

Macedonia (117)

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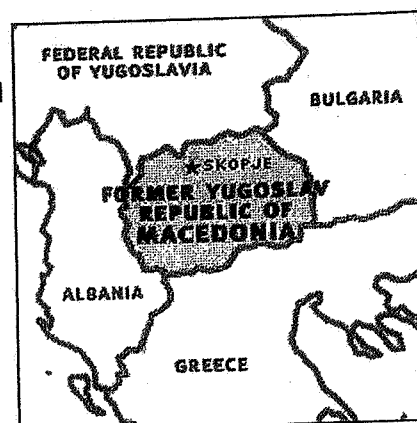
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HUMAN RIGHTS DEVELOPMENTS

Implementation of the August 2001 Framework Agreement for Peace (known as the Ohrid Agreement) brought Macedonia considerable change, including an amnesty for the insurgents, emergence of new political parties, and general elections that replaced the government of Prime Minister Ljubco Georgievski. Reforms required by the peace agreement began in earnest only in late 2001 with Parliament's approval of constitutional amendments recognizing Albanian as an official language and guaranteeing proportional access for ethnic minorities to public sector jobs, including in the police. Parliament adopted a further set of reforms giving ethnic Albanians and other minorities the right to use their own languages in state institutions. However, prior to its departure from office, doubts about the commitment of Georgievski's government to the Ohrid process affected overall stability for much of 2002, and the government's record was marred by its assaults on press freedom, harassment of human rights organizations, impunity for abuses committed during the conflict, and evidence of widespread corruption.



Although generally declining during the year, there was an upsurge in inter-ethnic and political violence and intimidation in the weeks preceding the mid-September 2002 general elections, underscoring the fragility of the peace deal. The elections took place with few incidents, however, and resulted in the "Together for Macedonia" coalition ousting the ruling parties. Led by the Social Democratic Union's Branko Crvenkovski, the coalition took 40.4 percent of the national vote, while the recently established Democratic Union for Integration (DUI), led by former Albanian rebel leader Ali Ahmeti, won the bulk of the ethnic Albanian vote. In early November, Parliament approved the new multiethnic government, headed by Crvenkovski and including five DUI cabinet members.

Mutual distrust still permeated relations in some communities, strained further by several isolated but serious attacks. Shootings, bombings, and kidnappings took place during the year, in particular in the northwest. One of the more serious incidents occurred in late August, when ethnic Albanian extremists kidnapped seven people, demanding the release of three suspects in the killing of two policemen that same week. Due to intervention by international mediators, all seven abductees were freed within a few days.

Macedonia's record on accountability for rights abuses remained poor, with the Georgievski government failing to address impunity for abuses committed during the 2001 conflict. The authorities flatly rejected the possibility that members of the security forces could be tried for serious violations of international humanitarian law. Meanwhile, in March, Parliament passed an amnesty law that covered all "criminal acts related to the 2001 conflict," including those committed by combatants of the ethnic Albanian insurgent group, the National Liberation Army (NLA). Most ethnic Albanians detained or convicted on charges related to the conflict were either pardoned by President Boris Trajkovski or released under the amnesty. The international community gave strong support to the amnesty, which they saw as important for inter-ethnic peace and reconciliation. However, the law barred domestic courts from trying war crimes committed during the conflict, and therefore appeared to violate Macedonia's obligations under the Geneva Conventions. Human rights groups argued that the law's prohibition on domestic trials would ensure impunity for many serious violations, since the International Criminal Tribunal for the former Yugoslavia

(ICTY) would be able to pursue only a few high profile cases.

Following the September 11, 2001 terrorist attacks against the United States, the Macedonian government repeatedly used anti-terrorist rhetoric, invented threats to score political points, and raised the specter of Islamic fundamentalism among Macedonia's Albanians. After police shot and killed seven foreign men on the outskirts of Skopje in March, the government cast the incident as a thwarted "terrorist attack" on Western embassies in the capital. The Ministry of the Interior attempted to link the men with the NLA and al-Qaeda, and called them "mujahideen" fighters. Suspicions emerged when official versions of the incident changed, and the ministry rejected a request for international forensic experts to examine the bodies. The *Wall Street Journal* later reported that the victims were Pakistani and Indian migrants traveling to Greece to seek employment. The government continued, however, to label them "terrorists."

During the year, journalists suffered threats and violent attacks, including a September 9 shooting in the *Global* newspaper's printing offices and the bombing of the newspaper editor's car a day later. Macedonia's first newspaper printed in both Macedonian and Albanian, *Global* had reported on corruption and incompetence among government officials. No one was injured in either attack, which editor Ljupco Palevski attributed to members of the Democratic Party of Albanians, an allegation that was denied by a party spokesman. Also in September, the Ministry of the Interior filed criminal libel charges against reporter Marjan Djurovski of *Start* magazine, which had published an article claiming the government might start a war in order to delay elections. Earlier that month, Interior Minister Ljube Boskovski had threatened to detain any editors for "spreading western scenarios in order to destroy the government." Other journalists were physically attacked in what they believed to be attempts to suppress their investigations into shady government practices. One of the most serious incidents took place in late September when persons suspected of being members of the "Lions," a special police force, attacked journalist Zoran Bozinovski late at night in the Tumba radio station. Bozinovski sustained a concussion, lacerations to the head, and several broken fingers. One person was subsequently arrested for his part in the attack. Investigation of the perpetrators was ongoing at the time of writing.

Police continued to perpetrate racially motivated abuses against Roma with impunity, and there were several reports of violent attacks against Roma by non-state actors. Discrimination against Roma in various fields of public life remained widespread. Refugee Roma from Kosovo were particularly vulnerable to abuse.

The government took steps against trafficking in human beings by passing a law criminalizing trafficking and signing an agreement with the International Organization for Migration (IOM) for the pre-screening of female undocumented migrants to identify victims of trafficking. The Ministry of the Interior opened a shelter for trafficked women and girls, which reportedly provided good accommodation but no information to the women on their legal rights. In addition, the shelter received only those willing to return to their country of origin. Those who did not participate in the IOM program were liable to deportation and renewed exposure to the trafficking cycle.

DEFENDING HUMAN RIGHTS

The Macedonian Helsinki Committee (MHC) and other organizations became targets of government-orchestrated intimidation campaigns. The publication of MHC's 2001 annual report, which included accounts of violations by the Macedonian police, triggered accusations of treason and lack of patriotism by the government-controlled media. A statement from the Ministry of the Interior labeled Mirjana Najcevska, the MHC chairperson, "state enemy no.1" and "anti-Macedonian." In September, Najcevska was also verbally attacked by Minister of the Interior Boskovski following an MHC statement expressing doubts about the political impartiality of the police. Boskovski launched a similar smear campaign against the Brussels-based International Crisis Group and the author of its report on official corruption in Macedonia.

The Civil Society Resource Center (CSRC) provided free legal representation to 150 asylum seekers, including in three cases before the European Court of Human Rights. It also provided legal aid to victims of torture, police abuse, and other human rights violations. A network of nongovernmental organizations coordinated by the CSRC worked with the Office of the United Nations High Commissioner for Refugees to find solutions to the situation of thousands of former Yugoslav citizens (including many ethnic Albanians) who had not been granted Macedonian citizenship after independence, despite their established residence in the country.

THE ROLE OF THE INTERNATIONAL COMMUNITY

The international community continued to monitor closely and react to threats to peace and stability in Macedonia. Unfortunately, considering only short-term security, it repeatedly sacrificed justice and accountability for the serious crimes committed by both sides in the armed conflict. The international community should have supported and monitored fair domestic war crimes trials in Macedonia, as a complement to international justice before the ICTY.

United Nations

In late 2001, the ICTY initiated two separate war crimes investigations into the Macedonian conflict and in 2002 opened three new investigations. The ICTY had not issued any public indictments as of this writing.

Organization for Security and Cooperation in Europe

The Organization for Security and Cooperation in Europe (OSCE) supported reforms required by the Ohrid Agreement. The organization trained a multiethnic police force: as of mid-year, over six hundred police cadets had completed basic training under the program. The OSCE's Skopje mission was reportedly taking steps to enhance its limited human rights monitoring capacity. In the largest election observation mission ever deployed in Europe, the OSCE sent approximately eight hundred international observers to Macedonia for the September 15 elections. The observers judged the elections to be largely free and fair.

Council of Europe

The Committee for the Prevention of Torture (CPT) visited Macedonia in July to assess the treatment of persons detained by law enforcement agencies. The country also remained subject to the Parliamentary Assembly's post-monitoring dialogue and a delegation of parliamentarians visited the country ahead of the September elections. In contrast to the majority of international bodies, the Council of Europe expressed reservations about the amnesty law, noting that an amnesty preventing domestic prosecutions for violations of international humanitarian law would be counter-productive. As of this writing, the Macedonian government was almost four years overdue in submitting its initial report under the Framework Convention for the Protection of National Minorities.

European Union

The E.U. was supportive of the reform process but expressed concern at the pre-election violence. The E.U. warned the Macedonian government that the increased violence cast doubts on Macedonia's ability to form closer ties with the E.U. and the North Atlantic Treaty Organization (NATO). A €530,000 (U.S.\$520,000) grant from the European Commission supported a national census sought particularly by ethnic Albanian political leaders, who claimed government figures understated the real size of their community. Resolving this long-standing controversy was a critical element of the Ohrid Agreement, providing for the proportional representation of minorities in public administration and other areas of public life. Disagreements between Greece and Turkey continued to delay the establishment of the E.U.'s European Rapid Reaction Force (ERRF) and thus postponed the ERRF taking over the Macedonian mission from NATO. An April report on Macedonia's implementation of its commitments under the Stabilization and Association Agreement with the E.U. listed several human rights concerns. Among "key areas needing attention in the next twelve months," the report identified improved implementation of the Ohrid Agreement, including the census; stronger legal and constitutional guarantees on free expression; intensified police training in human rights; and promotion of civil society.

United States

The U.S. government supported the reforms enacted pursuant to the Ohrid Agreement, particularly the return of multiethnic police to former conflict areas and the passing of a new local government law. The U.S. also resumed its bilateral multiethnic police training program in the country. In the aftermath of September 11, the U.S. special envoy to Macedonia warned the authorities not to exploit international anti-terrorism efforts in order to renege on their Ohrid commitments. The U.S. State Department's 2002 trafficking in persons report moved the country from a Tier Two standing to Tier One, denoting general compliance with minimum standards for the elimination of trafficking.

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