

Beograd, 5. januar 2011.

Monitoring trial to a Roma in Jabuka

Support the request for exclusion of the Prosecutor Gordana Čolić from trial

The trial to the minor B.J. from Jabuka for the murder of D.S. was resumed on 5 January 2011 after the Judicial Council presided by the Judge Stanka threw Milan Antonijević, Director of YUCOM out of the court. Namely, the Lawyers' Committee for Human Rights – YUCOM, Civil Rights Defenders and the Regional Centre for Minorities have again submitted a written request to Judge Simonović to allow their presence at the trial. The written refusal sent to RCM was not received by YUCOM, so the latter assumed that the Judge agreed to the representative of their organisation being present at the trial. After the presentation of the Prosecutor who objected to the presence of YUCOM representative at the trial, explaining that the presence of a human rights organisation would „politicize the trial“, the Judicial Council decided that Antonijević should not be allowed to stay at the main trial.

Three organisations were particularly interested to be present at this main trial since the article published in the newspaper Pančevac of 31 December 2010 disclosed the facts related to the proceedings, the full name of the minor B.J., as well as a number of false interpretations on the perpetration of the act that B.J. is charged with. This text violates severely the Law on Minor Perpetrators of Criminal Acts and the Criminal and Legal Protection of Minors and the Penal Code of the Republic of Serbia.

Gordana Čolić, Public Prosecutor in the High Public Prosecutor's Office in Pančevo was cited in the same text as asking that B.J. be sentenced to prison instead of the original pronouncement of an educational measure and referral to a correctional home. In view of the reporting of the newspaper Pančevac and the inopportune statement of Gordana Čolić, the lawyer of the accused Jovan Ćirić submitted a request for exclusion of the above mentioned Prosecutor from trial which was forwarded to the Appeals Court in Novi Sad.

We wish to recall that, in view of the fact that a minor person is on trial, it must have been closed by 9 December 2010, within the timeframe of six months, which represents a legal maximum of the time a minor may spend in detention.

We remind you that after the murder violence against Roma in Jabuka escalated because the accused B.J. is a Roma and the victim is a Serb.

In addition, the minor B.J. is detained in the room with adults, which represents yet another violation of Law on Minor Perpetrators of Criminal Acts and is against the interest of a minor person.

We request that the trial against B.J. be concluded soonest and that B.J. be held in detention with minors until the pronouncement of the sentence, if this measure is justified. In view of the article published in the newspaper Pančevac, the Prosecutor Čolić must be excluded from the trial and the responsibility of Siniša Trajković, Editor-in-Chief of Pančevac should be established. We also repeat our request that the human rights organisations be allowed to monitor the trial in order to ascertain that the accused has access to an objective, impartial and fair trial.

Lawyers Committee for Human Rights - YUCOM
Regional Centre for Minorities
Civil Rights Defenders
Women in Black