrested in the town of Pozarevac after sharing false information about shops and gas stations.

In Montenegro, a man was remanded in custody for 30 days after he claimed on Facebook that state officials are concealing the real number of coronavirus cases in Montenegro.

In Turkey, according to the interior ministry, 242 suspects who published fake and provocative news about the coronavirus on social media are considered suspects, 64 of whom have been detained. Among them, seven were journalists.

The government of the Bosnian Serb entity Republika Srpska also issued a decree on Thursday that forbids causing “panic and disorder” during a state of emergency. The government ruling covers the publication and transmission of false news by media and on social networks. “[Wrongdoers] will not be able to hide, even on social networks; we will find them,” said Interior Minister Dragan Lukac.

Those who are found to have incited panic and spread false news will be fined between 1,000 and 3,000 Bosnian marks (between 500 and 1,500 euros), and firms between 3,000 and 9,000 marks (between 1,500 and 4,500 euros). So far, one woman has been fined for an Instagram post.

Lawyer Tatjana Savic said it was unfair to expect everyone to determine if information in a digital environment is correct. “Citizens can’t be those to fact check the news,” Savic told BIRN. “Preventing the spread of panic is a legitimate goal of the government, but with this kind of legislation the burden is on citizens to know if every [piece of] information they share on their social media is correct.”

“I fear that a lot of statements people publish as their opinion will be considered a violation under this law.”

## Poor journalism, low trust



Illustration. Photo: BIRN

Hoax and propaganda feature in mainstream media, but also on social networks – from Facebook, Instagram and Twitter to messaging apps like WhatsApp and Viber.

Marija Vucic, a journalist with Raskrikavanje, the fact-checking portal of the Crime and Corruption Reporting Network, KRIK, said the group had its work cut out dealing with fake news in Serbia. „There is more fake news, especially on social networks, but also in tabloids,” Vucic told BIRN. “As soon as I enter a tabloid site, I can find fake news on corona [virus] within half a minute.”

Ivana Zivkovic, from Croatian fact-checking website Faktograf, also expressed concern about the huge quantities of false information. “An even bigger problem is the groups on WhatsApp and similar communication platforms, which also carry a huge amount of misinformation,” Zivkovic told BIRN, warning that in such closed groups, misinformation is more difficult to suppress.

“Those who spread it do so mostly for profit, therefore, on a false content that can produce panic, they generate traffic and monetize for ads. There are also, of course, propagandists and spreaders of conspiracy theories.”

In most cases, while the disinformation might not be malicious, it is a result of poor-quality journalism, Balkans-based digital engagement trainer David Bailey argues. “People not fact checking, not doing simple reverse image searches to verify reasonable sources,” Bailey said.

“Together with catchy headlines, normal readers simply share without thinking. The result then is obvious. Also it’s amazing how many journalists both on and off line still don’t (or won’t) link to the World Health Organization (WHO) site, who provide definitive info.”

The 2018 Media Literacy index of the Open Society Institute in Sofia says Balkan countries are the most susceptible in Europe to ‘fake’ news – owing to their highly controlled media, low educational levels and low levels of trust in society.

A survey by the Reuters Institute says that media in Southeast Europe are highly diverse but suffer from polarisation, financial dependence on oligarchs and high levels of public mistrust.

It is a similar story in Central Europe.

Experts say the Slovak public is exceptionally prone to believing conspiracy theories. In recent years, most anti-propaganda tools and initiatives came from activists in the non-governmental sector, who try to target conspiracy websites, fake news or disinformation campaigns on social media. State infrastructure in this area is limited and official communication regarding hoaxes or fake news is often chaotic.

Krissak, of Open Society Foundation, said the state's efforts barely scratch the surface. "Today the state needs to quickly build the missing capacities of their own strategic communication towards the citizens and demand a more extensive control of content from Facebook and Google, who continue to address this key area of security exceptionally irresponsibly and benevolently," he said.

In North Macedonia, journalist and activist Teodora Cvetkovska said media literacy was also poor. "It is a very dangerous period, there is a spike in coronavirus cases, and we are flooded with news like 'Here is how to treat the coronavirus', '10 ways of transmitting the virus'.

Again, there are no by-lines on those articles or sources that can prove them," Cvetkovska said. "People here can easily fall for such information, especially since we are also a nation that only reads headlines, and not whole articles."

Ahmet Erdi Ozturk, a professor of International Relations at the London Metropolitan University, said fake news is more easily believed in countries where states often manipulate with data. Turkish citizens, he said, lost their trust in the government because of several disinformation campaigns led by the government under President Recep Tayyip Erdogan.

"The Turkish government manipulated facts and the media many times for their favour," Ozturk said.

According to Funk, from Freedom House, people should be vigilant in discerning between government actions taken legitimately to address public health, actions that undermine efforts to deal with the pandemic and moments when political leaders are trying to take advantage of the situation.

"Ordinary users should also be diligent in ensuring that they are not consuming or spreading misinformation," Funk told BIRN. "They should get their information from reliable sources, such as international and domestic health organisations and independent news outlets."

# Albania

## Albania Backs Special Law “Against Crime” Despite Rights Concerns

<https://balkaninsight.com/2020/03/06/albania-approves-special-law-against-crime-despite-concerns-over-its-constitutionality/>

March 6, 2020 - Gjergj Erebara Tirana BIRN

Parliament has approved a special law boosting police powers to tackle crime up to the end of this year despite protests by rights groups that have called the measure undemocratic and unconstitutional.



*Albania Prime Minister Edi Rama on March 5, 2020, defending his proposal in parliament. Photo: Malton Dibra/LSA*

Albania's parliament on Thursday approved a government special law that increases police powers to “fight organized crime” despite warnings from human rights groups that it flouts basic democratic tenets by weakening prosecutors and foresees the use of unconstitutional measures against suspected criminals.

The law, technically called a Normative Act, implying a law undertaken under extraordinary circumstances, received 89 votes for and 17 against.

It empowers police to seize properties of suspected criminals or order them to not move without permission from their usual home town and orders the Special Prosecutor Against Organized Crime and Corruption to report regularly to the Minister of Interior.

It also establishes a Special Court Against Organized Crime and Corruption to fast-track police requests for property seizure or other measures.

In parliament, Prime Minister Edi Rama dismissed criticism of the law, claiming the critics were overly concerned with the rights of criminals and positioning himself as an uncompromising fighter against crime. He claimed the critics were ignoring the suffering of crime victims such as victims of human traffickers and drug addicts.

"I am not at all surprised by the unexpected support that the elite of organized crime received as soon as we announced our extreme fight against this deadly [issue]," Rama said.

Following an old pattern of attacking the media, Rama said those who opposed the law include "the tie-wearing scoundrels and hypocrites that have a microphone in the hand – and have shamed the country in the eyes of the foreigners by writing, gabbling and throwing poison with the greatest pleasure against our country".

On Wednesday, a group of 23 rights organisations urged the parliament to vote down the measure.

"It bypasses the constitutional order of the country and flouts the principle of checks and balances between branches of the government, weakens the effective independence of the prosecutors, and violates basic human rights, including due process of the law, freedom of movement and fair trial," the statement reads.

They said some provisions of the law were so manifestly unconstitutional that its effect could be the opposite of its aim, producing legal acts that courts would likely overrule.

The special law officially entered in force on 31 January and will last up till the end of this year. Police have held daily press conferences during this time to report that each day, two famous or relatively famous suspected or sentenced criminals were filling in forms to declare their wealth and its source.

The effectiveness of these measures is yet to be seen while some of the named "criminals" had already declared that they owned nothing or only modest assets.

Meanwhile, the opposition has taunted the government for not sending the forms to known criminals or suspected criminals with links to the ruling Socialist Party.

They point to the case of a former Minister of Interior investigated for international drug trafficking and sentenced in the first instance for abuse of power, who has not received a form, suggesting that the special law is being used selectively.

Prime Minister Rama has been accused for years of being pals with persons with serious criminal pasts. One of his former MPs has received a final sentence for human trafficking in Italy. Another has been designated a persona non grata by the US State Department for corruption. Several Socialist Party mayors have been discovered as having rich criminal pasts as well over the last few years.

## [DP's Parliamentary Group Alternatives for Change of Electoral System](https://www.albaniandailynews.com/index.php?idm=40101&mod=2)

<https://www.albaniandailynews.com/index.php?idm=40101&mod=2>

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## DP's Parliamentary Group Alternatives for Change of Electoral System

Albanian Daily  
News

Published  
March 6, 2020



The Democratic parliamentary group proposals to change the electoral system are unveiled. The document includes four alternatives proposed by MPs and stakeholders regarding the electoral system.

"In line with the Electoral Reform methodology and in line with the Calendar on the topics to be dealt with, which were approved by the Political Council on Electoral Reform, the Democratic Parliamentary Group presents its proposals, in 4 (four) options for the electoral system:

1. National proportional system - one constituency - parliament of 100/140 deputies; (example of Kosovo). This option has been proposed by MP Ralf Gjoni (Thurje Initiative) and MP Muslim Murrizi (with some minor changes);
2. Regional proportional system, corrected by national list; Proposal of three MPs;
3. Regional proportional system, with 12 constituencies, grouped in 4 electoral districts;
4. The majority system, corrected by a national proportional list.



## **Former GP – Defendant for Charge Committed Three Times**

<https://www.albaniandailynews.com/index.php?idm=40188&mod=2>

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## **Former GP - Defendant for Charge Committed Three Times**

Albanian Daily News  
Published March 9, 2020



Special Structure against Organized Crime and Corruption (SPAK) finalized investigation for Former General Prosecutor, Adriatik Llalla, accusing him of a criminal charge committed three times. Llalla faces the criminal charge of "Refusal for declaration, non-declaration, concealment or false declaration of assets, private interests of elected persons and public employees, or any other person having a legal obligation to declare." Moreover, SPAK also announced that Llalla has committed this offence three times, while it added that the file was submitted to Special Court against Organized Crime and Corruption (GJKKO).

"At the conclusion of the preliminary investigation, after all possible and necessary investigative actions were completed, after all the evidence administered during the investigation was assessed, Adriatik Llalla was taken as a defendant and was informed having committed the criminal offense: 'Refusal for the declaration, non-declaration, concealment or false declaration of the assets, private interests of elected persons and public servants or of any other person having a legal obligation to declare', which was committed three times, as provided for by Article 257 / a, paragraph ( 2) of the Criminal Code," announced SPAK.

# Bosnia and Herzegovina

## **“A delicate moment.” Dodik against the Constitutional Court of Bosnia and Herzegovina**

<https://europeanwesternbalkans.com/2020/03/11/a-delicate-moment-dodik-against-the-constitutional-court-of-bosnia-and-herzegovina/>

March 11, 2020 – By Jovana Georgievski



*EU Ambassador and Special Representative to BiH Johann Sattler in a visit to Constitutional Court; Photo: Constitutional Court of BiH*

For several weeks now, the public in Bosnia and Herzegovina has been closely monitoring developments in the relationship between the Republika Srpska (RS) leadership and the Constitutional Court. Namely, RS President Milorad Dodik came forward in February with a proposal for a Law on the Election of Judges of the Constitutional Court of BiH, replacing foreign judges with domestic ones.

According to the BiH Constitution, and in accordance with the Dayton Agreement, foreign judges are elected by the European Court of Human Rights. There are currently three foreign judges participating in the work of the Constitutional Court of BiH. The reason for proposing a new law to expel foreign judges from Bosnia and Herzegovina is one of the last Constitutional Court rulings made in early February, which considers all agricultural land in RS as a property of Bosnia and Herzegovina, not RS.

This declared a decision of the RS Assembly unconstitutional, a decision adopted late last year, declaring agricultural land in the RS exclusive ownership of the entity. Asked by Radio Free Europe about why he proposes the expulsion of foreign judges, Dodik said they were “part of the concept of deconstruction of the Dayton Agreement and deconstruction of the Republika Srpska and the constituent of peoples because they work solely for the interests of Bosniaks.”

The political situation was further complicated when the RS Assembly, provoked by this decision of the Constitutional Court, adopted the Information on the Anti-Dayton Action of the Constitutional Court of Bosnia and Herzegovina and declared the termination of the work of RS representatives in federal bodies. The suspension will, as announced, continue until the proposed law is adopted and the foreign judges are excluded. The Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH), led by Dragan Čović, joined the request to adopt the law, proposed by the Alliance of Independent Social Democrats (SNSD).

### *The work of the Constitutional Court – attack at institutions or their defence*

According to researcher from the Austrian Institute for International Affairs, lecturer at the University of Vienna and member of Balkans in Europe Policy Advisory Group (BiEPAG) Vedran Džihić, the proposal of the law to end the mandate of foreign judges and elect domestic is an open attack of Republika Srpska (RS) President Milorad Dodik and the ruling structure in RS on constitutional order in Bosnia and Herzegovina.

“The Constitutional Court is both legally and politically fully legitimate, and every decision it makes is a decision that carries with it a legal obligation for implementation,” Džihić says for European Western Balkans (EWB).

“Now, in a new kind of adhoc coalition between the HDZ and the SNSD, an attempt is being made to change the legal basis on the functioning and operation of the Constitutional Court. All of this and the proposed law, in my view, is an obvious attempt of political blackmail and an attempt to exert additional pressure on the Party of Democratic Action (SDA) and majority Bosniak forces. I do not think this proposal will be passed in the BiH Parliament”, says Džihić.



*Milorad Dodik and Dragan Čović at the meeting of SNSD and HDZ leaderships; Photo: HDZ BiH*

“Through the latest episode of the crisis, which is happening at a politically delicate moment and in parallel with the open question and tense relationship between Belgrade and Pristina and between Montenegro and Serbia, it comes to the moment that those circles in the international community, which still protect BiH and its territorial integrity, are given an even stronger reason

to maintain structures as they are and thus try to preserve some more mechanisms in their hands in the event of even more serious crises in BiH.”

Džihic also reminds that the European Union is currently preoccupied with the issue of refugees on the Turkish-Greek border, and because of that, in Džihic’s opinion, “the most important objective in the Balkans is to maintain at least the make-believe stability with existing structures, such as the Constitutional Court”.

#### *Dodik’s neither first or last blockade*

This is not the first blockade of government at the state level, which is used by parties in Bosnia and Herzegovina as a method of political pressure on people with opposing views. We are reminded that after the 2018 parliamentary elections, Dodik’s SNSD blocked the work of parliament and then conditioned the unblocking with the party’s entry into the Council of Ministers. The requirement was eventually fulfilled, and the BiH Parliament first met in November 2019, after more than a year’s break.

Džihic emphasizes that the current blockade is just another in a series of blockades over the past 10-15 years. The result of each of these blockages, the analyst reminds, is “a minimal compromise that further compromises state’s institutions”.

“It often seems to me that blockage politics is a kind of territory marking on principle – this is mine and I don’t touch it, if you touch me and I can block and endanger your territory as well. And that territory has already been mentioned in the domain of clientelistic controls of resources in the quasi-states of the RS, the Bosniak part of the Federation and in the cantons under the leadership of the HDZ BiH”, said Džihic.

The essence of this and any previous blockade of the ruling structure by the RS, Džihic explains, is to preserve the status quo.

“This means, first and foremost, the protection of the power and privileges of parties and politicians in power, and their clientele”, says Džihic and adds that national political parties in BiH are, above all, “machinery for distribution of the means, resources of the state and citizens within their own clientele or clique”. Thus, Džihic explains, the loss of power “would be equal to jeopardizing the very principle of the existence of these parties and their structures”.

“Blockades and the use of binary codes to mobilize citizens are just a facade behind which real material interests are hidden”, Džihic points out. “Of course, the devastating side effect of all these blockages is that through manipulative rhetoric, attention is drawn from the essential problems of society in Bosnia and Herzegovina, such as low living standards in much of the country, poverty, social crisis, and air pollution.”

#### *„A delicate moment“*

“This is one of the most difficult and delicate moments after Dayton, in which the BiH Constitutional Court is trying to eliminate Republika Srpska, its name and essence” Dodik said, adding that the decision of the Constitutional Court was made “freely, without any legal basis”, and that “the Constitutional Court of BiH has obtained itself powers that no other constitutional court in the world has”.

Republika Srpska's representatives have been boycotting the work of the Parliamentary Assembly, the Council of Ministers and the BiH Presidency for four weeks. On February 25, representatives of the SNSD, HDZ, and Serbian club in the House of Representatives of the Parliament of Bosnia and Herzegovina submitted to the procedure a joint Draft of the Law on the election of judges of the Constitutional Court of BiH, which provides for the suspension of the mandate of foreign judges as soon as the law enters into force. The law was submitted to the regular procedure. The proponents point out that the law is in line with the recommendations of the European Commission, that it is based on the Constitution.

"The most logical way forward would be to bring together the BiH Presidency and the BiH Council of Ministers, supported by parties that have a majority sufficient to pass all laws but also to amend the BiH constitution, about meeting the requirements for a European Commission recommendation to open EU membership negotiations, one of which is Constitutional Court reform", Adi Ćerimagić, an analyst at the European Stability Initiative, told EWB.

He points out that part of the compromise on the Constitutional Court would have to be a broader change in the procedure for selecting judges, which, Ćerimagić believes, would help build confidence in the professionalism and impartiality of judges of the Constitutional Court of BiH.

"Part of the compromise could be that the appointment of three judges by the President of the European Court of Human Rights ceases with BiH's EU membership. That would make everyone happy and country's judiciary improved", Ćerimagić said. He adds that, in addition to changing the Constitution, the list of requests from the European Commission is very long and demanding.

"And in my opinion, it is also unfairly difficult", he says.

"Therefore, I am not sure how much it can motivate politicians in Bosnia and Herzegovina, because their fulfillment brings with them, from the experience of North Macedonia and Albania, only an extremely uncertain recommendation of the European Commission on opening membership negotiations, and also from the experience of Montenegro and Serbia, a decade's distant perspective of full EU membership", concludes Ćerimagić.

*Will the law be passed?*

The law is due to be brought before the BiH Parliamentary Assembly soon, and at this time it lacks the support of the required majority of MPs. Ćerimagic reminds that the dynamics of the decision-making in Bosnia and Herzegovina over the past 25 years have been determined by its federal structure.



*Presidency of BiH: Željko Komšić, Milorad Dodik and Šefik Džaferović; Photo: Presidency of BiH*

“Passing the law is not impossible, but it requires a compromise of different interests and views”, Ćerimagić says. “Such a compromise is usually only possible after lengthy and patient discussions. Threats, high tones, emotions and the spread of fear are all part of the political life of many European countries and have sometimes been an effective instrument for achieving political goals, but it seems to me that they are increasingly retreating in BiH”.

He also stressed that this is not the first time that the election of judges of the Constitutional Court of BiH has been discussed among politicians in BiH. A few years ago, the then draft of another law on the Constitutional Court did not meet the support of the parliamentary majority.

“Then, the same way as today, the discussion among politicians is reserved for looking into judges appointed by the President of the European Human Rights Court. In my view, this is not enough because the Constitutional Court, as well as the entire judiciary of BiH, is striving for broader and deeper reforms”, Ćerimagić points out.

He also recalls that last year’s opinion of the European Commission, in addition to the procedure for electing three judges appointed by the President of the European Human Rights Court was also referred to as the procedure in which six other judges were elected.

“The European Commission correctly emphasized that all judgments of the Constitutional Court of BiH must be respected and enforced, but also concluded that the election of the other six judges is carried out in a politicized procedure that opens the space for them not to be sufficiently independent and professional. That was confirmed by Priebe’s mission at the end of the year”, says Ćerimagić.

The Steering Board of the Peace Implementation Council (PIC, which gathers Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, the United States, the EU Presidency, the European Commission, and the Organization of the Islamic Conference represented by Turkey), expressed unreserved support for the work of the Constitutional Court of BiH and all its judges.

In a joint statement, political directors stressed that “the decisions of the Court are final and binding, and the competent authorities are obliged to implement them”. The statement also recalled that the official term “inter-entity line of demarcation” in no way represents the state border or implies the statehood of Republika Srpska. Russia did not accede to this announcement.

The European Commission is expected to issue an Opinion on the Candidate Status and the Analytical Report on Bosnia and Herzegovina in the coming months ahead of the EU-Western Balkans Summit, which is taking place in Zagreb this May.

The Office of the Head of Delegation and EU Special Representative in BiH, Johann Sattler, said in February that the BiH authorities “should show a willingness to improve the lives of citizens and make genuine efforts to reconcile and overcome the legacy of the past as an inevitable part of the EU accession process”.

The Special Representative stressed that concrete reforms, especially economic ones, are necessary for BiH’s European future.

The work of foreign judges in the Constitutional Court of BiH is regulated under the country’s Constitution. Of the total of nine judges, four are elected by the Federal House of Representatives and two by the National Assembly of Republika Srpska.

The remaining three judges, who should not be nationals of BiH or any of their neighbouring countries, are elected by the European Court of Human Rights.

The presence of foreign judges was introduced after the Dayton Agreement (1995) was signed, with the idea that the international community would ensure neutrality and objectivity in the BiH Constitutional Court.

## **Ratko Mladic's Plea for New Trial Evidence Rejected**

<https://balkaninsight.com/2020/03/12/ratko-mladics-plea-for-new-trial-evidence-rejected/>

March 12, 2020 - Lamija Grebo Sarajevo BIRN

The UN court in The Hague turned down a request from Ratko Mladic's defence to introduce new evidence before the former Bosnian Serb military leader's appeal against his conviction is heard.

The Mechanism for International Criminal Tribunals in The Hague said on Thursday that it has rejected a request to introduce new evidence about the Srebrenica massacres and the wartime siege of Sarajevo at appeal hearings in the trial of former Bosnian Serb military commander Ratko Mladic.

Mladic's defence had asked for documents related to the shelling of the Markale in Sarajevo, the Srebrenica violence in 1995 and the shelling of Sarajevo be included as evidence. It claimed that the evidence undermined the court's finding in the first-instance verdict handed down in November 2017 that he participated in four 'joint criminal enterprises' during the Bosnian war.

Among the documents that Mladic wanted to be introduced as evidence were a transcript of the British House of Lords' questioning of former UN peacekeeping force commander Michael Rose, three declassified documents from the CIA's Balkan task force, and an encrypted message from UN secretary-general Kofi Annan to UN peacekeeping force general Lars-Eric Wahlgren.

Although the request was rejected, appeals chamber chairwoman Prisca Matimba Nyambe filed a separate opinion from other members of the judging panel, saying that all five of Mladic's requests should be approved in their entirety. Nyambe said that she thought that "the requested material relevant, credible, of high probative value and exculpatory, adding that an obligation to reveal exculpatory evidence was essential for a fair trial".

The UN court sentenced Mladic to life imprisonment in November 2017, finding him guilty of genocide in Srebrenica in 1995, the persecution of Bosniaks and Croats throughout Bosnia and Herzegovina, terrorising the population of Sarajevo during the siege of the city, and taking UN peacekeepers hostage.

Mladic appealed against the verdict, as did The Hague prosecution, which is calling for him to be found guilty of genocide in six other municipalities in 1992.

The UN court announced on Wednesday that it has postponed the appeal hearings, which were initially set for March 17 and 18, because Mladic needs an operation to remove a polyp in his colon. The hearings should now place around six weeks after the operation, the court said.

Mladic, 76, has had several serious health problems while in detention in the Netherlands and has suffered two strokes and a heart attack.

A date for his final verdict has not yet been set, but the Mechanism for International Criminal Tribunals has said it will be delivered by the end of this year.



# Bulgaria

## **Coronavirus: Bulgaria's Supreme Judicial Council recommends postponing open court hearings for a month**

<https://sofiaglobe.com/2020/03/11/coronavirus-bulgarias-supreme-judicial-council-recommends-postponing-open-court-hearings-for-a-month/>

March 11, 2020 by The Sofia Globe staff



The judges' college of Bulgaria's Supreme Judicial Council (SJC) has recommended postponing open court hearings for a month as a measure to contain the spread of Covid-19 new coronavirus. The order provides for a few exceptions, in cases of urgent hearings.

Currently, there are six confirmed cases of Covid-19 in Bulgaria – two in Gabrovo, two in Pleven and two in capital city Sofia.

The SJC judges' college said that the steps it was recommending could be extended further if circumstances called for it.

Other steps being taken are the suspension of training, seminars and other gatherings bringing groups of people together in one place, and barring the public from offices of administrative heads of courts until further notice.

It also ordered immediate steps in line with Health Ministry recommendations on disinfecting common parts of buildings four times daily, and hygiene protective measures for staff dealing with the public. Disinfectant must be placed at the entrances of court buildings for the public. Business trips by judges and employees to countries affected by viral infections, including Covid-19, are being restricted.

Separately, Prosecutor-General Ivan Geshev has ordered restrictions to prevent the spread of Covid-19, including barring the public from the reception of the Prosecutor's Office building and offices of administrative heads.

## **Masked men assault Bulgarian media Editor-in-Chief in central Sofia**

<https://sofiaglobe.com/2020/03/17/masked-men-assault-bulgarian-media-editor-in-chief-in-central-sofia/>

March 17, 2020 by [The Sofia Globe staff](#)



Two masked men assaulted Slavi Angelov, Editor-in-Chief of Bulgaria's weekly 168 Chassa, outside the entrance of the building of his central Sofia apartment on the evening of March 17.

While the attack, by two men armed with metal bars, was going on, a third used a phone to film the assault, reports said.

Angelov is being treated in Tsaritsa Yoanna hospital, close to his home in Dondukov Boulevard in central Sofia.

The scene of the attack has been sealed off by police.

Local media quoted Angelov as saying that on approaching the entrance to the building, he had noticed men wearing masks but – given the current Covid-19 situation in Bulgaria, which has prompted many people to wear masks – had thought nothing of it. As he neared the building's front door, the assailants attacked him.

The motive for the assault does not appear to be robbery, because none of Angelov's possessions, including the laptop that he had with him, were taken by the assailants.

## **Bulgaria's Interior Ministry: Assault on journalist most likely connected to his work**

<https://sofiaglobe.com/2020/03/18/bulgarias-interior-ministry-assault-on-journalist-most-likely-connected-to-his-work/>

March 18, 2020 by The Sofia Globe staff



Police are pursuing several lines of inquiry in connection with the severe assault of Bulgarian investigative journalist Slavi Angelov, but believe it was most likely connected with his work.

Masked men armed with metal bars and knives attacked Angelov, Editor-in-Chief of weekly 168 Chassa, outside his central Sofia home late at night on March 17. Two men carried out the attack and a third filmed it.

Angelov is being treated in Tsaritsa Joanna Hospital in Sofia. He has stab wounds, a broken leg and facial bruising. His condition is stable and his life is not in danger.

Interior Ministry chief secretary Ivailo Ivanov said in a March 18 television interview: "The beating is related to his work, which is unacceptable".

A statement on the Interior Ministry website quoted Ivanov as saying that he was sure that police efforts would lead to the attackers being identified and arrested. Pre-trial proceedings have been initiated.

On March 18, the Association of European Journalists – Bulgaria condemned the attack on Angelov.

"The attack on Slavi Angelov is not only a threat to him, but to all journalists in Bulgaria." The association called for a prompt and effective investigation.

It said that it had informed its international partners and the Council of Europe's Platform for the Protection of Journalism and Safety of Journalists about the incident "which is yet further proof of how dangerous the profession of journalist can be."

## **Prosecutor's Office: Most quarantine-breakers are Bulgarians who have returned from abroad**

<https://sofiaglobe.com/2020/03/23/prosecutors-office-most-quarantine-breakers-are-bulgarians-who-have-returned-from-abroad/>

March 23, 2020 by The Sofia Globe staff

Most of the violations of quarantine in Bulgaria are by citizens who, after returning to the country, are forbidden to leave their homes for 14 days, a statement by the Prosecutor's Office on March 23 said.

The Prosecutor's Office based this conclusion on an analysis for the past week of the five appellate divisions – Sofia, Plovdiv, Varna, Bourgas and Veliko Turnovo, the statement said.

Major-General Ventsislav Mutafchiyski, head of the national crisis staff against new coronavirus, told a morning briefing on March 23 that over the past two weeks, about 200 000 Bulgarians had returned to the country from abroad. In the past 24 hours alone, about 15 000 had arrived by air and 8000 by land.

The Prosecutor's Office said that it had initiated more than 120 pre-trial proceedings under Article 355 of the Criminal Code for violating mandatory quarantine, part of the measures being taken by Bulgaria against the spread of Covid-19 new coronavirus.

It gave the example of a resident of the Bourgas neighbourhood of Zornitsa, who on her return from Italy to Bulgaria, violated the mandatory quarantine and, along with her two children, visited her sister because they had "not seen each other for years".

In another case, registered prior to the introduction of restrictions allowing only urgent journeys between regional centres, it was found that a resident of Isperih who had returned from the Netherlands was not at the specified address to which he was quarantined for a period from 14 days. In a telephone call, the person said that he was at his property near the town of Teteven and intended to travel again to the Netherlands. Prosecutors issued a nationwide search warrant for him.

Some of the pre-trial proceedings instituted for violating anti-epidemiological measures are against heavy-duty lorry drivers who, on their return to Bulgaria, do not comply with the imposed quarantine, but again leave for abroad.

Further, the Prosecutor's Office said that it had initiated pre-trial proceedings for spreading false information or false alarms.

## **Covid-19 in Bulgaria: More prosecutions for violating emergency regulations, quarantine**

<https://sofiaglobe.com/2020/03/27/covid-19-in-bulgaria-more-prosecutions-for-violating-emergency-regulations-quarantine/>

March 27, 2020 by The Sofia Globe staff

Bulgaria's Prosecutors Office announced on March 27 further cases connected to violations of emergency measures against the spread of Covid-19 and prosecutions of people for breaking quarantine.

In Sofia, a man is facing charges not only for running an unlicensed gambling operation at premises in Bratya Miladinovi Street, but also for keeping the operation open in spite of the nationwide ban. The accused is out on bail of 5000 leva (about 2500 euro).

In Veliko Turnovo, a man in the town of Troyan has been charged after advertising online the sale of disinfectant, which turned out to be another fluid. Those who made purchases had incurred financial losses of an unspecified amount.

In the course of the investigation, a total of 97 litres of a blue liquid were found in a passenger car and seized. The containers were not labelled and there was no documentation as to what it was. On inspecting the premises, a large amount of winter cleaning fluid was found in various packages, along with fuel and lubricants, the statement said.

The regular 5pm briefing on March 27 by crisis staff chief Major-General Ventsislav Mutafchiyski was told the number of confirmed cases of Covid-19 in Bulgaria now added up to 293, with 17 new cases confirmed since the 8am briefing.

A total of 99 patients are in hospital, 53 in Sofia, Mutafchiyski said.

There are a total of 7000 laboratory tests for Covid-19 available and more are expected to arrive. Mutafchiyski said that 24 000 Bulgarians were in home quarantine.

Numerous flights that had been scheduled for Saturday at Sofia Airport have been cancelled. The flights due to go ahead include 15 arrivals and 11 departures, according to the flight information on the airport's website.

The Bulgarian Doctors Union, which is running a campaign entitled "For the Heroes in White" to raise funds for masks, protective clothing, disinfectants and medical supplies for hospitals and medical personnel throughout Bulgaria, said that the Organization of the Jews in Bulgaria "Shalom" had donated more than 33 000 leva.

The Bulgarian Doctors Union quoted Shalom as saying that it is grateful for and remembers the support the union gave in publicly opposing anti-Semitic legislation in Bulgaria in the 1940s.

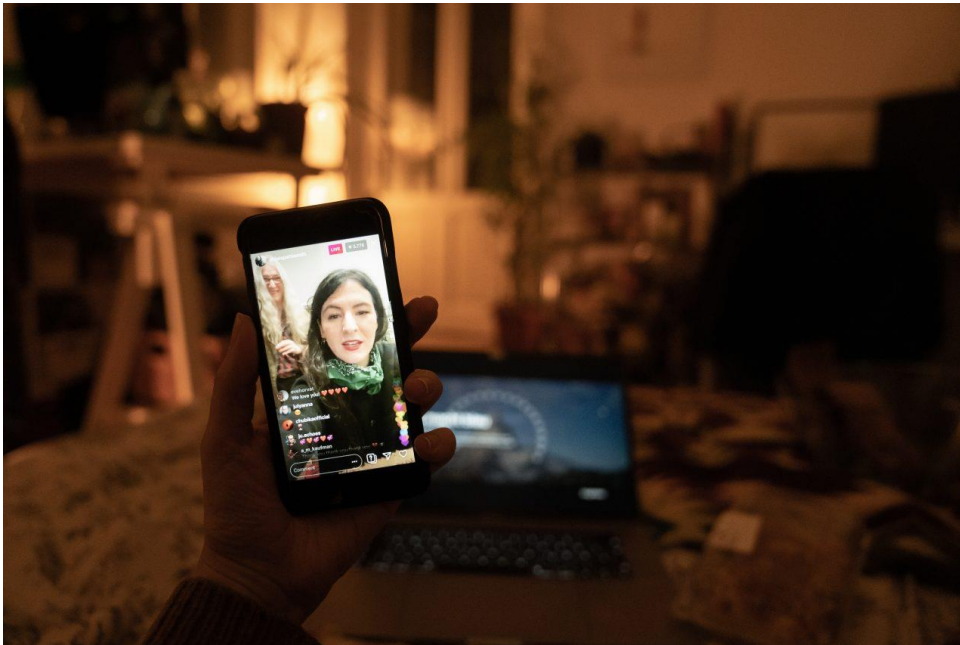
# Croatia

## Croatian Proposal to Track Self-Isolating Citizens Alarms Critics

<https://balkaninsight.com/2020/03/25/croatian-proposal-to-track-self-isolating-citizens-alarms-critics/>

March 25, 2020 - Anja Vladislavljevic Zagreb BIRN

A law change that would allow authorities to monitor the communications devices of people undergoing self-isolation in the pandemic has worried opposition MPs and others – who fear that it will undermine important freedoms.



*Illustration. Photo: EPA-EFE/SUSANNE HASSLER-SMITH ATTENTION.*

As Croatian MPs discussed a proposed law amendment, that would allow authorities easier access to citizens' information amid the ongoing coronavirus epidemic, opposition lawmakers warned that it could limit citizens' rights to freedom of movement and their privacy.

Last week, the government, led by the conservative Croatian Democratic Union, HDZ, proposed a change of the Electronic Communications Act under which, in extraordinary situations, the health minister would ask telecommunications companies to provide data on the locations of users' terminal equipment.

While MPs accept that the aim of the proposal is legitimate – to control people prescribed self-isolation, due to numerous violations of such orders – many of them complained that the government did not elaborate the proposal clearly, or with enough safeguards.

Social Democrat MPs and some other parliamentary groups have submitted an amendment seeking more clarity about who can be monitored, how long the surveillance will last, and what authorities will do with the data they collect.

They also said the subject of monitoring must be regularly informed that he or she is under surveillance.

On Wednesday, Ombudsperson Lora Vidovic suggested amendments to the proposal, urging that the restriction should apply only “to narrow, clearly and precisely defined situations, only when the health and lives of citizens could not otherwise be effectively protected.

“Clear criteria should be explicitly defined in the law, which will ensure the implementation of this measure over precisely defined categories of citizens, for example, those who have determined self-isolation by the competent authorities,” Vidovic said in a press release.

MPs are also debating whether such a law changes could be passed by an urgent procedure in parliament, as the government wants, or by a simple majority of MPs, or whether a two-thirds majority is needed, as restrictions of such rights are a constitutional matter.

Article 17 of the constitution states that “individual constitutionally guaranteed freedoms and rights may [only] be restricted during a state of war or any clear and present danger to the independence and unity of the Republic of Croatia or in the event of any natural disaster”.

Under the constitution, imposing such restrictions must be decided by a two-thirds majority of all members of parliament.

However, MPs will not vote on the issue on Wednesday since the speaker, Gordan Jandrokovic, has announced that he will first seek the opinion of the Constitutional Court on the proposed “restricting of citizens’ freedoms”, which he said, were only introduced to protect citizens against coronavirus infection.

# Kosovo

## Kosovo's new government includes most women since independence

<https://www.aljazeera.com/indepth/features/kosovo-government-includes-women-independence-200302205302174.html>

March 02, 2020 Valerie Plesch

Appointment of six women in leadership posts represents highest percentage since end of the war more than 20 years ago.



*Vjosa Osmani, the first woman elected Speaker of the Assembly in Kosovo, inside the plenary hall at the Assembly in Pristina [Valerie Plesch/Al Jazeera]*

Pristina, Kosovo - Vjosa Osmani has a clear vision for how she and her government will run the country. "Every single law that comes to the assembly should be seen through the gender lens," Osmani said in an interview with Al Jazeera, less than a month after being elected as the first woman to serve as Kosovo's speaker of the Assembly.

Osmani is among a new generation of politicians who have entered the political scene in Europe's youngest nation, instilling hope that was lost during previous governments led by former Kosovo Liberation Army commanders and where corruption and nepotism ruled.

Besides Osmani, five women were appointed ministers of the Ministry of Economic Development, Ministry of Justice, Ministry of Education, the Ministry of Culture and the Ministry of Local Government. The new government comes after opposition politician Albin Kurti, leader of the Self-Determination Movement (Vetevendosje) won the most votes to become prime minister.

Osmani was the centre-right Democratic League of Kosovo's (LDK) candidate for prime minister, who came in second after Kurti. "It was the first time that people were openly speaking up saying 'we want women'," said Igballe Rugova, executive director of the Kosovo Women's Network network, which comprises more than 150 women's groups and organisations that advocates on behalf of Kosovar women.



The appointment of these six women in senior leadership posts represents the highest percentage of women in government since Kosovo's liberation and the end of the war here more than 20 years ago. "They are women with experience. They are women with courage," Rugova said.

Women's groups and activists are hopeful about a new era of change for Kosovo's 1.8 million citizens.

The Self-Determination Movement and LDK formed a power-sharing coalition after a snap poll following former prime minister Ramush Haradinaj's resignation having been summoned by a war crimes court in The Hague.

Rugova expects that this new generation of women in government will finally address Kosovo's pressing gender-based issues, such as domestic violence, health, unemployment, and education.

Around 18 percent of women in Kosovo are part of the workforce, according to Riinvest Institute, a think-tank in Kosovo - the lowest rate in the region and one of the world's lowest rates.

Osmani believes this represents gender inequality and harms the economy. "That is why the government programme, which we drafted together, focuses quite a lot in creating such conditions for women in our society to find a job and get economically empowered," Osmani said.

Rugova and members of her network recently presented Osmani with a list of demands they hope she will address in her mandate, including allocating a permanent budget for shelters for survivors of gender-based violence, and parental leave. Osmani said she will ensure that the national budget will always take into account for shelters to protect women and children who are victims of violence.

"I really have high hopes that the situation will start slowly to change concerning the development of the economy because, for me, development of the economy is the key to fighting violence, having better health, life and education," Rugova said of the new government. In the previous government, maternity leave was taken out of the labour law and put as separate legislation.

Amid reports of poor treatment relating to women who were pregnant or on maternity leave, the new government has said it will place 400 inspectors from the Ministry of Labour to report on discrimination. Previously, there were fewer than 10 inspectors for the whole country. You will see us talking and fighting for gender equality, no matter what the topic in the assembly and in the government is. - Vjosa Osmani, first woman to serve as Kosovo's speaker of the assembly

Other issues include recognising survivors of rape from the Kosovo war and moving forward with their two-decade-old cases against the perpetrators. Until today, not a single perpetrator has been jailed.

"We have to work for justice. Same with the missing people - justice is so important in order to have peace," Rugova said. Rugova is referring to the more than 1,600 people still missing from the war and most likely buried in mass graves in Serbia.

The new minister of justice, 32-year-old Albulena Haxhiu, has already responded positively to these issues and has met with staff from Kosovo Women's Network about gender-based violence.

"I felt like this is an independent government chosen by us," Rugova said. "They are listening now and acting."

For other feminists in Kosovo, there is still room for improvement.

"Of course, it is great news, it's something we haven't seen in the past governments. However, it is not where we want it to be and what we would like to see. Thirty percent sounds good but I think our aim should be equality, which is 50 percent," said Eli Gashi is a sociologist, feminist and founder of Alter Habitus - Institute for Studies in Society and Culture in Pristina.

"It's obvious that equality and justice are all over their political programme but it remains to be seen what they will do and hopefully they will address those issues; that the voice of women will not be muted by saying we place women in the parliament and that is where the whole thing ends."

Osmani appears to be committed to bringing change and a fresh perspective to the government and for the citizens to regain trust in the institutions, especially the justice system.

"For example, when we talk about sustainable development, energy efficiency, air quality and right to access to clean and drinking water, we're also contributing to gender equality because today one of the main worries of mothers, not just in Pristina, but elsewhere in Kosovo, is the horrible air quality, which is leading to thousands of deaths."

Moving forward towards fulfilling her four-year mandate, Osmani realises the work that has been cut out for her and the new government but she will not give up in one important area.

"You will see us talking and fighting for gender equality, no matter what the topic in the assembly and in the government is," she said.

## Kosovo's PM and President Clash Again over Virus Crisis

<https://balkaninsight.com/2020/03/24/kosovos-pm-and-president-clash-again-over-virus-crisis/>

March 24, 2020 - Xhorxhina Bami, Jack Robinson and Milica Stojanovic, Pristina, BIRN

The dispute between Kosovo's Prime Minister Albin Kurti and President Hashim Thaci has continued with the head of state challenging the government's coronavirus measures and calling for restrictions on movements to be overturned.



*Kosovo's Prime Minister Albin Kurti (left) and President Hashim Thaci (right). Archive photo: BIRN*

President Hashim Thaci said on Tuesday morning that he has asked Kosovo's Constitutional Court to rule against new measures restricting people's freedom of movement as part of attempts to tackle the coronavirus outbreak.

"I have also addressed a letter to Prime Minister [Albin] Kurti to reconsider his decision which has created great panic, confusion, uncertainty and fear among citizens," Thaci told a press conference.

He also said he has asked Kurti to suspend the new measures until the Constitutional Court makes its ruling.

Thaci on Monday night called on the Kosovo police and public to disregard the restrictions, claiming that the government had "flagrantly violated the constitution of Kosovo".

He insisted that "citizens' rights and freedoms can be restricted only by declaring a state of emergency. And only the Assembly of Kosovo can declare it."

The new measures imposed by the government late on Monday place more stringent restrictions on both public and private gatherings and prohibit the movement of private vehicles and citizens between 10am and 4pm, and again between 8pm and 6am.

Exceptions will be made for those with medical needs, those producing, supplying or selling essential goods, as well as essential government and municipal personnel, among others.

The current dispute erupted when Thaci signed a decree on March 17 to call a state of emergency, although it has not yet been ratified by MPs.

According to Kosovo's constitution, a state of emergency declared by the president and approved by the Assembly shifts the government's power to the Security Council, which is chaired by Thaci.

The row has engulfed the governing coalition and led to a potential no-confidence motion against Kurti's government.

The presidency of the Kosovo parliament is meeting on Tuesday to consider the no-confidence motion that was initiated by the junior partner in Kurti's coalition government, the Democratic League of Kosovo, LDK. The LDK has already submitted the necessary signatures for a such a motion to the Assembly.

The no-confidence motion was initiated after the dismissal of the Minister of Internal Affairs and Public Administration, Agim Veliu, the deputy leader of the LDK. Veliu was dismissed for allegedly spreading panic because he supported Thaci's proposal for a state of emergency.

Opposition parties have declared their support for the no-confidence motion, which might lead to the motion passing.

The Belgrade-backed Kosovo Serb party, Srpska Lista, has said it is against the state of emergency, claiming that Thaci intends to use it to send troops into the Serb-majority north of the country. It's still not known whether Srpska Lista will back the no-confidence motion.

BIRN contacted Serbia's government office for Kosovo for a comment, but it did not respond by the time of publication.

However, Marco Djuric, the head of Serbia's Office for Kosovo, told a Serbian news agency Tanjug that the actions of Kosovo's political leaders are "unwise in these times of challenge", and that their focus should on the coronavirus pandemic.

## **No-Confidence Vote Topples Kurti Govt in Kosovo**

<https://balkaninsight.com/2020/03/25/no-confidence-vote-topples-kurti-govt-in-kosovo/>

March 25, 2020 - Xhorxhina Bami Pristina BIRN

Defying international calls to act more responsibly at a time of crisis, MPs in Kosovo successfully overthrew the government in a no-confidence motion on Wednesday, leaving the country rudderless.



*Kosovo extraordinary Parliamentary session on the no confidence motion against Kurti's government. Photo: BIRN*

The Kosovo government led by Albin Kurti was overthrown on Wednesday by a no-confidence motion initiated by the junior party in the governing coalition, the Democratic League of Kosovo, LDK.

With 82 votes in favour, 34 against, and 1 abstention, the government was brought down following a series of disputes over important decisions between the main governing Vetevendosje party, to which Kurti belongs, and the LDK.

The speaker of parliament, Vjosa Osmani, herself a member of LDK, declared her opposition to the motion. In a speech at parliament, she said, "I disagree with the motion of no confidence, so much more at the moment [in regards to the global coronavirus pandemic]. I am against any agreement with PAN, and I do not want to break the trust of citizens at any cost, so I will vote against the motion". Osmani, together with the deputy speaker, Arberie Nagavci, from Vetevendosje, opposed holding the vote at an Assembly presidency meeting on Tuesday.

Late on Tuesday, in a debate on the TV station T7, the LDK deputy leader and former interior minister Agim Veliu – whose dismissal caused the LDK to file the no-confidence motion – accused Osmani of "betrayal".

The decision to file the motion in the midst of the coronavirus pandemic has shocked many experts, citizens of Kosovo and international officials. Many people have staged daily protests against the political wrangling for six days in a row from their balconies while in self-isolation. Banging kitchen utensils, they staged another protest at around 11am on Wednesday, when the extraordinary parliamentary session started.

The activist group Replike (Comeback), which initiated the balcony protests, said the political class had again shown it was “irresponsible ... inhumane ... and how much it fights for party interests and personal gain”, adding that “we the citizens of Kosovo are not sheep for them to play with our health and the public interest”.

Some political analysts have set up online petitions calling on the politicians to focus on measures to prevent the spread of the coronavirus, not on the no-confidence motion.

International representatives in Kosovo have been deeply divided over the wisdom of the LDK action.

In a joint statement on Tuesday, the so-called QUINT countries – the US, Britain, France, Germany and Italy, – urged Kosovo leaders “to preserve and ensure the integrity and functionality of Kosovo’s government” in accordance with the constitution.

But the US ambassador to Kosovo, Philip Kosnett, appeared to support the LDK move, saying he was “pleased to see the Assembly will hold a session on the no-confidence vote tomorrow”.

However, the German EU rapporteur to Kosovo, Viola Cramon, slated the no-confidence motion as “unbelievable. Irresponsible. I feel terribly sorry for the citizens of #Kosovo. They don’t deserve this”. “Really worrying political situation in #Kosovo. In times of crisis, politicians must stand together and protect their citizens! Crucial now to ensure effective response to #COVID-19 – not overthrow the government. Act responsibly!” she added.

Earlier on Tuesday, Germany and France, via a joint tweet from German ambassador Christian Heldt, also urged the LDK “to reconsider the no-confidence vote”. Heldt later emphasized in another tweet that it was “crucial now to ensure effective response to COVID-19 – not overthrow the government”.

The new government in Kosovo has been divided and fragile from the start. Coalition-forming negotiations lasted for around four months after October 6, 2019, snap elections, held after former prime minister Ramush Haradinaj resigned to obey a summons to the Kosovo Special Chambers in The Hague in July 2019 to answer war crime allegations.

The latest dispute between the parties in government involved the coronavirus, which has infected 63 known people in Kosovo.

After President Hashim Thaci signed a decree declaring a state of emergency, Kurti opposed it, fearing the government would lose effective control of the country. Following the no-confidence motion, Kurti’s government will remain temporarily in office until a decision on the next steps is made.

*This article was changed on March 27 to amend the number of MP’s who voted against the motion.*

## **Thaci Push for Unity Government in Kosovo Deemed Futile**

<https://balkaninsight.com/2020/03/30/thaci-push-for-unity-government-in-kosovo-deemed-futile/>

March 30, 2020 - Xhorxhina Bami Pristina BIRN

Experts say President's push for the formation of a government of national unity – following last week's no-confidence in Albin Kurti's administration – is unlikely to succeed.



*Kosovo President Hashim Thaci. Photo from the archives: EPA-EFE/ Valdrin Xhemaj*

As the President Hashim Thaci on Kosovo launched talks on Monday with party leaders on the formation of a government of national unity – “to avoid an institutional vacuum”, as he said – legal experts told BIRN that his hands in the formation of a new cabinet are largely tied, and success in this venture looked unlikely.

A legal expert in Pristina, Arber Ahmeti, told BIRN that the constitution neither envisaged nor “explicitly excluded” a national unity government, as suggested by Thaci.

But while the plan “has a constitutional basis”, Ahmeti said, “the President does not have any competences regarding the composition of the [new] government”.

Thaci “cannot ignore the party or coalition that has won the majority of votes, but it is in his discretion to appoint a new candidate [for PM] after consultation with political parties.

“However, the President takes such steps only after the proposal by the political party and it is not in his ... power to choose a name or influence the composition of the government”, Ahmeti explained.

The biggest party in parliament, however, Albin Kurti's Vetevendosje, so far seems uninterested in nominating another Prime Minister-designate and is opting for early elections instead.

On Sunday, Kurti, who remains technical Prime Minister, wrote on Facebook that Thaci was going against the constitution in calling for talks on a new unity government. He insisted that this can happen only if the Prime Minister resigns, and not if he is voted out in a no-confidence motion in parliament.

Kurti insisted that Thaci ought to dissolve parliament and call early elections “as soon as the situation of the COVID-19 pandemic ends”.

Lulzim Peci, director of the Kosovar Institute for Policy Research and Development, KIPRED, a think tank, told BIRN that Thaci's concerns about an institutional vacuum were not true.

"There is no vacuum in terms of executive power", as the old government remains in place, but without the right to "process laws in the Assembly", he said.

As BIRN reported earlier, two main options facing Kosovo are the dissolution of the Assembly and snap polls, or the nomination of new Prime Minister by the party with most votes in the Assembly, which is Vetevendosje.

Another thing further complicating the matter is that Vetevendosje does not have a deadline to nominate the new Prime Minister, and can also refuse to do so.

If Vetevendosje refuses to nominate a successor to Kurti, that right goes to the party with the second largest number of votes, which is its former junior partner in government, the Democratic League of Kosovo, LDK.

LDK chief Isa Mustafa has said his party is willing to work with Vetevendosje again, but has also called for the inclusion of two small opposition parties, the Social Democratic Initiative, NISMA, and the Alliance for the Future of Kosovo, AAK.

Most experts that BIRN consulted suggested that the presidential drive to assemble a unity government would fail in the political impasse, and that the most likely outcome will be early elections. They added that the political crisis will likely outlast the COVID-19 pandemic.



# Moldova

## **4 NBM directors arrested in relation to the bank fraud criminal case**

<https://www.moldova.org/en/4-nbm-directors-arrested-in-relation-to-the-bank-fraud-criminal-case/>

March 05, 2020 – By Maria Dulgher

The Prosecutor General of the Republic of Moldova, Alexandru Stoianoglo, announced today in a press release that 4 former and current employees of National Bank of Moldova (NBM) – ex-governor of the NBM Dorin Drăguțanu, ex-deputy governor Emma Tăbârță and current deputy governors Aureliu Cincilei and Ion Sturzu – were arrested today as a result of the investigations related to the bank fraud criminal case, carried out by the Anti-Corruption Prosecutor's Office. The NBM directors are suspected of participating in fraud and money laundering.

According to Prosecutor General, an ordinance has been issued allowing the detention of the 4 NBM directors. Alexandru Stoianoglo also mentioned that the NBM was directly involved in bank fraud. "We are sure that the NBM was the institution that was directly involved in the crimes related to the theft of the billion," said the Prosecutor General.

Prosecutor General denied that the prosecution actions have something to do with yesterday's statements made by Ilan Șor who held a press conference in which he stated that he has no attribution to the theft in the banking system and that in the process of liquidation of 3 commercial banks, for which 13 billion lei were allocated, employees of the National Bank would have been involved.

"The measures taken today were conditioned by the results obtained from a series of criminal prosecution actions and special investigative measures, the analysis of a wide spectrum of financial and legal documentation. They will be followed by other criminal prosecution actions that will target other people holding public offices who were involved in bank fraud," is noticed in an official statement of the General Prosecutor's Office.

At the same time, the NBM published a reaction, claiming that "the NBM cooperated to the full extent of its ability with the investigation bodies during the last years, in the investigations instituted and files concerning the banking sector and provided all existing materials, documents, expertise, explanations etc. and will continue to fully cooperate with them."

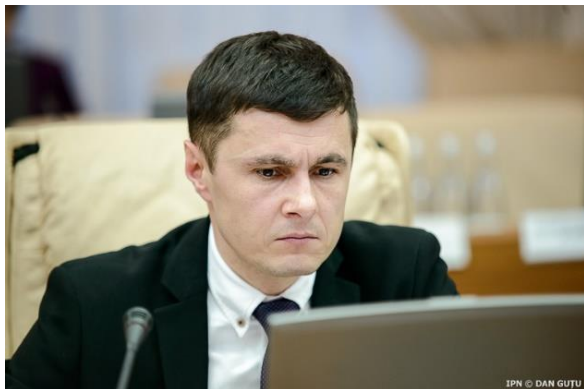
The institution representatives expressed their hope and trust "in the conduct of an objective and professional investigation, which will identify the real responsible persons for the banking fraud." "At the same time, the NBM expresses its deep concern over the public declarations and actions, which increased in the last period, undermining the morale of the institution's employees and the NBM's capacity for exercising its functions in a professional and independent manner," stated the NBM representatives.

Dorin Drăguțanu was the governor of the National Bank of Moldova in the period 2009-2016. Emma Tăbârță held the position of deputy governor of the NBM from 2008 to 2015. Aureliu Cincilei and Ion Sturzu were appointed deputy governors in 2013.

## **Fadei Nagachevski: Judicial system is used to having a master and looks for one when this is absent**

[https://www.ipn.md/en/fadei-nagachevski-judicial-system-is-used-to-having-a-master-7967\\_1071975.html](https://www.ipn.md/en/fadei-nagachevski-judicial-system-is-used-to-having-a-master-7967_1071975.html)

March 06, 2020



Minister of Justice Fadei Nagachevski said there are clans in the judicial system of Moldova and there is a category of judges who have worked long in the system and became very toxic for the national justice sector, IPN reports.

“What I’m glad to notice is the conflict of generations. The young class of judges came and there is that confrontation with those who have worked in the system for tens of years. The young ones united around the idea of cleaning the judicial system and are more predisposed to the justice sector reformation processes, realizing that the toxic factors are those who have stayed in the system for many years,” Fadei Nagachevski stated in the program “Natalia Morari’s Politics” on TV8 channel.

The minister avoided saying what clans are there in the Moldovan justice sector, but divided the judges into several categories.

“There is the category of elder judges who are very toxic. There are elder judges who try to separate themselves from the toxic ones and to inhibit them and there is the category of young judges. There are the elder judges who consider that a red line should be drawn and the system should be reformed so that they work in accordance with the law, but there is a category of judges who try to enter into a confrontation with the political system,” noted the minister.

He considers the national judicial system was used to having a master and the judges are looking for one when this is absent.

“The judges are not interested in who the master is. They just want to have a master. They do not want to work independently. We always give signals to them: work in strict compliance with the law. They don’t hear. They try to cause particular confrontations with the political system,” stated Fadei Nagachevski.

The minister also said that there is a group of judges who intend to destabilize the judicial system and there are members of the Superior Council of Magistracy who want things to remain unchanged.

## **Reduction of jail term for precarious detention to be suspended**

[https://www.ipn.md/en/reduction-of-jail-term-for-precarious-detention-to-be-suspended-7967\\_1071990.html#ixzz6H81qvLYt](https://www.ipn.md/en/reduction-of-jail-term-for-precarious-detention-to-be-suspended-7967_1071990.html#ixzz6H81qvLYt)

March 06, 2020

The application by courts of law of the reduction of the punishment of prisoners for being held in precarious conditions will be suspended. A bill to this effect was passed by Parliament after giving it a first reading, IPN reports.

## **The Republic of Moldova should ratify the Istanbul Convention, strengthen protection against hate speech and improve access to quality healthcare and social housing**

<https://www.coe.int/en/web/commissioner/-/the-republic-of-moldova-should-ratify-the-istanbul-convention-strengthen-protection-against-hate-speech-and-improve-access-to-quality-healthcare-and-s>

March 16, 2020

“The Republic of Moldova has made commendable progress in aligning its legislation on women’s rights and domestic violence with international standards and worked gradually to strengthen its implementation on many levels.

A speedy ratification of the Istanbul Convention will send a strong message of its determination to put an end to violence in the family”, says the Council of Europe Commissioner for Human Rights, Dunja Mijatović, following her five-day visit to the Republic of Moldova.

The Commissioner welcomed efforts made by the authorities to de-institutionalise children and people with disabilities, including intellectual and psychosocial disabilities and to bring the outdated legal guardianship system closer to the applicable standards.

“I encourage the government to accelerate capacity-building at the local level to offer the necessary community-based services to adults and children with disabilities and promote their inclusion in the community, and to ensure the accessibility of the infrastructure. The same goes for the network of support centres and shelters for women victims of domestic violence”.

The Commissioner noted in particular the fundamental role played by civil society organisations in promoting such reforms and urged the government to continue its co-operation and provide its full support to their work, including by ensuring the adoption of the relevant legislation on NGOs, which would strengthen the enabling environment for their functioning.

During her visit, the Commissioner was informed that representatives of certain groups in society, in particular Roma, migrants, LGBTI persons, persons with intellectual and psychosocial disabilities, and people living with HIV/AIDS are often the target of hate speech.

She therefore urged the government to provide better protection against this phenomenon, notably by strengthening the legislation against hate speech and hate crimes and reinforcing the role of the Council for Preventing and Eliminating Discrimination and Ensuring Equality.

“Politicians and community leaders should not perpetuate existing stereotypes concerning different groups in society and should abstain from using homophobic and sexist rhetoric, including in their political campaigns. Instead, they should promote respect for diversity”.

As part of the visit, the Commissioner also examined the situation as regards the rights to affordable housing and healthcare for all.

While recognising the existing financial constraints, she encouraged the authorities to develop a plan of action to increase investments in social housing for all those in need.

The Moldovan authorities should also make progress in guaranteeing adequate, equitable and sustainable financing of the healthcare system by increasing the relevant budgetary allocations and improving the availability and accessibility of health services, including in rural areas, and by addressing the barriers which are preventing the most vulnerable and poor members of society from accessing the necessary medical services.

The Commissioner also travelled to Tiraspol where she had meetings with civil society representatives and the region's leadership. Issues discussed included women's right and domestic violence; the situation of children and persons with disabilities; inclusive education; the situation of the Latin-script schools; and social rights.

The Commissioner welcomed measures taken to promote inclusion of adults and children with disabilities into community life, but observed a clear need for resolute measures to promote de-institutionalisation and inclusive education.

She expressed concern regarding the situation of the civil society organisations active in the region, due to the application of norms related to "foreign funding" and "political activity", which have a chilling effect on the work of NGOs.

"I would like to pay tribute to the critical role played by the civil society organisations in addressing the needs of victims and survivors of domestic violence and trafficking in human beings, as well as promoting social inclusion of persons with disabilities.

All efforts should be directed towards supporting civil society organisations, so that they can continue to be on the forefront of providing the necessary services to the most vulnerable individuals and those in need of help", said the Commissioner for Human Rights.

## **Rule-of-Law Problems Undermine Moldova's Economy: IMF**

<https://balkaninsight.com/2020/03/19/rule-of-law-problems-undermine-moldovas-economy-imf/>

March 19, 2020

A report by the International Monetary Fund says that Moldova needs to do more to tackle money-laundering and retrieve stolen assets, while implementing reforms to strengthen the rule of law.



The International Monetary Fund expressed concern in a report issued on Wednesday about the weak supervision of the non-banking financial sector in Moldova and about inadequate efforts to prevent and combat money-laundering and the financing of terrorism.

Moldova has been implicated in recent years in a large-scale money-laundering scheme involving over \$20 billion, which was mainly implemented by Russians.

The IMF report pointed to a lack of progress in recovering fraudulently-acquired assets in Moldova, specifically from the perpetrators involved in the 'grand theft' of \$1 billion from the Moldovan banking system between 2012 and 2014.

"Little progress has been made to recover assets stolen during the 2014 fraud when several money-laundering operations facilitated the theft of around 12 per cent of GDP from Moldova's largest banks," says the report.

Given Moldova's unstable GDP and its lack of structural reforms, the IMF's forecast for medium-term growth is to remain at 3.8 per cent, due to smaller external demand and reduced agricultural production.

However, the impact of the COVID-19 pandemic could affect this forecast.

The IMF also said that risks are increasing for Moldova because if political instability returns and certain policies are reversed, or if the pace of reforms slows down, confidence may be affected, with external financing options being limited.

Moldova will hold a presidential election in November 2020 and the loans from the West have been halted due to a lack of implemented reforms, especially those concerning the judiciary and the rule of law.

“A range of data, including from the World Bank and World Economic Forum, suggest that Moldova’s judiciary is generally perceived as not independent and subject to political influence, with limited trust in courts and restricted access to justice,” the IMF report notes.

It also says that protection of investors is perceived to be poor and contract enforcement inconsistent and ineffective, while “government powers are not effectively checked by the judiciary, and government officials are often accused of using public office for private gain”.

“The latest assessment by the Council of Europe’s Group of States against Corruption (GRECO) identified important weaknesses in preventing corruption amongst judges, prosecutors, and members of parliament,” it adds.

However, the IMF’s experts suggest that although it is under threat from all these risk factors, Moldova’s macroeconomic outlook is positive.

## Moldova Authorities Accused of Lacking Transparency About Pandemic

<https://balkaninsight.com/2020/03/23/moldova-authorities-accused-of-lacking-transparency-about-pandemic/>

March 23, 2020

A joint petition signed by several NGOs has protested over the government's poor communications and restricted information about the scale of the coronavirus crisis in Moldova.



Media NGOs in Moldova signed a common protest on Sunday, accusing the authorities of lacking transparency about the scale of the coronavirus pandemic in the country.

"Non-governmental organisations in the media ask the state authorities and institutions to ensure correct and professional collaboration with media institutions, refraining from unfounded accusations and insinuations against journalists who request public interest information to inform objectively and completely," the petition signed by eight media NGOs says.

It comes after two cases of infected doctors from different hospitals were reported on March 19 and March 22. The authorities did not confirm them in the first phase, however. Only media outlets reported about them. The authorities have also avoided giving out precise data on medical supply stocks and specific numbers related to the pandemic.

"They have blamed the press for criticism but, in fact, they do not offer complete information about the epidemiological crisis ... The Prime Minister and President have responded harshly to reactions of media outlets who were trying to find out more information," Cornelia Cozonac, director of the Centre for Investigative Journalism in Moldova, told BIRN.

She said journalists are forbidden to ask live questions during press briefings on the pandemic, and even those who are allowed to ask written questions do not get straight answers. "It is not normal in this crisis. The authorities need to be much more open because they are asking citizens to cooperate as well. We, as journalists, want the authorities to be responsible, and to provide as accurate information as possible and to answer journalists' questions to better inform the citizens," she added.

Moldovan media have called on the authorities to at least organise video conferences with free Q&A sessions. No response has come as yet to this suggestion.



## Venice Commission Welcomes Amendments to Moldovan Constitution, though has some Concerns

<http://www.infotag.md/politics-en/283521/>

March 24, 2020



The Venice Commission of the Council of Europe and the Directorate General of Human Rights and Rule of Law consider that the draft Amendments to the Constitution of the Republic of Moldova in relation to the Superior Council of Magistracy (SCM) are generally positive and in line with the applicable international standards.

However, the Commission expressed serious concern about the manner in which four lay members of the SCM have been appointed by the Parliament - on the same day with declaring of the state of emergency in the republic.

The Commission conclusion says that the developed amendments could improve the independence, accountability and efficiency of the judiciary.

In particular, the Commission welcomes the removal of the probationary periods for judges; the appointment of judges of the Supreme Court of Justice by the president [which before was done by the Parliament]; the regulation on functional immunity at the constitutional level; the statement in the Constitution that at least half of the members of the Council would be judges elected by their peers and that the judge members of the Superior Council should represent all levels courts of law; the consultative role of the Superior Council in the preparation of the budget of the judiciary.

However, the document expresses serious concern about the procedure of appointing of new SCM members.

"The manner in which four lay members of the SCM have been elected seems to defeat the proclaimed aim of the legislative amendments of December 2019 to restore the public trust in the SCM. These four lay members have been elected in a controversial, non-consensual manner and for a full mandate of four years, which hampers the positive impact which the constitutional amendments ought to have brought", the Commission maintains.

In this connection, it recalled the crucial role of the SCM in ensuring that the Moldovan judiciary be both independent of political influence and not self-serving.

The Commission, called on the Moldovan authorities to suspend the implementation of the legislative amendments of December 2019 and January 2020 and the nomination of four lay members of the SCM pending a thorough reform of the constitutional provisions on the SCM.

"These nominations should take place after the adoption of the constitutional amendments, in a procedure which ensures transparency and sufficient safeguards against politicization", the document says.

As Infotag has already reported, on March 17, the Parliament appointed 4 members of the SCM, which even managed to participate in the Council sitting, convened after that. The appointment took place hastily, on the same day when the Parliament declared the state of emergency in the country in connection with the coronavirus pandemic.

# Montenegro

## Montenegrin Coronavirus Patients' Identities Exposed Online

<https://balkaninsight.com/2020/03/18/montenegrin-coronavirus-patients-identities-exposed-online/>

March 18, 2020

After the first cases of COVID-19 were confirmed in Montenegro, the infected patients' identities were revealed in posts on social media, sparking outbursts of hate speech against them.

After Montenegrin Prime Minister Dusko Markovic announced on Tuesday evening that the country had its first two coronavirus cases, the patients' identities were published by social media users.

Photos of one of the patients and her family were also posted online.

The ethnicities and religious beliefs of the patients were then targeted with hate-speech comments by some people on social networks.

The Montenegrin Association against AIDS, CAZAS, said that every patient has the right to privacy and medical confidentiality.

"If you share photos of people who are infected on social networks and spread information about their health, you are directly violating [their] privacy and patient's rights. There can be legal consequences for doing that," CAZAS said in a press release.

President of the NGO Civic Alliance, Boris Raonic, warned about the danger of intolerance spreading in country as a result of the coronavirus.

"The stigmatisation of the infected and their families is a great danger in the coming period," Raonic wrote on Twitter.

The first two coronavirus patients in the country had both recently returned to Montenegro, from Spain and from the US. One patient is from the city of Ulcinj and the other from the capital Podgorica.

# North Macedonia

## Interview: North Macedonia's System is Rigged Against New Parties

<https://balkaninsight.com/2020/03/02/interview-north-macedonias-system-is-rigged-against-new-parties/>

March 2, 2020 - Vlado Apostolov Skopje BIRN

The big parties have deliberately made it hard for newcomers to register in North Macedonia, says prominent lawyer Aleksandar Torteovski – an informal leader of a new party that plans to break the mould nevertheless.

The laws in North Macedonia make registering a new political party that is not linked with any of the three or four big players an almost impossible task, Aleksandar Torteovski says, recalling his recent experience in forming a new party called “Tvoja” [Yours], of which he is a founder.

The well-known lawyer is convinced that the complex legal requirements to register a new political subject, as well as other obstacles along the way, have been put there on purpose to curb political competition and maintain the dominance of the big established parties.

Forming a new party in North Macedonia is a daunting task that can only be overcome if the founders have tremendous will power, Torteovski says. He and the other founders of Tvoja last week managed to gather the necessary 1,000 statements of support from citizens, which must then be verified by a notary, so that their new party can be registered and hopefully compete in the April 12 general elections.

The people who have supported the formation of the new party are now also required to provide proof of citizenship, not older than six months. Torteovski says that this demand is absurd and unnecessary because those who have signed notary statements have already legitimized themselves with their IDs or passports. “A non-citizen cannot have a passport or an ID,” he notes.

Torteovski suggested things might have gone a lot more smoothly if they were not genuinely independent.



*Aleksandar Torteovski. Photo: BIRN*

“The big parties misuse this system by supporting only those new political options that work in their favour,” he said. “If a new party [has potential ...] to draw votes from the [main ruling] Social Democrats, then the [the main opposition] VMRO DPMNE party will help it with members and finances – to weaken the Social Democrats. It functions the same the other way around,” Torteovski explained.

*Country needs a ‘bankruptcy trustee’:*

This is not Torteovski’s first excursion into politics. “I have always been an oppositionist,” he says. At the birth of pluralism in North Macedonia in the 1990s, he was part of the small League for Democracy party, led by the prominent law professor, Gjorge Marjanovic.

He re-engaged actively in politics just before and during the so-called “Colourful Revolution” of 2016, when he joined the opposition to the then authoritarian Prime Minister and VMRO DPMNE leader Nikola Gruevski, whose rule crumbled in mid-2017 amid a deep political crisis, and was replaced by a Social Democrat-led government.

The public remembers him from this time as a frequent guest on TV debates and an active Twitter user, who gained many online followers.

Until 2017, he was also hired to help the now defunct Special Prosecution office, SJO in investigating the many allegations of high-level corruption. This office is now practically defunct. Its former chief prosecutor, Katica Janeva, who was once seen as a symbol of the drive to restore the rule of law, is now on trial for misuse in office.

Torteovski says it is now clear that neither of the two main political blocs can restore a proper justice system. “It has become clear that the current political nomenclature has no sense for the principles of the rule of law,” he says.

A feeling of disappointment in both political blocs led Torteovski to join an initiative to form a new party, which he said was brewing mainly on social networks between people with different ideological affiliations but with a common passion for the rule of law, justice and the environment.

“The divide between left and right ideologies can only come to surface when the state is sorted in almost all other fields,” he says, adding that there is no left or right when it comes to everyday problems like pollution or the rule of law.

To BIRN’s remarks that he sounds like a bankruptcy trustee, Torteovski answered in the affirmative. “That’s exactly the case! And what’s even more terrifying still, these may be the priorities of a liquidation manager. We are now trying to hit the spotlight in order to save what can be saved,” he responds.

The new party’s goal is to snatch at least a few seats at the early elections, which, given the expected more or less equal balance of forces between the two main blocs, could turn them into kingmakers when it comes to the formation of the next government.

They do not plan to join any government, Torteovski insists, but would instead support whatever side that promises to really restore the rule of law and deliver on their other priorities.

*'David' can't even get in the ring:*

But for this to happen, the party needs success in the April elections, where Torteovski is aware of the many obstacles and uneven ground.

The latest changes to the electoral rules, for example, passed in February, just before parliament dissolved, allocated money from the state budget for political advertising by the big political parties.

Torteovski says these changes will not allow a new party like Tvoja to advertise during the campaign, even if it had its own money – because it did not participate at last elections.

“Where is the equality here? It is not enough that we are the ‘David’ in this story, but they don’t even let us enter the ring [and face] ‘Goliath,’” he says.

Tvoja plans to make up for the lack of expensive advertisements with a campaign on Facebook and other social networks.

Torteovski says it will also be a great help if they are allowed to participate in TV debates. “In this segment, no one will be able to match us because all the arguments are on our side,” he says.

“I hope they will invite us to the debates. So far, they have not done so – with the excuse that we are not registered,” he adds.

Torteovski says they will try to convince people who would otherwise not vote – or who plan to tear up their ballot paper in protest against the big parties – that this is irrational.

“They are not punishing the big parties this way. On the contrary, it is the same as if they voted for them,” Torteovski warns, noting that the big parties will not be ashamed to grab power, however low the turnout.

## **North Macedonia Ruling Alliance Pushes Gender Equality in Elections**

<https://balkaninsight.com/2020/03/16/north-macedonia-ruling-alliance-pushes-gender-equality-in-elections/>

March 16, 2020

Activists have greeted the move of the country's ruling alliance to equalize the number of male and female candidates for the forthcoming April 12 early general elections.

Human rights activists in North Macedonia say they are encouraged by the decision of the alliance led by the ruling Social Democrats to make the number of women and men MP candidates on their election lists equal.

The move, announced last week, is the first time that one of the main political parties or alliances in the country has opted for completely equal gender representation.

In another unprecedented move, the ruling alliance also said its lists of candidates in all six electoral districts will be led by a tandem of front-runners, one male and one female.

For the purpose of the elections, North Macedonia is divided into six districts, each electing 20 MPs to the 120-seat parliament. The front-runners are the first persons on the candidate lists who lead the party campaigns in that region and have the highest chance of being elected.

"Our goal is to create a society in which everyone, male or female can fully accomplish their full potential," Social Democrat leader Zoran Zaev said.

Uranija Pirovska, head of the Macedonian Helsinki Committee for Human Rights, told BIRN that the move was an encouraging affirmative measure after years of discouraging narratives in society, where women politicians had often faced gender-based discrimination and hate speech.

"This is a positive step forward," said Pirovska, or rather a "good starting point... that will encourage many women" because "society in North Macedonia only started speaking openly about gender equality and demanding true positive and affirmative change a few years ago".

# Romania

## **Former Romanian health minister arrested for bribe-taking**

<https://www.romania-insider.com/sorina-pintea-arrested-bribe-taking>

March 02, 2020 by Romania Insider



Sorina Pintea, former minister of health in the Social Democrat (PSD) cabinet of Viorica Dancila, was arrested on Saturday, February 29, on bribery charges.

Pintea, who is now general manager of the county emergency hospital in Baia Mare (north-western Romania), was held by the prosecutors of the National Anticorruption Directorate (DNA) on Friday, February 28, after she was reportedly caught in the act taking a bribe in her office, Hotnews.ro reported. The Bucharest Court then approved a 30-day arrest warrant on her name.

According to a press release issued by the DNA, the former minister received about EUR 35,000 from the representative of a private company, representing 7% of the value of a procurement contract signed in 2019. The prosecutors said she received the money in two tranches, between December 2019 and February 28, 2020, through an intermediary.

The former minister's lawyers claim that she didn't know what was in the bag that she received in her office on Friday, suggesting a "political setup", according to Digi24.ro.

Meanwhile, Sorina Pintea's son, Ionuț Pintea, posted a testimony on social media on Saturday saying he met with the whistle-blower from his mother's bribery case who allegedly told him he had given more money to (PSD) senator Liviu Marian Pop for them to reach the former minister.

Liviu Pop denied any involvement.

Former health minister Sorin Pintea recently announced that she wanted to run for mayor of Baia Mare.



## **Criminal file against retired officer with coronavirus who lied about traveling abroad**

<https://www.romaniajournal.ro/society-people/criminal-file-against-retired-officer-with-coronavirus-who-lied-about-traveling-abroad/>

March 11, 2020 By Romania Journal

Prosecutors have opened a criminal file against the 60-year-old man, a retired police officer working at the District 4 Public Domain Authority in Bucharest, who has been diagnosed with Coronavirus and who lied about not traveling abroad in the past weeks.

The man has hidden the fact he had travelled to Israel and he had returned on February 26 from that trip. He would have been on vacation with a woman from the Bucharest City Hall's Population Department, but the result is not available yet in her case.

The Strategic Communication Group announced that the Prosecutor's Office upon the District 2 Court had opened a criminal file against the man for foiling disease prevention, a crime stipulated by article 352 of the Criminal Code.

His case is very serious, as so far there are six confirmed people who had got infected from him, including his son, his pregnant daughter-in-law and his 3yo grandson.

Moreover, sources told Libertatea newspaper that his 32-year-old son is working at the Romanian Intelligence Service (SRI) and that he had come to work, had eaten at the institution's cafeteria and offered "martisoare" to his female colleagues on March 1.

## **Antikorruptionsbehörde legte Bilanz für 2019 vor**

<https://adz.ro/inland/artikel-inland/artikel/antikorrupsionsbehoerde-legte-bilanz-fuer-2019-vor>

März 11, 2020

Bukarest (ADZ) - Die DNA hat die Bilanz für das vergangene Jahr vorgelegt: Demnach konnten 235 Fälle vor Gericht gebracht werden, das entspricht einer Steigerung von 20 Prozent im Vergleich zu den 196 Fällen 2018. Zurückzuführen sei dies vor allem auf effizientere Ermittlungen beim Betrug mit EU-Geldern. In diesem Bereich hat sich die Anzahl der Anklagen von 50 auf 70 erhöht; die der Angeklagten steigerte sich von 121 um fast 40 Prozent auf 169, der festgestellte Schaden von 70 Millionen Lei um 171 Prozent auf 190 Millionen Lei.

Die Anzahl der Schuldeingeständnisse hat sich in dem Jahr von 55 auf 97 erhöht, was auf professionelleren Umgang mit Beweismitteln zurückzuführen sei. Zurückgegangen ist die Zahl der Angeklagten, die vor Gericht kamen: von 556 auf 501. Dem lägen verschiedene Ursachen zugrunde, darunter die geringere Anzahl an Meldungen und Staatsanwälten sowie Gesetzesänderungen. Der Wert beschlagnahmter Gelder und Güter nach einer endgültigen Verurteilung betrug im Vorjahr 224 Millionen Euro.

## President Iohannis appoints deputy head prosecutor despite negative review

<https://www.romania-insider.com/iohannis-deputy-head-prosecutor-appointment-march-2020>

March 12, 2020



Romania's president Klaus Iohannis appointed another prosecutor in a high position despite the negative opinion expressed by the magistrates' body CSM a couple of weeks after he triggered controversies by appointing two head prosecutors despite the CSM's negative opinion.

On Wednesday, March 11, president Iohannis appointed Bogdan Licu as deputy head of the General Prosecutor's Office, G4media.ro reported.

The minister of justice, Cătălin Predoiu, announced on Wednesday morning Bogdan Licu for the deputy position of the General Prosecutor's Office, although CSM issued a negative opinion the day before, citing his membership to the masonry and his plagiarism - both of which create the image of "controversial person".

President Iohannis on Thursday, February 20, signed the decrees for the appointment of new chiefs at the General Prosecutor's Office (Gabriela Scutea), the National Anticorruption Directorate (DNA, Crin Bologa) and the Directorate for Investigating Organized Crime and Terrorism (DIICOT, Giorgiana Hosu). The nominations were made by justice minister Cătălin Predoiu.

Out of the three, only Crin Bologa (for DNA) received the endorsement of the magistrates' body CSM while the other two received negative opinions.

## **Criminal case in rem against PNL senator Vergil Chitac for foiling disease prevention**

<https://www.nineoclock.ro/2020/03/16/criminal-case-in-rem-against-pnl-senator-vergil-chitac-for-foiling-disease-prevention/>

March 16, 2020 by NINE O'CLOCK

Prosecutors with the Prosecutor General's Office opened a criminal case in rem, for committing the crime of foiling disease prevention, in the case of Liberal senator Vergil Chitac, who infected several people with the new coronavirus.

According to some representatives of the Prosecutor's Office, prosecutors started an investigation that will determine whether the senator has taken all measures to prevent the virus from spreading.

Between February 17 and 19, Vergil Chitac attended a NATO meeting in Brussels, and on March 6, the General Secretariat of the NATO Assembly issued a document, in which participants were informed that one of the members of the French delegation had been found positive with the new coronavirus.

On March 9, Vergil Chitac took part in the meeting of the National Political Bureau (BNP) of the National Liberal Party (PNL), where about 100 Liberals were present, including Prime Minister Ludovic Orban.

Chitac claims that he learned of the document issued by NATO on March 9, and on the same day he contacted a doctor, who told him to stay calm if he has no symptoms. Subsequently, Vergil Chitac and three other participants in the BPN meeting tested positive for the coronavirus, namely Deputy Lucian Heius, Mayor of Deva Florin Oancea and the city's Public Administrator Adrian David Nicolae.

Vergil Chitac is currently admitted to the Intensive Care Unit of the Clinical Hospital for Infectious Diseases in Constanta.

*GCS: 36 criminal cases opened for crime of hindering fight against disease*

The Strategic Communication Group (GCS) on Monday announced that 36 criminal cases were opened for the crime of hindering the fight against diseases, a felony under the Criminal Code.

According to the quoted source, in the period March 15, 8:00 hrs – March 16, 8:00 hrs, there were 1,153 calls to the unique emergency line 112 and 5516 to the TELVERDE (0800 800 358) line opened for the informing of citizens.

GCS reminds citizens to only take into consideration information verified by official sources and to call the TELVERDE live – 0800 800 358 for recommendations and other information.

The TELVERDE line is not an emergency number, but a phone line strictly to inform citizens, the quoted source emphasizes. Romanians abroad can request information regarding the prevention and fight against the virus at the specially dedicated line – +4021 320 20 20.

## **JusMin: Penalties of up to 15 years in prison for offense of hindering disease combat**

<https://www.nineoclock.ro/2020/03/19/jusmin-penalties-of-up-to-15-years-in-prison-for-offense-of-hindering-disease-combat/>

March 19, 2020 by NINE O'CLOCK

The draft of the Government Emergency Ordinance amending Law No.286/2009 regarding the Criminal Code, adopted by the Government at the proposal of the Justice Ministry (MJ), stipulates penalties of up to 15 years in prison for committing the offense of hindering disease combat if the offense leads to the death of one or several persons.

PM Orban: Increased penalties for false statements and hindering epidemic spreading combat  
Prime Minister Ludovic Orban has announced on Thursday that the penalties for the offense of hindering epidemic spreading combat will increase, as well as those for false statements regarding the novel coronavirus epidemic.

"We took an important measure to amend the Criminal Code regarding the offenses committed in the context of the coronavirus epidemic, in which we decided to increase the penalties for false statements regarding the coronavirus epidemic. (...) There are several situations: the situation where a citizen returns from a country, where there is a number of cases and he/she either has to go into quarantine or isolation. These citizens must fill out a statement, but, in case they commit a forgery and don't tell the truth – what country, locality they are coming from – so that the authorities be able to make the correct decision – whether the decision of quarantine or isolation – they will suffer the consequences of the law. It means that they commit an offense, an offense that will be punished with imprisonment," Orban told a press statement.

He mentioned that the penalties for the offense of hindering epidemic spreading combat have also been increased.

"Those who do not comply with quarantine, who don't comply with the measures provided by the authorities, by the DSP [the Public Health Directorate], should also know that a criminal case will be drawn up. We cannot accept that irresponsible citizens who are in a situation of being isolated at home or in quarantine don't observe these decisions of the authorities, walk freely in the society and risk sickening the Romanian citizens. The primary duty of the Government is to defend the health of the citizens. In order to defend the Romanian citizens' health, we will take measures as harsh as possible in order to punish those who do not comply with the decisions and rules established," the Prime Minister said.

According to Orban, a new offense has been introduced: omission of providing information.  
"For instance, in case, during an epidemiological investigation someone doesn't provide complete information regarding the persons they got in contact with, trying to protect one or other, it is considered to be an omission in providing correct information to the authorities. And, in this situation, a criminal case can also be drawn up," the PM explained.

## **Bucharest “forgot” to inform the public about the suspension of the human rights convention**

<https://transylvanianow.com/bucharest-forgot-to-inform-the-public-about-the-suspension-of-the-human-rights-convention/>

March 24, 2020 by Orsi Sarány

Many have criticized the Romanian government for using the spread of COVID-19 as an excuse to request a suspension of the European Convention on Human Rights.

The interesting side of the story is that the Romanian government forgot to inform the public about the suspension, and citizens found out about it in an article published by AFP.

The Council of Europe and the Helsinki Commission spoke on the matter reproachfully, local news portal maszol.ro reports.

The Council of Europe does not encourage Romania to suspend the European Convention on Human Rights because the measures taken to stop the spread of the coronavirus – including restrictions on freedom of movement and assembly – are covered by Article 11 of the Convention.

This section allows certain legal restrictions if they are necessary in a democratic society to protect public health, the AFP quoted a spokesman of the Council as saying.

The Council of Europe – the institution that monitors the compliance of the treaty – spoke up after Romania, Republic of Moldova, Latvia, Estonia and Armenia activated Article 15 of the Convention, which suspends the entire Convention.

The countries used the spread of the coronavirus as an excuse.

The Council of Europe informed AFP about this matter, which is how the Romanian public found about it, since the authorities in Bucharest and the Group for Strategic Communication forgot to mention it.

The abovementioned section states that: “In time of war or other public emergency threatening the life of the nation, any High Contracting Party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law.”

The section specifies that “Any High Contracting Party availing itself of this right of derogation shall keep the Secretary General of the Council of Europe fully informed of the measures which it has taken and the reasons therefor.”

Romania’s suspension of the Convention was heavily criticized by several jurists, politicians and human rights activists.

According to Judge Cristi Danileț, this means that Romania is withdrawing itself from observing the rights guaranteed in the Convention and cannot be made responsible later for its violations

under the state of emergency. He added: The Government did not choose the best method to escape its international obligations.

Danileț explained that activating Article 15 means, in practice, that Romania is not obligated to comply with any other law other than the protection of life and the prohibition of torture for as long as the suspension of the Convention is maintained.

He added that Erdogan's Turkey used similar techniques. The judge also complained that the authorities withheld this information.

According to Danileț the suspension also raises legal concerns.

The Presidential Decree of March 16 declaring the state of emergency instructs the Ministry of Foreign Affairs to inform the Secretary General of the UN and the Council of Europe about the measures taken.

Two days later, a country representative informed the Council of Europe but without explicitly stating which rights were restricted or withdrawn, he said.

The Helsinki Commission also criticized the fact that the Romanian public was informed about the suspension a week later by a French news agency.

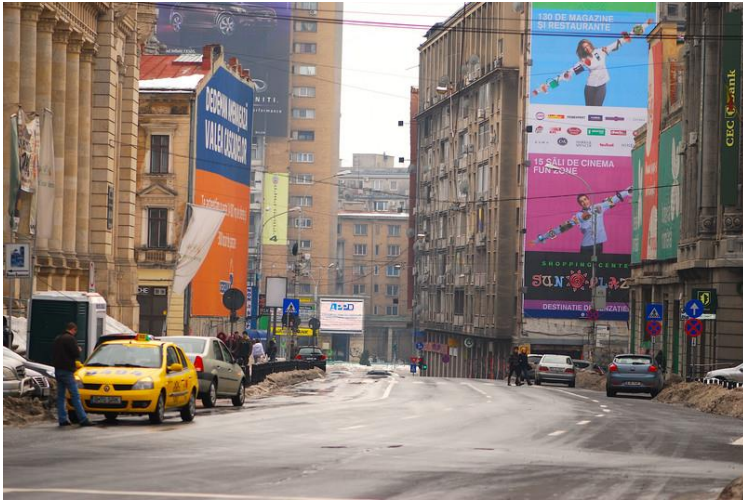
According to the institution, President Klaus Iohannis, PM Ludovic Orban or the Ministry of Foreign Affairs should have informed the public simply because they had been demanding for weeks that Romanians should only use official sources for information about the coronavirus.

The Commission also pointed out: How are other countries dealing with the introduction of a state of emergency without restricting fundamental rights, and why is Romania unable to do so?

## Romania: Inside the EU's worst healthcare system, as virus hits

[https://euobserver.com/coronavirus/147913?fbclid=IwAR0U6jCos7q5P99kiiAp0KqwiBXF89\\_PxAEWxIDMOkw-C0SQiOJJRlgqSAE](https://euobserver.com/coronavirus/147913?fbclid=IwAR0U6jCos7q5P99kiiAp0KqwiBXF89_PxAEWxIDMOkw-C0SQiOJJRlgqSAE)

March 30, 2020 by Cristian Gherasim



*Bucharest. Romania's health care, consistently ranked as the EU's worst according to the Euro Health Consumer Index, finds itself unable to cope with the spread of the virus (Photo: andreistroe)*

Facing looming medical shortages, and just 12 days into his investiture, Victor Costache last week (26 March) quit as Romania's health minister - just as the country struggles to contain the coronavirus from spreading.

Costache's decision came hours after declaring that all two million residents of Bucharest would be coronavirus tested - despite only 16,000 such tests carried out nationwide over the past month.

Succeeded by his deputy minister, Nelu Tataru, Costache's resignation only highlights the dire situation Romania's hospitals are in.

Hundreds of doctors and nurses have been contaminated amid a lack of supplies, breach of protocols, poor management as more and more medics complain they are ill-equipped and unable to protect themselves from the virus.

"We are made to go around the hospital before getting in through the same hallway as possibly contaminated patients to make it look as if we take separate entrances. We are allowed one face mask per day, as the stock is currently running out", a staff member working in a Bucharest hospital told EUobserver

Hospital across the country turn into coronavirus hotspots, as medics are improvising protective gear out of garbage bags, duct-taped to their feet, and face masks made out of toilet paper.

Romania has already passed the 1,000 mark of coronavirus cases, and the first dozens of deaths - yet the lack of testing and local transparency makes it difficult to estimate how many people have been infected.



## *EU's worst healthcare*



*(Photo): Medics are improvising protective gear out of garbage bags, duct-taped to their feet, and face masks made out of toilet paper (Photo: Romanian TV)*

Romania's health care, consistently ranked as the EU's worst according to the Euro Health Consumer Index, finds itself unable to cope with the spread of the virus.

Romania spends less on its medical system than any other EU country, as Eurostat ranks it last with only €400 healthcare expenditure per inhabitant, way behind top performers such as Luxembourg, Sweden and Denmark, each with over €5,000 health expenditure per inhabitant each year.

One thing Romania does share with the rest of the EU is the war-like atmosphere of a state in lockdown - an eerie feeling as everything grinds to a halt. In sharp contrast to the once-busy motorways and parks, that army has been brought onto the streets to aid police in imposing the new restrictions.

Some have voiced disapproval at the move, saying that there is no reason to have soldiers in full combat gear, with assault weapons, on top of Humvees adding to the feeling of panic. "They should instead be helping with delivering medical and food supplies, helping the elderly and provide a real aid to society like it happens in other countries, instead of parading around like it's a celebration for the National Day. My daughter has been having trouble sleeping and she is very anxious because of the feeling of all-out war the police and army has been imposing to neighbourhoods", senator Vlad Alexandrescu told EUobserver.

The country's lack of investment in the medical system, widespread corruption, politically-appointed hospital managers and staff shortages (as droves of doctors and nurses left to work in other European countries), severely weakened Romania's ability to deal with an emergency. Romania is losing precious group in its fight against the coronavirus.

It remains uncertain how much the army and police presence might help to turn the tide if hospitals and medics are left without supplies and assistance.

*Author bio - Cristian Gherasim is a freelance journalist contributing to EUobserver, Euronews, EU Reporter, Katoikos, Von Mises Institute, and bne IntelliNews, with a particular focus on European and regional affairs.*

# Serbia

## Serbia Restricts Movement for Migrants, Asylum-Seekers

<https://balkaninsight.com/2020/03/17/serbia-restricts-movement-for-migrants-asylum-seekers/>

March 17, 2020 - Milica Stojanovic Belgrade BIRN

Migrants and asylum-seekers living in state-run centres can only go out with special permission, according to temporary measures adopted by the Serbian government as part of the coronavirus-related state of emergency.



*Migrants on the Serbian side of the border between Serbia and Hungary in February. Photo: EPA-EFE/EDVARD MOLNAR.*

The Serbian government ordered on Monday that migrants and asylum-seekers living in state-run reception centres are not allowed to go out without special permission.

“In order to protect against the spread of infectious diseases on the territory of the Republic of Serbia, to prevent the uncontrolled movement of persons who may be carriers of viruses and arbitrarily leave asylum centres and reception centres, the movement of asylum-seekers and irregular migrants housed in asylum centres and reception centres in the Republic of Serbia is temporarily restricted and enhanced surveillance and security of these facilities is in place,” the government’s order said.

Those who need to go out to see a doctor or in other “justified cases” will need special, time-limited permission from Serbia’s Commissariat for Refugees and Migration.

Serbia imposed a state of emergency over the COVID-19 pandemic on Sunday evening.

Apart from people who have been ordered to self-isolate, there are no restrictions on the movements of Serbian citizens.

The authorities did suggest that people older than 65 years could be restricted from going out in future out, but this measure has not been adopted yet.

Prior to the outbreak of the virus in Serbia, anti-migrant campaigners had been increasingly vocal.

On March 8, around 200 people held an anti-migrant protest in Belgrade followed by a march, during which an unknown person threw a rock at the Commissariat for Migrants and Refugees' office.

Some opposition parties, like Dveri, a member of Alliance for Serbia opposition bloc, have been pushing anti-migrant views for weeks, accusing the government of making secret deals to receive hundreds of thousands of migrants deported from the EU.

On February 18, Dveri started a campaign in the western city of Cacak to collect signatures in favour of toughening government policy on immigration.

At the end of February, a video was published on social media in Serbia showing members of so-called 'people's patrols' intercepting migrants in central Belgrade and telling them that they are not allowed to move around from 10pm to 6am, or during the day in groups larger than three people.

## **Serbia's Progress on War Crimes Cases 'Negligible': Report**

<https://balkaninsight.com/2020/03/25/serbias-progress-on-war-crimes-cases-negligible-report/>

March 25, 2020 - Milica Stojanovic Belgrade BIRN

The Serbian war crimes prosecution only issued three indictments in 2019, two of which were in cases transferred from Bosnia and Herzegovina, said a new report by the Humanitarian Law Centre.

The Belgrade-based Humanitarian Law Centre NGO said in a report published on Wednesday that Serbian war crimes prosecutors are continuing to issue only a small number of indictments, most of them in cases transferred from Bosnia and Herzegovina, and none of them charging high-ranking suspects.

"Bearing in mind that according to the War Crimes Prosecution Office's data from November 2019, 2,557 cases are in the preliminary investigation stage, but only 15 cases are in the [active] investigation stage, such a work rate will solve a negligible percentage of war crimes cases in the coming period," the report said.

The Humanitarian Law Centre noted in the report that prosecutors issued three indictments in 2019, two in cases from Bosnia and Herzegovina. The third indictment charges a suspect with war crimes in Kosovo as part of a case that is already ongoing in court.

All three indictments issued in 2019 are related to direct perpetrators of war crimes, not ranking officers.

"This continued the practice of non-prosecution of perpetrators in senior positions in the former military, police and political hierarchy of Serbia and the Federal Republic of Yugoslavia," the report said.

"Non-prosecution of high-ranking perpetrators is contrary to the adopted National Strategy for War Crimes Prosecution, which states that the Republic of Serbia has decided that 'cases against suspects of high rank, de jure or de facto, should be given priority in the work of prosecutors in the period 2016-2020'," it added.

The Humanitarian Law Centre also noted that in 2019, prosecutors did not issue a single fresh indictment for crimes against ethnic Albanian civilians in the Kosovo war.

"Since the beginning of 2013, the HLC has filed nine criminal complaints about crimes committed in Kosovo; in Pec, Mala Krusa, Savine Vode, Vucitrn, Goden, Kraljani, Landovica, Poklek and Djakovica. However, up until the end of 2019, the Prosecution Office did not start an investigation into a single one of the listed suspects," the report said.

## Sources

[www.adz.ro](http://www.adz.ro)  
[www.albanianfreepress.al](http://www.albanianfreepress.al)  
[www.albaniannews.com](http://www.albaniannews.com)  
[www.balkaneu.com](http://www.balkaneu.com)  
[www.balkaninsight.com](http://www.balkaninsight.com)  
[www.bta.bg](http://www.bta.bg)  
[www.dw.com](http://www.dw.com)  
[www.europeanwesternbalkans.com](http://www.europeanwesternbalkans.com)  
[www.g4media.ro/english](http://www.g4media.ro/english)  
[www.ipn.md](http://www.ipn.md)  
[www.reuters.com](http://www.reuters.com)  
[www.uk.reuters.com](http://www.uk.reuters.com)  
[www.moldpres.md](http://www.moldpres.md)  
[www.nineoclock.ro](http://www.nineoclock.ro)  
[www.novinite.com](http://www.novinite.com)  
[www.romania-insider.com](http://www.romania-insider.com)  
[www.romaniajournal.com](http://www.romaniajournal.com)  
[www.theguardian.com](http://www.theguardian.com)  
[www.trm.md](http://www.trm.md)  
[www.welt.de](http://www.welt.de)

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