

Makedonien (117)

34



[Print Friendly Version]

U.S. DEPARTMENT OF STATE

[Home](#) | [Contact Us](#) | [FOIA](#) | [Privacy Notice](#) | [Archive](#) | [Search](#)
[About the State Department](#) | [Press & Public Affairs](#) | [Travel & Living Abroad](#)
[Countries & Regions](#) | [International Topics & Issues](#) | [History, Education & Culture](#)
[Business Center](#) | [Other Services](#) | [Employment](#)

Macedonia, The Former Yugoslav Republic of

Country Reports on Human Rights Practices - 2001
 Released by the Bureau of Democracy, Human Rights, and Labor
 March 4, 2002



Macedonia, which became independent in 1991 following the breakup of Yugoslavia, is a parliamentary democracy with multiethnic party representation and a popularly elected president. In multiparty parliamentary elections held in 1998, opposition parties defeated parties of the governing coalition in elections that international observers concluded were conducted fairly and reflected the will of the electorate. President Boris Trajkovski was elected in 1999 in elections that were characterized by international observers as having some irregularities, including numerous incidents of ballot stuffing. In May in response to an ethnic-Albanian insurgency that began in February, all major parties represented in Parliament joined a national unity government. The Government generally respects the Constitutional provisions for an independent judiciary, although at times the judiciary was inefficient.

In February armed ethnic-Albanian extremists launched a violent insurgency near the Kosovo border. A group of Kosovar and Macedonian ethnic Albanians, calling themselves the "National Liberation Army" (NLA), purporting to fight for greater civil rights for ethnic Albanians in Macedonia, seized territory and launched attacks against government forces. Many observers ascribed other motives to the NLA, including support for criminality and the assertion of political control over affected areas. The insurgency spread through northern and western Macedonia. In June the insurgents occupied Aracinovo, a village five kilometers from the capital, Skopje. After a government offensive failed to remove them, and at the Government's request, the North Atlantic Treaty Organization (NATO) negotiated the insurgents' withdrawal and escorted them out of the Aracinovo area. On July 5, with international facilitation, the Government and the insurgents negotiated a cease-fire, and on August 13, the ruling ethnic-Macedonian and ethnic-Albanian party leaders signed the Framework Agreement and its annexes, which laid the groundwork for the preservation of a peaceful, unitary, multiethnic state with improved civil rights for minority groups. The Agreement called for the implementation of constitutional and legislative changes. On September 26, under the terms of the demilitarization agreement, NLA combatants completed a voluntary hand-over of weapons to NATO troops and announced their disbandment. The Framework Agreement was ratified by Parliament in a series of three sets of votes; in the final vote on November 16, Parliament amended the country's Constitution, as required by the peace agreement, to better protect citizens' civil rights.

The Ministry of Interior, which oversees the uniformed police, the criminal police, the border police, the police reservists, and the state intelligence service, is under the control of a civilian minister; a parliamentary commission oversees operations. The Ministry of Defense shares with the border police responsibility for border security. The security forces committed serious human rights abuses.

The economy has experienced multiple problems since independence. After several years of slow growth, the economy made broad-based gains during 1999 and 2000, with gross domestic product (GDP) growing by 2.7 percent and 4.3 percent respectively; during the year, GDP decreased by 4.6 percent due to the conflict. In 2000, GDP was \$3.34 billion; per capita GDP was \$1,823. During the year, the budget deficit was 6.5 percent. Due to the insurgency, the Government redirected economic development funds to support new security measures. Combined with the global economic slowdown during the year, this resulted in extremely reduced foreign investment. According to the National Bureau of Statistics, at the end of November, unemployment was at 39.1 percent. There is a large unofficial economy. Inflation was fairly stable and averaged 5.5 percent during the year.

The Government's human rights record significantly worsened during the year in the context of the ethnic-Albanian insurgency led by the NLA. Police conduct during the conflict in particular deteriorated significantly and resulted in serious human rights abuses, and the human rights performance of undisciplined and untrained police reservists, who formed paramilitary groups, was poor. Police committed extrajudicial killings and killed civilians during combat operations; in most cases, the Government took insufficient steps, or no steps at all, to investigate and discipline responsible officers. Police often severely beat—at times, fatally—and otherwise abused suspects and prisoners, in particular ethnic Albanians and Roma. Arbitrary arrest and detention were serious problems. Police continued to compel citizens to appear for questioning, in spite of a 1997 law that requires that police first obtain a court order. The Government restricted privacy rights, and police deliberately destroyed and looted homes during the conflict. Police beat and intimidated journalists, and the Government restricted ethnic-Albanian media. The Government placed some limits on religious freedom by restricting the establishment of places of worship. The Government restricted freedom of movement, and thousands of persons were displaced from their homes by the internal conflict. The Government at times limited reporting on abuses during the conflict by nongovernmental organizations (NGO's).

Violence and discrimination against women (particularly in the ethnic-Albanian community) remained

problems. Societal discrimination against minorities, including Roma, ethnic Albanians, ethnic Turks, and ethnic Serbs, remained a problem, and ethnic-Albanian leaders cited widespread discrimination as the principal cause of the NLA's insurgency. The August 13 Framework Agreement contained broad constitutional and legislative reforms focussed on greater minority rights, as well as increased minority participation in the police force and other governmental institutions. Trafficking in women and girls for prostitution was a problem.

NLA insurgents also committed serious abuses against the civilian population, including killings, beatings, looting, and "ethnic cleansing."

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The Government committed extrajudicial killings. Police beat at least two ethnic-Albanian detainees to death.

During combat operations associated with the ethnic-Albanian insurgency, police killed several civilians.

There were deaths in police custody. On June 9, ethnic-Albanian journalists claimed that police beat Metush Ajeti to death in a Skopje police station. Ajeti's body was found in the street. However, the Ministry of the Interior allegedly denied that Ajeti had been arrested by police. On August 13, police severely beat four ethnic-Albanian men at the Skopje hospital reportedly after finding weapons in the trunk of their car. Following the beatings at the hospital, police took the men to the police station, beat them, and threatened to kill them. One of the men, Nazmi Aliu, died from the injuries he sustained.

No investigations were pursued in cases of deaths in police custody from previous years, including the January 2000 death of Sabri Asani, which officially was called a drug overdose, although some press reports and family members claimed that he was shot in the head; the February 2000 death of a detainee who reportedly committed suicide while in police custody; and the May 2000 death of an ethnic Albanian in a Skopje prison.

During combat operations associated with the ethnic-Albanian insurgency, security forces killed several civilians. On March 15, military gunfire killed a civilian in the mountains around Tetovo. On May 21, in Runica, a mortar shell launched by Macedonian security forces killed one villager and wounded six others (see Sections 1.c. and 1.f.). Villagers denied that there was an NLA presence in Runica; however, this was not verified. Security forces reportedly killed a 16-year-old boy near Tetovo (the Ministry of Defense claimed that he was an NLA member trying to infiltrate a village; other groups claimed he just was returning to his village to tend his livestock).

From August 10 to 12, Macedonian police shot and killed six persons and burned 22 civilian buildings during a military operation at Ljuboten, according to Human Rights Watch and other international monitors who visited the site. Although some or all of those killed may have been NLA combatants, at least two—Sylejman Bairami and Muharrem Ramadani (age 68)—appeared to have been civilians who were killed after police removed them from the basement in which they were hiding. A powder burn on Bairami's head indicated that he had been shot at close range. Macedonian vigilantes reportedly beat unconscious three ethnic-Albanian men who later fled Ljuboten as police stood by and watched. Police shot one man, Atulah Qaini, in the head while he fled from the vigilantes. According to Human Rights Watch, family members of Atulah Qaini recovered his badly bruised body from the Skopje morgue, shortly after he had been taken into police custody at Ljuboten. There are allegations that Interior Minister Ljube Boskovski was present in Ljuboten and directed the operations on August 12. An internal police investigation of the incident summarily dismissed accusations of police wrongdoing.

On August 7, police killed five NLA members in a house in an ethnic-Albanian neighborhood of Skopje. Interior Ministry officials claimed that the men had resisted arrest; however, according to NGO reports, there was no sign of an exchange of fire, and there was evidence that the victims were shot from above as they lay on the floor.

The NLA also killed civilians during the conflict (see Section 1.g.). For example, on August 26, NLA members killed two Macedonian employees in a bomb explosion at a Macedonian-owned restaurant.

The NLA killed a number of security force members. On April 28, the NLA ambushed a mixed Macedonian police-army patrol at Vejce (near Tetovo), killing eight security force members. The only survivors were those who were able to escape the scene of the ambush. Five of those killed had been shot in the head at close range, in addition to having received other wounds. The attending pathologist concluded they had been killed at close range, after being wounded and rendered defenseless. Three of the eight cadavers had been badly burned, although it was unclear whether the burns were suffered during combat or afterward. This incident sparked riots in Bitola. On June 6, NLA combatants ambushed a Macedonian Army ambulance near Slupcane and killed five soldiers; in retaliation ethnic-Macedonian civilians attacked ethnic Albanians in Bitola (see Section 5). On August 8, NLA members killed 10 government soldiers in an ambush on the road between Skopje and Tetovo, sparking a riot in Prilep in which ethnic Macedonians burned down the local mosque (see Section 1.f.).

On November 10 and 11, Interior Minister Ljube Boskovski deployed special forces called the "Lions"—poorly-

trained and poorly-disciplined paramilitaries associated with the police—to areas formerly held by the NLA. Police arrested seven ethnic Albanians, allegedly members of the NLA. Shortly after the arrests, members of the Albanian National Army (ANA)—a small residual group of armed extremist ethnic Albanians—took responsibility for the ambush of a police convoy near Trebos, a village northeast of Tetovo, which killed three police officers and wounded others.

On June 12, unknown gunmen shot and killed ethnic-Albanian activist Naser Hani as he resisted their efforts to abduct him in Struga, a town close to Lake Ohrid, where the peace plans were being discussed. There was no information about an investigation into this case at year's end.

b. Disappearance

Several persons disappeared during the conflict, possibly for political reasons or due to conflicts among organized crime groups. Authorities and the local press frequently addressed the status of 12 ethnic Macedonians and, less frequently, 6 ethnic Albanians, all of whom disappeared during the conflict. Former NLA leaders denied knowledge of the whereabouts of the 12 ethnic Macedonians who disappeared from their villages around Tetovo. The Government accused the NLA of having killed them, and the Public Prosecutor and the Minister of Interior claimed that their bodies were buried northeast of Tetovo. However, an exhumation of the suspected gravesite conducted by the Ministry of the Interior from November 22 to 25 was inconclusive at year's end.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such treatment and punishment; however, since the beginning of the conflict, police frequently used excessive force during the apprehension of criminal suspects and often tortured and abused prisoners, especially members of the ethnic-Albanian minority. Police beatings of ethnic-Albanian males were common and frequently were conducted with implements such as wooden bats, batons, iron bars, and steel cables; such beatings occasionally resulted in the death of the victims (see Section 1.a.). Police forced detainees to sign confessions under torture implicating themselves and others in NLA-related activities. Police often released detainees without charges after beating them.

On February 9, police arrested Murtezan Saiti, an ethnic-Albanian citizen of Macedonia, who was suspected of hiding weapons used in a lethal January 21 attack on the Tearce police station. During his 24-hour detention, police severely beat Saiti, drove him to a site near his home, and threw him out of a car. Saiti was admitted to a local hospital's intensive care unit for treatment. Two days after the beating, the Ministry of Interior's Office of Professional Responsibility, acting on orders from then-Interior Minister Dosta Dimovska, suspended five officers of the Security and Counterintelligence Agency, including Ljupco Andonovski, the agency's chief officer in Skopje. A criminal investigation was recommended by the Ombudsman but not undertaken.

According to Amnesty International, on April 6, police stopped 28 ethnic-Albanian men at a checkpoint near Tetovo, handcuffed them, and forced them to enter a truck. According to NGO reports, police beat the men in the truck, then brought them to the Tetovo police station, where they questioned them about their alleged contacts with the NLA. Also in April, NGO's reported that police arbitrarily arrested and severely beat approximately 30 men from Poroj; 6 of the men reportedly were hospitalized due to their injuries.

Following the NLA's April 28 ambush of Macedonian security forces (see Section 1.a.), police in several Skopje locations stopped vehicles with Tetovo license plates and beat ethnic-Albanian male occupants in the presence of onlookers. Those beaten offered no resistance and posed no risk to police. After further questioning and harassment, police released all without charges.

In May government forces began an offensive against NLA members who had seized control of villages around Kumanovo. Large numbers of civilians remained in the NLA territory, and according to Human Rights Watch, government forces systematically separated ethnic-Albanian males evacuated or fleeing from the conflict areas from their female relatives and beat them at police stations. For example, in May police severely beat 11 ethnic-Albanian civilians who were fleeing a combat area near Kumanovo. Police beat the civilians at the checkpoint where they were detained, during transport to the Kumanovo jail, and at the jail. Reportedly police severely beat these detainees on the soles of their feet, hands, buttocks, arms, and heads for extended periods. Police questioning of the civilians was only superficial; they were released without charges. On May 25, police beat 10 ethnic-Albanian men during police raids in Dzepciste and Poroj. On May 21, police severely beat, kicked, and threatened several civilian inhabitants of the ethnic-Albanian village of Runica and destroyed their homes (see Section 1.f.).

The Organization for Security and Cooperation in Europe (OSCE) reported that security forces assaulted and verbally abused a group of persons who withdrew from Vaksince during a combat engagement. The group included women, children, and the elderly as well as males of fighting age.

According to Amnesty International, on June 10 in Skopje, police arrested an ethnic-Albanian officer of the Macedonian army and allegedly beat him with metal bars and wooden bats while in custody. The police reportedly moved the officer two times and beat him in different locations before releasing him 48 hours later.

In August international human rights groups accused police of severely beating approximately 100 ethnic-Albanian men and boys who were detained following operations at the town of Ljuboten (see Section 1.a.). Many suffered broken bones, and some reportedly were disabled permanently. At year's end, 24 of the men reportedly remained in police custody.

During the year, the Interior Ministry received 117 citizen complaints regarding the excessive use of police force or other improper conduct. In 82 of these cases, the Ministry lodged disciplinary actions. In nine cases, criminal charges were lodged: in five of these cases, police officers were dismissed from service, and in four cases they were suspended and penalized with fines.

In January police physically abused an ethnic Macedonian from Kumanovo who was accused of setting fire to a factory where he was employed. An internal police investigation resulted in the temporary suspension and fining of the responsible officers; however, court proceedings into the police conduct initiated at the recommendation of the Ombudsman had not produced any results by year's end.

There were credible reports of occasional police violence against Roma, including beatings during arrest and while in detention (see Section 5). Roma rights organizations also complained of police harassment of Roma and accused the police of reinforcing patterns of societal discrimination by consistently siding with ethnic-Macedonian citizens in any disputes involving Roma. For example, in July the European Roma Rights Center reported that police in Skopje beat a Romani man during questioning. The man filed a complaint with the Ombudsman's Office; however, the Ombudsman's Office decided not to pursue action against the officer involved.

Police beat journalists (see Section 2.a.).

Police were involved in trafficking in persons (see Section 6.f.).

Following the killing of three police officers outside Aracinovo on January 11, 2000, police beat numerous ethnic Albanian residents and destroyed property. One of the three suspects arrested in connection with the killings died in police custody (see Section 1.a.). Human Rights Watch reported that nine other suspects were arrested and beaten in custody and that some were forced to sign confessions. An investigation by the Office of the Ombudsman during the year found that the police had used excessive force in Aracinovo and recommended an internal investigation. Although some families were compensated for damage to their property, the Government otherwise has not punished the police responsible for the abuse.

Ethnic-Macedonian paramilitary groups, whose members included many police reservists, assaulted, harassed, and intimidated ethnic Albanians (see Section 1.f.). For example, on September 15, five members of the so-called Red Berets, a paramilitary group, kidnaped Muharen Ibrahim, an ethnic Albanian who worked for a local humanitarian NGO, and attempted to kill him by throwing him into the Vardar River. In June a group calling itself "Macedonian Paramilitary 2000" circulated a pamphlet warning ethnic Albanians to leave the country or the group would kill them and burn their homes and shops. The pamphlet threatened that for every ethnic-Macedonian police officer killed, the group would kill 100 ethnic Albanians who did not have citizenship or who had received citizenship after 1994.

The NLA beat, threatened, and otherwise mistreated civilians during the conflict. On May 24 and 25 in Matejce, NLA members detained for 4 days four elderly ethnic-Serb men in the village mosque and reportedly beat them with their fists and guns, and kicked them. The NLA members also detained a second group of ethnic Serbs for 4 days and beat some of them. On August 7, NLA members abducted five ethnic-Macedonian road workers on the Tetovo-Skopje highway. They beat the workers, mutilated them with knives, and forced them to perform sexual acts on each other. The workers were then released. There were persistent, unconfirmed rumors that the NLA threatened to kill elected ethnic-Albanian political leaders and journalists if they publicly opposed the insurgency (see Section 2.a.).

Prison conditions generally meet international standards, and prisons meet basic needs of food, hygiene, and access to medical care. The Ministry of Justice reported two deaths in custody as due to natural causes. Men and women are held separately. While juveniles also are supposed to be held separately, limited facilities at times result in older juveniles being confined with adults. Pretrial detainees are held separately from convicted criminals.

The Government permits prison visits to prisoners by independent human rights monitors and the Human Rights Ombudsman. In February the Government signed an agreement allowing the ICRC to visit and register convicted prisoners under procedures that the ICRC reported were acceptable.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention were serious problems. Although the law requires warrants for arrests, this provision frequently was ignored, and it was common for a warrant not to be issued until some time after an arrest. The Constitution states that a person must be arraigned in court within 24 hours of arrest. The accused is entitled to contact a lawyer at the time of arrest and to have a lawyer present during police and court proceedings. However, according to human rights observers and criminal defense attorneys, police at times violated the 24-hour time period within which a suspect must be arraigned, and denied detainees immediate access to an attorney.

The maximum length of pretrial detention is 180 days. Pretrial detention was a problem, and detainees frequently were held based on weak evidence. There were cases of pretrial detainees held for 2 to 3 months before being tried. The Government denied international community members, including the ICRC, access to pretrial detainees without a government representative present.

During the conflict, police frequently and arbitrarily detained ethnic-Albanian males, particularly at roadblocks and checkpoints (see Section 2.d.). According to international human rights observers, police at times placed plastic garbage and other bags over the heads of ethnic-Albanian detainees to conceal their identities as they moved the detainees from one police station to another in efforts to circumvent the 24-hour detention rule. Many detainees were beaten severely and then released without charges. For example, in April NGO's reported that police arbitrarily arrested and severely beat approximately 30 men from Poroj (see Section 1.c.). During the year, brief arbitrary police detentions of foreign nationals increased, under pretexts, including the need for protective custody to check identification. These detentions continued throughout the year; for example, on November 28, police detained four performers from Albania.

Police continued to compel citizens to appear at police stations through an "invitation" for "informative talks," despite a law passed in 1997 that states that police cannot force citizens to appear without a court order. There were continued credible reports that police used this practice. During the year, police detained journalists, at times for "informative talks" (see Section 2.a.).

There were credible reports that the police arbitrarily arrested and detained Roma.

The police continued a pattern of selective enforcement of various laws and regulations against individuals and businesses linked with the political opposition.

On August 13, concurrent with the Framework Agreement, President Trajkovski signed a declaration of immunity for the NLA. In October under the NATO-NLA demilitarization agreement, President Trajkovski elaborated on immunity from prosecution and detention for former NLA combatants who disarmed by September 26. The immunity does not cover persons suspected of war crimes subject to the jurisdiction of the International Criminal Tribunal for the former Yugoslavia (ICTY) at the Hague, such as torture, murder, ethnic cleansing, and demolition of religious buildings. In December the Government pardoned 64 persons out of 88 detained for crimes committed as members of the NLA insurgency. The Government did not issue a statement explaining why it did not release the remaining 24 persons who were eligible for pardon.

At year's end, approximately 100 criminal cases against former NLA members based on indictments brought prior to the September 26 disarmament and disbandment of the NLA remained outstanding; however, the Government stated that it would not detain the indictees, and none of the indictees were in detention at year's end. Although the Government stated that in practice the indictments were frozen, the indictments technically remained in the processing stage. Former NLA members, ethnic-Albanian party leaders, NGO observers, and members of the international community argued that these provisions were insufficient and pressed the Government to draft and pass an amnesty law; however, no law had been drafted by year's end. Most of the 700 ethnic Albanians who evaded military service (either their initial draft obligation or reserves activation during the conflict) were not detained. However, 20 Jehovah's Witnesses who refused to serve in the military were fined or jailed.

The NLA frequently and arbitrarily detained ethnic Macedonians, and in at least one instance, ethnic Serbs, in areas under its control. Most were released unharmed shortly after their detention. According to Human Rights Watch, on May 24, NLA elements detained four ethnic-Serb men—all reportedly fathers of Macedonian policemen—from the village of Matejce and allegedly tortured them for 4 days before they released them (see Section 1.c.). On June 29, NLA insurgents detained three ethnic Macedonians, including one foreigner. On August 26, the NLA released the three men to the ICRC.

On November 10 and 11, Interior Minister Ljube Boskovski had deployed special forces, the "Lions," to areas formerly held by the NLA (see Section 1.a.). In response, armed ethnic-Albanian groups detained approximately 70 ethnic Macedonians in surrounding villages who were later released.

The Constitution prohibits forced exile, and the Government does not practice it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government respected this provision in practice, although the court system was still developing and at times was inefficient and slow.

The court system is three-tiered and is comprised of municipal courts, district courts, and a Supreme Court. A Constitutional Court deals with matters of constitutional interpretation. The judiciary is generally weak and was influenced by political pressure and corruption, in part due to low salaries; however, there were not widespread reports of abuse or systemic corruption. The Constitutional Court has a mandate to protect the human rights of citizens but has not taken action in any case in this area.

Trials are presided over by judges appointed by the Republican Judicial Council (an independent agency) and confirmed by Parliament. The judges are assisted by two community-member consulting jurors, although the judge makes the final decision. The Constitution provides for a public attorney to protect the constitutional and legal rights of citizens when violated by bodies of state administration and other agencies with public mandates: the Office of the People's Ombudsman was created and became functional in 1997 (see Section 4).

The Framework Agreement states that the judiciary should better reflect the ethnic composition of the population and states that one-third of the judges on the Constitutional Court, the Ombudsman, and three members of the Judicial Council will be chosen by the Parliament, including a majority of the ethnic-minority

Members of Parliament.

The law provides for the right to a fair trial, the presumption of innocence until proven guilty by a court, the right to a lawyer in pretrial and trial proceedings, and the right to an appeal, and the judiciary generally enforced these rights. Court hearings and the rendering of verdicts are open to the public except in some cases, such as those involving minors and those in which the personal safety of the defendant is of concern. Trials cannot be televised, pursuant to the Criminal Procedure Code, although the court in certain cases can authorize the presence of television and film cameras.

Under the NATO-NLA demilitarization agreement, President Boris Trajkovski in October further elaborated on immunity from prosecution and detention for former NLA combatants who disarmed by September 26 (see Section 1.d.).

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, the Government did not respect these prohibitions in practice.

Opposition political leaders accused the Government of wiretapping their telephones and released many alleged transcripts of telephone conversations during the year. Many employees of the Ministry of Interior who illegally had recorded the conversations subsequently were fired, but were not prosecuted. An investigation into the charges was ongoing at year's end. In August observers alleged that the Government wiretapped telephone conversations between Branko Crvenkovski of the Social Democratic Union (SDSM) and Arben Xhaferi of the Democratic Party of Albanians (DPA), and leaked the conversation to a television station that reported that the two were engaged in a conspiracy against national interests. The Albanian newspaper Fakti claimed that the Government wiretapped its telephones (see Section 2.a.).

In July Minister of Transportation and Communication Ljupco Balkovski agreed to temporarily halt the destruction of illegally constructed homes. The law allows authorities to demolish properties constructed without prior government permission. However, the law was selectively enforced: most buildings demolished during the year were built or owned by persons affiliated with opposition political parties, or built or owned by ethnic Albanians.

During the conflict, police burned and looted homes and other property. For example, police caused extensive damage to civilian property during an April combat offensive near Kumanovo. In the ethnic-Albanian village of Lukare, police destroyed or badly damaged 18 of 24 homes, the local school, and the local electrical infrastructure. Police also burned animal feed stocks. In nearby Brest, police destroyed half of the homes in the village and two schools. In neighboring Gosince, police damaged several homes as well as local water and electrical infrastructure. No known disciplinary action was taken in response to any of these actions. On May 21, in Runica, in the Kumanovo area, government forces burned down approximately 50 homes, the local mosque, and the school in retaliation for earlier NLA strikes (see Sections 1.a. and 1.c.). In August in Ljuboten, police burned numerous houses (see Section 1.a.).

On April 30 and May 1, following the funeral of four soldiers and four policemen from Bitola who were killed in the conflict, ethnic Macedonians burned ethnic-Albanian businesses in Bitola (see Section 5). In response to the riots, many ethnic-Albanian residents fled the city. Following the funeral of the five soldiers—three from Bitola—killed in an NLA attack on an ambulance near Slupcane on June 6, bands of Macedonian civilians attacked ethnic Albanians in Bitola, destroyed several dozen homes and approximately 100 shops, and vandalized a mosque and adjacent Muslim cemetery (see Section 2.c.). Ethnic-Macedonian policemen did not act to stop the rampage, and there were reports that some participated in it.

On June 11, the NLA burned ethnic-Macedonian homes and an Orthodox Church in southern Matejce. On July 28, members of the NLA reportedly set fire to ethnic-Macedonian homes in Tearce to discourage returns of ethnic Macedonians to their villages; an NLA rebel commander claimed that the fires were caused by electrical problems from downed power lines.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

From February to July, the Government fought to contain an ethnic-Albanian insurgency. In the course of Macedonia's internal conflict, the police, ethnic-Macedonian paramilitaries associated with the police, and the NLA committed numerous, serious abuses. There were no reported violations by the Macedonian Army; however, some abuses occurred in areas patrolled by both police and military forces. Macedonia's civil conflict resulted in low numbers of ethnic-Macedonian casualties, including approximately 75 police officers, and an unknown number of ethnic-Albanian casualties. The Macedonian police, paramilitaries, and the NLA committed extrajudicial killings (see Section 1.a.). Macedonian forces often shelled NLA-occupied villages, sometimes killing or injuring civilians, including children (see Sections 1.a. and 5). NLA combatants sometimes used ethnic-Albanian civilians as human shields, forcing them to remain against their will in villages under artillery attack, thereby purposefully increasing the risk of civilian casualties. Both sides tortured, beat, and harassed civilians of the opposing ethnic group (see Section 1.c.). The NLA actively spread misinformation about the police, exaggerating the number and extent of their confirmed, serious abuses. Both the Macedonian police and the NLA arbitrarily arrested and detained persons (see Section 1.d.). Both sides destroyed homes and property (see Section 1.f.). The Government restricted ethnic-Albanian media access (see Section 2.a.). At its height, the country's internal conflict displaced approximately 170,000 persons from

their homes, according to the U.N. High Commissioner for Refugees (UNHCR) (see Section 2.d.). In May NGO's reported that police, using violence, forced approximately 45 villagers from Opae, near Kumanovo, to leave their homes. The police moved the villagers at gunpoint and beat some of them. Police also reportedly forced the villagers to deface copies of the Koran and looted their homes.

Civilians were killed by landmine explosions, which the NLA laid on roads heavily traveled by civilians. On July 19, two European Union monitors and their interpreter were killed in western Macedonia when their vehicle hit a landmine that allegedly was laid by the NLA. On July 29, an NLA landmine explosion on the Lesok-Zelce road north of Tetovo killed two ethnic-Macedonian civilians. Landmines planted by the NLA also killed security forces, including two members of the security forces on March 4. At year's end, no statistics were available on persons killed or injured by landmine explosions.

The NLA reportedly attacked the ethnic-Albanian village of Malina Maala with mortars when villagers disobeyed NLA instructions to evacuate the settlement.

The NLA at times engaged in "ethnic cleansing" campaigns in areas under its control. Threatening violence, the NLA forced thousands of ethnic Macedonians from their homes in northern and western Macedonia. The Framework Agreement called for safe conditions under which displaced persons could return home, and much progress had been made toward that goal by year's end.

The NLA cut off the water supply to the city of Kumanovo in June for approximately 11 days, causing serious health and humanitarian problems for civilians in the city. A cease-fire was negotiated in June by the national security advisor and the NLA, which allowed ethnic-Macedonian water engineers to reopen the water valves.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, there were reports that the Government intimidated media that was critical of the Government.

Several daily newspapers were published in Skopje, as well as numerous weekly and monthly publications. Most towns and municipalities have local newspapers. Government-subsidized newspapers in Albanian and Turkish were published and distributed nationally. The Government subsidizes some other newspapers and magazines. The process of granting media subsidies is not transparent, leading to charges of political bias in government support for the media. Several privately owned publications have a wide distribution throughout the country. The media that remained partially state-owned were government-oriented but generally provided coverage of the major opposition parties. The leading newspaper publisher remained partially government-owned and controlled one of only two modern, high-speed printing facilities in the country, as well as many newspaper kiosks, and is subject to government influence.

Distributors of foreign newspapers and magazines must obtain permits from the Ministry of Interior. There were no known reports of such requests being turned down during the year. Foreign newspapers, including those from neighboring countries, were available throughout the country.

State-run radio and television was in countrywide competition with two private television stations and one private radio station. The state broadcast media also faced competition from dozens of small independent local radio and television stations throughout the country. The Broadcast Council issued licenses to broadcasters; the Government, through the office of the Prime Minister, had influence over the process. License fees collected from private broadcasters are supposed to help subsidize the state-run system, but collections were inconsistent. Dozens of illegal, "pirate" radio and television stations operated without licenses and paid no fees.

The outbreak of internal hostilities had a significant and negative impact on all media, particularly on media objectivity. A few outlets attempted to present unbiased reporting, but criticism from listeners, viewers, or readers stifled objectivity. After the July cease-fire and the formulation of the Framework Agreement, press objectivity improved, with the exception of reporting on ethnic issues which remained biased.

Individuals and opposition political groups criticized the Government; however, during the year, media complaints arose over alleged intimidation of newspapers and television companies critical of the Government. There were incidents of law enforcement action against the media companies and their financial backers in areas such as tax collection and checks of building permits, areas in which there is widespread noncompliance among private companies. For example, the Government suspended operations of the independent daily Makedonija Dnevnik because it did not pay taxes.

The Government restricted, both directly and indirectly, the work of the ethnic-Albanian media. Police denied ethnic-Albanian journalists access to conflict areas. For example, ethnic-Albanian journalists were denied access to report on conflicts in the majority ethnic-Albanian village of Aracinovo and were not granted access until months after their ethnic-Macedonian colleagues had been granted access. High-level authorities at times invited only ethnic-Macedonian journalists to press events that they organized, and seldom granted invitations to ethnic-Albanian journalists to join state delegations on visits abroad. In August the Government ordered that only translations of programs prepared by ethnic-Macedonian editors could be broadcast on state television; the ethnic-Albanian language bureau rejected the order, resulting in a 3-week interruption of Albanian-language television broadcasts.

After the crisis began, many cases were reported in the ethnic-Albanian media of ethnic Albanian journalists being detained by the police and held for "informative talks." For example, in June police reportedly arrested Veton Latifi, an ethnic-Albanian journalist, and held him in detention for 2 hours and allegedly threatened him verbally. On June 11, police searched the homes of a number of journalists of the Albanian-language Skopje newspaper, Fakti. The editor-in-chief of Fakti complained to the Ministry of Interior; however, the Ministry did not respond to Fakti's complaints. Fakti also claimed that the Government tapped its office telephones, the editor's telephone, and phones of other journalists (see Section 1.f.).

On June 9, police reportedly beat and detained an Agence France-Press reporter, Colin Neascu, and his interpreter in the Skopje police station.

In 2000 the Government proposed a draft law on information to replace existing regulations from the Communist era. Local journalists and international press groups strongly criticized the draft law and provisions that would require local journalists to obtain government-issued press accreditation. The draft law remained pending at the end of the year.

The OSCE reported that the editor of a leading ethnic-Albanian newspaper received death threats after publishing an article criticizing the NLA.

The Government generally respected academic freedom; however, because government-recognized higher education in fields other than pedagogy has only been available in the Albanian language since November 2000, when the private Southeast European University opened in Tetovo (see Section 5), some ethnic Albanians claimed that they do not have complete academic freedom. They demanded that the Government grant the unaccredited Albanian-language Tetovo University legal status.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respected these rights in practice.

Advance notification of large meetings is optional. Religious gatherings, if they occur outside of specific religious facilities, must be approved in advance by the Ministry of Interior and can only be convened by registered religious groups (see Section 2.c.).

Numerous protests, many of them violent, occurred during the year. On June 25, reserve policemen and soldiers, some in uniform and bearing service weapons, joined a demonstration of internally displaced persons (IDP's) who attacked the Parliament. The parliament building suffered light damage. Authorities took no disciplinary action against the reservists. On July 24, hundreds of young men joined ethnic-Macedonian IDP's in another violent protest at the parliament building. The angry mob attacked Skopje stores, burned 10 OSCE and U.N. vehicles, and attacked three foreign embassies.

Political parties and organizations are required to register with a court. A few organizations were denied registration, including the DPA—one of the leading ethnic-Albanian parties—which was denied registration under that name because the court assessed that its political platform was contrary to the Constitution. Kastriot Hadjiredja's party, the National Democratic Party (NDP), was denied for the same reason. More than 40 political parties are registered, including ethnically-based parties of Albanians, Turks, Serbs, and Roma.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the law places some limits on religious practice by restricting the establishments of places of worship and restricting where contributions may be made. While the Macedonian Orthodox Church is mentioned specifically in the Constitution, it does not enjoy official status. The constitutional article on religion was amended per the Framework Agreement to reflect the country's religious diversity.

The Government requires that religious groups be registered. The 1997 Law on Religious Communities and Religious Groups contained a number of specific requirements for the registration of religious groups that were struck down by the Constitutional Court in 1999. Subsequently there was considerable confusion over which procedures still applied, and several foreign religious groups experienced delays in their efforts to register. The process remained slow and cumbersome. Only one international Protestant church was granted legal registration during 2000, however, several international Protestant churches were granted legal registration during the year. One Islamic group withdrew its 1998 application for registration but continued to operate openly without taking further steps toward legal registration, and the Government has not taken any enforcement actions against the group. The Government no longer keeps a count of registered religious groups and communities.

The Law on Religious Communities and Religious Groups places some restrictions on the establishment of places of worship. It provides that religious rites and religious activities "shall take place at churches, mosques, and other temples, and in gardens that are parts of those facilities, at cemeteries, and at other facilities of the religious group." Provision is made for holding services in other places, provided that a permit is obtained at least 15 days in advance. No permit or permission is required to perform religious rites in a private home. The law also states that religious activities "shall not violate the public peace and order, and shall not disrespect the religious feelings and other freedoms and rights" of persons who are not members of

that particular religion. The Government does not actively enforce most of these provisions of the law but acts upon complaints when they are received.

The Law on Religious Communities and Religious Groups also places some limitations on the collection of contributions by restricting them only to places where religious rites and activities are conducted.

The 1997 Law on Religious Communities and Religious Groups specifically allows for foreign citizens to carry out religious activities, but only at the request of a registered religious body. Only a citizen may establish a religious group. The law also stipulates that anyone carrying out religious work be registered with the Government's Commission on Religious Communities and Groups.

Several registered Protestant groups have been unable to obtain building permits for new church facilities due to normal bureaucratic complications that affect all new construction. Churches and mosques often are built without the appropriate building permits. The Government has not taken any actions against religious buildings that lack proper construction permits.

The issue of restitution of previously state-owned religious properties has not been resolved fully. Many churches and mosques had extensive grounds or other properties that were expropriated by the Communist regime. Virtually all churches and mosques have been returned to the ownership of the appropriate religious community, but that is not the case for many of the other properties. Often the claims are complicated by the fact that the seized properties have changed hands many times or have been developed. In view of the country's very limited financial resources, it is unlikely that religious communities can expect to regain much from the expropriated properties.

Forces on both sides of the conflict targeted and in some cases destroyed religious buildings. On June 16, during combat operations, police fired at the mosque at Stracini, although the NLA was not using it as a combat position. In June during anti-Albanian riots in Bitola (see Section 1.f.), local police reportedly did not take any action to stop rioters from vandalizing a city mosque and its adjacent Muslim cemetery. According to nongovernmental observers, some witnesses claimed that a few police officers participated in the riots.

The NLA used religious sites—both Orthodox and Muslim—as military bases and firing positions, in an attempt to deter security forces from attacking. During the spring, NLA fighters used the St. Bogorodica Orthodox Church near Tetovo as a base and caused significant damage to it; the NLA also used the Arabati Baba Teke Dervish monastery near Tetovo as a base. The NLA also attacked Orthodox buildings. On June 3, NLA combatants attacked and defaced the Orthodox Christian monastery at Matejce, near Kumanovo. On August 21, the NLA destroyed the church within the Orthodox Christian monastery at Lesok.

On December 8, arsonists, allegedly former NLA members, destroyed the Sveti Gjorgija (St. George) Church in the village of Golema Recica near Tetovo, the night before St. George's Day. The next night, on December 9, the mosque in Bitola caught fire. Police claimed that the fire was due to faulty electrical wiring, but most observers believed that the fire was intentionally set in response to the St. George Church fire.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights; however, as a result of the internal crisis the Government restricted freedom of movement.

The army and police set up many checkpoints on roads and in villages in the northern and eastern parts of the country, which restricted freedom of movement for some persons, especially young ethnic-Albanian males. Police at times harassed and assaulted ethnic-Albanian civilians at checkpoints or arbitrarily detained them (see Sections 1.c. and 1.d.). Police also at times harassed international monitors and journalists at checkpoints and pointed weapons at them (see Section 4). Since February the Government also has restricted access to militarily sensitive areas due to the security situation.

At numerous times during and after the conflict, ethnic-Macedonian civilians blocked roads, preventing ethnic Albanians from returning to their homes. Ethnic-Albanian civilians also constructed roadblocks on several occasions during and after the conflict.

On several occasions, the NLA detained or kidnaped persons, particularly ethnic Macedonians, at illegal roadblocks, particularly in towns around Tetovo. In July the NLA detained four to six armed ethnic-Macedonian civilians as they attempted to return to their homes, from which they had been forced by the NLA in an "ethnic cleansing" campaign. The NLA released the civilians shortly thereafter, but did not permit them to return to their homes. There were reports that the NLA charged ethnic Albanians fleeing the town of Slupcane a "departure tax."

Approximately 170,000 persons were displaced from their homes as a result of the conflict; approximately 35,000 were ethnic Macedonians, and most of the remainder were ethnic Albanians. Approximately 70,000 of these persons crossed into Kosovo and became refugees; the remaining were displaced within the country. A majority of the IDP's took refuge within host family accommodations, and many refugees in Kosovo found shelter with friends or family. At year's end, approximately 50,000 refugees had returned to Macedonia—35,000 returned to their homes; approximately 20,000 remained as IDP's. At year's end, approximately 2,870 IDP's remained in collective centers maintained by the Government, the UNHCR, the ICRC, and other international relief organizations.

While most persons displaced abroad were able to return to Macedonia with minimal documentation, there was a period in July and August during which entry was only permitted to those persons with a valid Macedonian passport. Since that time, under instructions from the Ministry of Interior, persons holding a government photo identification card—or children with a birth certificate traveling with parents with photo identification—were able to enter the country. For adults with no photo identification, there was a verification process facilitated by the UNHCR with the Ministry of Interior. During the fall, border guards were more lenient about persons entering without proper documentation.

With the adoption of the Constitution in November 1991, any Yugoslav citizen who had legal residence in Macedonia could acquire citizenship by simple application. The Law on Citizenship adopted in November 1992 established new procedures for conferring citizenship, including a 15-year residency requirement for naturalization. In 1997 Macedonia became a signatory to the European Union (EU) Convention on Citizenship, but the ratification bill had not yet been implemented by year's end. A bill on citizenship, which lowers the residency requirement to 10 years and makes other changes in accordance with EU standards, was scheduled to become law during the year but was delayed because of the conflict. A total of 2,158,756 persons have established citizenship since independence. Of these, more than 141,000 persons have gained citizenship since 1992. About 2,000 persons apply for citizenship each year.

The law provides for the granting of asylee or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the UNHCR and other humanitarian organizations in assisting refugees. The Government provides first asylum.

During the 1999 crisis in Kosovo, more than 360,000 Kosovars found refuge in Macedonia. Following the conclusion of the crisis, the great majority of those refugees still in the country returned to Kosovo; the exception were the Roma, who feared returning because of dramatically deteriorated relations with ethnic-Albanian Kosovars. During the year, the overall number of refugees continued to decrease, and at year's end, only 4,500 registered refugees remained. In addition officials estimated that approximately 2,000 additional unregistered individuals remained. Of the registered refugees, approximately 60 percent were Roma. The largest number of registered Roma refugees (approximately 1,200) reside in the Suto Orizani collective center. Roma also reside in collective centers at Dare Bombol, Llubanci, Saraj, and Struga. Ethnic-Albanian refugees all reside at the Radusa collective center. Approximately 2,100 of the total registered refugee population reside in centers; however, the remaining 5,500 live with host families or in rental accommodations. During the year, there were several Roma protests about living conditions and food at the collective centers, although international donors and administrators judged that conditions met generally accepted standards.

Continued tensions in the Presevo region of southern Serbia also generated potential for refugee flows during the year, but by year's end, only a small number of Presevo residents had chosen to come to the country; they did not enter as refugees, but rather as temporary visitors.

The 1992 Law on Citizenship does not provide any privileges to refugees or stateless persons, however, the pending legislation recognizes refugees and stateless persons as eligible for citizenship after 8 years of residency.

There were no reports of persons being returned to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The unicameral Parliament governs the country. The Prime Minister, as head of government, is selected by the party or coalition that produces a majority in the Parliament. The Prime Minister and the other Ministers may not be Members of Parliament. The Prime Minister is appointed formally by the President, who is head of state, Chairman of the Security Council, and commander-in-chief of the armed forces.

In May in a display of unity in response to the insurgency, all major political parties—including ethnic-Albanian parties—joined a coalition government. The ethnic-Macedonian SDSM party left the coalition in November.

A national census was planned for October, and was specifically called for in the Framework Agreement; however, leaders of all major ethnic-Macedonian and ethnic-Albanian political parties agreed to postpone it until April 2002. As grounds for their decision, they cited large numbers of displaced persons and refugees absent from their homes, lack of adequate preparation, and continuing security concerns in areas of conflict. Ethnic Albanians and other minorities claim the 1994 census undercounted their numbers. International monitoring of the next census is planned.

During the year, the Government drafted two new election bills and presented them to Parliament for consideration in September; however, the bills do not reflect changes that are mandated by the Framework Agreement and were not scheduled for debate until early 2002.

The country's third parliamentary elections were held in 1998 and resulted in an opposition victory and a peaceful change of government. The country's fourth parliamentary elections, scheduled to be held in January 2002, according to the Framework Agreement, were postponed. As of December, Parliament had not decided whether they would be held per the regular schedule in October 2002, or at some earlier date.

The first round of balloting in the presidential election was held in October 1999; there were six candidates on the ballot, representing every major political party, including both ethnic-Albanian parties. International observers reported that the conduct of the first round was satisfactory, and the candidates who received the most votes advanced to the second round. The ruling Internal Macedonian Revolutionary Organization (VMRO) candidate, Trajkovski, gained the majority of the votes cast in round two on November 14, but the opposition Social Democratic Alliance of Macedonia (SDSM) candidate claimed fraud and appealed the results. International observers agreed that irregularities occurred in some areas of the country in the second round, and the Supreme Court ruled that round two should be rerun in 230 polling precincts, all of which were predominantly ethnic Albanian. The voting held on December 5, 1999, was as flawed as the previous round, according to international monitors, who reported numerous incidents of ballot stuffing and other problems in some polling stations. Trajkovski again gained the majority of votes cast, and the SDSM filed a list of complaints of irregularities. Claiming that the Government was incapable of conducting a fair vote in the contested precincts, the SDSM later withdrew those complaints and did not press for another repeat of the voting. President Trajkovski was sworn into office on December 15, 1999.

The percentage of women in government or politics does not correspond to their percentage of the population. The Government has two female ministers. In the Parliament, only eight of 120 members are female, a slight increase from four women in the previous Parliament. In Muslim communities, especially among more traditional ethnic Albanians, some women are disenfranchised due to the practice of family/proxy voting through which men vote on behalf of the women in their families (see Section 5).

The percentage of minorities in government or politics does not correspond to their percentage of the population. A number of political parties represent the interests of minorities, including ethnic Albanians, ethnic Turks, ethnic Serbs, and Roma. Two ethnic-Albanian parties and the Roma party have members in Parliament; the ruling government coalition includes one of the two major ethnic-Albanian parties, as well as the Romani party. The Parliament includes 25 ethnic-Albanian members, 1 Macedonian Muslim, 1 Rom, and a small number of Vlachs. However, minorities maintained that political structures continued to be biased against them. Partly to address these concerns, the electoral law includes provisions for proportional representation. A total of 35 of the 120 parliamentary members are chosen on the basis of proportionality, while the other 85 members are elected in single-member districts. Some ethnic Albanians and Roma reported that discrimination against them in citizenship decisions effectively disenfranchises them (see Section 2.d.).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of international and domestic human rights groups in general operated without government restriction, investigating and publishing their findings on human rights cases; however, reporting on human rights abuses committed during the conflict by local NGO's was limited and at times one-sided. Government officials were not always responsive to the views of human rights groups.

The Government requested OSCE and EU monitoring missions to assist with implementation of the Framework Agreement, and in September NATO deployed "Task Force Fox" to the country to support their efforts. Both the OSCE and EU missions remained concerned about human rights problems, among other issues. Macedonian security forces were unable to save the lives of two EU monitors and their interpreter when their vehicle struck an NLA landmine in western Macedonia in July, but responded quickly in an attempt to do so (see Section 1.g.). There were isolated incidents against NATO forces; on August 26, a group of teenagers threw a concrete block at a NATO vehicle, killing a British soldier. Local authorities arrested ethnic-Macedonian teenagers for the crime but due to lack of evidence they were released. The Kosovo crisis and the NLA insurgency led many international NGO's to establish new offices in the country, staffed by many international workers; many of these organizations have a strong interest in human rights issues.

At checkpoints security force members at times harassed and pointed weapons at OSCE monitors and international aid workers (see Section 2.d.). At times they prohibited international personnel from entering conflict areas on unfounded suspicions that the aid workers and monitors were supplying the NLA, and at times they impeded their movement across the Macedonia-Kosovo border. For example, in May Macedonian police refused Human Rights Watch access to a hospital in Kumanovo and to the ethnic-Serb village of Umin Dol.

The Office of the Ombudsman, established in 1997, processes approximately 1,200 complaints each year but only approximately half of its recommendations to the state administration are accepted. It receives and responds to a disproportionate number of requests from ethnic Macedonians, as compared with those from minorities. In 2000 for the first time, the Ombudsman's office presented the Parliament with a list of its recommendations that had not been accepted or implemented by state bodies. The Parliament responded by passing a resolution ordering the state administration to implement these recommendations; however, little was done to enforce this resolution. The Framework Agreement calls upon the Government to substantially strengthen the powers of the Ombudsman. The Ombudsman is to be granted access to all official documents, the power to suspend execution of an administrative act if he determines that the act may be prejudicial to an individual's fundamental rights, and the right to challenge the constitutionality of laws; however, implementation of these provisions had not begun by year's end.

Carla del Ponte, the Chief Prosecutor for the ICTY, stated that she intends to investigate claims of war crimes committed by both sides during the insurgency. In November the Government hosted a visit by del Ponte, and began cooperating with the ICTY, including in an investigation of events in Ljuboten.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens regardless of their sex, race, color of skin, national or social origin, political or religious beliefs, property, or social status. The Framework Agreement states that "The principle of nondiscrimination and equal treatment of all under the law will be respected completely. This principle will be applied in particular with respect to employment in public administration and public enterprises, and access to public financing for business development." However, societal discrimination against ethnic minorities persisted, and the protection of women's rights remained a problem.

Women

Domestic and other violence against women was a persistent and common problem. Legal recourse is available to rape victims, including victims of marital rape. However, cultural norms discourage the reporting of such violence, and criminal charges on the grounds of domestic violence were very rare. Public concern about violence against women was not evident in the media, although some women's groups were working to raise awareness of the issue. Shelters for victims of spousal abuse were operated by NGO's. A hot line remained open, but had limited hours. The Government offers some limited support for victims of domestic violence, but relies heavily on international donor support to maintain a hot line and shelter.

Trafficking in women and girls for prostitution and pornography was a problem (see Section 6.f.).

Sexual harassment of women in the workplace was a problem, but no statistics were available to indicate its scope.

The Constitution extends the same legal rights to women as to men; however, society, in both the Muslim and Christian communities, is patriarchal and the advancement of women into nontraditional roles was limited. Women remained underrepresented in the higher levels of the government and private sectors, although some professional women are prominent. Women from some parts of the ethnic-Albanian community do not have equal opportunities for employment and education, primarily due to traditional and religious constraints on their full participation in society and schools. In some traditional, rural ethnic-Albanian communities, some women are disenfranchised due to the practice of family/proxy voting through which men vote on behalf of women family members (see Section 3).

Maternity benefits include 9-months' paid leave, and benefits are received in practice. Women also retain the right to return to their jobs for 2 years after giving birth.

Women's advocacy groups include the Humanitarian Association for the Emancipation, Solidarity, and Equality of Women; the Union of Associations of Macedonian Women; and the League of Albanian Women.

Children

The Government is committed to the rights and welfare of children; however, it is limited by resource constraints. The Office of the Ombudsman contains a special unit for children, partially funded by UNICEF. Education is compulsory through the eighth grade, or to the age of 15 or 16. Primary and secondary education is free, although students must provide their own books and other materials. At both the primary and secondary levels, girls in some ethnic-Albanian communities remained underrepresented in schools, and only approximately half of ethnic minority students go on to high school. This is due in part to lack of available classes in minority languages at the secondary level, and in part to many rural, ethnic-Albanian families' conviction that girls should be withdrawn from school at 14 years of age. According to Romani community leaders, up to 10 percent of Romani children never enroll in school, and of those who do, 50 percent drop out by the fifth grade, and only 35 to 40 percent finish the eighth grade. The Ministry of Education encourages ethnic-minority students, especially girls, to enroll in secondary schools. Medical care for children is adequate but is hampered by the generally difficult economic circumstances of the country and by the weak national medical system.

New legislation addressing shortfalls in the juvenile justice system and reforming existing law to meet international standards was put forward for Government review in December. The new juvenile criminal code is expected to strengthen social services and to emphasize re-education, rehabilitation, and reintegration of minor delinquents into society.

Like other civilians, children were caught in the country's internal conflict. Thousands of children were displaced from their homes and schools, and a small undetermined number were killed. Despite government cease-fires to permit their departure and ICRC-provided transport to safe points, some ethnic-Albanian parents elected to remain in their homes with their children in conflict areas during combat operations, and at least one child was killed by artillery fire as a result.

There is no societal pattern of abuse against children.

Trafficking in girls for prostitution and pornography is a growing problem (see Section 6.f.).

Persons with Disabilities

The law prohibits discrimination on the basis of disability; however, in practice this provision is not enforced. Social programs to meet the needs of persons with disabilities exist to the extent that government resources allow. No laws or regulations mandate accessibility to buildings for disabled persons. There is societal discrimination against persons with disabilities.

Religious Minorities

There are a number of ethnic-Macedonian Muslims and Bosnian Muslims in the country. Some ethnic-Macedonian Muslims contend that they are identified too closely with ethnic Albanians, most of whom are also Muslim, and with whose policies the ethnic-Macedonian Muslims often disagree.

While religion has not been a focus of the conflict, both sides occasionally have targeted religious buildings due to the linkage between religion and ethnicity in the country.

In April and June, two significant anti-Albanian riots occurred in Bitola, which displayed anti-Muslim attitudes. In June rioters vandalized a Bitola mosque, breaking windows, setting fire to the mosque interior, and breaking open several graves in the adjacent cemetery. Rioters also sprayed swastikas and anti-Albanian graffiti on the mosque. On August 7, in Prilep, an angry group of ethnic Macedonians burned down the local mosque (see Section 1.f.).

National/Racial/Ethnic Minorities

The population of approximately 2.2 million is composed of primarily ethnic Macedonians, with a large ethnic Albanian minority, and with much smaller numbers of Turks, Roma, Serbs, and Vlachs. According to the last census, in 1994, ethnic Albanians comprised approximately 23 percent of the population, but ethnic Albanian claims that they comprise around 30 percent were credible. Due to the high number of displaced persons and refugees and a lack of preparation, ethnic-Macedonian and ethnic-Albanian leaders agreed to postpone a new national census—originally scheduled for October—until April 2002.

All citizens are equal under the law, and the Constitution provides for enhanced protection of the ethnic, cultural, linguistic, and religious identity of minorities, including state support for education in minority languages through secondary school. The Framework Agreement reaffirms these rights. However, some governmental institutions, particularly the police, discriminate on the basis of ethnicity. Ethnic tensions and prejudices were a regular feature of society. Widespread discrimination was the principal reason the ethnic-Albanian insurgency attracted broad support among ethnic Albanians in Macedonia.

On April 30 and May 1, following the funeral of four soldiers, and four policemen from Bitola who were killed in action, ethnic-Macedonian civilians burned ethnic-Albanian businesses in Bitola. On August 7, after NLA rebels killed ten Macedonian soldiers, several of whom were from the town of Prilep (see Section 1.a.), an angry ethnic-Macedonian group rioted and vandalized shops belonging to ethnic Albanians or other Muslims, and burned down the local mosque.

Underrepresentation of ethnic Albanians in the military and police is a major grievance in the community, and in the case of the police, actively was being redressed with the assistance of the international community. However, the police force remained overwhelmingly ethnic Macedonian, even in areas where the ethnic-Albanian population is a local majority. In 2000 members of ethnic minorities constituted 8.7 percent of the law enforcement officers of the Ministry of the Interior; in the primarily ethnic-Albanian cities of Tetovo and Gostivar the respective figures were 17 percent and 12 percent. The Government for several years has set a recruiting quota of 22 percent for enrolling minority students at the police secondary school, but attrition has kept the graduating classes from retaining that percentage of ethnic minorities. To raise the percentage of ethnic-minority police officers, the Framework Agreement calls on the international community to train 1,000 new ethnic-minority police officers by July 2003, and for the Macedonian police to incorporate these new recruits into ethnically diverse units. In September training of these new police officers by international community trainers began, with later training to be conducted by the OSCE.

The military continued efforts to recruit and retain minority officers and cadets. The military is composed mostly of short-service conscripts, drawn from all ethnic groups. The proportion of ethnic Albanians in the ranks was estimated to be approximately 25 percent, but the proportion was significantly lower in the officer corps. Minorities constituted approximately 12 percent of the total of officers, noncommissioned officers, and professional soldiers; about 15 percent of the cadets at the military academy were from ethnic minorities. Ethnic minorities constituted approximately 11 percent of Ministry of Defense civilian employees.

The constitutional amendments proposed in the Framework Agreement provide that Albanian is to be recognized as a second, official language in areas in which it is spoken by more than 20 percent of the population (as would be any other language which meets that standard). In such areas, citizens will be able to communicate with local offices of the central Government in Albanian and receive responses in the same language. In addition, in areas in which Albanian is used as an official language, Albanian-speaking citizens will be able to receive personal documents in Albanian, and those accused of crimes have the right to translation at state expense of all relevant judicial proceedings and documents. The Framework Agreement stipulates that: "the local authorities will decide democratically on the use [of other minority languages] in public bodies."

Ethnic Macedonians held approximately 85 percent of civil service posts; ethnic Albanians held approximately

10 percent; and other minorities held approximately 5 percent. Ethnic minorities all complained that they were disproportionately assigned to lower-ranking positions.

The Constitution provides for primary and secondary education in the languages of the ethnic minorities, and this provision was reaffirmed in the Framework Agreement. Primary education is available in Macedonian, Albanian, Turkish, and Serbian. Albanian-language education remained a crucial issue for the ethnic-Albanian community; it is seen as vital for preserving Albanian heritage and culture. Almost all ethnic-Albanian children receive 8 years of education in Albanian-language schools. The number of ethnic minority students who receive secondary education in their native languages continued to increase; it was approximately 15 percent in 1999.

At the university level, ethnic minorities remained underrepresented, although there has been progress in increasing the number of minority students. There are eased admission requirements for minorities at the universities in Skopje and Bitola for up to 23 percent of entering places, although the quota has not always been filled. Most university education is conducted in the Macedonian language; until 2001 there was Albanian-language university education only for students at Skopje University's teacher training faculty. However, in 2000 a Law on Higher Education authorized private institutions of higher learning and, during the year, under an OSCE-sponsored and internationally-financed plan, a new institution, Southeast Europe University was created with classes conducted in Albanian, English, and Macedonian. Classes commenced in November. Under the Framework Agreement, the Government committed to "provide for university level education in languages spoken by at least 20 percent of the population of Macedonia."

On July 2, police detained Fadil Sulejmani, the rector of Tetovo University, the unofficial ethnic Albanian university, for questioning for several hours for inciting unrest; ethnic Albanians protested his arrest. Sulejmani claimed that masked policemen forced him off of a bus and that he was handcuffed to a table and questioned for 10 hours.

Ethnic Turks, who make up approximately 4 percent of the population, also complained of governmental, societal, and cultural discrimination. Their main concerns center on the lack of Turkish-language education and media. One continuing dispute has been over the desire of parents who consider themselves Turkish to educate their children in Turkish despite the fact that they do not speak Turkish at home. The Education Ministry refuses to provide Turkish-language education for them, noting that the Constitution provides for education in the native languages of minorities, not in foreign languages. Some parents have hired teachers of their own, although this kind of private education is not authorized legally.

According to the 1994 census, Roma comprised 2 percent of the population, but Romani leaders claim that the actual number of Roma is much higher. There were credible reports of occasional police violence and harassment against Roma (see Section 1.c.). Roma rights organizations accuse the police of reinforcing patterns of discrimination by consistently siding with ethnic Macedonian citizens in disputes involving Roma (see Section 1.c.). Optional Romani-language education has been offered at several primary schools since 1996, but there has been limited demand and no pressure for a more extensive curriculum. There is some Romani-language broadcasting.

There were incidents of societal violence against Roma during the year (see Section 1.c.). In 1999 approximately 6,000 Roma fled Kosovo and took up residence in the country in response to both the Kosovo conflict and the hostility of ethnic Albanian Kosovars, who widely consider the Roma to have supported the Serbs and to have committed theft and other crimes against ethnic Albanians during the crisis. The presence of these Romani refugees was not popular among Macedonia's ethnic Albanians, who largely share the view of the ethnic-Albanian Kosovars concerning both Roma and Serbs. Ethnic Macedonians also expressed irritation at the new arrivals, many of whom settled in Skopje, and some of whom frequented busy traffic intersections to beg, wash car windows, or sell small items. The Roma tend to occupy the lowest economic position of society, and the new arrivals have added to the number of Roma in the ranks of the very poor.

The Framework Agreement provides for ethnic-minority groups to display their national emblems, next to the emblem of the Republic of Macedonia, on local public buildings in municipalities in which they are a local majority.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form trade unions; however, this right is not extended to members of the military, police, and civil service. Independent trade unions have been allowed to organize since 1992, when an Association of Independent and Autonomous Unions was formed, although there is still a national trade union. The Federation of Trade Unions of Macedonia (SSM) is the successor organization to the former Communist labor confederation; it is the Government's main negotiating partner on labor issues, along with the Chamber of the Economy. Although its officers tend to oppose strikes, the Federation reportedly is independent of the Government and committed to the interests of the workers it represents. The only other federation of unions is purportedly independent but in practice is closely linked to the ruling VMRO political party. Over 50 percent of the legal workforce is unionized, and unions are particularly strong in the garment industry.

During the year, there were a total of 100 to 150 strikes, which included many protest work stoppages of a few hours or less. The reasons for the strikes included demands for overdue pay, workers' objections to government changes in management personnel at some state-owned entities, and objection to various decisions related to privatization. Strikes typically were small and confined to company grounds; however, on

May 29 the SSM staged a country-wide protest, with approximately 15,000 protesters who blocked several main roads throughout the country. Most strikes were calm and well organized and took place without serious incident.

Unions may affiliate freely with international labor unions and many do so.

b. The Right to Organize and Bargain Collectively

The Constitution implicitly recognizes employees' right to bargain collectively; however, implementing legislation in this area had not been passed, and the concept of collective bargaining remained in its infancy. Collective bargaining takes place, but in the country's weak economic environment employees have very little practical leverage.

The law prohibits antiunion discrimination; however, it exists in practice. Workers at times were fired for participating in union activities, and because of the slow pace of the court system, it at times took 2 to 3 years to legally regain employment.

There were no export processing zones (EPZ's); the Government cancelled plans to develop an EPZ with Taiwanese businesses.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced and bonded labor; however, trafficking of women for prostitution and pornography was a growing problem (see Section 6.f.).

The law prohibits forced and bonded labor by children; however, trafficking of girls was a problem (see Sections 6.d. and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Constitution sets the minimum age for employment at 15 years. Children legally may not work nights or more than 40 hours per week. The Ministry of Labor and Social Welfare is responsible for enforcing laws regulating the employment of children; however, the authorities were reluctant to enforce these laws. Reported violations of child labor laws increased during the year; child labor is used in the "gray economy" and illegal small businesses. The country has not ratified ILO Convention 182 on the worst forms of child labor.

The law prohibits forced or bonded labor by children; however, trafficking in girls for prostitution, pornography, and begging was a problem (see Section 6.f.).

e. Acceptable Conditions of Work

The average monthly wage in July was approximately \$155. The minimum wage does not provide a decent standard of living for a worker and his family. The minimum wage is by law two-thirds of the average wage; however, an average month's supply of food for a family of four exceeds average incomes by about 20 percent, forcing multiple members of many households to work. In addition, many persons take on supplemental work, often in the "gray market." The Government Statistics Office estimated that 22.3 percent of the population lives below the poverty line.

The country has an official 42-hour workweek with a minimum 24-hour rest period and generous vacation and sick leave benefits. However, high unemployment and the fragile condition of the economy lead many employees to accept work conditions that do not comply with the law. Small retail businesses in particular often require employees to work far beyond the legal limits.

The Constitution provides for safe working conditions, temporary disability compensation, and leave benefits. Although there are laws and regulations on worker safety, they are not enforced strictly. The Ministry of Labor and Social Welfare is responsible for enforcing regulations pertaining to working conditions. Under the law, if workers have safety concerns, employers are obliged to address dangerous situations. Should an employer fail to do so, employees are entitled to leave the dangerous situation without losing their jobs; however, this right is not respected in practice.

f. Trafficking in Persons

The law does not specifically prohibit trafficking, although traffickers can be prosecuted under other laws; trafficking in women and girls, particularly for prostitution and pornography, was a serious and growing problem. The Ministry of Interior estimated that there are approximately 2,000 victims of trafficking in Macedonia at any given time, and that between 8,000 and 18,000 women and girls are trafficked to or through the country per year.

The country is a transit country and a destination country for trafficked persons. Traffickers recruit women from other countries, especially Moldova, Romania, Bulgaria, and Ukraine, to work as prostitutes in several Macedonian towns. Women are also trafficked through the country on their way to Albania and Kosovo, and

then to Italy and other European countries.

Some trafficking victims are recruited through advertisements of work abroad, such as waitressing, and are then forced into prostitution. While the majority of women and girls trafficked from other countries transit the country on their way to other countries, some women considered by traffickers as less desirable in Western Europe are left in the country without money and forced to work as prostitutes. Trafficking to and through the country is reportedly linked to organized crime groups. Trafficked victims work in brothels and nightclubs in the country. Victims are subject to violence, including rape and assault, and intimidation.

Instances of corruption and involvement of police in trafficking in persons occurred on the local level. At least two law enforcement officials have been dismissed for accepting bribes from traffickers.

There was no specific law prohibiting trafficking, although traffickers could be prosecuted under laws prohibiting slavery, kidnaping, illegal entry, and alien smuggling. Trafficking in persons for the purpose of illegal immigration was not prohibited specifically by law but is covered by immigration regulations. Victims were encouraged to provide information about their traffickers for criminal prosecution; however, there was no witness protection legislation to protect victims. At least three traffickers were convicted on rape, kidnaping, or illegal border crossing charges during the year.

The Government routinely cooperated with neighboring governments in trafficking cases. Despite budgetary limitations, the Government has devoted significant resources to antitrafficking programs, including an interministerial working group devoted to legal reform, the creation of a special police unit dedicated to anti-trafficking efforts, and the establishment of a shelter for victims. The Interior Ministry's Department on Organized Crime has the lead on antitrafficking efforts and devotes two persons to the issue full-time.

Traditionally victims of trafficking were detained, fined, and deported, and police insensitivity was a problem; however, sensitivity training for police was slowly changing attitudes at year's end. The Government does not provide funding to NGO's to support victims' services. Most services are provided by the International Organization for Migration (IOM) through foreign donors. The Government cooperated with IOM to provide shelter and limited medical and psychological assistance to trafficked women on an ad hoc basis. Public awareness of the problem is low and there have been only limited public awareness campaigns to highlight prevention of the problem.

This site is managed by the Bureau of Public Affairs, U.S. Department of State. External links to other Internet sites should not be construed as an endorsement of the views contained therein.