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U.S. Department of State

Serbia-Montenegro Country Report on Human Rights Practices for 1998

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SERBIA-MONTENEGRO

Serbia--Montenegro, a constitutional republic, is dominated by Federal President Slobodan Milosevic. President Milosevic continues to control the country through his role as President of the Socialist Party of Serbia (SPS)--a dual role arrangement proscribed by the federal Constitution--and his domination of other formal and informal institutions. Although the SPS lacks majorities in both the Federal and Serbian Parliaments, it controls governing coalitions and holds the key administrative positions. The Milosevic regime effectively controls the judiciary and respects the country's legal framework only when it suits the regime's immediate political interests.

Serbia abolished the political autonomy of Kosovo and Vojvodina in 1990, and all significant decisionmaking since that time has been centralized under Milosevic in Belgrade. The Milosevic regime's repressive policies quashed any prospect of interethnic cooperation with Kosovo's ethnic Albanians and led to a full-fledged separatist insurgency that erupted early in the year. The regime undertook a brutal police and military crackdown against separatist insurgents in Kosovo--a crackdown that by some measures resulted in the deaths of about 2,000 persons by year's end, the vast majority of whom were ethnic Albanians.

The international community does not recognize the Federal Republic of Yugoslavia (FRY)--Serbia--Montenegro--as the sole successor state to the former Yugoslavia. Accordingly, the "FRY" still is not permitted to participate in the United Nations (U.N.), the Organization for Security and Cooperation in Europe (OSCE), or other international organizations and financial organizations.

As a key element of his hold on power, President Milosevic effectively controls the Serbian police, a heavily armed force of some 100,000 officers that is responsible for internal security. Serbian police committed numerous serious and systematic human rights abuses.

Despite the suspension of certain U.N. economic sanctions, economic performance was anemic due to the imposition of new sanctions as a response to the situation in Kosovo and the FRY's continued exclusion from international financial institutions. Unemployment and underemployment remained high (about 60 percent), since the Government was unable or unwilling to introduce necessary restructuring measures. The Government failed to implement needed sweeping economic reforms, including privatization, which would help the economy but could undermine the regime's crony system.

The Government's human rights record worsened significantly, and there were problems in many areas. Serbian police committed numerous serious abuses including extrajudicial killings, disappearances, torture, brutal beatings, and arbitrary arrests and detentions. The judicial system is not independent of the Government, suffers from corruption, and does not ensure fair trials. The authorities infringed on citizens' right to privacy. The Government severely restricted freedom of speech and of

the press, and used overbearing police intimidation and economic pressure to control tightly the independent press and media. The Government restricted freedom of assembly and association. While under the Constitution citizens have a right to stage peaceful demonstrations, in practice the police seriously beat scores of protesters throughout the republic of Serbia, sending many to hospitals. The Government infringed on freedom of worship by minority religions and restricted freedom of movement. The Milosevic regime used its continued domination of Parliament and the media to enact legislation to manipulate the electoral process. In practice citizens cannot exercise the right to change their government. The most recent electoral manipulation by the regime was in the Serbian parliamentary and presidential elections in the fall of 1997. The Federal and Serbian Governments' record of cooperation with international human rights and monitoring organizations was poor. The Federal Government remained uncooperative with the International Criminal Tribunal for the Former Yugoslavia (ICTY): it failed to meet its obligations under numerous U.N. Security Council Resolutions to comply fully with the Tribunal's orders, failed to issue visas to allow ICTY investigators into Kosovo (and, in the last quarter of the year, even into the rest of Serbia), and failed to transfer or facilitate the surrender to the Tribunal of persons on Serbian territory indicted for war crimes or other crimes against humanity under the jurisdiction of the Tribunal. Instead, the Milosevic Government openly harbored indicted war criminals--three of whom the Government openly acknowledged were present on Serbian territory--and publicly rejected the Tribunal's jurisdiction over events in Kosovo. Discrimination and violence against women remained serious problems. Discrimination against ethnic Albanians, Muslims, Roma, and other religious and ethnic minorities worsened during the year. Police repression continued to be directed against ethnic minorities, and police committed the most widespread and worst abuses against Kosovo's 90 percent ethnic Albanian population. Police repression also was directed against Muslims in the Sandzak region and other citizens who protested against the Government. The regime limits unions not affiliated with the Government in their attempts to advance worker rights.

Montenegro continued to be the only bright spot in the FRY, although Milosevic's influence threatens to complicate the Republic's efforts at democratization. In January 1998, Milo Djukanovic became Montenegro's President after November 1997 elections judged by international monitors to be free and fair, and his reform coalition won parliamentary elections in May. The Milosevic regime continued a relentless campaign to undermine Djukanovic's popular support, including by refusing to accept his choice of delegates to the upper house of the Federal Parliament; refusing to accept a Montenegrin Government choice for the new Federal Prime Minister; and withholding financial contributions owed to the Montenegrin pension system. Moreover, the Milosevic regime was believed to be behind a violent campaign to wreak havoc at the time of Djukanovic's inauguration. In his effort to crush Montenegrin democratization, Milosevic violated the Federal and Montenegrin Constitutions by persuading the federal Constitutional Court to review Montenegrin electoral legislation and by using his influence over Federal judges to have Montenegrin legislation declared unconstitutional.

Elements of the Kosovo Liberation Army (KLA, an armed ethnic Albanian group that seeks independence for Kosovo) were also responsible for abuses. They committed killings, were responsible for disappearances, abducted and detained Serbian police, as well as Serb and Albanian civilians (those suspected of loyalty to the Serbian Government), and in a few isolated cases "tried" suspects without due process. There are also credible reports of instances of torture by the KLA.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

Political violence, including killings by police, became a significant problem during the year as a result of the conflict in Kosovo (see Section 1.g.). Beginning in the early spring and again throughout the year, Serbian police killed scores of ethnic Albanians often in brutal fashion. In Likosane in early March police entered the family compound of the Ahmeti family, rounded up the male members of the clan plus one acquaintance--12 individuals--and summarily executed them. A few days later, in Donji Prekaz, police surrounded the family compound of Adem Jashari, whom they believed to be well armed and a member of the KLA, and destroyed it. Over 80 persons died in the siege, including women and children.

On May 25, police in Ljubenic entered the compound of the Hamzaj clan and allegedly executed at least five male members of the family. According to witnesses who spoke to the Humanitarian Law Center, police lined up the victims and forced them to strip down to their underpants before killing them. News of the atrocities committed by the police spread rapidly in Kosovo, fed the separatist insurgency, and led to more violence.

Rexhep Bislimi, an activist of the Urosevac chapter of the Pristina--based Council for the Defense of Human Rights and Freedoms, died as a result of injuries inflicted by Serbian security forces while in detention in July. Serbian authorities denied Bislimi's family access to him, both while he was in detention and after he was transferred to Pristina hospital with serious injuries (see Section 4). Three humanitarian aid workers were killed by Serbian mortar fire while trying to deliver food near Kijevo on August 24 (see Section 1.g.).

On September 26 in Gornje Obrinje, Serbian special police allegedly killed 18 members of an ethnic Albanian family, including women and infants. In December Serbian and FRY officials blocked access for a team of independent international forensic experts to the site of the grave where those killed in Gornje Obrinje were buried. On May 31, Serbian security forces attacked the village of Novi Poklek, near Glogovac. Police seized 10 ethnic Albanian men in the raid, one of whom was found dead later that day. The other nine were still missing at year's end and presumed dead. According to eyewitness accounts of international human rights groups, Serbian special police summarily executed 13 ethnic Albanian men in Golubovac on September 26.

The FRY, in contravention of repeated U.N. Security Council Resolutions, denied investigators from the ICTY access to any part of Kosovo, preventing them from undertaking a thorough and independent investigation into these and other atrocities committed in the province that fall under the Tribunal's jurisdiction (see Section 4).

On December 29 the bodies of five Kosovo Albanians were found alongside roads or bridges, two in Prizren, two in Kosovska Mitrovica, and one on the Pec--Decani road. On December 30 a Kosovo Albanian was killed near the village of Dremnjak. By year's end according to credible reports, about 2,000 persons were dead as a result of the conflict in Kosovo, the vast majority of whom were ethnic Albanians. The domestic Pristina--based Council for the Defense of Human Rights and Freedoms reported in late December that the bulk of casualties among ethnic Albanians were unarmed civilians.

According to an international human rights NGO, at least five persons died from abuse in prison during the year in Serbia (see Section 1.c.).

There were reports of many extrajudicial killings by members of the armed ethnic Albanian insurgency, including of several so-called ethnic Albanian "collaborators" and several Serb civilians near one of the strongholds of the KLA in Glodjane in the late summer (see Section 1.g.). Forces alleged to be from the KLA kidnaped and killed the deputy mayor of Kosovo Polje, Zvonko Bojanic, on December 17. According to international observers, two masked persons entered a cafe in Pec during the night of December 14 and began firing at customers. Six Serbs were killed in the attack, and three others were hospitalized. Police identified 14 suspects and arrested 3 between December 15 and 17. In late December, a local police inspector was killed in central Podujevo, an elderly Serb man was shot dead in the village of Obranza, and a Serb janitor was killed in Urosevac, all in circumstances that led to suspicion that the KLA was responsible for the killings.

On December 27, three Roma were found dead in Kosovska Mitrovica. The Roma community reportedly attributed responsibility for the deaths to the KLA. On December 31 a Serb janitor in the Urosevac agricultural school was found dead on the outskirts of town.

b. Disappearance

There were unconfirmed reports of hundreds of disappearances. According to Human Rights Watch, at least a hundred ethnic Albanians disappeared in Kosovo during the worst fighting between February and September, about half of whom were last seen in police custody.

In one instance several corpses were found hastily buried by Serbian forces in a garbage dump near Orahovac in July. There were also reports of mass graves, which Serbian authorities strongly denied. However, Serbian and federal authorities failed to grant investigators from the ICTY access to the gravesites. Among the persons who disappeared was Dr. Hafir Shala, a medical doctor, who was apprehended on April 10 by police near Glogovac, taken to the central police station in Pristina, and never heard from again. The Belgrade-based Humanitarian Law Center documented numerous cases of ethnic Albanians who were apprehended by police over the summer months and were still missing at year's end. Access for international humanitarian organizations such as the International Committee of the Red Cross (ICRC) to those detained was impeded by the Serbian Government throughout most of the year, but slightly improved after October.

The fate of some 136 Serbs and Montenegrins reported missing and presumed to have been abducted by the KLA or other ethnic Albanian insurgent fighters was still unknown at year's end, according to international intergovernmental organizations, based on reports from family members of the missing. Up to 280 Serbs were reported missing throughout the year. Several Serbs reported cases of family members--mostly civilians--taken hostage by separatist fighters and not heard from again, including many reportedly taken after fighting between police and insurgent forces at Orahovac in July. Many of those still missing are believed to have been killed; others are presumed to be still alive. The KLA kidnaped a Serb policeman on November 19 in the Podujevo area; after intervention by the Kosovo Diplomatic Observer Mission (KDOM) the KLA released the policeman on November 24. International organizations and diplomatic observers had very little success in winning access to those believed to be detained by armed Albanian groups.

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

The law prohibits torture and other cruel forms of punishment; however, Serbian security forces regularly and systematically used torture, beatings in detention, and other forms of abuse against the ethnic Albanian population after fighting erupted in Kosovo early in the year. There were several police roundups in Kosovo during the year of ethnic Albanians charged by the Serb authorities with supporting terrorism. The worst police brutality takes place during the 3 to 4 day period of incommunicado detention allowed by law. According to credible reports, police also used electric shock and sleep deprivation to torture detainees. In one incident, Serbian police took into custody Sokol Rugovci, an ethnic Albanian from Montenegro. According to the Helsinki Committee for Human Rights in Sandzak, when Rugovci admitted during an interrogation that he supported the reform government of Milo Djukanovic, the police used a welding machine to brand "Milo" on his chest. In another incident, police carved a cross on the chest of Arsim Krasnici, an ethnic Albanian, in a Pristina hospital. In another incident, an ethnic Serb woman reported to authorities that police threatened to carve off her genitals because she worked in a Muslim restaurant. One of three policemen involved in the incident was sentenced to 20 days in prison but by year's end had not served his sentence. According to the Center for the Protection of Women and Children in Pristina, Serb security forces reportedly engaged in the rape of Albanian women in Kosovo. Two girls who reportedly were raped by Yugoslav Army members committed suicide near the end of the year (see Section 1.c.). At least five Kosovo Albanian males died in custody during the year--all individuals who were in good health prior to their detention by Serbian police, according to international human rights groups. Evidence of torture in detention is widespread.

Human rights lawyer Destan Rukiqi, who defended dozens of ethnic Albanian political prisoners in Kosovo in recent years, was arrested on July 23 and then severely beaten by the police. On his third day of detention he was beaten with rubber batons on the kidneys and spent 2 weeks on dialysis. On July 30, he was taken from Lipjan prison to Pristina hospital with serious injuries to his kidneys. Rukiqi was sentenced the same day in an expedited procedure to the maximum 60 days in prison for the misdemeanor offense of disturbing public order. His arrest was related to an incident in which he raised his voice to a judge who refused to let him review the case file of his client. Serb authorities denied Rukiqi's wife and his lawyers, as well as diplomatic and human rights observers, access to him in prison and in the hospital. Rukiqi was released on August 22 after 30 days in prison.

Ethnic Albanians continued to suffer at the hands of security forces conducting searches for weapons, ammunition, and explosives. The police, without following proper legal procedures, frequently extract "confessions" during interrogations that routinely include the beating of suspects' feet, hands, genital areas, and sometimes heads. The police use their fists, nightsticks, and occasionally electric shocks. Apparently confident that there would be no reprisals, and in an attempt to intimidate the wider community, police often beat persons in front of their families. There has been virtually no prosecution of those responsible, despite a public commitment from the President of the Government of Serbia in October to do so and despite repeated demands from the international community calling on the Milosevic Government to cooperate in the investigation and prosecution of those responsible. According to various sources, ethnic Albanians are frequently too terrified to ask police to follow proper legal procedures--such as having them provide written notice of witness interrogation. In some cases, Serbian police also used threats and violence against family members of suspects and held them as hostages. Local human rights monitors report that Serbian police threatened and intimidated

doctors working in Kosovo to prevent them from treating KLA members. One doctor reported that police entered his private clinic, held him at gunpoint, and threatened him for treating suspected terrorists. According to Albanian and foreign observers, the worst abuses against ethnic Albanians took place not in big towns but in rural enclaves--a pattern which, according to many observers, increased separatist sentiment and provided the basis for the strong support for the KLA in these areas.

On December 15, police in Belgrade detained and beat a student activist from the "Student Resistance Movement" Otpor, Srdjan Popovic. On December 29, unknown thugs (possibly special police forces) beat another prominent Otpor activist, Boris Karajcic, just weeks after considerable media exposure of his trip abroad to publicize the Milosevic regime's human rights abuses (see Section 2.a.).

Police beat an APTV cameraman in Pristina in October (see Section 2.a.). Police occasionally attacked Roma (also see Section 5). Police used truncheons, tear gas, and water canons against student demonstrators in Belgrade (see Section 2.b.).

The police harassed persons connected with the distribution of the Belgrade independent newspaper Dnevni Telegraph. Kiosk owners were approached and told that if they sold the newspaper the financial police would look into their operations. Throughout the year the police systematically intimidated printing houses--including in November the Forum of Novi Sad--to prevent them from printing independent newspapers (see Section 2.a.).

In a country where many of the adult males are armed, the Serbian government and police, according to some members of ethnic minorities, selectively enforced the laws regulating the possession and registration of firearms during the year so as to harass and intimidate ethnic minorities, particularly Kosovo Albanians and Bosniak Muslims. The most frequent justification given for searches of homes and arrests was the illegal possession of weapons. Observers allege that in Kosovo the police use the pretext of searching for weapons when in fact they are also searching for hard currency. It is reported that local police authorities more easily approve the registration of legal weapons for Kosovo Serbs and frequently turn a blind eye to Serbs' possession of illegal weapons. In fact, the Serbian police in some cases reportedly actively promoted the arming of local Kosovo Serb civilians.

Prison conditions meet minimum international standards. According to human rights monitors based in Belgrade, prison conditions deteriorated in recent years. However, there were few confirmed reports of the abuse of prisoners once they were sentenced and serving time. The vast majority of cases of torture occur before the detainees are charged with offenses or during the period between the filing of charges and the commencement of the trial.

The Government generally permits prison visits by human rights monitors, although access is sporadic and subject to the whim of local officials. Access was poor for much of the year but improved slightly by October. On several occasions, outside monitors, including representatives of the ICRC, were denied access to individuals held by Serbian police. For example, in September although the Government agreed to allow access to the 523 persons it acknowledged to have in custody then, the ICRC gained access to less than 30 of them.

After poor cooperation between the ICRC and the Serbian authorities, relations improved significantly after Milosevic reached agreements with international interlocutors in June and October. At

yearâs end the Ministry of Justice improved its record in notifying the ICRC of detainees. According to Ministry of Justice statistics, 771 persons were detained on charges relating to the conflict in Kosovo at yearâs end. The ICRC visited 421 of those detained; 276 of the 771 had been in detention since October. However, the ICRC was denied access to persons detained by the Ministry of Defense, which only has heightened international concern for the condition and treatment of those prisoners. The ICRC estimates that the Ministry of Defense had 40 persons in custody. Access to those civilians alleged by the Government or by family members to be detained by the KLA has been almost nonexistent.

d. Arbitrary Arrest, Detention, or Exile

Police use of arbitrary arrest and detention was concentrated primarily in Kosovo and, to a lesser degree, in Sandzak. Serbian police often apply certain laws only against ethnic minorities and used force with relative impunity. Sandzak Muslims as well as Kosovo Albanians were subjected to trumped up or exaggerated charges, ranging from unlawful possession of firearms to willfully undermining the countryâs territorial integrity. According to Serbian Ministry of Justice statistics, the authorities were in the process of charging or trying approximately 1,500 persons for activities related to the Kosovo conflict. Serbian security forces arrested Sylejman Bytyci, a member of the local leadership of the LDK (Democratic League of Kosovo) Party, as well as Milaim Jashari, a senior member of the local chapter of the Council for the Defense of Human Rights and Freedoms, and his 21--year--old son, Zylbehar Jashari, during a large--scale raid in Urosevac. In July Serbian police arrested several seasonal workers from Kosovo in Novi Pazar without cause and kept them overnight before releasing them the following day. According to the Helsinki Committee in Sandzak, the police feared demonstrations on the first anniversary of appointed rule, July 10 in Novi Pazar, which marked the date when the Milosevic regime forcibly removed the elected local government in the predominantly Muslim municipality. The police arrested many non--Serbs to avoid problems. Earlier, without cause, the police on June 16 arrested student activists in Novi Pazar who were involved in a national antiwar campaign against the regime's Kosovo policy.

Laws regarding conspiracy, threats to the integrity of the government, and state secrets are so vague as to allow easy abuse by the regime.

Federal statutes permit the police to detain criminal suspects without a warrant and hold them incommunicado for up to 3 days without charging them or granting them access to an attorney. Serbian law separately provides for a 24--hour detention period. The police often combine the two for a total 4--day detention period. After this period, police must turn a suspect over to an investigative judge, who may order a 30--day extension and, under certain legal procedures, subsequent extensions of investigative detention up to 6 months. In Kosovo, Serbian police often detain and beat persons without ever officially charging them and routinely hold suspects well beyond the 3--day statutory period. Bail rarely is granted.

Defense lawyers and human rights workers complained of excessive delays by Serbian authorities in filing formal charges and opening investigations. The ability of defense attorneys to challenge the legal basis of their clients' detention often was hampered further by difficulties in gaining access to detainees or acquiring copies of official indictments and decisions to remand defendants into custody. In some cases, judges prevented defense attorneys from reading the court file. Investigative judges in

Serbia often delegated their responsibility for carrying out investigations to the police or members of the state security service and rarely questioned their accounts of the investigation--even when it was obvious that confessions were coerced from the accused. Results of such sham investigations were then used in court to convict defendants on trumped up charges.

The regime ignored its pledge to grant amnesty for "crimes related to the conflict in Kosovo," a pledge that was part of Milosevic's October agreement to end the repression there. Humanitarian organizations reported in December that there were no reported cases of amnesty for individuals charged with terrorist acts. As a result, about 1,500 ethnic Albanians remained in custody at year's end charged with committing terrorist acts or with "anti-State activities" related to the conflict in Kosovo. According to an international human rights NGO, prosecutors in the Pec district in Kosovo were increasing the charges in many cases to crimes against humanity in an effort to circumvent the Serbian government's own pledge in October to grant an amnesty for conflict-related crimes.

Four members of the "Student Resistance Movement" protesting Serbia's repressive new information law and the removal of faculty from a university for political reasons were arrested in late fall for spraying anti-Fascist graffiti (see Section 2.a.). In November three of the four students were sentenced to 10 days in jail and were released from custody. The four were convicted in a hastily staged trial, and their sentences were considered harsh for first-time offenders. Also unusual in such cases, the sentences were served before the appeal was heard.

According to the Ministry of Justice, at year's end 771 persons were detained on charges relating to the conflict on Kosovo.

The KLA kidnaped two journalists of the state-run news agency Tanjug on October 18. On October 30 the "military court" of the KLA sentenced them to 60 days in prison for violating the civilian and military regulations of the KLA and the regulations of the KLA "police." The journalists were given 7 days to appeal their sentences, according to the KLA. The ICRC announced that it was unsuccessful in its repeated attempts to visit the two (see Section 2.a.). The KLA finally released the pair in late November. In October the KLA detained 13 Albanian politicians, including members of the Kosovo Albanian Shadow Parliament, in Cirez for 2 days. The KLA forces are reported to have repeatedly tortured 6 of the 13 detainees, whom they considered to be too close to the Serbian Government. International intergovernmental human rights organizations believe that the KLA held at most a relatively small number of hostages/prisoners at year's end.

Exile is not permitted legally, and no instances of its use are known to have occurred. However, the practical effect of police repression in Kosovo and Sandzak has been to accentuate political instability, which in turn has limited economic opportunity. As a result, many ethnic Albanians and Bosniak Muslims go abroad to escape persecution, although only in a few cases could direct links to police actions be identified.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, but in practice, Federal and Serbian courts largely are controlled by the Government and rarely challenge the will of the state security apparatus. Judicial corruption is also widespread. While judges are elected for fixed terms, they may be sub-

jected to governmental pressure. Serbian authorities frequently deny fair public trial to non--Serbs and to persons whom they believe oppose the regime. The fraud that followed the November 1996 municipal elections was perpetrated mainly through the regime's misuse of the judicial system. In Milosevic's FRY, the key perpetrator of that fraud, president of the First Belgrade Municipal Court Dragoljub Jankovic, became the Serbian Justice Minister. Another perpetrator, Balsa Grovedarica, at the time the presiding judge of the Serbian Supreme Court, was awarded an extra official position: he became president of the Serbian Electoral Commission.

The court system comprises local, district, and supreme courts at the republic level, as well as a Federal Court and Federal Constitutional Court to which republic supreme court decisions, depending on the subject, may be appealed. There is also a military court system. According to the Federal Constitution, the Federal Constitutional Court rules on the constitutionality of laws and regulations and relies on the constituent republic authorities to enforce its rulings.

The Federal Criminal Code of the former Socialist Federal Republic of Yugoslavia remains in force. Considerable confusion and room for abuse remain in the legal system because the 1990 Constitution of Serbia has not yet been brought into conformity with the 1992 Constitution of the Federal Republic of Yugoslavia. Under federal law, defendants have the right to be present at their trial and to have an attorney represent them, at public expense if needed. The courts also must provide interpreters. The presiding judge decides what is read into the record of the proceedings. Either the defendant or the prosecutor may appeal the verdict.

Although generally respected in form, defense lawyers in Kosovo and Sandzak have filed numerous complaints about flagrant breaches of standard procedure, which they believed undermined their clients' rights. Even when individual judges admitted that the lawyers were correct, the courts ignored or dismissed the complaints.

Human rights lawyer Destan Rukiqi, who defended dozens of ethnic Albanian political prisoners in Kosovo in recent years, was arrested on July 23 and severely beaten by Serbian police (see Section 1.c.). His arrest was related to an incident in which he raised his voice to a judge who refused to let him review the case file of his client.

In November police in Belgrade arrested four students with the Otpor student resistance movement, and a court sentenced them to 10--day prison terms in a summary trial with no right of appeal (see Section 2.a.).

The Government continues to pursue cases previously brought against targeted minority groups under the Yugoslav Criminal Code for jeopardizing the territorial integrity of the country and for conspiring or forming a group with intent to commit subversive activities--that is, undermining the "constitutional order." Numerous questionable trials took place in Kosovo during the year involving almost 500 ethnic Albanians. Over 90 percent of the cases involved alleged violations under the Federal Penal Code of Article 136 related to "association to conduct enemy activity," or Article 125 concerning "terrorism." According to the Ministry of Justice, as of December some 1,500 Kosovo Albanians were being charged or tried for crimes related to the Kosovo conflict. According to the ICRC, the Justice Ministry stated that some 500 were being tried in absentia. The Office of the U.N. High Commissio-

ner for Human Rights was monitoring the cases of 1,350 prisoners in the Pec and Prizren regional courts at year's end.

Generally, the evidence in these cases was inadequate, and the defendants largely were denied timely access to their attorneys. According to international civilian verifiers from the OSCE Kosovo Verification Mission (KVM) office in Pec, some 80 "nonprofessional" judges work in the district and municipal courts there, of whom the vast majority are former police officers. Although there are two courtrooms in the court building, many trials are held in the offices of the judges on the upper floors where no members of the public are present. International human rights monitors observed a lack of impartiality by Serb judges in the municipal and district court system in the province. They also noted the absence of legal counsel for the defense, the absence of witnesses or experts during proceedings, and a failure to provide medical care during proceedings to defendants obviously in need of immediate attention. Continuing a common pattern of abuse, independent observers reported that several defendants met their defense attorneys for the first time only after the investigative judge already concluded the crucial investigation stage, while other defendants had defense counsel assigned after they entered the courtroom. Much evidence appeared to have been obtained by authorities through forced confessions of defendants under duress. Other evidence was kept from defense attorneys until just before the trial. Other international observers monitoring the trials of alleged terrorists in Pristina complained of irregularities in the process involving evidentiary standards, the nonuse of native languages, and the failure to respect the presumption of innocence.

Many legal scholars expressed concern in July over the passage of the Act on Lawyers, which is said to be an attempt to restrict the freedoms of lawyers and to interfere with the independence of lawyers in their dealings with clients. In particular, according to an analysis done by the Helsinki Committee for Human Rights in Serbia, the law is said to give too much authority to the lawyers' chambers--both at the republic and federal levels--which the Helsinki Committee alleges would enable the regime to exercise stricter control over the profession. According to a Serbian Constitutional Court Judge, the law will also enable the regime to interfere with the lawyer--client relationship, which, even during the Communist era, was upheld to a greater degree.

Ulsin Hoti, leader of UNIKOM, a political party that advocates Kosovo's unification with Albania, was in detention for the entire year. Hoti was in a Nis jail and was reportedly in poor health. His lawyers have been denied access to him since February.

The Government introduced a constitutional initiative in July to rein in republic-level judges by discarding the provision that gives them their mandates for life and requiring that they seek office periodically through election. This process would involve obtaining Justice Ministry approval for each judge's candidacy. Local observers fear that the provision would in effect make judges functionaries of the regime, easily removed if they do not cooperate.

The Government continues to hold some ethnic Albanians as political prisoners.

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

The authorities infringed on citizens' privacy rights. Federal law gives republic ministries of the interior sole control over the decision to monitor potential criminal activities, a power that routinely is

abused. It is widely believed that authorities monitor opposition and dissident activity, eavesdrop on conversations, read mail, and tap telephones. Although illegal under provisions of Federal and Serbian law, the Federal post office registers all mail from abroad, ostensibly to protect mail carriers from charges of theft.

Although the law includes restrictions on searches, officials often ignored them. In Kosovo and Sandzak, Serbian police systematically subjected ethnic Albanians and Bosniak Muslims to random searches of their homes, vehicles, shops, and offices, asserting that they were searching for weapons. According to the Kosovo Council for the Defense of Human Rights and Freedoms, the police carried out scores of raids on homes, including in areas not affected by the fighting. Police used threats and violence against family members of suspects.

Serbian security forces systematically destroyed entire villages in Kosovo by burning and shelling houses, contaminating water wells, and killing livestock (see Section 1.g.).

A government law requiring universal military service is enforced only sporadically; it was not vigorously enforced during the year. The informal practice of the military has been not to call up ethnic Albanians. Of approximately 100,000 draft evaders living abroad to avoid punishment, 40 percent were estimated to be ethnic Albanian. This number in part reflects the large number of conscription-age men in the FRY's Albanian community. Leaders of Kosovo's Albanian and Sandzak's Muslim communities maintained that forced compliance of these ethnic groups with universal military service was an attempt to induce young men to flee the country. According to an amnesty bill passed in 1996, up to 12,000 young men for whom criminal prosecution for draft evasion already had started were granted amnesty. Others who did not fall into this category were told that if they returned to the FRY their cases would be reviewed on a "case by case" basis, a policy that has not inspired confidence among offenders. Another law passed in October stated that draft dodgers who did not report for military service would forfeit their right to inheritance.

In a related development, under a 1996 agreement with Germany, ethnic Albanian refugees repatriated to the FRY were not supposed to be prosecuted for fleeing the draft. However, according to the Humanitarian Law Center, many returning ethnic Albanians faced irregular procedures on returning to the FRY. The Center reported many misdeeds by authorities against returned asylum seekers, including physical abuse, threats of imprisonment, deportation, confiscation of identification cards, and a requirement that persons report to their local police stations on a daily basis. Returning ethnic Albanians and Sandzak Muslims are detained routinely on their arrival at local airports. In many cases FRY officials have refused to issue proper travel documents to children born to asylum seekers.

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

The conflict in Kosovo placed civilian populations on both sides of the ethnic divide in an unusually vulnerable position. The excessive and indiscriminate use of force by Serbian police forces and the Yugoslav Army (VJ) resulted in widespread civilian casualties and the mass forced displacement of up to 250,000 persons by September, the vast majority of whom were displaced within Kosovo while tens of thousands sought refuge in Montenegro. The Milosevic Government's actions and the ensuing humanitarian crisis nearly resulted in a humanitarian catastrophe in the fall.

In Likosane in early March police entered the family compound of the Ahmeti family, rounded up the male members of the clan plus one acquaintance--12 individuals--and summarily executed them. A few days later, in Donji Prekaz, police surrounded the family compound of Adem Jashari, whom they believed to be well armed and a member of the KLA, and destroyed it. Over 80 persons died in the siege, including women and children.

On September 26 in Gornje Obrinje, Serbian special police allegedly killed 18 members of an ethnic Albanian family, including women and infants. In December Serbian and FRY officials blocked access for a team of independent international forensic experts to the gravesites of those killed in Gornje Obrinje. On May 31, Serbian security forces attacked the village of Novi Poklek, near Glogovac. Police seized 10 ethnic Albanian men in the raid, one of whom was found dead later that day. The other nine were still missing at year's end and presumed dead. According to eyewitness accounts of international human rights groups, Serbian special police summarily executed 13 ethnic Albanian men in Golubovac on September 26. The FRY, in contravention of repeated U.N. Security Council Resolutions, denied investigators from the ICTY access to any part of Kosovo, preventing them from undertaking a thorough and independent investigation into these and other atrocities committed in the province that fall under the Tribunal's jurisdiction (see Section 4).

According to international observers, two masked persons entered a cafe in Pec during the night of December 14 and began firing at customers. Six Serbs were killed in the attack, and three others were hospitalized. Police identified 14 suspects and arrested 3 between December 15 and 17. In late December, a local police inspector was killed in central Podujevo, an elderly Serb man was shot dead in the village of Obranza, and a Serb janitor was killed in Urosevac, all in circumstances that led to suspicion that the KLA was responsible for the killings.

On December 27, three Roma were found dead in Kosovska Mitrovica. The Roma community reportedly attributed responsibility for the deaths to the KLA.

The international community was engaged continuously during the year in an effort to compel Milosevic to act constructively to find a peaceful solution to the Kosovo crisis. After police killed scores of civilians in late February in the process of trying to eliminate what the regime alleged was a "terrorist" cell, the international community imposed further sanctions, including an investment ban, which went into effect in the summer. However, further violence followed, and the North Atlantic Treaty Organization (NATO) allies stepped up pressure on the regime in the fall. In the face of the threat of NATO air raids, Milosevic agreed to steps aimed at mitigating the humanitarian disaster unfolding in the province. He undertook to comply fully with the terms of U.N. Security Council Resolution (UNSCR) 1199 (adopted in September), which included demands that the FRY cease all action by the security forces affecting the civilian population, order the withdrawal of security forces used for civilian repression, cooperate with the ICTY, and allow full and unimpeded access for all international humanitarian aid organizations to Kosovo, including the U.N. High Commissioner for Refugees (UNHCR) and the ICRC. Milosevic also agreed to allow a NATO air verification mission to verify compliance with UNSCR 1199 from the air and to allow 2,000 unarmed civilian "verifiers" of the OSCE KVM to verify compliance on the ground in Kosovo. Agreements establishing these missions were signed separately by the FRY, with NATO and the OSCE respectively, in mid--October. In subsequent meetings with NATO representatives, Milosevic agreed to specific limits on Serbian police and Yugoslav Army presence in Kosovo.

According to a resolution adopted by the U.N. Third Committee in November, Serbian security forces damaged by arson or artillery over 20,000 houses in Kosovo, and the fighting resulted in over 1,000 documented deaths, including many small children and the elderly. International diplomatic observers witnessed Serbian armed forces purposefully destroying civilian property: police systematically looted, trashed, and burned villages and shot livestock with the intention of depopulating certain regions, especially the villages near the border with Albania. In the summer, international diplomatic observers and members of intergovernmental organizations witnessed Serbian security forces torching and vandalizing homes of ethnic Albanians after fighting between police forces and insurgents had already ceased in those villages. Other NGOs reported that areas that were occupied by Serbian security forces were at high risk for well water contamination. The security forces used the wells for waste disposal (i.e., garbage, animal remains, and other contaminants) when they departed. Numerous credible incidents were reported in which civilians were seized from intercity buses and held hostage by both Serbian security forces and Albanian insurgents. By year's end, the UNHCR estimated that there were still over 180,000 internally displaced persons (IDPs) as a result of the conflict in Kosovo. According to the Pristina-based Center for the Protection of Women and children, 89 percent of the IDPs are women and children.

In addition to the terror tactics employed by Serbian security forces against the ethnic Albanian civilian population of Kosovo, credible sources indicated that the Milosevic regime sought to block some shipments of food into the province. When presented with a list alleged to have been prepared by Belgrade authorities of products to be stopped from entering the province, Serbian police in Kosovo did not deny the operation, but stated that it was part of a countrywide campaign to stop "tax avoidance." At the same time, the Milosevic regime compiled at best an uneven record of cooperation and hostility toward nongovernmental organizations that sought to deliver humanitarian shipments to the needy in Kosovo, including to IDPs forcibly displaced by the police campaign of shelling, looting, and burning ethnic Albanians' homes after fighting had concluded.

Three local humanitarian aid workers were killed by mortar fire from Serbian forces in the summer, and others were harassed and detained on trumped up charges of "aiding and abetting" terrorist groups. On September 30 one ICRC employee was killed and three others were wounded after their vehicle hit a land mine at Gornje Obrinje. On September 14 a KDOM vehicle also struck a land mine in the area.

Separatist fighters set up roadblocks and denied passage to Serbs, including civilians attempting to get to and from work. In Kijevo over the summer, the KLA blockaded the Pristina--Pec road, forcing Serbian police to extract some Serbian civilians--including a pregnant woman--from the village by helicopter. Separatist fighters harassed Serbian journalists and took some hostage. In addition to credible cases in which so-called "collaborators" were killed, some ethnic Albanians employed by state-owned enterprises were threatened.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and the Press

Federal law provides for freedom of speech and of the press; however, the Serbian and Federal Governments severely restricted this right in practice. The Milosevic regime's assault on these freedoms during the year was the most pronounced since Milosevic came to power over a decade ago.

In October, after NATO threatened to intervene because of the deteriorating humanitarian situation in Kosovo, the Serbian Government issued a decree effectively allowing press censorship, possibly as a response to the perceived threat to the regime of the free flow of information and ideas. It later passed a new information law, which incorporated many of the decree's strict provisions that left the country's independent media severely constrained. Under the law, private citizens or organizations can bring suit against media outlets for printing materials not sufficiently patriotic, or "against the territorial integrity, sovereignty and independence of the country." Media outlets also can be fined for publishing items of a personal nature without the consent of the individual concerned (an apparent reference to political cartoons). The rebroadcast of foreign news programs, including from the British Broadcasting Corporation and the Voice of America, was banned. Media outlets whose practices do not conform to the new law may be subjected to exorbitant fines, which must be paid within a 24-hour period. Two independent radio stations, Radio Indeks and Radio Senta, were shut down. On October 28, criminal charges were filed against Nenad Cekic, the editor in chief of Radio Indeks. In October independent radio stations Radio/Television Kursumlija, Radio Globus Kraljevo, and Radio Velika Kikinda stopped broadcasting altogether after government pressure to stop broadcasting foreign programs. According to its management, the Government froze the bank accounts of Belgrade City Television Studio B in early December, although the station was associated with a coalition partner in the Government. The Government annulled existing contracts with Studio B on frequencies and offered new contracts effective retroactively to June, which offered fewer frequencies at a significantly increased cost: \$100,000 per month. Since Studio B refused to sign the contracts, according to the director, the station was already operating illegally, effectively providing the Government with grounds for closing the station.

The Government shut down several other stations during the year, using confusing regulations governing frequency allocations, including Radio Kontakt in Pristina in July, the independent city radio in Nis in August, and STV Negotin in September. A problem that often renders independent electronic media outlets vulnerable is the deliberate vagueness of the relevant laws. Radio and television stations, depending on their political dispositions, can be harassed bureaucratically. Instead of obtaining long-term licenses to broadcast, stations receive only 1-year temporary licenses if they are approved at all. The bureaucratic procedures are so difficult that stations frequently cannot possibly fulfill the requirements--leaving them at the mercy of the regime. For example, under current law, to obtain a license to broadcast, a station must obtain approval of a government "construction inspector" on its office space. But to obtain a construction inspector's approval, a station needs a broadcast license. In another example, in the spring authorities closed Feman, a newly opened television station in Jagodina and justified their action by the fact that the station was operating without a license. The station editor in chief claimed that the Federal Telecommunications Ministry had informed him that he did not need a license prior to opening the station and led him to believe that there was a grace period during which to obtain proper documentation. Two other private television stations in Jagodina operate without licenses. The day after the station broadcast a program critical of the Government's financial policies, an inspector from the Telecommunications Ministry, escorted by five police officers, closed the station. According to the NGO Fund for Humanitarian Law, in the spring authorities clos

down Radio Lazarevac, Radio/Television Studio M in Vranje, and Radio Herc in Zitoradje, much in the same manner as the Feman television station.

In addition to license problems, those stations that do obtain licenses are forced to pay exorbitantly high fees, the nonpayment of which is enforced selectively by Serbian authorities to close down those stations that do not adhere to the Government's line.

Although there are many independent television and radio stations operating throughout the country, their broadcasts typically cannot be received beyond the major cities. The only network that covers the entire country is the Serbian State Television and Radio Network RTS. An estimated one--third of the population of Serbia only receives RTS, the official voice of President Milosevic.

In October police beat an APTV cameraman in Pristina (see Section 1.c).

According to independent journalists, most journalists started practicing self--censorship in an effort to avoid a violation under the media law. Journalists had been informed that printing anything that was not true--even an advertisement or a death announcement--could be punished under the information law. One independent newspaper reported that it was publishing half as many articles as usual, in view of the new need to check extensively the facts in every article. The weekly Zrenjanin decided not to publish public statements after it was sued for publishing false statements made at a press conference, since such comments cannot be verified easily.

The police harassed persons connected with the distribution of the widely circulated Belgrade independent daily Dnevni Telegraph. Kiosk owners were approached and told that if they sold the newspaper the financial police would look into their operations. Days after the repressive new Serbian information law was passed in late October, it was used to justify the imposition of an exorbitant fine on Slavko Curuvija, the newspaper's publisher. Police barged into the paper's offices, confiscated property, and prompted the publisher to move his operations to Podgorica, the capital of Montenegro. According to the newspaper's management, it wanted to pay the fine and return operations to something like the conditions that prevailed before the crackdown, but the regime was more interested in keeping the newspaper off the streets. As a result of the media crackdown and its changed circumstances, the daily circulation of Dnevni Telegraph dropped from 60,000 to 70,000 copies to 10,000 to 12,000 copies.

Dnevni Telegraph's experience had a chilling effect on other independent dailies, including Danas and Nasa Borba. Both newspapers, less financially secure than Dnevni Telegraph, suspended operations to avoid fines that could destroy them. By year's end, Danas was publishing using a printing house in Montenegro. In November Serbian authorities confiscated shipments of Montenegro's only weekly independent newsmagazine, Monitor. Although the magazine is completely Montenegrin--owned, Serbian authorities claimed that the law on information covered distribution channels as well. In November the regime attempted to levy a large fine under the Serbian information law on the publisher of Monitor. The Federal Government issued a decree in November that the independent magazine Ekonomska Politika would from that point on be part of the Borba publishing house. Borba's first act was to replace the director and managing director of Ekonomska Politika with individuals close to the Yugoslav Left Party (JUL), the neo--Communist Party headed by Mira Markovic, wife of FRY President Milosevic. Publication of the magazine was stopped completely just as an issue highly critical of

the Government's economic planning policies was going to press in late December. Nasa Borba and NT Plus, another independent daily, were still shut down at year's end.

After the media law went into effect the Serbian Government started prosecuting the owner and editor of the newsmagazine Evropljanin. On December 17, Serbia's Ministry of Information issued threatening letters to five Albanian--language newspapers and magazines in Kosovo to the effect that they were in violation of the new public information law. Shortly thereafter, the newspaper Bujku was effectively closed down. Editors from Koha Ditore, the leading Albanian--language daily, Zeri, an intellectual Albanian weekly, and Kosovo Sot, a new Albanian daily, reported that threats against the Albanian language media, which began with warning letters from the Serbian Ministry of Information, were escalating.

Throughout the year Serbian police systematically intimidated printing houses--including in November the Forum of Novi Sad--to prevent them from printing independent newspapers.

Before the Montenegrin parliamentary elections in 1998, state--controlled RTS openly campaigned on behalf of Momir Bulatovic's Socialist Peoples Party (SNP), considered to be Milosevic's surrogate political party in the republic of Montenegro.

In March Belgrade public prosecutor Miodrag Tmusic called on police to investigate five major independent newspapers (Nasa Borba, Blic, Danas, Dnevni Télegraf, and Demokratija) along with some unidentified television stations to determine whether there were elements of "biased reporting" that incited terrorist acts or condoned terrorism

On December 10, the new government--appointed Dean of Belgrade University's School of Electrical Engineering Vlada Teodosic, ordered "filters" to prevent users of the academic Internet network from accessing the OpenNet web site, a major source of independent news and information. The measure also affects the independent media and NGO's in the country, many of which access OpenNet through the university. According to Human Rights Watch, the filters appeared to have been prompted by a link on the web site to a political cartoon that showed Teodosic in a Nazi uniform and portrayed Milos Laban, another newly appointed administrator, as a monkey.

Montenegrin newspaper publishers not friendly to the Belgrade regime frequently had their papers removed from trains and buses entering Serbia (see Section 2.d.).

The KLA kidnaped two Serbian journalists for the state--run news agency Tanjug on October 13. The KLA finally released the two journalists in late November (see Section 1.d.) after a "trial."

In May the Serbian Parliament passed the new Universities Law. It severely curtails academic freedom by allowing the Government to appoint rectors and governing boards and hire and fire deans of faculties. Deans in turn under the new law can hire and fire professors--in effect taking away tenure and promoting regime loyalists inside the universities. The law also discourages political activism among students, who were a mainstay of the antigovernment protests of 1996--97. According to the Belgrade Center for Human Rights, some 22 professors were fired and 30 were suspended after the law went into effect for refusing to sign new contracts, as required by the law. By year's end, protests over the law were gathering force. In November police arrested four students affiliated with the Stu-

dent Resistance Movement Otpor, and a court sentenced them to 10--day prison terms in a summary trial with no right of appeal (see Section 1.e.). In one incident on December 29, unknown thugs (allegedly special police forces) beat a prominent student activist from the Otpor movement, Boris Karajcic, after considerable media exposure and his trip abroad to publicize human rights abuses in Serbia. Serbian police detained and beat another Otpor activist, Srdjan Popovic, in Belgrade on December 15 (see Section 1.c.).

b. Freedom of Peaceful Assembly and Association

The Federal and republic--level Constitutions provide for freedom of peaceful assembly and association; however, the Serbian and Federal Governments restricted this right. In Belgrade in May the police beat university protesters over passage of the new universities law. In November four students with the Otpor movement were arrested and convicted and given 10--day prison sentences in a summary trial with no right of appeal (see Section 1.e.). In Kosovo the regime cracked down on peaceful demonstrators during the 1997--98 academic year. When ethnic Albanian students in Kosovo staged peaceful protest marches in Pristina during the 1997--98 academic year, they were accused by the state--controlled media of instigating violence in one clash during the winter when police moved in with truncheons, tear gas, and water cannons. The regime cited the student protesters' unwillingness to apply for demonstration permits from the authorities. Moreover, the state--controlled media took advantage of the protests to accuse the Belgrade opposition of being in league with "Albanian separatists." In Sandzak the Milosevic regime banned all outdoor rallies, even for election campaigning.

According to the president of the Presevo city assembly, police officers in Presevo (southern Serbia, bordering Kosovo and Macedonia) beat peaceful protestors demonstrating against the Serbian police campaign against Kosovo Albanians in the Drenica region of Kosovo. The police reportedly attacked the ethnic Albanian political leaders who were attempting to control the crowds. The police arrested and detained several ethnic Albanian leaders for 5 hours in connection with the protest. The Assembly of Presevo issued a declaration against the police action. The Assembly claimed that one leader was denied medical treatment and that an ethnic Albanian journalist was given a 15--day prison sentence.

In response to the passage of the new law on universities (see Section 2.a.), between 2,000 and 3,000 students protested in Belgrade on May 27, but police blocked the students from marching to the Parliament. No violence was reported. According to Serb authorities, the students blocked traffic and police were required to ensure that traffic through the city was undisturbed.

The Federal and republic level Constitutions provide for freedom of association, but the Serbian and Federal Governments restricted this right. Prior to the most recent Serbian elections, in the fall of 1997, officials blocked the coalition Sandzak--Dr. Rasim Ljajic from forming an alliance with the Kosovo--based Democratic Reform Party of Muslims, a move that protected regime candidates from additional competition. During the year Serb authorities obstructed the registration of an NGO, the Independent Jurists' Association.

c. Freedom of Religion

There is no state religion, but the Milosevic regime gives preferential treatment, including access to state--run television for major religious events, to the Serbian Orthodox Church to which the majority of Serbs belong. The regime subjected religious communities in Kosovo to harassment. For example, in 1998 a Roman Catholic parish in Klina had the money, property, and permission (including up to the supreme court of Serbia) to build a church for its 6,000 member parish. However, the local chapter of Milosevic's Socialist Party of Serbia continued to block construction. Other Catholic and Muslim communities in the province had similar experiences.

The Serbian Government made no progress in the restitution of property that belonged to the Jewish community, despite President Milosevic's promises to resolve the disputes. The Orthodox and Catholic Churches have had similar difficulties with the restitution of their property.

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

The Constitution provides for freedom of movement; however, the Federal and Serbian Governments restrict this right in practice. The FRY Government makes passports available to most citizens; however, the authorities frequently bar FRY citizens from reentering the country. The Milosevic regime also continues to restrict the right of Kosovo Albanians and Sandzak Muslims to travel by holding up the issuance or renewal of passports for an unusually long period of time and reserves the option of prosecuting individuals charged previously with violating exit visa requirements. Kosovo Albanians also have problems with the issuance and renewal of passports and are sometimes called in for interrogation by state security officers before passports are issued.

Citizens reported difficulties at borders and the occasional confiscation of their passports. Ethnic Albanians, Sandzak Muslims, and Vojvodina Croats frequently complained of harassment at border crossings. There were numerous reports that border guards confiscated foreign currency or passports from travelers, as well as occasional complaints of physical mistreatment. The authorities generally allowed political opposition leaders to leave the country and return. FRY embassies overseas generally are considered to apply a double standard in issuing passports to their citizens; ethnic Serbs have a much easier time obtaining passports than members of ethnic minorities.

Many inhabitants of Serbia--Montenegro who were born in other parts of the former Yugoslavia, as well as large numbers of refugees, have not been able to establish their citizenship in the FRY, leaving them in a stateless limbo.

The FRY Government has been very slow to issue passports to refugees. This is a particular problem for asylum--seeking parents. For example, German authorities issue such children born in Germany a document certifying their birth. FRY officials in Germany refuse to issue passports to such children. When these asylum seekers who have been refused in Germany return to the FRY with their children, the children travel on the basis of this document. FRY authorities take the paper at the port of entry and issue a receipt for it. Then the children have no documentation in a country where documentation is a basic requirement. In January 1997 a new citizenship law entered into force, which, when fully implemented, is expected to affect adversely the rights of many inhabitants, including those born in other parts of the former Yugoslavia, refugees, and citizens who migrated to other countries to work or seek asylum.

The U.N. Special Rapporteur for the former Yugoslavia noted in 1997 that the new law would give the Ministry of Interior almost complete control over the granting of citizenship. The Government served notice that it plans to limit severely the granting of citizenship to refugees from the conflicts in Bosnia and Croatia. The Government also plans to revise the eligibility status of a large number of persons; refugees who have been granted citizenship since 1992 may stand to lose their FRY citizenship if they have acquired the citizenship of a former Yugoslav republic.

Observers in the Sandzak region also noted that Muslim residents who were forced to flee to Bosnia from Sandzak in 1992 and 1993 may not be permitted to return to Serbia, particularly if they obtained Bosnian passports in the interim. In violation of the Dayton Accords, Muslims from Sandzak frequently have been harassed on attempting to reenter Serbia after visits to Sarajevo or elsewhere in the Federation entity of Bosnia and Herzegovina.

As part of its campaign to undermine the reform government in Montenegro, the Milosevic regime also implemented a commercial blockade against the FRY's junior republic, a direct violation of the FRY Constitution's protection of the free flow of goods. Businesses frequently had their goods confiscated without cause by Serbian police. Newspaper publishers not friendly to the regime frequently had their papers removed from trains and buses entering Serbia (see Section 2.a.).

The FRY Government cooperated to a large extent with the Office of the UNHCR in assisting (predominantly Serb) refugees who fled to the FRY from neighboring Croatia and Bosnia--Herzegovina.

In sharp contrast to the record of the Federal and Serbian governments in this area, the Government of the Republic of Montenegro actually accepted tens of thousands of IDPâs fleeing the fighting in the neighboring Kosovo province in Serbia. The international community contributed financial support to the IDPâs in Montenegro through the UNHCR and other intergovernmental and nongovernmental humanitarian organizations. In September the Montenegrin Government temporarily closed its border to Kosovo Albanian IDPâs after almost 50,000 had entered the republic. The Montenegrin Government stated that the IDPâs, when combined with 30,000 refugees from Croatia and Bosnia, put too much pressure on the infrastructure of the junior republic, where the total population is only 600,000. Many speculated that the Milosevic regime deliberately channeled the IDPâs in the direction of Montenegro to undermine its multiethnic reform government. The issue of first asylum did not arise during the year.

There were no reports of the forced return of persons to a country where they feared persecution during the year.

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

The three Constitutions--the Federal constitution and those of the Serbian and Montenegrin Republics--provide for this right, but in practice citizens in Serbia are prevented from exercising it by the Milosevic regime's domination of the mass media and manipulation of the electoral process. Through its control of the purse strings at the Serbian republic level, the regime sought to undermine the effectiveness of the opposition leadership of most major cities. Only Montenegro's electoral system showed marked improvement, with the Government of then--Prime Minister Djukanovic holding a roundtable with the political opposition, including ethnic minorities, in September 1997. The Monte-

Montenegrin government invited the OSCE to take part in preparing election legislation in time for Montenegrin parliamentary elections in May. Montenegrin presidential elections in late 1997 and the subsequent May parliamentary elections were judged by the OSCE to be free and fair. Djukanovic's invitation to outside observers came in stark contrast to the grudging last-minute acceptance of monitors by Milosevic during the fall 1997 Serbian elections. In February the Montenegrin Parliament approved a third law changing the electoral process and fulfilled the major recommendations of the OSCE. The law lowered the threshold for party representation from 4 percent to 3 percent of votes cast and established strict procedures to prevent vote fraud. The other two laws concerned voter lists and the media. The law also granted Albanians special status in accordance with an agreement reached by a consensus among all parties in the Montenegrin Parliament. The law combined regions where Albanians constitute a majority that are spread out among different cities into one parliamentary district that elects 5 of the 78 seats in Parliament. Minorities won seats both in the Republic's Assembly and in the Republic's coalition government.

The most recent Serbian elections, held in the fall of 1997, were seriously flawed. According to a 1998 study by the Belgrade-based Center for Free Elections and Democracy, both rounds of the Serbian presidential elections in September and December 1997 involved widespread fraud. In the latter campaign, the Center estimated that 500,000 votes were stolen to give the victory for the Serbian presidency to Milosevic ally Milan Milutinovic. Several disaffected SRS members charged in the fall that the Milosevic regime extracted mandates from the Radical Party of Serbia in exchange for giving the Radical Party a role in the Government.

Earlier, in July 1997, the regime gerrymandered electoral districts to smooth the way for candidates in the ruling coalition, expanding the number of districts in Serbia from 9 to 29. Most opposition politicians charged that changes in the election law, including the redrawing of districts, were designed specifically to favor the ruling party. The redistricting was one factor that compelled a number of opposition parties to boycott the last Serbian elections.

Slobodan Milosevic dominates the country's political system and is attempting to consolidate institutional power at the federal level as a result of his move from the Serbian republic-level presidency to the federal presidency. This precipitated a clash with authorities in Montenegro, who were intent on protecting that republic's rights under constitutional arrangements and its position within the FRY, which is made up of Serbia and Montenegro. Manipulating power within the federation based on the comparative size of the Serbian and Montenegrin populations and economies, Milosevic has been able to circumscribe the Montenegrin Government's capacity for independent action. As a result of Serbia's political crisis during the winter of 1996-97, Montenegro's then Prime Minister, Milo Djukanovic, began to take a steadily more assertive, reformist course. Djukanovic's victory in November 1997 presidential elections and his coalition's victory in the May parliamentary elections over forces led by incumbent Montenegrin president and Milosevic crony Momir Bulatovic threatened Milosevic's complete control over the institutions of power in the FRY and prompted a standoff. Bulatovic's supporters--likely with the backing of the Milosevic regime--attempted to thwart Djukanovic's victory by staging violent protests against Djukanovic's inauguration as President in January.

Despite the Montenegrin Government's legal rights under the FRY Constitution, federal authorities under Milosevic's control by year's end had not recognized the 20 Montenegrin members to the upper chamber of the Federal Assembly designated by the Montenegrin President. The Montenegrins in the

federal body, including the speaker of the upper house, were not changed to reflect the results of Montenegrin elections. Moreover, in violation of the law, Milosevic installed Momir Bulatovic as Federal Prime Minister and ignored the Montenegrin Government's wish to have some voice in who was picked for this key position in the Federal power structure. Milosevic's antidemocratic control over Federal courts was demonstrated when the Federal Constitutional Court ruled against the Montenegrin Government late in the year in disallowing the Montenegrin president's attempt to select all 20 Montenegrin representatives to the Federal Assembly's Chamber of the Republics. The ruling was a complete reversal of a 1994 decision, which allowed Milosevic's ruling coalition in Serbia at the time to name all 20 Serbian representatives to the upper chamber while he was the President of the Serbian republic.

No legal restrictions exist on women's participation in government and politics, and women are active in political organizations. However, they are greatly underrepresented in party and government offices, holding less than 10 percent of ministerial-level positions in the Serbian and Federal Governments. An exception is the controversial Mira Markovic, wife of Federal President Milosevic. She is the leading force in the neo-Communist Yugoslav Left Party (JUL), through which she exerts extraordinary and disproportionate influence on policy makers. (In Montenegrin elections in May, JUL obtained 0.1 percent of the vote, which according to press reports was less than the Party of Universal Flying Yogis. To avoid humiliation, the Party pulled out of the race at the last moment.) In Kosovo, a woman leads one wing of the Social Democratic Party of Kosovo, and the LDK has three women in its 12-member presidency. However, according to Albanian women's groups, those women are exceptional in their political participation, and few Albanian women enter Kosovo politics because of a lack of interest, money, and family support.

No legal restrictions affect the role of minorities in government and politics, but ethnic Serbs and Montenegrins dominate the country's political leadership. Few members of other ethnic groups play any role at the top levels of government or the state-run economy. Ethnic Albanians in Kosovo refused to take part in the electoral process at the Serbian republic and federal level, including most recently in Serbian elections in 1997. They have virtually no representation in the Serbian republic and FRY government structures. However, this situation is not the case in Montenegro.

Ethnic Albanians' refusal to participate in FRY and Serbian elections has the practical effect of increasing the political influence of President Milosevic and his supporters. Ultranationalist parties, including Milosevic's coalition partner the Radical Party of Serbia, also have taken advantage of the ethnic Albanian boycott to garner representation beyond their numbers. Ethnic Albanians in the republic of Montenegro do participate in the political process. Albanian parties, candidates, and voters participated to a large degree in the republic's parliamentary elections in May and won a handful of seats in the republic's assembly. Several towns in Montenegro have Albanian mayors. Montenegro's current ruling coalition is multiethnic. Albanians and Muslims hold posts at the ministerial and deputy ministerial levels in the new Government formed in July.

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

The Governments of the republics of Serbia and Montenegro formally maintain that they have no objection to international organizations conducting human rights investigations on their territories.

However, the Serbian regime routinely hindered the activities of and regularly rejected the findings of human rights groups. With some exceptions, the Milosevic Government's Federal Ministry of Foreign Affairs systematically denied visas to international nongovernmental human rights organizations and denied entry visas to investigators from the ICTY who wished to conduct impartial investigations into allegations of atrocities committed by Serbian forces and Albanian paramilitary groups in Kosovo. In October the Government agreed to the establishment of the OSCE Kosovo Verification Mission (KVM). By year's end, the KVM had expanded to several hundred international verifiers, including human rights personnel, who verified civilian aspects of implementation of U.N. Security Council Resolution 1199. The Montenegrin Government's record toward outside investigations was much more cooperative, with the then Prime Minister taking the initiative to invite OSCE observers well in advance of presidential and parliamentary elections in the Republic.

The Milosevic regime repeatedly has ignored the ICTY's orders to transfer indicted war criminals known to be living in Serbia, in blatant defiance of the U.N. Security Council, which created the Tribunal. It also publicly rejected the Tribunal's mandate in Kosovo and obstructed all efforts by the ICTY to investigate allegations of crimes in Kosovo.

A number of independent human rights organizations operate in the country, researching and gathering information on abuses, and publicizing such cases. The Belgrade--based Humanitarian Law Center and Center for Antiwar Action researches human rights abuses throughout Serbia--Montenegro and, on occasion, elsewhere in the former Yugoslavia. The Belgrade--based Helsinki Committee for Human Rights in Serbia publishes studies on human rights issues and cooperates with the Pristina--based Helsinki Committee in monitoring human rights abuses in Kosovo. In Kosovo the Council for the Defense of Human Rights and Freedoms (CDHRF) collects and collates data on human rights abuses and publishes newsletters. A number of reliable international human rights monitors reported that one worker of the CDHRF was missing at year's end, and all the organization's workers are routinely and severely harassed and distrusted by Serbian authorities. In the Sandzak region, two committees monitor abuses against the local Muslim population and produce comprehensive reports. Most of these organizations offer advice and help to victims of abuse.

Local human rights monitors (Serbs as well as members of ethnic minorities) and NGO's worked under difficult circumstances. Human Rights Watch reports that three humanitarian aid workers were killed by mortar fire from Serbian forces while trying to deliver food near Kijevo on August 24. Rexhep Bislimi, an activist of the Urosevac chapter of the Pristina--based CDHRF died as the result of injuries inflicted by Serbian security forces while in detention (see Section 1.a.). Police arrested Bislimi on July 6 and later took him to Pristina hospital in critical condition, with several broken ribs. He underwent surgery on his kidneys and died after several days in a coma.

In May according to the ethnic Albanian Kosovo Information Center, Serbian police raided the premises of the local LDK party branch and the local chapter of the CDHRF in Glogovac. Police broke into the offices, destroyed furniture, and seized written materials. The Council reported that the police seized written materials, including copies of all recent human rights reports.

Serbian police arrested a local human rights activist, Zahrida Podrimcaku, in Pristina in June. She had been investigating events on May 31 in the village of Poklek, where police detained 10 ethnic Albanian men during an attack on the village. The body of one of the men was found the next day; the

other nine are missing and presumed dead. Podrimcaku was charged with supporting terrorists and was awaiting trial as of the end of September.

NGOs reported several blockages to the delivery of humanitarian commodities. The Mother Teresa Society, a local humanitarian aid NGO, reported consistent harassment and detention of its staff. NGOs and the press reported that some 50 humanitarian aid workers were missing from Prizren. Mercy Corps--Pristina reported that police raided the warehouse of the Mother Teresa Society in Vucitrn in July. Serbian police confiscated 12.5 metric tons of flour and about 350 pounds (800 kg) of detergent during the distribution of relief supplies. Police also beat two aid workers and their driver.

ICRC officials complained in September of difficulties in securing access to detainees. However, by year's end ICRC officials reported that access to detainees improved (see Section 1.d.).

On December 10, Serbian police in armored vehicles prevented a Finnish forensic team from visiting the site of an alleged massacre of ethnic Albanians at Gornje Obrinje. Serbian authorities insisted on accompanying the team but would not permit ethnic Albanian observers to participate as well. Serbian authorities also failed to allow access to ICTY investigators to the Kosovo province, preventing the ICTY from carrying out independent and objective investigations into crimes within the Tribunal's jurisdiction.

Several NGOs and international organizations reported to international observers in December that they were experiencing unacceptable delays of up to a month or more in obtaining Serbian government approval of visas for international humanitarian aid workers for Kosovo.

As a signatory of the 1995 Dayton Accords that ended the war in Bosnia and Herzegovina, Serbia--Montenegro is obliged to cooperate fully with the ICTY by turning over to the Tribunal the persons on its territory who were indicted for war crimes or other crimes against humanity under the jurisdiction of the Tribunal.

In December, in open defiance of UNSCR 1207 and previous resolutions that demanded that the FRY turn over all indicted war criminals on its territory, a Belgrade military court invited three Yugoslav generals, two retired and one active, who were indicted by the ICTY to "hearings." The "Vukovar Three" as they are known--Veselin Sljivancanin, Mile Mrksic, and Miroslav Radic--were indicted by the Tribunal in 1995 for their role in the murder of over 200 unarmed men at Vukovar Hospital in Croatia 1991. They appeared at the hearings in Belgrade in late December, in open defiance of the Tribunal's request for deferment of the case to its jurisdiction. The Milosevic government's actions constituted an open acknowledgment that it harbors indicted war criminals. In the 5 years since the Tribunal was established, the Milosevic regime has yet to transfer one Serbian or Bosnian Serb indictee to the Hague, in violation of its obligations under repeated U.N. Security Council resolutions and its commitments under the Dayton Accords. Some of those indicted live openly in Serbia, and others travel freely in and out of Serbia. It is widely alleged that Ratko Mladic, who was indicted by the Tribunal in 1995 for his command and responsibility role in crimes against humanity, grave breaches of the Geneva Conventions, and violations of the laws and customs of war committed during the conflict in Bosnia and Herzegovina, continues to travel in and out of the country. In August indicted war crimes suspect Slobodan Miljkovic was killed in a barroom brawl in the Serbian city of Kragujevac.

The Milosevic regime's brutal crackdown in Kosovo prompted calls for the ICTY to conduct investigations into alleged atrocities committed there. The ICTY's jurisdiction also is delineated clearly under UNSCR 827 of 1993 and many subsequent resolutions. The regime so far has been uncooperative, claiming that the violence in Kosovo does not constitute an "armed conflict." In contrast, authorities in Montenegro have cooperated with the ICTY.

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

While Federal and republic laws provide for equal rights for all citizens, regardless of ethnic group, religion, language, or social status, and prohibit discrimination against women, in reality the legal system provides little protection to such groups.

Women

The traditionally high level of domestic violence persisted. The few official agencies dedicated to coping with family violence have inadequate resources and are limited in their activity by social pressure to keep families together at all costs. Few victims of spousal abuse ever file complaints with the authorities. The Center for Autonomous Women's Rights offers a rape and spousal abuse hot line, as well as sponsors a number of self-help groups. The Center also offered help to refugee women, many of whom experienced extreme abuse or rape during the conflict in the former Yugoslavia. However, tradition prevents much discussion of the topic of rape among Albanians, since the act is seen as dishonoring the entire family. According to the Center for the Protection of Women and Children in Pristina, rape is not recognized as a crime in Albanian society, making the subject even more secretive.

Women do not enjoy status equal to men in the FRY, and relatively few women obtain upper level management positions in commerce. Traditional patriarchal ideas of gender roles, which hold that women should be subservient to the male members of their family, have long subjected women to discrimination. In some rural areas, particularly among minority communities, women are little more than serfs without the ability to exercise their right to control property and children. However, women in the FRY legally are entitled to equal pay for equal work and are granted maternity leave for 1 year, with an additional 6 months available. Moreover, the lack of job opportunities for women in Kosovo has reinforced the traditional culture in which women remain at home. The cost of an education in Kosovo--fees for enrollment in the parallel system, transportation, clothes, and school supplies--made families reluctant to send girls to school since the prospect of future employment was slim. Women are active in political and human rights organizations. Women's rights groups continue to operate with little or no official acknowledgment.

Children

The State attempts to meet the health and educational needs of children. The educational system provides 8 years of mandatory schooling. Montenegrin authorities at one point denied the children of IDP's from Kosovo basic education, claiming that the republic lacked sufficient resources to educate this group. Montenegrin officials were working with international organizations in the second half of the year to seek assistance that would allow them to ensure education benefits to the IDP's.

The current division of Kosovo into parallel administrative systems results in Serb and Albanian Kosovar elementary age children being taught in separate areas of divided schools, or attending classes in shifts. Older Albanian Kosovar children attend school in private homes. The quality of the education thus was uneven before the conflict started, and the tension and division of society in general has been replicated to the detriment of the children.

An agreement negotiated under the auspices of the Rome--based Sant--Egidio community and signed in 1996 by President Milosevic and Dr. Ibrahim Rugova, the leader of the Democratic League of Kosovo, sought to resolve the division of the educational system and lend impetus to efforts to normalize the situation within Kosovo. An "implementation" agreement was signed in March, but it unraveled as a result of the outbreak of conflict in Kosovo at about the same time. Small gains remain, including the turnover of a large classroom facility to the ethnic Albanian parallel university in Pristina. In November the U.N. Children's Fund estimated that between 55,000 and 60,000 Albanian children were not in school in the Albanian parallel educational system because schools were not functioning in Decane, Klina, Glogovac, Srbica, and Djakovica. According to ethnic Albanian educational authorities, there were 100 destroyed or damaged schools throughout Kosovo. In December international observers reported multiple incidents of police being stationed near schools in Kosovo. Albanian villagers claimed that they were intimidated by the police presence and that consequently children would not return to those schools.

Economic distress spilled over into the health care system, adversely affecting children. In Kosovo the health situation for children remained particularly poor. Humanitarian aid officials blamed the high rate of infant and childhood mortality, as well as increasing epidemics of preventable diseases, primarily on poverty that led to malnutrition and poor hygiene and to the deterioration of public sanitation. Ethnic minorities in some cases fear Serb state--run medical facilities, which results in a low rate of immunization and a reluctance to seek timely medical attention. According to the Center for Protection of Women and Children in Pristina, 63 percent of Kosovo IDP's are children.

There is no societal pattern of abuse of children.

People With Disabilities

Facilities for persons with disabilities are inadequate, but the Government made some effort to address the problem. The law prohibits discrimination against persons with disabilities in employment, education, or in the provision of other state services. The law mandates access to new official buildings, and the Government enforces these provisions in practice.

Religious Minorities

Religion and ethnicity are so closely intertwined as to be inseparable. Serious discrimination against, and harassment of, religious minorities continued, especially in Kosovo and Serbian Sandzak. Violence against the Catholic minority in Vojvodina, largely made up of ethnic Hungarians and Croats, also was reported.

National/Racial/Ethnic Minorities

There were credible reports that ethnic Albanians and Muslims in Serbia continued to be driven from their homes or fired from their jobs on the basis of religion or ethnicity. Other ethnic minorities, including ethnic Hungarians in Vojvodina, also allege discrimination. Vojvodina Croats reported no progress during the year on their demand for separate curriculums in the schools or programs in the media in the Croatian language. However, an hour was set aside for programs in Croatian on the local radio station, Radio Subotica.

The Romani population generally is tolerated, and there is no official discrimination. Roma have the right to vote, and there are two small Romani parties. However, prejudice against Roma is widespread. Local authorities often ignore or condone societal intimidation of the Romani community. Skinheads and police occasionally violently attacked Roma (see Section 1.c.).

Section 6 Worker Rights

a. The Right of Association

All workers except military and police personnel have the legal right to join or form unions. Unions are either official (government affiliated) or independent. The total labor force is approximately 2.3 million. The government-controlled Alliance of Independent Labor Unions (Samostalni Sindikati) claims 1.8 million members but probably numbers closer to 1 million in reality. The largest independent union is the United Branch Independent Labor Unions (Nezavisnost), which has about 170,000 members. Most other independent unions are sector specific, for example, the Independent Union of Bank Employees (12,000 members). Due to the poor state of the economy, over one-half of union workers are on long-term mandatory leave from their firms pending increases in production. The independent unions, while active in recruiting new members, have not yet reached the size needed to enable countrywide strikes. The independent unions also claim that the Government prevents effective recruiting through a number of tactics, which include preventing the busing of workers to strikes, threatening the job security of members, and failing to grant visas to foreign visitors who support independent unions. Some foreign union organizers managed to secure visas during the year after long delays.

The largely splintered approach of the independent unions left them little to show in terms of increased wages or improved working conditions. The Nezavisnost union gained new members as a result of its well-organized and tough bargaining positions during strikes of teachers and health workers in the spring. The official union lost credibility with some of its members because it ultimately accommodated the government's position on these strikes. The ability of unions to affiliate internationally remains constrained.

b. The Right to Organize and Bargain Collectively

While this right is provided for under law, collective bargaining remains at a rudimentary level of development. Individual unions tend to be very narrow and pragmatic in their aims, unable to join with unions in other sectors to bargain for common purposes. The history of trade unionism in the country has centered not on bargaining for the collective needs of all workers but rather for the specific needs of a given group of workers. Thus, coal workers, teachers, health workers, and electric power industry employees have been ineffective in finding common denominators (e.g., job security).

protection, minimum safety standards, universal workers' benefits, etc.) on which to negotiate. The overall result is a highly fragmented labor structure composed of workers who relate to the needs of their individual union but rarely to those of other workers. Additionally, job security fears, which stem from the high rate of unemployment, limited workers' militancy.

The Government still is seeking to develop free trade zones.

c. Prohibition of Forced or Compulsory Labor

Forced labor, including that performed by children, is prohibited by law and is not known to occur.

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

The minimum age for employment is 16 years, although in villages and farming communities it is not unusual to find younger children at work assisting their families. With an actual unemployment rate (registered unemployed plus redundant workers who show up at the workplace but perform only minimal work) in excess of 60 percent, real employment opportunities for children are nonexistent. Forced and bonded labor by children is prohibited by law and is not known to occur (see Section 6.c.). However, children can be found in a variety of unofficial "retail" jobs, typically washing car windows or selling small items such as cigarettes.

e. Acceptable Conditions of Work

Large government enterprises, including all the major banks, industrial, and trading companies generally observe minimum wage standards. The monthly minimum wage is approximately \$20 to \$40 (Din 250 to 500). However, this figure is roughly comparable to unemployment benefits and (at least theoretically) is paid to workers who have been placed in a mandatory leave status. The actual minimum wage is at the low end of the range of average net salaries, \$85 to \$106 (Din 700 to 1,200). The minimum wage is insufficient to provide a decent standard of living for a worker and family. The cost of food and utilities alone for a family of four is estimated to be \$230 (Din 2,150) per month. Private enterprises use the minimum wage as a guide but tend to pay somewhat higher average wages.

Reports of sweatshops operating in the country are rare, although some privately owned textile factories operate in very poor conditions. The official workweek, listed as 40 hours, had little meaning in an economy with massive underemployment and unemployment. Neither employers nor employees tended to give high priority to the enforcement of established occupational safety and health regulations, focusing their efforts instead on economic survival. In light of the competition for employment, and the high degree of government control over the economy, workers are not free to leave hazardous work situations without risking the loss of their employment.

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