

hours, and acquaintances, had all been questioned and further investigations were conducted, to no avail.

**Extrajudicial, summary or arbitrary execution, Special Rapporteur on:** (E/CN.4/1998/68, paras. 12, 17, 27, 85; E/CN.4/1998/68/Add.1, paras. 399–402)

The report refers to information stating that in August 1997 the Ministry of Justice confirmed that 13 executions had taken place in Ukraine during the first eight months of 1997, and that one execution took place after 5 May 1997 when Ukraine signed Protocol No. 6 to the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Special Rapporteur (SR) was also informed that during the same period, 73 persons had been sentenced to death. The SR reminded the government that upon joining the Council of Europe and signing Protocol No. 6 to the European Convention, it committed itself to impose an immediate moratorium on executions, and to abolish the death penalty.

Two urgent appeals were sent to the government relating to the imposition of the death penalty on persons who had allegedly been tortured or ill treated in order to obtain a confession of guilt. The government replied: the guilt of the two persons named had been proven and corroborated by witnesses' statements, experts' conclusions, material evidence, and other material in the case file; references to infringements on the right to defence for one of the accused and to him having given erroneous testimony during the preliminary examination were groundless as they were disapproved (sic) by the evidence studied by the court; and the exceptional penalty of death was imposed on them in accordance with the requirements of the law.

The SR noted that the government's reply did not address the main issue of concern, that is, any steps it had taken to impose a moratorium on executions and to abolish the death penalty.

**Racism and racial discrimination, Special Rapporteur on:** (E/CN.4/1998/79, para. 46)

The report refers to discrimination against Roma, and notes information indicating that following a resurgence of police brutality against Roma, a Rom was arrested in December 1996 while collecting dead batteries. He was beaten at the police station in Uzhhorod and on his release said that he had been deprived of food for two days. In the same region, in January 1997, police officers invaded the homes of two Roma families on the pretext that they were looking for a thief. Reliable reports indicated that the police officers struck the adult members of the two families, and forced two children aged 16 and 10 to stand and recite "Gypsies are bastards, the best place for them is in the graveyard."

**Torture, Special Rapporteur on:** (E/CN.4/1998/38, paras. 194–195; E/CN.4/1998/38/Add.1, para. 446)

The Special Rapporteur noted the concern of the Committee against Torture over the large number of reports by NGOs of cases of torture and violence committed by

officials during preliminary investigations, causing suffering, bodily injury and, in a number of cases, death (A/52/44, para. 131).

In May 1997 an urgent appeal was sent to the government concerning one person who was reportedly arrested by police officers in March 1997 in Makeivka city (Donetsk region). He was allegedly subjected to torture, including beatings to his face, body, arms and feet, and having a gas mask and plastic bag filled with poisonous gas placed over his head. Information indicated that he suffered broken ribs as a result of the beatings and was reportedly transferred to a location unknown to his family. The government replied in October 1997, stating that a medical examination made in response to the detainee's claims of having suffered physical injury revealed only abrasions to the hand which may have been caused by handcuffs. With respect to complaints of unlawful actions by militia personnel, it was decided not to open criminal proceedings, a decision which was confirmed by the Office of the Procurator-General.

**Toxic wastes and products, Special Rapporteur on:** (E/CN.4/1998/10, paras. 12, 32, 73)

The report refers to information provided by the government, stating, *inter alia*: in order to safeguard human rights, a frontier environmental control service was set up in 1995, as part of the State Ecological Inspectorate, to ensure state monitoring of compliance with the requirements of environmental legislation and ecological safety rules in connection with the movement of dangerous substances and wastes across the national frontier; environmental control has now been introduced at 58 national frontier crossing points; Ordinance No. 704 of June 1997 brings the list of national frontier crossing points at which environmental control will be enforced into line with the requirements of international treaties and deals with a number of other important questions; and instructions on the application of environmental control at national frontier crossing points in Ukraine were being drafted and agreed with the central state executive agencies concerned.

The report notes that the Ukraine has become one of the target countries for the dumping of toxic wastes and products by OECD countries.



## YUGOSLAVIA, FEDERAL REPUBLIC OF

**Date of admission to UN:** 24 October 1945.

### TREATIES: RATIFICATIONS AND RESERVATIONS

**Land and People:** Yugoslavia has submitted a core document (HRI/CORE/1/Add.40) for use by the treaty