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Helsinki Committee for Human Rights of the Republic of Macedonia

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ANNUAL REPORT

on the condition of human rights in the Republic of Macedonia during 1998

The 1998 Parliamentary Elections

The third multiparty parliamentary elections in the Republic of Macedonia, held in October-November 1998, according to numerous evaluations of both domestic and foreign monitors, were fair and democratic. The results of the voting are relevant, despite some various problems, mainly on local level. Maybe the greatest problem was the distribution of the voters' identity card, mostly because of bureaucratic reasons, and not because of defined political aims.

Generally, in comparison to the 1994 elections, it is evident that a big step forward was made. Noticeable were the slowness in working and indolence of the State Election Commission towards the journalists, as well as the unavailability of the Commission, as the only body competent to declare the election results. 120 seats were contested in the parliamentary elections in the Republic of Macedonia, this year, however, for the first time using the combined election system - 85 according to the majority election system and 35 according to the proportional election system. The winner of these elections was the Coalition for Changes, the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (VMRO-DPMNE) and the Democratic Alternative (DA), with 62 parliamentary seats; the then ruling party, the Social-democratic Union of Macedonia (SDSM) won 27 seats; the Party for Democratic Prosperity (PDP) - 14; the Democratic Party of Albanians (DPA) - 11; the Liberal-democratic Party - 4; the Socialist Party - 1; and the Union of Roma - 1. The PDP and the DPA, the two political entities that mainly represent the Albanian national minority in this country, made a joint presentation at the elections.

For the first time since establishing parliamentary democracy in the country, the package of election laws adopted in 1998 was the result

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of a wide debate of all relevant political entities, whereby some remarks of the opposition parties were accepted by the then ruling parliamentary majority. The smaller political parties, nevertheless, had objections about the high census of 5 percent for entering the parliament. Their predictions of the impossibility of entering the parliament of smaller political entities, that, for example, represent the interests of smaller national minorities in Macedonia, such as the Serbs, the Vlachs, the Turks... were accurate.

The adoption of the package of election laws in such atmosphere, focusing election campaigns of the political parties on economic issues rather than on the permanent topic of interethnic relations in the country, the relatively good organization of the election process were the contributing factors to the truly peaceful and cultural atmosphere during the first and second rounds of voting. Unfortunately, we must conclude that such developments were not predicted by the media that, each one from its own position, that is, depending on its political affiliation, foretold of a very different outcome of the 1998 elections. The media affiliated with the then ruling SDSM and the state written and electronic media predicted that the possible change of government in the country would bring disturbances and unknown future, even risking the very existence of the state itself. On the other hand, the written and electronic media affiliated with the winners of these elections, the VMRO-DPMNE and DA, in case of the defeat of the SDSM predicted great unrest caused directly by this political party. Of course, no one was right. The change of government, just like the election process itself in Macedonia, was carried out in normal way, without any serious incident and in a completely regular atmosphere: the losing party congratulated the winners their victory and announced its intention to be a strong constructive opposition; while the winning parties did not announce any drastic changes in the general course of reforms of the state.

During the elections' process, except individual violations of the legal provisions in some constituencies, where mainly the local election commissions decided to repeat the voting, more drastic violations of this process, that could have greatly influenced the final election results, were not evident. More serious debates between the two election rounds were registered about the Art. 88 of the Law on Electing Members of Parliament and about the possible different interpretations of the situation when a candidate from the majority party list can be considered as an elected Member of Parliament immediately after the first election round. A general remark was made that this article should be much more precise so that

in the future it would not cause such dilemmas. This was also noted by the OBSE monitors. In any event, the election process was carried correctly and in conformity with international standards.

Freedom of expression

In 1998, the media in Macedonia had an upward tendency and played a great role during the course of the campaign for the parliamentary elections. The electronic media finally started to operate within the framework of the new Law on Broadcasting, and also the regulations on the State Macedonian Radio and Television (MRTV) began to be applicable. These regulations, inter alia, provide for the separation of the technical service (the relay system), with a possibility that other broadcasters make use of its services.

In the sphere of the printed media, the tendency of appearance of new publications, price decrease and increase of the number of printed copies continued. For this reason, the monopoly position of the publishing company "Nova Makedonija", the biggest of its kind in the country, has been greatly reduced. One third of the shares in "Nova Makedonija" is owned by the State. In late 1998, "Nova Makedonija" was thrown in deep financial and personnel crisis.

Possible bankruptcy procedures now threaten its very survival.

The Council for Broadcasting, the body that coordinates the electronic media, was constituted in September 1997, however in 1998 the public debate continued on its role and particularly of the distribution of the concessions (working licenses). At the end of December, the Government decided to announce a public bid for the distribution of four concessions for broadcasting radio and television programs on national level (two for radio and two for televisions) and 203 concessions for broadcasting on local level (123 for radio and 80 for television). The Council received a total of 190 applications, of which six for broadcasting on national level. After the expertise of the applications, the Council proposed to the Government to distribute 117 concessions, of which three were for broadcasting on national level (two for television and one for radio), and 114 on local level (70 for radio and 44 for television). The Government accepted almost completely the proposal and distributed 115 concessions. The results of this public bid caused severe reactions by the radio and television stations that were refused. Their main objection was the lack of transparency of the whole process. The Council did not want to announce the names, for a longer period of time, of those stations that were given the concessions. The denied

stations were even not provided with any explanation of the reason of being so. The biggest problem appeared in Skopje. Here the demand for concessions was far greater than the offer. Some of the refused stations appealed to international organizations, while the rest of them threatened to go on strike. Due to the irregularities in the procedure, there were even reactions by the International Center Against Censorship "Article 19". It sent a letter to the President Gligorov demanding that he make personal efforts for overcoming this situation. The Government and the Council evidently succumbed to the pressure and a second public bid was announced, thereby giving additionally 25 concessions on local level (10 for radio and 15 for television). Most concessions were given on the principle of time-sharing. However, even this decision caused additional doubts in the validity of the whole process, although the pressuring was calmed and the discussions ended. Till the end of the year, radio and television station that were denied concessions continued to broadcast their programs, while the Council made threats just on several occasions for possible their closure. The very start of the operation of the Law on MRTV was expected in the course of last year. Its application, however, seems to be delayed. This Law stipulates that MRTV is separated into two parts, i.e. the technical department (the relay system) to be a separate entity, thus being available for everyone. Another significant local electronic media appeared in 1998, the Channel 5 Television broadcasting mainly in the Skopje area. The owner of this television is Mr Boris Stojmenov, the current Minister of Finance and deputy-chairman of the VMRO-DPMNE (Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity). This television station established itself as supporter of the former opposition during the elections of last year.

The sphere of printed media was marked by the continuing tendency that was imposed last year by the independent daily paper "Dnevnik": new publications, price fall, growth of the number of printed copies. Just before the fall parliamentary elections, a new daily paper appeared in the country under the name of "Makedonija Denes". It is published by the editors of the weekly magazine "Denes", a group of former editors and journalists of the publishing company "Nova Makedonija". "Makedonija Denes" was promoted as being very openly affiliated toward the former opposition. It is sold for the price of ten denars per copy. According to our information, it is printed in relatively modest number of copies, the most being 10000 per day. Just before the appearance of "Makedonija Denes", the daily paper "Nova Makedonija" reduced the price of its single copy from 15 to 10 denars, expecting thus an increase in sale. Likewise, the publishing company "Nova

Makedonija" did not allow the sale in its kiosks of the new daily paper, thus continuing to hold a tight grip on the monopoly in the sphere of newspaper distribution. As it is already known, the publishing company "Nova Makedonija" owns a distribution network of more than 500 kiosks that do not sell the rival newspapers. The Government still persistently ignores the request of some independent publishing companies (for example, of "Dnevnik") to distribute locations for constructing new kiosks.

Immediately after the parliamentary elections, it was, nevertheless, announced that the publishing company "Nova Makedonija" is in serious financial and personnel crisis. The management of this publishing company tried to finalize the privatization of this company in illegal way, by paying the remaining installments of the privatization from the company business funds and without the explicit knowledge of its shareholders (i.e. its employees). When this scheme was exposed, almost all departments (i.e. various editorial boards) demanded to become independent. A company loss of at least 15 million DM was also revealed. Due to its insolvency, the publications of this company could not be provided adequately with printing paper. So the editions were forced to drastically reduce the number of their printed copies. The company management that resigned on 30 December 1998 claims the crisis is the consequence of price reduction of the newspapers in this country. The employees, however, think the crisis is more an outcome of bad management and even robbing the company. So even a request for criminal investigation was filed. The crisis of the publishing company "Nova Makedonija" has not ended. For the time being, the outcome of this is not predictable. Since the election victory of the opposition, the new Government announced that it plans to end the monopoly of the publishing company "Nova Makedonija", particularly of its distribution network, thus creating conditions for further development of the press in Macedonia.

A general estimate of the observers is that the media played significant role during the course of the campaign before the parliamentary elections. Most monitoring missions assessed that the MRTV more or less openly supported the former party in power (the SDSM, i.e. the Social-democratic Union of Macedonia), although this media respected basically the rules on equal presentation of all participants of the campaign. The private television station SITEL supported very explicitly the former ruling parties (the SDSM and the SPM, i.e. the Socialist Party of Macedonia), performing fierce campaign against the then opposition, and so violating the very fundamental standards of conduct. Channel 5 supported the former position (the VMRO-DPMNE). Positive evaluations for being objective

were given to the television stations A-1 and Telma. In the countryside, the local radio and television stations were mostly divided in supporting either the former ruling party or the former opposition. In the sphere of the printed media, the publishing company "Nova Makedonija", and particularly its daily newspaper "Vecer" and its weekly magazine "Puls", initiated a fierce drive against the then opposition parties (the VMRO-DPMNE and the DA, i.e. the Democratic Alternative).

The management of this company openly declared itself to be a supporter of the SDSM. The newspaper "Makedonija Denes" explicitly was in favor of the former opposition. Assessment of the observers was that the newspaper "Dnevnik" was also partially in support of the former opposition, although it managed to present fair informing and equal treatment of all participants of the election campaign. Such polarization lead to many examples of basic misuse of the media (insults, defamation, fabrications). In many cases, the damaged parties were not in a position to realize their right to correction, reply and court protection. In some instances, some journalists were mistreated by party activists and racketeer hired by the political parties. Luckily, the incidents were not of serious consequences.

During last year the Helsinki Committee did not receive any valid information concerning cases of open censorship and of pressure on journalists. An exception to the above is the case of the owner and the managing editor of the weekly magazine "Fokus", Mr. Nikola Mladenov. In July last year, he was brutally beaten up and seriously injured by unknown persons, who assaulted him without any warning and sneakily in front of his house in Skopje. Mr. Mladenov publicly announced his suspicion that this assault was closely related to the critical writings of "Fokus" and informed the police about this. Presently, the perpetrators are still unknown. Almost all media in the country sharply denounced the assault on Mr. Mladenov. Similarly, another journalist of the same magazine was beaten up at the end of last year in Ohrid.

The judicial system

There are still significant legal and practical deficiencies concerning the realization of the rights of persons summoned, apprehended or detained during the police proceeding. The Regulations on Work Execution of the Ministry of the Interior of March 1998 is very far to meet all the requirements by the legal state. The constitutional right to a legal counsel has not been adequately

provided for, in the sense of quick providing a lawyer and unhampered communications with the lawyer before the police questioning of the detainee. Numerous other required guarantees relating to "the stay" and questioning of suspects in the police stations are also not provided for, nor these detainees are being given a corresponding written notice on important data relative to their police apprehension so that later the citizens could initiate legal action before a court for damages' compensation on grounds of unfounded or unlawful detention. Also, the constitutional and legal preference of prior court order for arrest is not being respected. The police continues (in conformity with previous practice) to detain persons according to its initiative that is neither sanctioned by the very courts. On the other hand, requests (and court orders) for summoning people to informative talks in the police stations, requests for house searches and detentions are most often of formal nature and without a real explanation, containing only paraphrases of the legal provisions (conditions). Detaining persons in police stations (up to 24 hours) is still a practice, instead of being an exception. Police eavesdropping of the citizens is still an extremely controversial issue. On one hand, there is an extremely liberal constitutional ban on any eavesdropping; on the other hand, this is done in practice very often and without any legal control.

Despite the fine proclamations in the Constitution and especially in the Law on Courts that stipulates that courts should first protect the individual rights and freedoms of the citizens, in the Republic of Macedonia still, however, there are no efficient legal means for protection of several fundamental rights and freedoms. On the other hand, even when there are legal means, these are not efficient mostly because of the slowness of courts' mechanisms. The right to a court trial in a reasonable period in this sense is especially endangered by the long duration of civil trials (longer than the criminal trials). The big number of delayed court cases and the inefficiency of many courts mostly contribute to this. Concerning the autonomy of courts, although this year there have not been any bigger "political trials" like last year's ones, there are still indications to misuse the courts for the purposes of ordinary, daily politics. On the other hand, the Office of the Public Prosecutor still does not dare to cope with the centers of corruption and organized crime.

Unfortunately, in spite of great expectations, the institution of the Public Attorney (the Ombudsman) has shown itself to be unable to make significant contributions towards realization and protection of citizens' rights before administration bodies.

Legal aid

Since the State provides legal counsel on very restrictive basis, the Helsinki Committee has initiated in 1998 organizing and providing legal counseling, within the framework of the "Lawyers for Human Rights" Project. 145 cases have been registered from February to November 1998. Most cases relate to discrimination in realization of the right to citizenship, police overstepping, employment and court legal actions, that is, proceedings. The Office of this Project has been engaging many lawyers, assistant professors and students of the Faculty of Law in Skopje. Within the framework of the same Project, the Helsinki Committee has monitored many court trials, based on its initiative and that of citizens and associations. The "Lawyers for Human Rights" Project has been further supplemented by organizing several seminars, workshops and lectures so that lawyers could acquire profound knowledge in the area of human rights' protection on State and international level.

Police overstepping

Until the end of October 1998, Skopje police officers used coercive means in 34 cases towards 42 citizens. According to the police, in most cases force was used when the police officers were on duty, so that they could deter an assault on them, to prevent an act of crime, to overcome active resistance by the suspects, and in cases of ridiculing or assaulting a police officer. These data are relevant only for cases when police officers were on duty and when the legal conditions for use of force were fulfilled. According to police statistics, this year force was used on 26 occasions in the prevention of the violators of public order and peace in Skopje, five times in the prevention of a criminal act, and three times in controlling traffic. In 13 cases police officers used their clubs, 14 times used grips, and 7 times used fists. A total of 29 of these instances were outdoors, and three in restaurants. Serious damages were not caused in any case. The police senior officials concluded that in 43 instances of use of force, police interventions were justified in 33 of them.

The Police Department of Skopje fired the three police inspectors who unjustifiably beat up the guests in the night club "Academy". A police officer was also fired who in March this year took away a lamb from the owner in the village Orese, threatening with his police gun. In May this year, a drunk police officer who was not on duty attacked a taxi driver, and then even a group of police officers who came to

detain him. The Police Department of Skopje punished him by 15% salary reduction in the next 6 months and filed criminal charges for an assault on other police officers and a violations' charge for attacking the taxi driver. None of the punished police officers was on duty when he misused his authorizations. Another two Skopje police officers were punished financially, because during a police raid in March this year, they used force and later did not file a report on this. When a police officer uses coercive means in his duty, he must make a report on this. A commission at the Ministry of the Interior later examines the very reasons for use of force.

In case of unjustified use of force, the police officer is to be punished financially or fired from his work. The parents of three Skopje young men, who were arrested on 17 November this year in the restaurant "903", shall sue the police for torture, mistreatment in the performance of duty and for serious body injuries. Aleksandar Torteovski, a lawyer from Skopje, says that, on behalf of the parents of the arrested youth and of the owner of the restaurant "903", he shall file charges against the Ministry of the Interior and shall make damages claims. The Ministry of the Interior, however, states that very Monday night his officers were arresting racketeers who actively resisted, so that the police officers had to use force to detain them. The lawyer of the arrested persons: Ivan Todorovski, Nikola Nikolovski and his father, Voislav Nikolovski, also claims that his clients did not resist during the police raid. The detainees were also beaten up, after handcuffs were put on their hands. During the violence, a glass table and a glass pane were broken. Spiro Arsov, the restaurant owner, says that he shall also sue the Ministry of the Interior and shall file damages claims. According to the public statement of the Ministry of the Interior, the suspects actively resisted in this police raid. The raid, that lasted for several minutes, was executed by 6 police officers that were previously in the restaurant. Then two police vans came with uniformed police officers to take the suspects to the police station. Aleksandar Janevski-Tosta, age 38, from Skopje, says that ten police officers from the police station "Kisela Voda" (located in Prolet, a suburb of Skopje) beat him up in front of the night club "Oranski" in Kisela Voda, a Skopje suburb, in May this year. The police officers then took him to the police station, put two pairs of handcuffs on him, and continued to beat him. As a consequence of the beating, he suffered a brain stroke, damage to the brain membrane, spilling of blood on the back of his head, and bruises all over the body. The Skopje Police Department, however, says that Janevski, being drunk, made fun and later attacked two police officers, prevented them from making an alcohol test and resisted actively when being taken to the police station. The police officers considered that all legal

conditions were fulfilled for using force. Aleksandar Janevski says that on 7th of May this year, around 4:30 in the morning, left the night club "Oranski" and then noticed that someone had opened the doors and the front part of his car, parked in front of the club. He told the club owner to call the police. After ten minutes, while checking his own car, two street police officers came in. One of them called for additional police officers via the police radio. While Janevski was working on his car, the police van arrived.

After beating him, the police officers took Janevski to the police station "Kisela Voda". Aleksandar Janevski claims that 15 police officers tied him up with two pairs of handcuffs and continued to beat him. He remained in the station till 10 o'clock. He says that he has already engaged a lawyer that shall sue the police officers for inflicting serious body injuries. Next February Janevski shall go to court on grounds of attacking police officers. Marjan Gjurovski, a reporter from Sitel TV, says that several undercover police officers mistreated him near the International Bus Station in Skopje on 2 September 1998, around 1 o'clock. Police officers were following him in a white car "Yugo", and told him to stop. He became frightened and took the nearest taxi. The police officers got him out of the taxi and started to mistreat him. The Ministry of the Interior later said in a statement that the police officers were making a raid around the bus station, and Gjurovski acted suspiciously with his movement and conduct. In October 1998, in the restaurant of the Macedonian National Theater in Skopje, a SWAT police officer attacked Nikola Kitanovski from Skopje. The police officer took Kitanovski out of the restaurant, with the assistance of another person. There Kitanovski was searched and beaten up by the police officer. As a consequence of the sustained injuries, Kitanovski had his spleen removed surgically. The police informed that the civilian, accompanying the SWAT police officer, inflicted the injuries on Kitanovski. A police officer from Krusevo beat up, without any apparent reason, Nikola Dimovski, from Bitola, in May this year.

Dimovski and several of his friends were met by a police patrol in Krusevo. One drunk police officer attacked him, with no reason. The angry police officer even tried to use his police gun, but he was prevented in doing so by his colleague police officer. Dimovski was then taken to the police station, where the police brutality was continued. The beating was finally stopped by two body guards of the then Minister of the Interior, Tomislav Cokrevski. The body guards accompanied their Minister to Krusevo and by chance entered the police station there. The Ministry of the Interior punished the police officer, claiming, however, that Dimovski had initially provoked him.

Religious rights

Just before the 1997 summer start, the Assembly of the Republic of Macedonia passed the Law on Religious Communities and Religious Groups. Based on the conclusions that were established at a joint meeting with representatives of the religious "communities" and religious "groups" and in the presence of the official of the Commission for Relations with Religious Communities of the Government of the Republic of Macedonia, the Helsinki Committee for Human Rights of the Republic of Macedonia pointed out that this Law favors religious communities, discriminates religious "groups", is too restrictive in regard to the freedom of religious worship and thus enables an arbitrary conduct of the authorities towards religious groups. Our remarks were not understood by the legislation officials, provided that these remarks were at all given to them. Consequently, there are already manifestations of intolerance and restriction of the right to religious worship, and even worse, one could expect further deterioration of the conditions in the sphere of freedom of religious worship in the Republic of Macedonia.

Dissatisfied by the consequences of the enactment of the aforementioned Law, several religious groups submitted legal petition to the Constitutional Court for re-examining the constitutionality of this Law; and the Helsinki Committee for Human Rights of the Republic of Macedonia, on its own, is also preparing to initiate legal action for re-examining this Law before the Constitutional Court of the Republic of Macedonia. The undefined and arbitrary position of the Commission for Relations with Religious Communities was repeated in the case of the Jehovah's Witnesses. These gentlemen were denied the issuance of construction permission for the reconstruction and interior redesign of one of their buildings, because "the urban plan does not provide for the location of a religious building on that very site", and also "because of serious disputes with the citizens who reside in the nearby houses or work in nearby administrative buildings". These are competencies that can only be and should be given to the city officials. The Jehovah's Witnesses have similar problems also in Strumica. With the decision of the Constitutional court from 24-th of December, 1998, excluded were the articles: 3 paragraph 1; 11 paragraph 2; 13, 14 and 22 paragraph 2, from the Law on religious communities and religious groups.

Articles which can be still regarded as discriminatory, not excluded with this decision are: 8 paragraph 2; 19 and 3. The praxes for the

presence of representatives of religious communities and religious groups on events of religious character (especially in the Government offices and the Parliament of the Republic of Macedonia). Regarding this, the Helsinki Committee is already preparing an initiative toward the Constitutional court of the Republic of Macedonia on the exclusion of these amendments, too, as well as further changes of the Law.

Conscientious objection

The issue of conscientious objection in the Republic of Macedonia is not legally regulated, except for Art. 16 of the Constitution of the Republic of Macedonia whose first paragraph says: "The freedom of conviction, conscience, thought and public expression of thought are hereby guaranteed". Nevertheless, when calling new recruits into the Army, this article of the Constitution is not respected. Those recruits who refuse to serve in the Army on grounds of conscientious objection are punished with prison sentence or fine. After each punishment, these people are again called into the Army, and are again sentenced. In 1997 the Helsinki Committee has registered two such cases: the case of Saso Nezirovski from Kriva Palanka and that of Muharem Saliev from Skopje. Both of them are waiting for another court trial.

Minority rights

The treatment of persons belonging to national minorities in the Republic of Macedonia in 1998 has been characterized by absence of information on open manifestation of discrimination and discriminatory activities, whether by State bodies and institutions or by individuals. This information, however, does not at all imply decrease in tensions that involve the interethnic element. The level of tolerance and communication between persons belonging to various ethnic groups and persons belonging to the majority group has been reduced to a very low level. This especially relates to persons belonging to the Albanian and Roma national minorities.

a) Persons belonging to the Albanian national minority cite the so-called "quiet discrimination" through which the feeling of being subordinated and of being second-class citizen is reproduced. Violation of human rights is on level of permanent quiet attack against human dignity and feeling of equality of man. In communicating with persons belonging to the Albanian national minority, the State bodies and officials behave themselves within the

framework of the law, however, always at the bottom level.

Overstepping of the law is not reported and so court or administrative procedure is not initiated against the offenders. This is mainly the outcome of the absence of personnel belonging to the Albanian national minority in the State services and bodies who would direct the citizens in their further procedure. The absence of such personnel is particularly noticeable and negative in the desk services, within the Ministry of Labor and Social Affairs, in the inspectorates of various ministries, in the middle level administration of the Ministry of the Interior and the Ministry of Defense. In the primary and secondary education, there is evident absence of qualified teachers and quality equipment in the schools (particularly in rural areas). Establishing Professors' College, that would educate future teachers for the whole elementary education and would provide further education for the already existing secondary schools teachers, can influence very positively the improvement of the situation. The issue of higher education in languages of national minorities is still high on the agenda, thus blocking the passage of the law on university (that is, the law on higher education).

b) Persons belonging to the Roma national minority are exposed to most open and very intolerable discrimination. Many examples can be mentioned of human rights' violation of persons belonging to the Roma national minority such as: police overstepping of professional duty and police brutality that is manifested in arresting persons belonging to the Roma national minority; the competence given to the managers on recruiting new employees (provided for by the new legal provisions on employment) enable unequal treatment of applicants belonging to the Roma national minority during their selection; in the educational process, many teachers manifest their discriminatory attitude in relation to children belonging to the Roma national minority (both in their enrollment and, later, in their education); instances can be shown of misapplication of legal provisions in their implementation (the provisions on students' quotas in higher education are inaccurately interpreted to the applicants); there are instances of authorization overstepping by officers of the Ministry of Labor and Social Affairs; administrative (especially the desk services) clerks manifest discriminating attitude against persons belonging to the Roma national minority and make difficult (or at least do not facilitate) obtaining the necessary documents and solving the everyday problems.

Persons belonging to the Roma national minority are still not prepared to involve themselves in direct protection of their rights (particularly not before the State administration bodies and the

courts). Due to the unfavorable social and economic situation and low educational level of persons belonging to the Roma national minority, these persons feel themselves to be greatly dependent on the State and its bodies, so any opposition is considered by them as a possibility for further deterioration of their situation. In 1998 persons belonging to the Roma national minority reacted in Stip and Kumanovo concerning the situation into which the Roma have been driven, by holding public protests. The result, however, was even greater repression and repeated withdrawal of the Roma. It should be mentioned that noticeable efforts have been made lately by some non-government organizations of the Roma, in order to overcome the passivity praxes.

During 1998, the humanitarian organization of the Roma, called "Moonlight", organized a dozen of seminars for the Roma population on the subject of the understanding of the human rights, and opened an office for the protection of the rights of Roma in Gostivar.

c) The representatives of the Vlach nationality express discontent for not initiating the implementation of the vlach language as choice subject in the regular educational program during 1998; belonging to the orthodox religion they are not allowed to establish their own religious organization, because of the Law on the religious communities and religious organizations which prohibits the existence of religious organizations which derive from the same religious communities. Their request for the implementation of 23-rd of May, the National Day of the Vlach, in the calendar of the official holidays of the Republic of Macedonia. To overcome this situation, a specific affirmative action by the State is necessary (opening centers for counseling and administrative assistance, training social workers and police officers, providing support to the specialized institutions for human rights' protection, etc.).

d) Usually, the Helsinki Committee for Human Rights of the Republic of Macedonia doesn't include the status of the Macedonian national minority in the Republic of Greece (which is subject of monitoring of the Greek Helsinki Monitor). But, since it happened in Skopje, we stress the statement of the Minister of Foreign Affairs of the Republic of Greece, m-r Theodoros Pangalos, given at the press conference in Skopje, on December 22-nd, 1998, in which he explicitly denied the existence of any national minority, and particularly Macedonian minority, in Greece, and defined the members of 'Rainbow', the Organization of Macedonians in Greece, as "slavomacedonians, stalinists, and homosexuals".

Freedom of conviction

The new Law on Religious Communities and Religious Groups passed in 1997 created conditions for different treatment of associations of believers. This Law also restricted the establishment of different associations that originate from the same religious community. Some provisions of this Law could be used in discriminating the citizens based on their religious beliefs. The specific provision on freedom of conviction and thought did not find its place in the Constitution. This later had an impact on the legal regulations. The Law on Defense recognizes, as reason for civil instead of military service in the Army, only religious belief, and not the freedom of conviction in its wider sense that the international documents provide for.

Rights of the child

The concept of the right of the parents is still dominant in our laws, instead of concept of the right of the child. Children are still left over to "the good" will of the parents and the guardians. The institutions of social work, that should react on children's abuse, violence against children, and neglect of children, do not perform their duties. The number of children has increased who beg on the streets, are engaged as trivial peddlers and quit school even before finishing the primary education. The number of marriages of minors (particularly regarding persons belonging to the Roma and Albanian national minorities) has not decreased, while the judiciary bodies do not react accordingly. Participation of children, with their own opinion on issues that concern them, almost does not exist, while persons working with children do not have even elementary knowledge of the Convention on Protection of Rights of the Child. The media identified several cases of home violence against children and the public interest should be intensified concerning this issue.

Women rights

Violence against the woman (particularly the one manifested at home and place of work) is still part of the negative statistics and has not been adequately investigated. Women more and more apply for protection and advice to the newly established sheltering institutions. However there is no sufficiently established contact among the institutions of social work, those providing shelter for the women and police departments, to have a coordinated action in

instances of such violence. The position of the Albanian woman is particularly difficult. Actually she is not equal in the family, she has been deprived in many cases from schooling, and there is complete absence of the Albanian woman in public life. After recent elections, the number of women who are members of the parliament has increased to 9. There is, however, very obvious absence of women on all managing posts. This is particularly true in the Ministry of Defense and the Ministry of the Interior.

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