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1a SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5 An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees

1b Explanatory note on the structure of the Federal Republic of Yugoslavia Assessment

1.6 The Federal Republic of Yugoslavia (FRY) is comprised of Serbia (including Kosovo) and Montenegro. However, in practical terms, only Serbia has been effectively subject to federal authority during the past year. For reasons of clarity, it has been simplest to deal with Serbia, Montenegro and Kosovo separately. This should not be taken to imply any comment upon the legal or political status of these territories. Thus, following general sections on geography, the history of the region until July 1999 and the FRY constitution, the remainder of the document is divided into three discrete sections, covering Serbia, Montenegro and Kosovo respectively.

2. GEOGRAPHY

2.1 The Federal Republic of Yugoslavia (FRY), which comprises the two republics Serbia and Montenegro, lies in south-eastern Europe. The FRY is bordered to the north by Hungary to the east, by Romania and Bulgaria; and to the south by the Former Yugoslav Republic of Macedonia and Albania. Montenegro, to the south-west, has a coastline on the Adriatic Sea and the FRY's inland western border is with Bosnia and Herzegovina and with Croatia. The province of Kosovo occupies the south-west portion of the Republic of Serbia and Vojvodina occupies the northern part. Belgrade is the capital of the FRY, as well as being the capital of the Republic of Serbia. Podgorica, formerly known as Titograd, is the capital of the Republic of Montenegro. [1]

Population, Language & Religion

2.2 The territory of the FRY has an area of approximately 102,173 square kilometres (approx. 39,449 sq. miles). Official estimates (based on the last official census on 31 March 1991) indicate a total population of

about 10.5 million, with over 9.7 million living in Serbia. Of the total population 63% are Serbs and 17% are ethnic Albanians, most of whom live in Kosovo, where they account for the overwhelming majority of the province's population of about 1.8 million. The remaining 20% are made up of various minority groups including Bosniak Muslims, Croats, Hungarians and Roma. The principal language is Serbian (sometimes known as "Montenegrin" in Montenegro, and formerly known as Serbo-Croat). It is usually written in a Cyrillic script. Other languages, most notably Albanian and Hungarian, are also spoken in the FRY. [1]

3. ECONOMY

3.1 This is dealt with in the individual sections on Serbia, Montenegro and Kosovo.

4. HISTORY

4.1 A summary of the complex history of Yugoslavia before the Second World War has not been attempted for the purposes of this assessment but may be found in Europa Central and South Eastern Europe Survey if required. However, some historical context is provided in the following brief history of the region from 1945 onwards.

4.2 The Federal People's Republic of Yugoslavia was created on 29 November 1945 under president Josip Broz "Tito", leader of the Communist Partisans. In 1946, a Soviet style constitution was adopted, establishing a federation of six republics: Serbia, Croatia, Slovenia, Bosnia, Macedonia, Montenegro; and two autonomous provinces, Vojvodina and Kosovo. Further new constitutions followed in 1953, 1963 and 1974. These reflected political and social changes such as the move away from a command economy and the introduction of "socialist self-management" after the 1948 break with Moscow. With the 1963 Constitution, the country's name was changed to the Socialist Federal Republic of Yugoslavia (SFRY). After Tito's death in 1980, his responsibilities were transferred to the collective State Presidency. The position of head of state rotated annually between the Presidency's eight republican and provincial members. [1]

War in the Balkans 1991-1996

4.3 After Slobodan Milosevic became President of Serbia in 1989, relations between Serbia and the other republics and provinces began to deteriorate. In 1990, Milosevic moved to consolidate Serbia's power and his own by abolishing the autonomy of Kosovo and Vojvodina. In June 1991, after political relations with Serbia had broken down, the Republics of Slovenia and Croatia declared their independence. The Federal Army entered Slovenia in response, but was soon forced to retreat after a relatively unsuccessful campaign. Macedonia then declared independence in September 1991 and Bosnia-Herzegovina followed suit a month later. In December 1991, the Federal President Stipe Mesic declared the old SFRY non-existent. [1]

4.4 The Federal Army retreated from Slovenia via Croatia, where it backed local Serb militias fighting against Croatian forces. The Serb-Croat conflict continued until an UN-sponsored cease-fire came into effect in January 1992, at which point Croatia was recognised by the EU. UN peacekeepers were deployed to monitor the cease-fire, with nearly one third of Croatia remaining occupied by the "Republic of Serbian Krajina". [1]

4.5 The Bosnian civil war began in March 1992 when the Bosnian Serb delegates of the Assembly in Sarajevo Sarajevo walked out and declared their own republic based in Pale. The conflict drew in Bosnian Muslims, Serbs and Croats and was to last for nearly four years. [1]

4.6 In April 1992 The Federal Republic of Yugoslavia (FRY) was declared, consisting of the only republics now remaining from the SFRY, Serbia and Montenegro, and a new constitution was adopted. [1]

4.7 In January 1995, the Croatian government announced that it would not renew the UN mandate in March 1995. A re-armed and re-trained Croatian Army took back most of the Serb occupied territories in two operations in May and August 1995. In November the same year, the Dayton Peace Accord brought peace to the region. [1] The FRY was only officially recognised by member states of the European Union on 9 April 1996.

Kosovo

4.8 Under the 1974 Constitution, both Kosovo and Vojvodina enjoyed considerable autonomy, and had representation at Federal level, which in practice equalled that of the republics. Kosovo was permitted to use the Albanian language and the administration in Pristina was largely composed of ethnic Albanians. Although ethnic Albanians (aka Kosovars) formed the overwhelming majority of the population (over 90%), Serbs living in Kosovo disapproved of the power granted to them, claiming that it undermined their own cultural identity. [1]

4.9 Serbs and ethnic Albanians both claim Kosovo as the cradle of their respective civilisations and provide their own accounts of the region's history which support their claims. Two historical events are of particular importance to the consciousness of their respective ethnic identities. For the Serbs, it was the battle at Kosovo Polje in 1389, which they lost to the Ottoman Turks, effectively ending the independent Serbian kingdom based in Kosovo. For the ethnic Albanians, it was the foundation of the ethnic Albanian League of Prizren in 1878, which began the Albanian national revival movement and also took place in Kosovo. [1]

4.10 By the early 1980's, ethnic Albanians had become deeply discontented about the discrimination they suffered from the Serb authorities and the lack of economic development in Kosovo. They began to demand full republican status and widespread nationalist agitation led to a series of violent clashes with the Serb authorities during the spring of 1981. There followed several years of almost continuous civil unrest, accompanied by the migration from Kosovo of many Serbs and Montenegrins, both for economic and political reasons. [1]

4.11 When President Milosevic came to power in September 1987, the level of repression towards Kosovan Albanians escalated sharply. In 1989-90, Serbia introduced constitutional amendments which stripped Vojvodina and Kosovo of their autonomy. [1]

4.12 The removal of Kosovo's autonomy in 1990 began a period of increasing Serb repression of the ethnic Albanian majority. Serbs and Montenegrins had been encouraged to settle in Kosovo (with little success) and Belgrade's long term policy seemed to be to exert political, economic and psychological pressure on Kosovars to emigrate. [1] This included routine harassment by the police, the dismissal of 15,000 ethnic Albanians from official positions and the closure of all Albanian language schools. These moves provoked widespread social unrest, which met with brutal retribution and a number of ethnic Albanians were killed by Serb forces during this time.

4.13 The government's decision to change the school curriculum, with teaching in Serbian only, and history from a completely Serbian viewpoint, led to a boycott of state schools by Kosovars. They started to operate a virtually parallel society, with people contributing to a separate social welfare and education system through a local tax collected by the Democratic League of Kosovo (LDK). Kosovars boycotted Serbian elections and, in 1992, they elected their own Republic Assembly and Government. The parallel education, health and political system was deemed illegal by the FRY authorities and was frequently used as a pretext for the continued systematic abuse of the human rights of Kosovars. [1]

Armed conflict

4.14 By 1994 the situation had become very tense with increasingly frequent reports of armed resistance from Kosovars and a large Serbian special police and military presence in the region. The situation escalated with the emergence of the Kosovan Liberation Army (KLA) or Ushtria Clirimtare e Kosoves (UCK in Albanian) who carried out a series of murders of Serbs during 1996 and 1997. In January 1998, the KLA declared its intention to achieve independence for Kosovo. [1]

4.15 From late February 1998, Serb special police force actions increased in areas known for their KLA presence. Three villages in the Drenica area were attacked, killing at least 28 people. This incident was a watershed in the Kosovo conflict, with thousands of ethnic Albanians who had previously been committed to the non-violent politics of their political leader Ibrahim Rugova joining the KLA. The KLA enjoyed some success for a while and established "no-go" areas across large tracts of western Kosovo during the Spring. But by July, the security forces had extended their operations to reclaim the "liberated zones" and KLA resistance eventually faltered against a series of co-ordinated attacks that included the use of heavy armour and artillery. [1]

4.16 In the ensuing months, Serb forces systematically destroyed towns and villages and farmers' crops and livestock to drive out the ethnic Albanian population and discourage any return. The Serb forces carried out widespread atrocities, including mass rapes and summary executions, with the majority of victims being civilians. Within months, at least 250,000 ethnic Albanians had been displaced or fled abroad, with an

estimated 35,000 particularly at risk of exposure to the elements. The Council for the Defence of Human Rights and Freedoms reported that 1,934 ethnic Albanians, including women and children, were killed in Kosovo during 1998 and more than 40,000 homes were destroyed. The KLA also committed serious violations of international law, including the taking of hostages and extra-judicial executions. [3a]

Kosovo Verification Mission and Rambouillet

4.17 Following pressure from the UN, Milosevic agreed to a cease-fire on 16 October, the partial withdrawal of Serbian forces and the presence of a 2,000 strong OSCE Kosovan Verification Mission (KVM) to monitor the cease-fire. [1]

4.18 The cease-fire was scantily observed and fighting between Serb and KLA forces quickly escalated until the discovery on 15 January 1999, of the massacre of 45 ethnic Albanians at the village of Racak. This event appeared to galvanise the international community into pushing the protagonists towards a political solution. The six country Contact Group (USA, UK, France, Germany, Italy and Russia) summoned the two sides to negotiations at Rambouillet, France. The ethnic Albanians signed a peace accord on 18 March 1999, but the Serbs refused to do so. After several weeks of unsuccessful negotiations the talks were suspended. [1]

NATO bombing

4.19 Despite Serb commitments made during the peace negotiations, Serb forces continued to operate in Kosovo with increasing brutality towards ethnic Albanians. On 24 March 1999, after repeated warnings, NATO launched air strikes against military targets in Serbia and Serb forces in Kosovo. Serb militia activity escalated in Kosovo, systematically forcing the ethnic Albanian population from their homes. Many women were raped and many men summarily executed. [3a] Within days, ethnic Albanians began to arrive in Albania and the former Yugoslav Republic of Macedonia in huge numbers. In addition to those who made their own way, the Serbs expelled thousands of people by special "refugee trains" to Macedonia. [1]

Refugees

4.20 During April and May 1999, international agencies, governments and a special humanitarian task force from NATO began to construct dozens of camps for refugees. Some 444,600 refugees fled to Albania; 244,500 to Macedonia and 69,900 to Montenegro. Because of the political pressures on the Macedonian government, more than 90,000 ethnic Albanians were airlifted to 29 countries for temporary safety. The UK accepted 4,346 on the Humanitarian Evacuation Programme. [1]

4.21 Nato continued intensive bombing of targets in Serbia and Kosovo for 78 days. On June 3, FRY accepted a peace plan requiring the withdrawal of all forces from Kosovo and the entry of peacekeepers under a UN mandate. The international peacekeeping force, known as KFOR, entered Kosovo on 12 June 1999, followed the next day by UNHCR and other humanitarian forces. Despite appeals by NATO and UNHCR to be patient, refugees began to flood back into Kosovo, with 600,000 returning within 3 weeks of the end of the conflict. [1][6a]

5. STATE STRUCTURES

Constitution

5.1 The constitution of the Federal Republic of Yugoslavia (FRY) was adopted in 1992. FRY is a sovereign federal state, based on the principle of equality of its citizens and its member republics, Serbia and Montenegro. Power is in the hands of the citizens who exercise it either directly or through their freely elected representatives. All citizens are guaranteed equality before the law and ethnic minorities are guaranteed the right to preserve their own languages and customs. [1]

Citizenship

5.2 Under the Milosevic regime, many inhabitants of FRY who were born in other parts of the former Yugoslavia, were not able to establish their citizenship in the FRY, leaving them in a stateless limbo. Refugees who applied for Yugoslav citizenship were forced to give up their Bosnian or Croatian citizenship to

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become eligible. To address this problem, in February 2001, the Government amended the 1997 Citizenship Law to allow dual citizenship. Also, any foreigner is able to apply for dual citizenship after 3 years of marriage to a Yugoslav citizen. There is a large backlog in dealing with applications for citizenship. [2] [4a] [5a]

5.3 Under the 1997 Citizenship Law, 123,000 persons classified as refugees under the 1992 Law on Refugees were granted Yugoslav citizenship. However, many of those granted citizenship have retained their refugee cards instead of turning them in for Yugoslav ID cards, presumably because they believe they are entitled to greater benefits as refugees. [2]

Political system

5.4 Under the 1992 Constitution, federal legislative power in the FRY is vested in a bicameral Federal Assembly, comprising the 138 member Chamber of Citizens (the members of which are directly elected), and the 40 member Chamber of Republics (comprising 20 representatives each from Serbia and Montenegro). Executive power is held by the Federal President who is elected by the people and is responsible for proposing the Federal Prime Minister. Slobodan Milosevic was President of the FRY from 23 July 1997 - 5 October 2000, when he was replaced by Vojislav Kostunica who is the current incumbent. [1]

5.5 Within the Federal state, Serbia and Montenegro both have their own governments headed by directly elected presidents; their own legislatures; and sovereignty over matters not specifically assigned to the Federal Republic. The Serbian and Montenegrin Presidents propose Prime Ministerial candidates who are then elected by the respective assemblies. [1]

5.6 The Serbian province of Vojvodina has an elected assembly with some autonomous powers. The assembly of the province of Kosovo, was dissolved by the Serbian government in 1990. Since June 1999, Kosovo has been directly administered by the United Nations Mission in Kosovo (UNMIK) [1]

5.7 The political system in FRY is discussed in greater detail under the individual sections dealing with each constituent republic.

New State of Serbia and Montenegro

5.8 On 9 April 2002, the parliaments of Serbia and Montenegro formally agreed to replace FRY with an entity known as "Serbia and Montenegro". The EU - backed blueprint, known as the Belgrade Agreement, will keep the two republics together inside a single state for at least three years after which either may opt out. [1]

5.9 In June 2002, the FRY parliament ratified the Belgrade Agreement, clearing the way for legal experts to work up a constitution from the agreed framework arrangement. [55a] [56a] Although a draft constitution was launched in August 2002, the new state will not come into being until the final text has been agreed. [57] Serbian and Montenegro have adopted opposing positions regarding the formulation of the constitution and elections in both republics during October 2002 have made it very difficult for either side to compromise. It is therefore unlikely that the new state will come into being before early 2003. [8h]

SERBIA**GEOGRAPHY****ECONOMY****HISTORY****STATE STRUCTURES****HUMAN RIGHTS ISSUES****HUMAN RIGHTS - SPECIFIC GROUPS**

HUMAN RIGHTS - OTHER ISSUES

2. GEOGRAPHY

2.1 The Republic of Serbia is a land-locked territory forming the largest part of FRY. The Republic includes the provinces of Kosovo and Vojvodina. Kosovo is under the administrative control of the United Nations Mission in Kosovo (UNMIK). Excluding Kosovo, the population of Serbia is estimated at about 7.5 million, a drop of one percent from the last census in 1991. [58a] The capital of Serbia is Belgrade. [1]

3. ECONOMY

3.1 The Socialist Federal Republic of Yugoslavia's (SFRY) economy was based chiefly on industry (including mining), agriculture and tourism. Following a period of serious economic decline during the 1980s and the highly destructive break up of SFRY in 1991, all sectors of the economy were in a state of crisis from the inception of FRY in 1992. [1]

3.2 With its reconstituted borders, FRY lost access to most tourist areas, thus depriving it of much needed foreign currency from tourism. The economy also suffered severely as a result of its involvement in wars during the 1990's, international sanctions and its exclusion from international financial institutions. The NATO bombing during the Kosovo war also impacted upon the economy. [1][4b]

3.3 Since the change of regime, FRY has been welcomed back into all the major international economic institutions and much of its international debt has been rescheduled. However, economic performance remains weak due to general inefficiency in the economy and corruption. [34] While damage to the infrastructure and oil refineries from NATO's bombing in 1999 has gradually been repaired, transportation within and through Serbia remains a problem. Unemployment is approximately 30%, with GDP approximately \$988 per capita. Although the agricultural sector is undercapitalized, Serbia is self-sufficient in food. [2]

3.4 Foreign aid is a vital source of Government revenue. [2] Financial support from the international community has been provided on condition that specific economic reforms be implemented. These have led to price liberalisation, privatisation, reform of the banking sector and cuts in welfare programmes. Rapid economic reform has led to redundancies and increased hardship for many. Inflation continues to rise, with electricity prices having increased by 150% in the past two years, and there is widespread discontent at the lack of improvement in living standards since the fall of Milosevic. [54b] [8i]

4. HISTORY

4.1 Until 5 October 2000, FRY was dominated by Slobodan Milosevic, who controlled the country through his role as President of the Federal Republic of Yugoslavia and President of the Socialist Party of Serbia (SPS) (a dual arrangement proscribed by the federal Constitution) and his domination of other formal and informal institutions. As a key element of his hold on power, President Milosevic controlled the Serbian police, a heavily armed and well-paid force of some 100,000 officers. [2]

4.2 Following the conflict in Kosovo and the destruction caused by the NATO bombing, some opposition parties combined to form the Alliance for Change, a movement which organised a series of large scale rallies demanding elections and Milosevic's resignation. The US and EU states supported the anti-Milosevic movement by supplying oil to opposition-run towns and promising substantial aid for reconstruction if Milosevic was removed. However, for several months the opposition's efforts were undermined by a lack of unity. [1]

4.3 In the early part of the year 2000, a new opposition group called Otpor emerged. [1] A large student

based resistance movement, Otpor demanded political change and attracted support from all age groups. Despite constant harassment from the government, Otpor regularly organised large scale protests, street marches and concerts in support of the opposition. [1]

4.4 In April 2000, a law passed by the Serbian parliament gave Milosevic's allies control over the upper house, allowing him to change the constitution. This move allowed Milosevic to run for a second term as President and he called for early elections on 24 September 2000. [1] The elections galvanised the opposition to put aside their differences and unite as the Democratic Opposition of Serbia (DOS), a coalition of 18 parties. DOS put forward a single presidential candidate, Vojislav Kostunica. [1]

4.5 The election took place on 24 September 2000. The results, announced on 27 September 2000, were disputed by both Milosevic and Kostunica, with both sides accusing each other of fraud. Although the government's results showed Kostunica leading with 48% of the votes compared with Milosevic's 40%, this was still less than the 50% required by the constitution for an outright win, meaning that the election would have to go to a second round. The opposition's results had Kostunica at 55% and Milosevic 37% of the votes. The opposition demanded a recount and immediately called for further protests and strike action until their demands were met. [1]

4.6 On 5 October 2000, following several days of protests, large crowds of opposition supporters stormed the parliament building and effectively installed Kostunica as president. The army did not intervene and the police were seen to hand over their weapons and join the crowds. On 7 October 2000, Milosevic appeared on television, admitted defeat in the elections and congratulated Kostunica on his victory. [1]

4.7 The international community reacted quickly to the change of government, lifting most of the economic sanctions that had been imposed. In November 2000, FRY was restored to the UN and admitted to the OSCE and the Stability Pact for South East Europe. Diplomatic relations were restored with the USA, France Germany and UK. [6b]

4.8 On 23 December 2000, DOS won a landslide victory in the Serbian republic level legislative elections, winning 64% of the vote (176 seats), with Milosevic's party the SPS polling only 14% (37 seats). [6c] Following the election, which consolidated DOS's position, there was a purge of Milosevic's allies in senior positions in the administration, military and diplomatic service, leaving the ex-president increasingly isolated. [1]

4.9 President Kostunica resisted calls to co-operate fully with the Hague based UN International Criminal Tribunal for the Former Yugoslavia (ICTY) which had indicted Milosevic and four other senior Serb leaders on war crimes charges. It is likely that he took this stance believing that public opinion would not allow foreign interference in Serbian affairs, which could be seen as humiliating so soon after the NATO bombing. However, Zoran Djindjic, the Prime Minister of Serbia and other senior government figures gave more encouraging signals. The US made it clear that financial aid for FRY would be made specifically conditional upon Milosevic being handed over to the Hague by 31 March 2001. [1]

4.10 Milosevic was eventually arrested on domestic charges of corruption, fraud and embezzlement in the early hours of 1 April 2001. Although no promises were made to extradite Milosevic to the Hague, his arrest was sufficient for the US to release aid of \$50m to FRY. [7a][1] Milosevic was extradited to the Hague on 28 June 2001, just one day ahead of an international donors' conference in Brussels, called to raise money for the reconstruction of FRY. Again, pressure from the international community was a key factor, with the USA threatening to withhold donations unless cooperation with ICTY was forthcoming. The FRY donors' conference generated \$1,280m in pledges for aid. Milosevic was initially indicted with charges relating to his actions in Kosovo, but further charges in respect of activities in Croatia have since been added. [1]

4.11 The decision to extradite Milosevic was taken by the Serbian government, despite a ruling by the FRY constitutional court that no such action should be taken. Milosevic's extradition highlighted the growing differences between the moderate nationalist FRY President Kostunica and the pro-Western reformist Serbia Prime Minister Djindjic. Kostunica's Democratic Party of Serbia (DSS) said that it would separate from the 18 party DOS alliance and press for a reshuffle in federal and republican governments. Zoran Zizic resigned as FRY Prime Minister, and his party (SNP) ended their coalition with DOS. A few thousand Milosevic supporters demonstrated in the streets of Belgrade, but support for the former president was relatively muted, suggesting that public resistance to his extradition had faded as evidence of Serb atrocities emerged over the preceding weeks. DOS and Montenegro's "Together for Yugoslavia" coalition eventually reached agreement on a new government, which was formed on 24 July 2001, with Montenegrin Dragisa Pesic as Prime Minister. [1]

4.12 In March 2002, the FRY and Serbian governments came under intense pressure from the USA to begin extraditing further war crimes suspects to the Hague. When the FRY authorities failed to comply with the US deadline of 31 March 2002 Washington froze \$40m aid. In early April 2002, the FRY parliament approved a new law that would allow the extradition of all suspected war crimes who have already been indicted by ICTY. The law applies to 23 suspects, including the serving President of Serbia, Milan Milutinovic. Six suspects, including the former army Chief of Staff and former Yugoslav Deputy Prime Minister immediately agreed to surrender themselves to the court in the Hague. US aid was duly unfrozen in May 2002. [8]

4.13 The antagonism between the Kostunica and Djindjic factions was again exposed when the DOS coalition expelled 50 MPs from parliament for inadequate attendance. 23 of the MPs were from Kostunica's DSS party and all 45 of the party's MPs walked out of parliament in protest. The expulsion of the MPs was subsequently overturned by the constitutional court, calling it a violation of the law on the election of deputies. Since then, Kostunica has been putting distance between himself and DOS in an attempt to capitalise on growing discontent arising from government austerity measures, with the DSS acting almost as an opposition party. [8] [54b] [59]

4.14 Rather than seeking to become President of the new state, Serbia and Montenegro, Kostunica stood in the election for President of Serbia. Kostunica won the first round of the election, held on 29 September 2002, defeating his rival from the Djindjic camp, Miroljub Labus. He also won the second round on 13 October 2002, but the turnout was below the 50% required for the result to be valid. The election will therefore need to be rerun before the end of the year, when Milutinovic's term ends. [8k]

5. STATE STRUCTURES

Political system

5.1 Within the Federal state, Serbia has its own government headed by a directly elected president, its own legislature and sovereignty over matters not specifically assigned to the Federal Republic. The president serves a five year term and nominates the prime minister in consultation with the 250 strong national assembly. The national assembly approves the prime minister and the council of ministers. Deputies are directly elected for four year terms. [1] [43b]

5.2 The most recent parliamentary election was held on 24 December 2000 and was judged to be free and fair by independent monitors. The Democratic Opposition of Serbia (DOS) won a majority at the Serbian National Assembly in the December 2000 elections, though the Serbian presidency remains with the Socialist Party of Serbia (SPS). DOS is a coalition of a number of parties, the strongest of which are the Democratic Party of Serbia (DSS), led by FRY President Kostunica, and the Democratic Party (DS) led by Serbia PM Djindjic. Although coalition allies, there is considerable tension between these two leaders and their parties, which has dissipated energy needed for progressing with the wide ranging reforms needed in the Serbia and the FRY. [4c]

Judiciary

5.3 The Constitution provides for an independent judiciary. 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 may be appealed. There is also a military court system. 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 been brought into conformity with the 1992 Constitution of the Federal Republic of Yugoslavia. [2]

5.4 Under Milosevic, Federal and Serbian courts were largely controlled by the government and rarely challenged the will of the state security apparatus. Serbian authorities frequently denied fair public trial to non-Serbs and political opponents. [2]

Judicial corruption was widespread. From 1998, republic-level judges no longer had mandates for life and were required to seek office periodically through election. This provision effectively made judges functionaries of the regime, easily removed if they did not co-operate. Many judges were sacked or resigned during 1999 and 2000. [10a]

5.5 The new government has taken major steps to reform the judicial system. In February 2001, the Serbian parliament voted to remove hundreds of supreme and municipal court judges, public prosecutors and other judicial officials in a complete overhaul of the judicial system. In July 2001, the Serbian parliament replaced fifty-seven of the two hundred presidents of municipal courts, substantially clearing the judiciary of Milosevic appointees. Sixteen Judges removed in July 2000 for supporting the pro-democracy movement were reinstated. The government also released large numbers of political prisoners and others who had been wrongly detained under the Milosevic regime. [2]

5.6 However, the Helsinki Committee for Human Rights in Serbia believes that the judiciary has only been partially reconstructed and remains susceptible to manipulation because most senior judges who had been loyal to the previous regime kept their posts. [7g] The Helsinki Committee for Human Rights in Serbia also believes that in addition to wholesale changes of personnel, the independence of the judiciary must be constitutionally guaranteed via a new legal framework and that a new Act on Courts of Law must be passed. The Committee has also raised concerns about the fact that none of the judicial personnel removed by the new regime were brought to account for their actions; about the lack of senior judicial staff (so that legal preconditions for the functioning of the highest courts are not satisfied); and about the low rate of pay for judges, which makes them vulnerable to bribery and intimidation. [7a] [7c] [7g]

5.7 Although the government does not exert direct pressure on the judiciary, well-known judges have complained that pro-government media and some politicians obstructed judicial independence by publicly recommending criminal prosecutions and "appropriate" punishments. [9b]

Legal rights / detention

5.8 The Constitution prohibits arbitrary arrest and detention. However, police have at times arbitrarily arrested and detained citizens during 2001. Defence lawyers and human rights activists have complained of excessive delays by authorities in filing formal charges against suspects and in opening investigations. [2] During 2001, lawyers were able to visit detainees, and unlike in previous years under the Milosevic regime, judges allowed defence attorneys to read court files. [2] [7g]

5.9 The police continued the practice of detaining citizens at times for "informative talks". For example, on 29 May 2001, state security agents detained and questioned NGO activist Milos Cvorovic about his contacts with Kosovo Albanians. On 12 July 2001, police detained Predrag Radojevic, a reporter from Valjevo for the newspaper Blic, and subjected him to an "informative talk" about his work as a journalist. Radojevic had written articles about the presence of the mafia in Valjevo in previous months. On 14 August 2001, police detained the editor-in-chief of Blic, Veselin Simonovic, following the publication of an article about the killing of Momor Gavrilovic, a state security agent. [2] [7g]

5.10 The federal Criminal Procedure Act, which entered into force on 28 March 2002, obliges the police to provide an arrested person with immediate access to a lawyer. Also, the police must immediately inform the investigating judge about the arrest and the judge may request to see the detainee at once. These provisions are intended to prevent arbitrary and excessive use of force by the police - commonplace under the previous regime and not yet eradicated by the current administration. [9c]

Internal Security

5.11 The Interior Minister of the Republic of Serbia controls the powerful Serbian police, a force of approximately 80,000 officers, many of whom also served under former President Milosevic. The Serbian police are responsible for internal security and border checkpoints. During 2001, police at times beat detainees and abused and harassed citizens, particularly Roma. [2] [9b][3d] However, the new authorities have not used police violence against political opposition. [9c]

5.12 In November 2001, a special operations unit of the Serbian Secret Police established under Milosevic, known as the Red Berets, protested against the extradition of the Banovic brothers to ICTY. Heavily armed members of the unit blocked roads in Belgrade and Novi Sad for several hours. Prime Minister Djindjic reacted by transferring the unit from the secret police to the Ministry of Interior, giving it a role in anti-terrorism. He also accepted the resignation of two senior officers for failing to intervene in the protest. [2] In the view of the Helsinki Committee, the fact that the Red Berets were not immediately disbanded indicated that Milosevic era elements within the police force were still resistant to reform. [7g]

5.13 The Yugoslav military (the VJ) is formally under the control of the Supreme Defence Council, made up of the Presidents of Yugoslavia, Serbia and Montenegro. However, in practice the military Chief of Staff reports directly to the President of Yugoslavia and is subject to little civilian oversight. [2] In political terms, the VJ's loyalties lie with President Kostunica, whereas those of the police, which are nearly as numerically strong, lie with PM Djindjic. As Montenegro does not recognise federal institutions, the VJ has functioned as a de facto Serbian army. However arrangements for the planned Serbia and Montenegro entity provide for a common defence force. [36]

5.14 The need for radical reform of the armed forces is generally recognised, though many doubt that this can be accomplished by the VJ "from within" as has been proposed. In March 2002 a senior official of the Serb government and a US Diplomat were arrested, held incommunicado for 15 hours and assaulted by military police. The incident was seen as proof that the security forces were operating outside civilian government control and highlighted the need for structural reform. [37] [38] [2]

5.15 In June 2002, despite opposition from Serbian Prime Minister Djindjic, President Kostunica sacked the Chief of Staff of the armed forces Nebojsa Pavkovic. The removal of Pavkovic, one of the last remnants of the Milosevic regime, was seen as essential in the process of reforming the armed forces. The new Chief of Staff, Col. Gen. Branko Krga, has been tasked with taking forward the reforms and he appears to have the backing of his commanders. [60][55b]

5.16 Reforms have so far largely been confined to an overall reduction in the size of the army. [7g] The budget has been reduced to \$462 million and senior posts are being cut. It is expected that the army of Serbia and Montenegro, currently 125,000 strong will be cut to about 80,000. [39]

Prisons

5.17 Prison conditions generally meet international standards. However, overcrowding remains a serious problem in 2001. The Helsinki Committee for Human Rights reported that, while conditions were not ideal, there has been an overall improvement since the prison riots that occurred in November 2000. (An extensive survey of prison conditions is set out in the Helsinki Committee for Human Rights in Serbia's Prison Monitoring Report 2001.) [7g] [7h]

5.18 The Government has improved living conditions and provides adequate food, medical care and heating. Unlike in previous years, there were no reports of physical abuse, torture or beatings of prisoners. Ethnic-Albanian political prisoners were housed in conditions similar to those of Serb prisoners. However, the Humanitarian Law Centre (HLC) reported that there was at least one ethnic-Albanian prisoner who suffered from a medical problem not treatable in prison and that prison authorities had not been co-operative in arranging adequate medical care for him. [7g][7h]

5.19 Men and women are held separately, and conditions in women's prisons are the same as in men's prisons. Juveniles are held separately from adults. Unlike in the previous year, there were no reports of ethnic-Albanian minors being held in the country's prisons in 2001. Political prisoners are held in sections of regular prisons; for example, Albanian political prisoners were held in jails in Nis, Smederevo, Zrenjanin and other localities. Pretrial detainees are held separately from convicted prisoners. [2]

5.20 The Government permitted visits by independent human rights monitors. Both the Humanitarian Law Centre and the Helsinki Committee for Human Rights obtained permission to visit all of the prisons in Serbia during 2001. By year's end, the Helsinki Committee had visited three prisons: the Belgrade Prison, the Krusevac facility for youthful offenders, and the penitentiary at Sremska Mitrovica. Helsinki Committee representatives were allowed to speak with prisoners without the presence of a prison warden. [2]

Military Service

5.21 Military service is compulsory for men between the ages of 18 and 27 and has recently been reduced to 9 months. [7g] [3e] Military service for women was introduced in 1993. However, a citizen who does not wish to participate in military service (on the basis of religious or other valid conscientious objection) may participate in civilian national service or in the Yugoslav army without the use of weapons, though this does not apply during a state of war. Those granted conscientious objector status can do either unarmed military or civilian service and are required to serve for 13 months. [3e]

5.22 Draft evasion is covered by both the Military Code and the Federal Criminal Code. The Criminal Code provides for terms of imprisonment on conviction. There was no general mobilisation during the Kosovo war but a large percentage of young men were either drafted or summoned by individual calls. Thousands of young men avoided military service during the war, many of them fleeing abroad to Hungary and other countries. [2]

5.23 The new Government passed an Amnesty Act in February 2001 which granted amnesty to all draft evaders / deserters. The Act applies to all offences before 7 October 2000 and it is estimated that 24,000 people benefited from the amnesty. [11a] [3b] [12a]

Medical Services

5.24 A recent UNICEF report concluded that the public health system in Serbia does not meet the minimum needs of the population. Although Serb citizens are legally entitled to free health treatment, years of neglect and corruption under the Milosevic regime have

seriously damaged the health service. [7g]

5.25 A comprehensive survey of Serbia's health service in 2001 was undertaken by the Helsinki Committee for Human Rights in Serbia. The report observed that "Hospitals are ruined, doctors impoverished and corrupt and patients are compelled to pay for all services and medicines." [7g] In hospitals, as well as paying for the bed and food, patients usually have to pay for everything else they need for their treatment. Most hospitals are very old, some lacking running hot water and heating. The ratio of hospital beds to patients is very low (1 bed for 184 patients) and yet they are under-utilised (70%) because of inefficiency. [7g] [48b][48c]

5.26 When the new government took over in October 2000, it found widespread abuses and misappropriation of funds, describing the situation in the health service as "critical". In late 2000, the entire health system subsisted on foreign aid in kind. The health services in 2001 remained characterised by an extreme lack of resources at all levels and spheres of work; an urgent need for restructuring; poor organisation and chronic inefficiency; and a heavy reliance upon foreign donor support to enable the system to function even at the low level that it does. The pay of health workers is very low and the quality of services suffered because some employees were reduced to moonlighting to earn a minimum subsistence. [7g]

5.27 The state of the health service in Serbia is paralleled by the deterioration in the health of its population. As well as inadequate treatment, likely causes are stress, poverty and poor living conditions. The 1999 statistics indicate the highest death rate, the highest suicide rate (among the highest in the world) and the lowest birth rate since 1945. [54b] Infant mortality is up by 3% in the last ten years. Cases of tuberculosis, heart disease and cancer have also increased in recent years, with numbers of cancer cases in 2000 up by 63% from 1991. The mental health of the population has also deteriorated. Massive consumption of Bensadine, Bromazepam and Diazepam, suggests that one in every two people in Serbia are reliant upon sedatives. [7a][33a][48c]

5.28 The United Nations Environment Programme (UNEP) has confirmed that low level contamination by depleted uranium was found at five sites in Serbia and Montenegro. The study concludes that the contamination does not pose any immediate radioactive or toxic risks for the environment of human health, but recommends that authorities take certain precautionary measures in line with those UNEP recommended for Kosovo. [22]

Key indicators (for FRY) [1]

		UK (WHO)
Fertility (births per woman, 2000)	1.7	
Under 5 mortality rate (per 1000 live births, 2000)	20	
HIV/AIDS (% of persons aged 15-49, 2001)	0.19	
Physicians (per 1000 head, 1998)	204	164 (1993)
Hospital beds (per 1000 head, 1995)	5.31	
Health expenditure (1998):		
	JS\$ per head	233
	% of GDP	4.5 6.8 (2002)
	public (% of total)	50.9

[48b]

Education system - (see also Children para)

5.29 The educational system of FRY is organised at republic level. Elementary education is free and compulsory for all children between the ages of 7 and 15, when children attend the "eight year school". Various types of secondary education are available, but vocational and technical schools are most popular. Alternatively, children may attend a general secondary school (gymnasium) where they follow a four year

course which will take them up to university entrance. Higher education is offered at seven universities in FRY. [1]

5.30 The education system is in a very poor state, largely because under the previous regime, funding for the armed forces took priority over education and health. More than 60 Belgrade university professors lost their jobs in 1998 following the enactment of a law allowing the dismissal of academics on political grounds, though they have now been reinstated by the new government. For much of 2000, over 50% of teachers were on strike for an increase in their salaries, which were only \$50 per month. Striking teachers risked losing their jobs and were being replaced by undergraduates. [2] [7g]

5.31 There are reports that NATO air strikes damaged many schools and the year 2000 ended without the curriculum being completed. Illiteracy is growing, with 9.5% who have never been to school and 25% dropping out of elementary school. Only 5.5% of the population are university graduates. It is thought that it will take 20-30 years to restore the country's school and university system, although the new Government has made the payment of teachers' wages a priority. [2][24]

5.32 The Ministry of Education has yet to come to grips with inherited problems and the legacy of the previous regime. Lack of funds, obsolete courses, poor lecturers and outdated and badly equipped facilities are typical. Students spend an average of 7-8 years studying at university, with faculties viewed as "parking lots" for young people who cannot get jobs. There is a need to make Serbian high school institutions and universities compatible with EU standards, but Serbian Universities are viewed as being 15 years behind. The European formula of 3+2 years (3 years graduate study and 2 years postgraduate study) has not been embraced and the legal framework is not in place for such changes. Because of lack of funding, the University is heavily reliant upon the fees of self funding students and admission standards have suffered accordingly. [7g]

5.33 Religious education has been introduced in primary and secondary schools as an optional course by republican decree at a cost of over one million Euros. This move was seen by the Helsinki Committee for Human Rights in Serbia as a blatant violation of democratic procedure as it was not even approved by the Education Ministry. The nationalist fascist Obratz movement is very active in Belgrade University. [7g]

6. HUMAN RIGHTS

Overview

6.1 Although some concerns remain in most areas of human rights, the overall situation in Serbia has improved considerably since the fall of Milosevic at the end of 2000. In particular, there have been marked improvements in relation to freedom of the media, the situation for ethnic Albanians in southern Serbia, political opponents of the Milosevic regime and those wanted for military service offences.

6A HUMAN RIGHTS ISSUES

Freedom of Speech and the Media

6.2 Federal law provides for freedom of speech and of the press. However, the Milosevic regime severely restricted this right in practice, with State controlled media heavily biased in favour of the government. [2]

6.3 The media climate improved greatly with the change of government and the media began presenting a more realistic picture of domestic events. Kostunica pardoned journalists who had been imprisoned by the former regime and promised compensation for media organisations which had been subject to heavy fines. [2]

6.4 The government had begun to reform Radio Television of Serbia (RTS), the main propaganda tool of the former regime, into a public broadcasting service. The reform process was started in the summer of 2001 when a new Board of Governors was appointed, made up of professionals from various sectors of society. This year, OSCE was given the task of taking the reforms forward. The process of reforming RTS broadcasts in recent months reflect a dramatic shift of editorial policy, with the BBC's documentary on Srebrenica and coverage of exhumation of mass graves being shown. RTS coverage of the political scene has been balanced, comprehensive and moderate in tone. [31e]

6.5 In July 2002, the Serbian Parliament adopted a new broadcasting law, moving responsibility for broadcasting regulation to the newly formed Agency for Broadcasting. The adoption of the law marks the end of state control over electronic media and allows greater freedom in the establishment of commercial radio and television stations. [42b]

6.6 However, most of the major publishing and TV houses still lack independence. Many of the highest positions in the media have been maintained from the previous regime or were awarded according to allegiance to the current regime. The general quality of reporting and analysis tends to be poor following the run down of independent media in the Milosevic years. [7g] Recent reports suggest that the government may be seeking to discredit the country's leading independent radio and television station B92 by criticising its recent privatisation process. [43c]

6.7 Milosevic's 1998 oppressive media laws have now been repealed, but criminal defamation laws remain which can be used to restrict the media and campaigners for press freedom are reserving judgement until press rights have been guaranteed in new legislation. [2] [7a] [13] [8b]

6.8 There were several incidents of attacks on journalists in 2001. In June 2001 Milan Pantic, an outspoken journalist, critical of the DOS government, was shot dead in front of his own home. For journalists, this incident was ominously reminiscent of a similar one in 1999 when Slavko Curuvija, critical of the Milosevic regime was killed in front of his home. [29] There were also attacks by unknown assailants on Glas Javnosti journalist Radovan Delibasic on 22 February 2001 and Radio Belgrade 202 journalist Vohjin Vojinovic in December 2001. [2]

6.9 On occasion, journalists were subject to harassment from the police. On 12 July 2001, police detained Predrag Radojevic, a reporter from Valjevo for the newspaper Blic, and subjected him to an "informative talk" about his work as a journalist. Radojevic had written articles about the presence of the mafia in Valjevo in previous months. On 14 August 2001, police detained the editor-in-chief of Blic, Veselin Simonovic, following the publication of an article about the killing of Momor Gavrilovic, a state security agent on 3 August 2001. [9b]

6.10 On 16 November 2001 the management of TV Novi Sad strongly advised an independent production house not to run a programme featuring the strike of the Red Berets: the programme was not shown. [9b] [40]

Freedom of Religion

6.11 The law in both FRY and Serbia provides for freedom of religion. The religion of the ethnic Serbs majority is Orthodox Christianity, which is represented by the Serbian Orthodox Church. Although there were some reported incidents of violence against the Muslims in Sandzak and the Catholic Hungarian and Croat minorities in Vojvodina, it is likely that these as much on the basis of ethnicity as religion. [2]

6.12 Although in the past the Milosevic regime was closely associated with the Serbian Orthodox Church a rift developed during the Kosovo conflict which widened further during the year 2000. However, the Church has close links with the current administration and enjoys preferential treatment compared to other religious groups. In particular, the Federal Ministry of Religious affairs has denied recognition to the Montenegrin Orthodox Church [2] [7a] The Church is generally outspoken on all political topics, usually taking a right wing, nationalist position. [7g]

6.13 The Serbian Orthodox Church has enjoyed unprecedented publicity owing to support from President Kostunica and Prime Minister Djindjic. The Church is seen as a prime force behind the conservative nationalist movements emerging in the country. The Serbian government passed a decree introducing religious instruction in state institutions and schools and imposed it "by the back door" in spite of considerable public opposition, especially in Belgrade and Vojvodina. Although optional (and not taken up by most students), the introduction of religious instruction in the teachings of the Serbian Orthodox Church is seen by many as insensitive to the third of the population who are not ethnic Serbs. Similar concerns have been expressed about the planned introduction of chaplains into the army. [2] [7g]

6.14 There have been incidents of societal discrimination and harassment against members of minority religions such as Jews, Jehovah's Witnesses, Catholics and Protestants. There has been evidence in the media, graffiti and the statements of right wing politicians of growing anti-semitism in Serbian society. [2]

Freedom of Assembly and Association

6.15 Federal and republic level Constitutions provide for the freedoms of peaceful assembly and association. The Government requires private organisations to register, though no problems with registration were reported. [2]

6.16 In July 2001, a crowd of around 1,000 (mostly men) disrupted a gay rights parade in Belgrade, attacking gay rights activists and injuring dozens of people. Some observers alleged that the police delayed their response to the incident. The Belgrade police chief claimed that he had not expected such violent anti-gay protests and had therefore not been fully prepared. [2] [7g] [7i]

6.17 In February 2001, the Yugoslav Constitutional Court ruled as unconstitutional several decrees issued by the Milosevic regime. These included a decree authorizing the police to remand citizens in custody for 24 hours in certain circumstances; a decree authorizing the Interior minister to ban movement in public places; and a decree which permitted the restriction of the inviolability of citizens' correspondence. [5c]

Political Activists

6.18 On 26 February 2001, the FRY parliament passed an Amnesty law, which pardoned about 34,000 people accused of crimes against the state during Milosevic's regime. The main beneficiaries were around 28,000 draft evaders. Of the 2000 ethnic Albanians imprisoned in connection with the Kosovo conflict, 580 remained in prison at the time the Act was passed, the rest having been pardoned by President Kostunica under a separate provision. Of these, 108 were released under the terms of the Amnesty. Remaining Kosovar Albanian prisoners have been transferred to prisons in Kosovo. [5b] [11a] [3b] [12a]

6.19 Kostunica has also pardoned and released several high profile prisoners, including Dr Flora Brovina, the prominent paediatrician and human rights activist in Kosovo; opposition activist Bogoljub Arsenijevic "Maki"; and several journalists. [2]

6.20 On 13 August 2001, unknown assailants killed former State Security officer Momir Gavrilovic. The media alleged that Gavrilovic's death was connected to a number of visits he made to President Kostunica immediately prior to his death. The police investigation has made no progress on the case. [2]

Employment Rights

6.21 The law provides for the right of association and all workers except military and police personnel have the legal right to join or form unions. Of approximately 1.5 million employees in the socially-owned sector, around 60 to 70 percent belong to unions. Approximately 300,000 people work in the private sector but only 4 percent are unionised. Due to the poor state of the economy, one-third of union workers, or around 600,000 persons were on long-term mandatory leave from their firms during 2001, pending improvement of the economy. The largely splintered approach of the independent unions has resulted in few achievements in terms of increased wages or improved working conditions. [2]

6.22 The law provides for the right to strike. However, the Law on Strikes restricts the right from employees in "essential service production enterprises", such as education, electric power and postal services, and these employees must announce their strikes at least 15 days ahead and must ensure a "minimum level of work" is provided. This law covered approximately 50 percent of all employees. In general, job security fears stemming from the high rate of unemployment, limited workers' willingness to strike. In 2001, unlike the previous year, security forces did not disrupt any strikes or arrest union leaders. [2]

People trafficking

6.23 Serbia is a transit and destination point for women trafficked from Eastern Europe, especially Romania, Moldova, Ukraine and Russia. According to an International Helsinki Federation for Human Rights report, women often were trafficked to Belgrade and then taken to other parts of Serbia, Kosovo, Montenegro, Bosnia-Herzegovina, Italy, Greece, Germany and the Netherlands. The central point in Serbia for the transit trade is Belgrade, where organised crime is most entrenched. There were reports by the International Helsinki Federation for Human Rights that Roma women and children were trafficked to Italy, where women and girls were required to work in the sex industry and the boys were required to beg and steal. [2]

6.24 Women were often recruited to work abroad through advertisements for escort services and waitresses, and through personal advertisements for marriage offers or "Lonely hearts" columns. Many who responded to such advertisements were sexually exploited and many escort agencies were involved trafficking. Local border officials were complicit in trafficking, and accepted bribes routinely to permit groups of women into the country. [2]

6.25 In Serbia, no specific law prohibits trafficking, though one is currently under consultation. [30b] However, the criminal code prohibits the "illegal transport of others" across borders for "lucrative purposes". It also prohibits the recruiting, inducing, inciting or luring of females into prostitution. Penalties range from 3 months to 5 years in prison and confiscation of property, and 10 years if the victim is underage. [2]

6.26 During 2001, the authorities began to take action against trafficking. Within the Federal and Serbian governments, there are four working groups on victims' protection, prevention, data collection and law enforcement, staffed by the Government and co-ordinated by the OSCE. The International Organisation for Migration (I.O.M.) assisted trafficked victims, and returned about 100 women to their country of origin. Although the issue received some media attention during the year, public awareness of the problem was low. [2] [4d] [41a] [41b]

Freedom of movement

6.27 The Constitution provides for freedom of movement and the Government makes

passports available to most citizens. In 2001, ethnic Albanians and Sandzak Bosniaks sometimes encountered harassment at borders when re-entering the country, but to a much lesser degree than in the past. [2]

6.28 The conflicts in Kosovo, Bosnia and Croatia have led to widespread displacement and Serbia acquired a refugee population of about 700,000 following the Balkan wars of the 1990s. [9a] [43d] There are over 200,000 internally displaced people in Serbia from Kosovo alone - mostly Serbs, Roma and Bosniaks. Most live in various types of private accommodation but about 7% live in collective centres where living conditions can be extremely poor. [61] 205 refugees accommodated in a centre in Nis went on hunger strike in October 2001, protesting about the bad conditions. [7g] Access to employment, schooling and health services is often limited for such people, particularly if they are not registered with the authorities or do not have identity documents. [61] Further details about the situation for Roma are provided under Ethnic Minorities. [2] There is evidence that international aid for refugees is being diverted from its intended recipients, with reports of some aid organisations embezzling donations. [7g]

6.29 It has been suggested that one factor preventing long term policy planning for IDPs from Kosovo is Belgrade's assumption that they will return to the province. The government has no political interest in seeing these IDPs integrate outside of Kosovo as this would work against their aim to retain the province within as a part of Serbia. Serbia's territorial claim on Kosovo is bolstered by the publicly stated position that the 200,000 citizens of Serbia who fled the province, will one day return. [51] Another obvious factor is lack of funds and the Serbian government has applied for international funding to help improve the situation for its IDPs, many of whom have indicated that they do not wish to return to their places of origin. [43e]

6.30 The constitution provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. The government co-operates with UNHCR and other humanitarian organisations assisting refugees. However, there are often problems associated with bureaucracy, including the need to engage with senior officials for relatively routine issues. There have been no reports of the forced return of persons to a country where they fear persecution. [2] [7g]

6B. HUMAN RIGHTS - SPECIFIC GROUPS

Part I

Part II

6B HUMAN RIGHTS - SPECIFIC GROUPS

ETHNIC GROUPS

6.31 About one third of the population of Serbia (including Kosovo) is made up of ethnic minorities. Also Serbia gained a large refugee population of about 700,000 following the Balkan wars of the 1990s, many of whom were from ethnic minority groups. [9a] [43e]

6.32 Ethnic minorities in Serbia can be grouped in terms of the size of their populations. Those with the largest numbers include Croats, Bosniaks (Muslim Slavs), Hungarians and Albanians, all of whom came under pressure during the Milosevic era, so that many of them emigrated. The second grouping is made up of Ruthenians, Slovaks, Romanians, Vlachs and Bulgarians. Of these, only Bulgarians experienced any difficulties; living in border areas, they were often harassed and encouraged to leave Serbia. The third category is the Roma, who have always been a marginalised and socially subjugated group and remain so. [7a]

6.33 Federal and republic-level laws provide for equal rights for all citizens, regardless of ethnic group, religion, language, or social status. However, the legal system has not always provided adequate protection to ethnic minorities. Generally, problems are most likely to consist of police inaction in relation to attacks by skinheads or discrimination by individuals, rather than direct violence or discrimination on the part of the authorities. There are suggestions that in 2001 there has been an increase in violent incidents affecting minorities, which the Helsinki Committee for Human Rights in Serbia attributes to the growing influence of a newly created right wing nationalist group called OBRAZ. [7g]

6.34 There are indications that the current government is seeking to improve the position of ethnic minorities. A new law on National Minorities, approved by the Council of Europe, was passed in February 2002. [3d] This law gives legal protection to minorities equal to that in other European countries. [2] [7g] The government appointed a federal minister for national and ethnic minorities, Rasnik Ljajic (a Bosniak) and a team has been established to deal with ethnic minority issues. [5d] Most of the 2000 ethnic Albanians arrested in relation to the Kosovo conflict have been released. [2] [11a] And with help from OSCE and the international community, Serbian Republic Deputy Prime Minister Covic has instituted a range of measures to improve the position of ethnic Albanians in Southern Serbia. [2] [31f]

Hungarians and Croats in Vojvodina

6.35 Of the 26 different ethnic groups in Vojvodina, Hungarians constitute the largest minority, accounting for approximately 17% of a total population of 2.4 million, while the Croats represent approximately 3.7%. Vojvodina had enjoyed autonomous status within the old SFRY, but this was removed under the 1992 constitution of FRY. Nevertheless, Vojvodina retained its provincial assembly and the various ethnic minorities are all represented by their own political parties and organisations. The largest of these is the Democratic Community of Vojvodina Hungarians (DCVH). [1]

6.36 Any "ethnic problems" in Vojvodina have always been relatively low key, partly because the Serb group is in the comfortable majority (65%) and partly because the multi-ethnic character of the population is long established in the region. Also Vojvodina has rich agricultural land which is productive enough to feed all its inhabitants and export food products and an industrial base to provide employment for the non agri-based population. [1] [54] [11g]

6.37 Both the Hungarian and the Croat communities in Vojvodina have been subjected to some discrimination, in terms of access to employment in certain official and public capacities, and low level harassment. The situation in Vojvodina became tense during the mid 1990s, following the influx of large numbers of ethnic Serb refugees to the FRY, 150,000 of whom were from the Krajina region of Croatia. Since the change in government in 2000, these groups receive police protection from the undisciplined element of Serb refugees. In 2001, there were no reports of violence against ethnic Hungarians in Vojvodina during the year. However, there were many instances of verbal abuse directed towards ethnic Hungarians in public places. For example, in March 2001, slogans such as "Out with Hungarians!" appeared in towns in Vojvodina. [2]

6.38 Hungarians enjoy considerable autonomy. In eight majority-Hungarian municipalities, all of the police chiefs are ethnic Hungarians. The Hungarian language is taught in schools. The Federal Ministry of National and Ethnic Communities has proposed a new curriculum, that would include studies on Hungarian art, history and music. [2] In May 2002, the Speaker of the Vojvodina Parliament, Nenad Cenak announced that Croatian would also become one of the official languages of Vojvodina, along with Hungarian, Slovakian, Romanian and Ruthenian. [62]

6.39 Many in Vojvodina wish to see the province's autonomy restored or for it to be given full republic status. This is partly because the province is the most productive in Serbia, generating 40% of its wealth, yet most of this revenue goes towards subsidising other parts of the Republic. There is particular concern that Vojvodina will suffer under the current privatisation programme, with the province's assets being sold off to fill central coffers. [8e]

6.40 Kostunica and other elements within the ruling DOS coalition fear that substantial autonomy for Vojvodina could lead to further fragmentation within FRY. Prime Minister Zoran Djindjic has expressed support for greater autonomy for Vojvodina in the past. But the Omnibus Law passed in February 2002 by the Serbian parliament to restore some of the province's autonomous powers fell far short of expectations, leaving many in Vojvodina disgruntled. Under the new law, Vojvodina should gain greater control over areas such as privatisation, health, social security, use of languages, agriculture and tourism. But implementation depends upon the Serbian parliament transferring the requisite funds. [53] [54] [7g] [30c]

Muslims in the Sandzak

6.41 The Sandzak is an area that straddles the Serbia/Montenegro border. Of its 11 municipalities, 6 are in Serbia and 5 in Montenegro. It has a population of about 400,000, of which Bosniak Muslims make up 54% and Serbs and Montenegrins the remainder [14] The unresolved relationship between Serbia and Montenegro has a direct bearing on the situation in Sandzak, especially for those Bosniaks who do not want their community to be divided by a national border. [7g]

6.42 The Muslim population has been subjected to repression by the Serb minority over recent years, though this was more intense in the early 1990s. The repression was backed by a state-sponsored propaganda campaign which, in an effort to destroy it as the legitimate voice of the Sandzak Muslims, portrayed the main Muslim political party, the Party for Democratic Action (SDA), as an anti-Serb and separatist organisation. As with Vojvodina and formerly Kosovo, the Serb authorities limited the teaching of non-Serb culture and history, and blatantly removed Muslims from official duties and public institutions. Attempts by the FRY authorities to ethnically cleanse the Sandzak of its 200,000 Muslims at the height of the Bosnian conflict in 1992, resulted in large numbers fleeing the area. During the NATO intervention about 20,000 Bosniaks from Sandzak left for Bosnia and on their return about 2,000 were sacked from their jobs for malingering. [2] [7a] [14]

6.43 Since the change of government, the situation in Sandzak has improved considerably. OSCE noted in January 2001 that "Despite the mixed ethnic composition of the area and a difficult recent history, inter-ethnic relations in Sandzak appear harmonious" [31f]. There have been few reports of inter-ethnic intolerance or state pressure on Bosniaks in the past two years, though during 2001, some Bosniaks alleged discrimination in housing, employment, health care, commerce and education. [2] In particular, school history textbooks deal with events of the Balkan wars of the 1990s in a way which portrays Muslims in a very negative light. [7g]

6.44 Following the events of 11 September 2001, there have been attempts by right wing politicians and media to prove a connection between the Taliban, Mujahidin etc and the region's Muslim community. A corollary of this has been that Muslim extremists have become more active and are being supported by certain Islamic countries. Increasing numbers of nurseries and schools are offering free places to Muslim children. Orthodox Serbs are also becoming more radical. [7g]

6.45 In the last two years, Serbs have been leaving the Sandzak area, some of them having lost their public sector jobs. The exodus is believed to have been partly prompted by the actions of the Muslim Party of Democratic Action (SDA) which has dismissed Serb managers in state companies and local authorities since coming to power two years ago. It is notable that Sulejman Ugljin, the main Sandjak leader, has installed a number of his family and associates in senior local government posts. The Serb departures may also be economically motivated because property values in Novi Pazar (the largest town in the region) are considerably higher than elsewhere in Serbia. [43f]

6.46 Although relations between ethnic Serbs and Bosniaks are good in the economic and social spheres, there is a clear divide when it comes to politics. Most Bosniaks vote for "Sandzak - Dr Sulejman Ugljanin list", whereas most Serbs have tended to vote for Milosevic's party the SPS. No parties attract the support of both groups. Sandzak parties have not demanded that the status of Sandzak and Bosniaks should be addressed since the elections in 2000. But is clear that the Sandzak leaders favour some form of regional autonomy for the area. The Sandzak Bosniak Rasim Ljajic is Minister for Ethnic and National Minorities. [2] [7a] [14] [7e]

Ethnic Albanians in Serbia

6.47 There are no up-to-date figures on the numbers of ethnic Albanians living in Serbia. But estimates suggest that there are likely to be about 70,000 ethnic Albanians living in the municipalities of Presevo, Bujanovac and Medveda, about 5,000 in Belgrade and other much small communities throughout the Republic. Under Milosevic, ethnic Albanians were generally subject to harassment and discrimination, which escalated during the war in 1999, when shops owned by ethnic Albanians were destroyed and employees of public utilities and large companies were dismissed on spurious grounds. [7b] [7e]

6.48 Before the change of government, it is estimated that about 2,000 ethnic Albanian prisoners from Kosovo were being held in poor conditions in Serbian prisons. Often their release could only be secured by the payment of large ransoms by the prisoners' families. Since the Amnesty Law was passed in February 2001, most have now been released. In March 2002, 145 Kosovar Albanian prisoners were transferred to custody in Kosovo [2] [5b] [11a]

The Presevo Valley

6.49 The Presevo Valley is an area in southern Serbia close to the border with Kosovo, which comprises the municipalities of Presevo, Bujanovac and Medvedje. It is estimated that there are about 70,000 ethnic Albanians living in the area, where they form the majority of the population. [1] [43e]

6.50 Although disadvantaged in social, political and economic terms, ethnic Albanians showed a high degree of integration and cooperation with the Serb population and authorities until late 1999. From December 1999, a growing number of violent attacks on Serb police targets started occurring in the area, causing considerable unrest. The attacks were carried out by an ethnic Albanian military group called the UCPMB, whose name, in Albanian, derives from the initials of the main towns of the area, Presheve, Medvedje and Bujanovac. The group is thought to have been an off-shoot of the KLA/UCK and its aim appears to have been to gain greater autonomy for ethnic Albanians in the Presevo area. [1]

6.51 Following the Kosovo conflict, a three mile Ground Safety Zone (GSZ) was established along the Kosovo border. Under the terms of UN Security Council Resolution 1244, Serb forces were prohibited from entering the zone, apart from lightly armed police. The UCPMB exploited this situation, using the GSZ to conduct training, bring in weapons from Kosovo and mount attacks on Serb police in Serbia. During the year, attacks by the UCPMB on Serb forces escalated, with over 30 Serb police officers killed. Fearing an escalation of the fighting, several thousand ethnic Albanians fled the area for Kosovo during this period. [1]

6.52 In the months following the change of government in the Federal Republic of Yugoslavia in October 2000, Serb forces were widely praised by the international community for their restraint in the face of regular attacks from the UCPMB. The Deputy Prime Minister of Serbia, Mr Covic, acknowledged that ethnic Albanians in the Presevo area had some genuine grievances in relation to the discrimination they suffered and indicated that the situation could only be resolved by negotiation. Mr Covic put forward a detailed peace plan, which was welcomed by UN Security Council member states and ultimately formed the basis of a negotiated settlement with the ethnic Albanian leaders in the area. [30a] [17c] [31a] [21a] [19d]

6.53 In May 2001, the UCPMB accepted an amnesty from the Serb authorities. The organisation handed over over significant quantities of weapons, disbanded and withdrew from the Presevo area. By the end of May, with the agreement of the international community and ethnic Albanian leaders, the Serb armed forces were able to complete their phased return to the GSZ. (On 3 June 2002, the FRY assembly passed an amnesty law for persons suspected of committing terrorist acts in southern Serbia between 1 January 1999 and 31 May 2001)[11h]

6.54 Following the Covic plan, the Serb authorities undertook to implement a series of "confidence building measures" in Southern Serbia. These included:

- Making the ethnic balance of those employed in state services, business and social activities reflect that of the population of the area.
- Guaranteeing ethnic Albanians "an appropriate level of representation" in municipal councils and assemblies, as well as Serbia's parliament.
- Making the police force in the area ethnically mixed, with one ethnic Albanian police officer for every Serb.
- Economic regeneration of the area, including the repair of all Albanian houses to accommodate displaced Albanians who wish to return to the area. [30a]

6.55 UNHCR undertook a detailed assessment of implementation of the Covic plan in January 2002. [21b] Significant progress has been made in many areas. In particular, a multi-ethnic police force has been established with training provided by the OSCE. At the end of May 2001, the first multi-ethnic police patrols were deployed in the area [9b] and by the end of the year, one hundred new officers (63 Albanians and 37 Serbs) had entered service. [31b] [31c] There are now 370 officers in operation [3d] In due course, the programme will ensure that the police force fully reflects the ethnic balance of the area. [31f]

6.56 In addition to the multi-ethnic police initiative, OSCE has also set up a multi-ethnic media programme to improve professional standards and encourage cooperation between the Serbian and Albanian language media outlets. [31f] [31g] A number of other international organisations including UNICEF, OCHA, ICRC, WFP and UNDP are also working in the area. Over \$13 million was committed to projects in the Presevo area in 2001, with over \$24million committed to the wider region of Southern Serbia. [42a] [21b]

6.57 Most ethnic Albanians who fled to Kosovo have now returned to their homes, [3d] assisted by UNHCR,

who organised "go and see" visits for those considering return. [9b] [21b]

6.58 Previously boycotted by the ethnic Albanian community, local elections were held in the three municipalities on 28 July 2002, for the first time in 10 years. These elections (which generally met international standards) were widely regarded as representing a further step towards the peaceful resolution of tensions in the region, allowing all communities to contest on an equal basis. Following the elections, representation in local government structures broadly reflects the ethnic balance of the local populations. [42b]

6.59 Incidents of police harassment of ethnic Albanians in southern Serbia have decreased significantly. [21b] In the few cases that occurred during 2001, the police officers involved were disciplined, with several being dismissed. According to ethnic Albanian groups, Albanians have felt increasingly safe from police interference since May 2001. Although they have expressed unease about the continued presence of 163 policemen whom they claim served in the Kosovo war, the multi ethnic police force has received wide approval among the ethnic Albanian population. [2]

6.60 The positive developments in the Presevo area have been hailed by the international community as a great success for the Serb administration and the local ethnic Albanian leaders. Although there have been sporadic incidents of violence from ethnic Albanian extremists, the situation in Presevo has continued to stabilise with the gradual implementation of the Civic plan. [3d] Given the recent history of the area, the potential for conflict to flare up again remains. But the continuing willingness of all parties to engage in negotiation and the Serb authorities' commitment to addressing the needs of the local population mark a radical change of approach and give cause for optimism. [30a] [17c] [31a] [21a] [19d] [11f]

Roma

6.61 There is no official discrimination against the Roma population. However, discrimination is widespread in all fields including housing, education social and health care and employment. Intimidation and harassment is common and violent attacks by skinheads from skinheads and similar groups have not always been adequately dealt with by police. There have also been cases of police brutality towards Roma during the past 12 months. [9d] [63] [2]

6.62 There were numerous examples of violent attacks on Roma during 2001. The trend continued in 2002, including the following examples. In February 2002, a Roma man was attacked in Novi Sad, sustaining a broken jaw requiring surgery. In March 2002, a 14 year old Roma boy was assaulted, also in Novi Sad, in view of many witnesses who did nothing to stop the attack. In April 2002, a group of young men forced a Roma paper collector in Belgrade to empty his cart and carry them around for a period of about one hour. A young Roma man was attacked in Belgrade by a group of four men who punched and kicked him. There were also frequent reports of Roma from the Stara Betonjara settlement in Belgrade having stones and bottles thrown at them. [64]

6.63 Societal discrimination against Roma is widespread, especially in privately owned restaurants and sports facilities. [63] For example, in Sabac, western Serbia, Roma were barred from using a municipal swimming pool owned by the president of the local branch of the Serbian Radical Party. In July 2001, unknown vandals drew swastikas and wrote abuse against Roma on buildings in Surdulica. On 10 October 2001, a group of men threw stones at Romani houses, breaking some windows, in the Cukaricka Padina settlement in Belgrade. Local authorities often ignore or condone societal intimidation of the Romani community. [2]

6.64 Estimates vary but there are probably about 45,000 Roma refugees in FRY, mostly from Kosovo. Local municipalities are often reluctant to accept them and refugees have been deprived of humanitarian assistance because "as a nomadic people" they allegedly do not require it. In Belgrade and other towns in Serbia and Montenegro, many Roma IDPs live in squalid illegal settlements, without access to electricity, running water or sanitation. [3d] Such living conditions give rise to a higher incidence of ill-health and infant mortality than among the general population. Occasionally local authorities evict Roma from illegal settlements, often when they have been present there for several years. [2] **6.65** The problems for Roma IDPs are exacerbated by difficulties regarding registration and acquiring identity cards. Most who fled from Kosovo do not have adequate documentation or evidence of citizenship and are regularly denied access to health, social welfare and education for their children. [3d] For the most part Roma have no prospect of finding employment. [61]

6.66 Registration and attendance of Roma at schools is very low. In Leskovac, Serbian children are not

allowed to enrol at schools in which Roma children make up the majority of pupils. In Kragujevac, it was reported that Roma children are often maltreated and belittled, with teachers sometimes encouraging them to drop out. Many are also wrongly categorised, often because of low ability in the Serbian language, and are sent to special schools although they are not mentally but socially handicapped. [63] Only one in three Roma finish elementary school, while the number successfully completing courses of further education barely reached 200. [2] [7a] [9a] [7d] [32] [7g] [35]

6.67 For several years, Roma organisations have been demanding recognition of their minority status, as is enjoyed by Roma in Romania and Hungary. This demand has been met with the recently adopted Law on the Protection of Rights and Freedoms of National Minorities which specifically designates the Roma community as a national minority in Serbia. [9c] The new law has led to positive discussions between Roma leaders, government representatives and the OSCE on ways in which the situation for Roma might be improved. [31d] Also, there has been an increase in the number of Romani language programmes on radio and TV. [9c]

Jews

6.68 There has been an increase in the expression of anti-Semitic feeling in Serbia, manifested in graffiti, vandalism, leaflets, statements in the media and harassment of the small Jewish community. The Helsinki Committee for Human Rights in Serbia attributes this in part to the growing influence of a newly created right wing nationalist group called OBRAZ. [7g]

6.69 Early in the year 2001, there were reports of anti-Semitic leaflets being circulated in Kikinda. On 1 February 2001, Muslim and Jewish cemeteries in Zrenjanin and in Belgrade were vandalized and a synagogue was painted with swastikas. The incident was reported to the police but the perpetrators were not found. On 13 and 14 February 2001, stickers with swastikas and anti-Semitic messages were placed on the entrance of the Jewish Community Center of Belgrade, on the gate of the synagogue, and on the fence of the Jewish cemetery. Jewish community members believe that the perpetrators were members of a radical nationalist group. On 8 May 2001, in Subotica, Vojvodina, unknown assailants attacked and beat a Jewish community leader for the second time (a similar attack had occurred 3 weeks earlier). The victim was a lawyer who had represented opposition members under the Milosevic government. [2] [7g] [7i]

Mixed Ethnicity

6.70 Members of ethnically mixed marriages and their children have suffered abuse throughout the dissolution of the former Yugoslavia and its aftermath. While a child's ethnicity is determined by that of the father, partners of different ethnic background have sometimes been pressurised into supporting their own ethnic groups. Generally, people of mixed ethnicity may experience difficulty being accepted by any ethnic community and may therefore feel isolated. [2]

WOMEN

6.71 There are no legal restrictions on the participation of women in government and politics. Women are active in political and human rights organisations, but are under-represented in party and government positions, holding less than 10% of ministerial-level positions in the Serbian and federal governments. Women's rights groups operate, but with little or no official acknowledgement. [2]

6.72 The traditionally high level of domestic violence still persists. 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 and spousal rape is not recognised as an offence. The Centre for Autonomous Women's Rights in Belgrade offers a hotline for victims of rape and spousal abuse and sponsors a number of self-help groups. The Centre also offers help to refugee women (mostly Serb), many of whom, experienced extreme abuse or rape during the conflict in the former Yugoslavia. [2]

6.73 Women refugees and internally displaced people, especially female single-headed households and widows, face particular problems, including difficulties in obtaining documentation of their husbands' deaths which would entitle them to pensions. [35]

6.74 Women do not enjoy status equal to men 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 rights to control property and children. However, women are legally entitled to equal pay for equal work and are granted maternity leave for 1 year, with an additional 6 months available. [2]

6.75 FRY is a known source, transit and destination country for women and girls trafficked to other parts of Europe for forced prostitution and this is a growing problem. Italian police intercept illegal immigrants from Montenegro on a weekly basis. [2] [23a] (see trafficking)

CHILDREN

6.76 The state attempts to meet the health and educational needs of children. The educational system provides 8 years of mandatory schooling. Economic distress has spilled over into both the education and health care system, adversely affecting children. Scarce funds have been deployed on police and security rather than education and health. [2] (see also sections on medical services and education).

6.77 The country served as a source, transit and destination point for trafficking of girls for forced prostitution. Roma children are particularly at risk. [2] (see trafficking)

Child care

6.78 There are 23 state run institutions in Serbia for children under 18 without parental care. These have suffered from under-funding in recent years. UNICEF is in discussion with the government about the conditions in some of these establishments, some of which may be closed. Apart from the adoption of babies, there are no alternative arrangements for children under 18 without parental care. [11i]

HOMOSEXUALS

6.79 Homosexuality is not mentioned in any law or in the constitution of Serbia except where the age of consent is concerned (18 for homosexuals and 14 for heterosexuals). Despite this, there was widespread discrimination under the previous regime. There is no clear evidence of this continuing under the current administration, though a recent survey indicated that there is a high level of homophobia in Serbian society. [2] [25]

6.80 Gay and lesbian activists who took part in a march through Belgrade on 30 June 2001 were attacked by skinheads and right wing nationalists. Although police eventually intervened, human rights organisations considered their action inadequate. The Belgrade police chief justified his failure to deploy adequate numbers of police by claiming that he had not expected such violent anti-gay protests. [2] [9b] [7i] The Helsinki Committee has called for amendments to the Constitutions of Serbia and FRY to guarantee rights for sexual minorities. [8d] [7f]

6C. HUMAN RIGHTS - OTHER ISSUES

Repatriation

6.81 The FRY authorities imposed travel restrictions in November 1994 that made it more difficult for returnees (including voluntary) to re-enter the FRY. In particular, the FRY made it clear that asylum seekers abroad would not be re-admitted unless or until a bilateral readmission agreement was in force.

6.82 Discussions continue with the new FRY government on how the UK could recommence making returns of failed asylum seekers and others to FRY. It is not yet clear whether it will still be necessary to sign a

readmission agreement. However, the FRY authorities have indicated that they will accept the return of individuals whom they accept as being FRY nationals.

6.83 FRY has recently concluded readmission agreements with Slovenia, Bulgaria and Germany [26]

MONTENEGRO

GEOGRAPHY

ECONOMY

HISTORY

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HUMAN RIGHTS ISSUES

HUMAN RIGHTS - SPECIFIC GROUPS

HUMAN RIGHTS - OTHER ISSUES

2. GEOGRAPHY

2.1 The Republic of Montenegro lies in the south west of FRY on the Adriatic Sea. It has an area of nearly 14,000 sq km and a population of about 700,000. It's capital is Podgorica, with a population of just over 100,000. The ethnic make-up of the population is approximately as follows: Montenegrins 61.86% Bosniak Muslims 14.57%, Serbs 9.34%, Albanians 6.57%, Croats 1.02%, Others 6.64% [35]

3. ECONOMY

3.1 The Montenegrin economy is in transition from a Communist system to a market-based system. The industrial sector remains largely in the hands of the republic Government and is very inefficient. The republic's tourism-dominated economy suffered as a result of the NATO air campaign against Serbia. Although Montenegrin sites were largely unscathed, tourist activity fell sharply. The government estimated that the economy contracted by 13.8%, tourism fell by \$60m and industry declined by \$75m. However Montenegro was exempted from most of the sanctions applied to FRY during the Milosevic era.[2]

3.2 Unemployment is officially estimated at 40% but many work in the black economy, so that the true figure is likely to be about 22%. Large government enterprises, including all the major banks industrial and trading companies, generally observe the minimum wage standard, which is \$47 per month. This figure is comparable to unemployment benefits. The gross average wage is approximately \$175 per month (\$90 net); insufficient to provide a decent standard of living for a family. GDP per capita (including the unofficial economy) is estimated at \$950 for the year. [2] According to the Montenegrin Red Cross, more than half the population lives below the poverty line, with nine per cent dependent upon outside assistance. [65]

3.3 In November 1999 the Deutschmark was introduced as a parallel currency; a year later the dinar was dropped altogether. [1] This was replaced by the Euro in 2002. There are plans to privatise a number of state businesses, including telecommunications and electrical companies. [2] Western governments continue to provide substantial financial backing and technical assistance to Montenegro. Smuggling has been a key element of the Montenegrin economy for centuries and remains so, with the involvement of senior elements of the Montenegrin ruling establishment. [44] [2]

4. HISTORY

4.1 Montenegro may be seen as the junior sister republic to Serbia within the FRY. Serbia has a population more than ten times the size of Montenegro's. The issue of possible independence for Montenegro has dominated the political agenda in recent years. Montenegro already has many of the attributes of an independent state. It controls its own borders and its own economic and foreign policies. Unlike other former Yugoslav republics, Montenegro has previously existed as an internationally recognised independent state (1878 - 1918). [1] [8a]

4.2 In the years before his downfall in 2000, Milosevic sought to exploit the relative size of Serbia's population and economy compared to that of Montenegro.

4.3 In the months following the crisis in Kosovo, the Montenegrin government began to demand more control and to move away from the federal control of the Milosevic regime. In August 1999, Djukanovic called for the federation structure to be revised into a confederation, and for the federal governing bodies to be dissolved. He also asserted the Montenegrin authorities' right to control the army on its soil and to establish its own currency. When Montenegro introduced the German Deutschmark as a parallel currency to the Dinar, Milosevic responded with a partial economic embargo, which later became a full economic blockade. This was followed in December 1999 by a stand-off between the Federal army and the Montenegrin police at Podgorica airport. Although this ended quickly and peacefully, the situation remained tense until Milosevic's fall in October 2000. [1][2]

4.4 Seeking to consolidate the move away from Milosevic's Federal control, Djukanovic chose to boycott the elections held on 24 September 2000. With the opposition securing control of the Federal Presidency, this tactic backfired, leaving Montenegro represented only by Milosevic's Socialist allies in the Federal Parliament. Kostunica was therefore obliged to enter coalition with Milosevic's allies in Montenegro for the Federal Government. [1]

4.5 Djukanovic called an election for 22 April 2001, seeking a mandate for his party (the Democratic Party of Socialists (DPS), to proceed with a referendum on independence for Montenegro in late June/early July 2001. His electoral platform was based on independence for Montenegro followed by a new negotiated federation with Serbia on equal terms. [1]

4.6 The pro-independence coalition did less well than expected and achieved a narrow win over pro-federation parties. The results revealed the split in Montenegrin opinion over the issue. It was not clear that Djukanovic had a mandate to proceed with a referendum and, with a drop in public support for him, he was been placed in a difficult position. His standing was undermined further by allegations, published in a Croatian magazine, that he was directly involved in cigarette smuggling activities. [1]

4.7 During 1999 and 2000, EU states and the US provided considerable financial support to Montenegro and encouraged its resistance to the Milosevic regime. Although such support has continued, Western leaders have made it clear that they are opposed to independence for Montenegro, largely because of fears that this could precipitate similar moves in relation to Kosovo and Bosnia and destabilise the region. [1] [56a]

4.8 Independence has continued to be the key issue in Montenegrin politics. In order to maintain his position Djukanovic has had to balance the need to satisfy pro-independence elements within the ruling coalition whilst trying to maintain approval of the international community who are firmly against independence. [1] [56a]

4.9 On 14 March 2002 a compromise solution was agreed. An EU brokered deal saw Serbia and Montenegro sign "the Belgrade Agreement", whereby the republics will become semi-independent states, running their own economies, currencies and customs systems. The new entity is to be called "Serbia and Montenegro" and will retain some federal institutions, including the presidency and the defence and foreign ministries. Provision was made, within the agreement for a referendum to take place in Montenegro on the issue of independence, but only after three years. [1] [128] [129]

4.10 On 9 April 2002, the parliaments of Serbia and Montenegro formally agreed that FRY should become an entity known as "Serbia and Montenegro". The EU - backed blueprint will keep the two republics together

inside a single state for at least three years. [1] [128] [129]

4.11 Naturally, this development infuriated the strongly pro-independence parties within the Montenegrin government, who felt betrayed by Djukanovic. In April 2002, Prime Minister Vujanovic resigned in a government crisis over the Belgrade Agreement. Several ministers from the pro-independence Liberal Alliance (LS) resigned from the coalition in protest at the deal, leaving the government without a parliamentary majority. [45] The results of the May 2002 local elections showed that opinion on the independence issue remained evenly divided. [30d]

4.12 In June 2002, the FRY parliament ratified the Belgrade Agreement, clearing the way for legal experts to work up a constitution from the framework arrangement agreed. [55a] [56a] [57] Although a draft constitution was launched in August 2002, the new state will not come into being until the final text has been agreed. Serbia and Montenegro are adopting opposing positions regarding the formulation of the constitution and elections in both republics during October 2002 in both Serbia and Montenegro have made it very difficult for either side to compromise. It is therefore unlikely that the new state will come into being before early 2003. [8h]

4.13 In July 2002, the LS formed an unlikely alliance with the opposition coalition "Together for Yugoslavia", solely for the purpose of unseating the government, leaving Djukanovic with no option but to call an election. [43g]

4.14 Djukanovic's coalition, the Democratic List for a European Montenegro, won an absolute majority in the elections, held on 20 October 2002. The coalition, made up of Djukanovic's DPS party and the SDP, won 39 of the 75 seats of parliament. The pro - Yugoslav Together for Changes coalition, made up of the SNP, SNS and NS won 30 seats. Having precipitated the election, the LS party stood on its own and gained only 4 seats. A coalition of Albanian parties won 2 seats. [66]

4.15 The result is a clear vote of confidence for Djukanovic, who remains keen to pursue independence but has indicated that he will give the new Serbia and Montenegro framework a fair trial. He is likely to favour a looser arrangement with Serbia than is wanted by the opposition coalition. Presidential elections will be held in Montenegro on 22 December 2002. [66][8i]

5. STATE STRUCTURES

Constitution

5.1 Montenegro is constitutionally a constituent republic of the FRY. In recent years it has developed into a multiparty, multi-ethnic parliamentary democracy. The Republic Government remains minimally subordinate to Yugoslavia in foreign affairs and defence matters. But it has a separate customs regime, a separate visa regime, its own central bank, currency, and diplomatic service. [2]

5.2 The Montenegrin Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. [2]

Citizenship

5.3 A new citizenship law was passed in 1999. While stringent in its requirements, the law provides an equitable means for persons to acquire Montenegrin citizenship. [2]

Political system

5.4 The Montenegrin parliament is unicameral, with 77 seats. Deputies serve a four year term and elect the president, his two deputies and the cabinet, which is then directly answerable to the parliament. The cabinet is responsible for the internal and external affairs of the public. [43h]

5.5 In 1998 President Djukanovic became the first president popularly elected in elections that foreign observers considered generally free and fair. [1] Parliamentary elections for the 77-member Montenegrin Republican Assembly took place on 20 October 2002. As noted above Djukanovic's coalition made up of the

Democratic Party of Socialists (DPS) and the Social Democratic Party (SDP), won an overall majority. Presidential elections will be held on 22 December 2002. [66]

Further information about the political situation is provided in section 4 above.

Judiciary

5.6 The Government generally respects the constitutional provisions for an independent judiciary and the judiciary provides citizens with a fair judicial process. The law provides for a right to fair trial, the presumption of innocence, access to a lawyer and the right to appeal. There are no reports of political prisoners. [2]

5.7 However, a backlog of cases, a lack of resources, and corruption remain problems. Although judges are poorly paid, they receive free housing, which to some extent offsets their low salaries. Albanian groups have complained about the lack of Albanian judges in courts. [2]

5.8 The Justice Minister promotes legal reform and has made some progress in reforming the Criminal Code. There are also moves to create a politically independent public prosecutor / prosecution service, which would help to prevent corruption. The local NGO CEDEM runs seminars in which judges and lawyers from European countries participate with their Montenegrin counterparts. This training has helped sensitize judges to following correct legal procedures. [2]

5.9 The court system consists of local, district and supreme courts at the republic level. There also is a military court system under the control of Federal authorities: civilians are not tried in these courts. [2]

Legal Rights / Detention

5.10 The law prohibits arbitrary arrest and detention. However, at times the police arbitrarily arrested and detained persons. The law requires arrest warrants. A suspect may be held in detention for up to 72 hours and it is within that period that most abuses occur. However, there have been few publicised incidents of abuse. [2]

5.11 Unlike in previous years, there were no reports in 2001 of citizens being harassed by police applying traffic laws selectively. It was also reported that the practice of "informative talks", whereby a person could be summoned for informal talks that could last for several hours had stopped. [2]

5.12 A lack of female police at police station stations caused long delays in searching females and in restraining violent females. [2]

Internal Security

5.13 Although Montenegro does not have its own army, its 15,000 strong police force has had extensive military training and could be deployed as such. [8a] [1]

The republic police, under the authority of the Ministry of the Interior, have responsibility for internal security. A greatly reduced detachment of the Yugoslav Second Army, which is under the control of the Federal Yugoslav Government, remains in the Republic and co-operates with Montenegrin police to arrest smugglers. It co-operates well with the Montenegrin Ministry of Interior. [2]

5.14 There have been reports of members of the security forces committing human rights abuses. Examples in 2001 included: On 16 April 2001, police arrested Miodrag Gajovic in Danilovgrad for robbery and violent behavior. He was confined for 72 hours and reportedly subjected to torture and harsh beatings. In May 2001, Gajovic described the police actions to a High Court judge in Podgorica; however, no action was taken against the officers involved by year's end. On 25 April 2001, two policemen brutally beat a law student because he failed to show them due deference as he entered a bakery in Podgorica. He suffered a concussion and other serious injuries. The Center for Democracy and Human Rights reported that no action was taken to punish the officers involved. In June 2001, in Bijelo Polje, police detained, interrogated, and abused Radislav Popovic. On 11 August 2001, police brought Igor Borisic to a police station after having accused him of talking too loudly and beat him severely. The police brought charges against Borisic for "assaulting an officer," however, no action was taken to investigate the police misconduct. On 28 August 2001, police beat and kicked two horse traders, Fahrudin Huremovic and Rade Paunovic, at a market place near Podgorica. The incident led to a complaint by a local Helsinki Committee activist. During the summer,

authorities beat two persons near Plav. An NGO alerted the Interior Minister and the police were reprimanded. In September 2001, a policeman assaulted a woman and her children and detained them for more than 2 days. The policeman was arrested and was awaiting trial at year's end. On 10 October 2001, police physically assaulted six members of the Kosovo Police Service (KPS) who had pursued a suspect's vehicle from Kosovo into Montenegro. The police took the KPS members into custody and beat them; two of the KPS officers were hospitalized as the result of their injuries. [2]

5.15 Special police in plain clothes were involved in violence against opposition supporters. In one case, the police assaulted an opposition member at a political rally. In Bijelo Polje, plainclothes police beat one member of the People's Party (NS), held other members at gunpoint, and vandalized the NS offices. Calls to the local police for assistance were not answered. [2]

5.16 There were also reports that police were involved in trafficking and took bribes at border checkpoints. [2]

Prisons

5.17 Prison conditions generally meet international standards though prison facilities are antiquated. Incidents of brutality and other abuses occurred but were rare. Women are held separately from men. Juveniles are held separately from adults, as are pretrial detainees from convicted criminals. [2]

5.18 The Government permits prison visits by human rights monitors, including the International Committee for the Red Cross (ICRC) and other NGO's, and they conducted visits during the year. [2] [47]

Military service

5.19 During the conflict in Kosovo, the FRY Government attempted to draft Montenegrin citizens into the Yugoslav Army (VJ) for service in Kosovo. These notices were largely ignored or protested against by the Montenegrin populace. As a consequence, there were reports that VJ troops broke into houses of young Montenegrin men and forcibly conscripted them. However, such efforts were largely ineffective since some 14,000 Montenegrins ignored the conscription orders and under the law were permitted to remain at liberty pending judicial action. [2]

5.20 To counteract the draft, the government implemented an "obligatory working duty", which possible recruits could cite as a reason why they could not enter into military service. Others simply ignored the draft notices and risked being called up before a military tribunal. The republic government also defied VJ draft orders and the republic police refused to hold resisters in jail. In November 2001, the Montenegrin assembly passed a law granting amnesty to persons who had evaded the draft from June 1998 to June 1999. Some 14,000 received amnesty as a result of the legislation. The FRY Amnesty Law passed in February 2001 (described in detail in the Serbia section) also applies to Montenegro. [2]

Medical Services

5.21 Generally health facilities in Montenegro (21 Primary Health Care facilities, 8 hospitals, 3 special hospitals and 2 special institutions) are functioning and in reasonable condition. However, age and lack of funds for maintenance, mainly in the Northern part, has affected both buildings and equipment, with a need to update obsolete machinery. [48]

5.22 The EU is implementing a DM 4 million programme for the development of the primary health care sector in Montenegro. 120 primary health centres and hospitals are undergoing rehabilitation and modernisation under the programme. The project is also organising training for medical staff across the country. [49a]

5.23 State health care remains largely free, but patients often have to bring their own consumables and drugs, which severely affects access to services for the vulnerable. Refugees and internally displaced people receive health care largely through the national network, although some large camps have their own outreach supported by international organisations and staffed by Ministry of Health medical personnel. [48]

5.24 Data from 1990s show no negative impact on epidemiological and health service indicators. However, the influx of refugees in the past decade has put severe strains on the health service. In general, the service is heavily dependent upon foreign donor support. [48]

5.25 The United Nations Environment Programme (UNEP) has confirmed that low level contamination by

depleted uranium was found at five sites in Serbia and Montenegro. The study concludes that the contamination does not pose any immediate radioactive or toxic risks for the environment of human health, but recommends that authorities take certain precautionary measures in line with those UNEP recommended for Kosovo. [22]

Education

5.26 The educational system of FRY is organised at republic level. Elementary education is free and compulsory for all children between the ages of 7 and 15, when children attend the "eight year school". Various types of secondary education are available, but vocational and technical schools are most popular. Alternatively, children may attend a general secondary school (gymnasium) where they follow a four year course which will take them up to university entrance. Higher education is offered at seven universities throughout FRY. [1] Many Montenegrin students attend universities in Serbia and are concerned that their fees will increase if Montenegro becomes independent. [10b]

5.27 Schools suffer from under-funding. Ethnic Albanians have access to instruction in their native language but some have criticised the government for not developing a curriculum covering Albanian ethnic culture and history. Most Roma children received little or no education beyond primary school level. [2]

6. HUMAN RIGHTS

Overview

6.1 Montenegro has a history of being significantly more tolerant towards ethnic minorities than Serbia and accepted a large number of ethnic Albanian and Roma refugees from Kosovo during the 1999 conflict, many of whom remain. Such ethnic tolerance continues. However, there are some concerns about political influence in the media, inefficiency and corruption in the judicial process and police brutality.

6A. HUMAN RIGHTS ISSUES

Freedom of speech and the Media

6.2 The Constitution provides for freedom of speech and of the press. However, until recently, the State media was effectively controlled by the governing coalition, which also controlled state television and several print newspapers and magazines. Opposition groups credibly charged that President Djukanovic used the media to promote his own agenda. [2] The defection in July 2002 of Djukanovic's former ally, the Liberal Alliance (LS) because of his "U-turn" on independence, gave the opposition control of the media board. [43i]

6.3 The media board controls editorial policy of the state-owned national radio and television broadcaster and the daily newspaper Pojeba. In September 2002, pro-Djukanovic editors were replaced by opposition appointees. However, Djukanovic retains the support of most privately owned newspapers and broadcasters, which tend to have a wider audience than the official media. [43i] [58b]

6.4 Djukanovic has been criticised for not converting state owned media into public service enterprises free from political control. However, plans to do so were blocked by the opposition, who wanted to retain control of it for the October 2002 elections and the presidential elections which follow. The proposed reforms have been postponed until May 2003. [43i]

6.5 Media and information laws do not protect freedom of the press and libel laws, which carry criminal penalties, discourage a free press. On 3 September 2001, a court in Podgorica convicted the editor of the opposition daily *Dan* on a charge of criminal libel and imposed a suspended five-month prison sentence. The newspaper had published a series of articles on cigarette smuggling, implicating a businessman associated with Montenegrin President Milo Djukanovic. [9b]

6.6 Although the State controls the public broadcasting station, Radio/TV Montenegro, licences were issued to a wide range of independent radio or television stations. But lack of professionally trained staff, low

professional standards, and lack of funds all hindered the development of an independent media. [2] [10c]

6.7 However, a wide variety of articles and programmes are available, including RAI TV, Croatian State Television (HRT), the British Broadcasting Corporation, the Voice of America, Radio Free Europe and other foreign broadcast services in Serbian or other languages on other broadcast media. Foreign periodicals and other publications from abroad are available. Access to the internet is unrestricted and academic freedom is respected. [2]

Freedom of Religion

6.8 The law provides for freedom of religion and the government generally respects this right in practice. [2]

6.9 The Constitution specifically recognises the existence of the Serbian Orthodox Church but not other faiths. The Montenegrin Orthodox Church is not recognised by other Orthodox Churches and was denied recognition on that basis by the Federal Ministry. However, it is registered with the Government of Montenegro's Ministry of the Interior in Cetinje, as an NGO. The Government of Montenegro remained officially neutral in the dispute between followers of the Serbian Orthodox Church and the Montenegrin Orthodox Church, but political parties have used this issue in support of their own political agendas. [2]

6.10 Tensions continue between the Serbian Orthodox Church and the Montenegrin Orthodox Church. Pro-Serbian political parties strongly support moves for the establishment of an official state religion, while pro-independence parties have pushed for the recognition of the Montenegrin Orthodox Church. At the end of the year, the highest ranking Serbian Orthodox Church official in Montenegro, Archbishop Amfilohije, implied in public statements that supporters of independence should be crucified; the Archbishop subsequently stated that he had been misunderstood. The Montenegrin Orthodox Church has made claims to property holdings of the Serbian Orthodox Church in Montenegro, which the Serbian Orthodox Church rejects. [2]

6.11 The Serbian Orthodox Church has frequently criticised the Pentecostal Church. There have been several incidents reported in which the religious practices of members of the Montenegrin Orthodox Church were interfered with. However, such incidents appear to have occurred less frequently than in the previous year and no violent incidents were reported during 2001. [2] [8c]

6.12 Seventh Day Adventists and members of Jehovah's Witnesses are officially registered religions in the republic, and Jehovah's Witnesses regularly proselytise without incident. Unlike in 2000, there were no reported problems during 2001 with the Serbian Orthodox Church regarding the construction and renovation of Jehovah's Witnesses' or Seventh-Day Adventists' church buildings. On 5 November 2001, vandals threw rocks and broke the windows of a historic mosque in Pljevlja, a Muslim inhabited area of Montenegro. [2]

Freedom of assembly and association

6.13 The constitution provides for freedom of peaceful assembly and association and the Government generally respects this right. Political rallies are routinely held without government interference. [2]

Employment rights

6.14 All workers except military and police personnel have the legal right to join or form unions, and most if not all of the workforce in the official economy is organised. Both official, government-affiliated unions and independent unions exist. The law provides for the right of collective bargaining. However, collective bargaining remains at a rudimentary level of development. Because the independent labour movement is largely fragmented, there have been few tangible results in the form of improved working conditions or higher wages. A general lack of resources within the economy also acted as a restraint. [2]

6.15 Strikes were frequent throughout the year, mainly caused by the economic situation, unpaid salaries, manipulation and fraud in the privatization process, and denial of union rights. In May 2001, dissatisfied workers, including at the Bokeljka Factory in Kotor, started blocking main roads in order to pressure the authorities to meet their demands. [2]

People trafficking

6.16 The Montenegrin Criminal Code does not specifically address trafficking in persons, which is a growing problem. The Republic was primarily a transit point for trafficked women and children, but was also a

destination point. Women were trafficked from Romania, Ukraine, Moldova, China and Russia, often through Belgrade and on to Italy, other European countries. Trafficking has steadily increased since the Kosovo war, though precise figures are not available. [2]

6.17 Trafficked women often respond to employment advertisements for jobs abroad as babysitters, hairdressers, maids, waitresses, models, or dancers. According to the International Helsinki Federation, although some women may be aware that they are going to work in the sex industry, they often are unaware of the slavery-like conditions they may face. Many women are sold several times in different conditions to different nightclub owners. Their passports are often confiscated. Women have reported being beaten and raped by traffickers. Traffickers are rarely prosecuted. [2]

6.18 The International Helsinki Foundation reports that police and local authorities do little to stop trafficking and often are clients of the nightclubs that keep trafficked women as prostitutes. There have been allegations, denied by the Montenegrin Government, that some authorities have colluded in trafficking by taking bribes. [2]

6.19 During the year, in coordination with the OSCE, the police trained set up a special unit to deal with human trafficking, which conducted several raids during the year. Women found during police raids of bars and nightclubs during the year were often prosecuted for prostitution and deported after serving their sentences. [2]

6.20 In December 2000, the Government signed the UN Convention against Transnational Organised Crime together with its protocols. The government does not provide direct help to victims of trafficking, but a number of international donors have funded programs. For example, with the close co-operation of the relevant Montenegrin ministries, the IOM, OSCE, UNICEF and local NGOs formulated a Victims Protection Program, which calls for a four-pronged approach of police awareness, victim assistance including return, law enforcement and data collection. [4d] [41a]

6.21 Deportation of victims assisted by the OSCE program only takes place after counselling and an evaluation of conditions in the country of origin. One NGO reported that the programme has already led to the rescue of 12 women and the repatriation of 8 of them. Another foreign government funded a programme that emphasised education and awareness - to make prostitutes' clients understand that they are dealing with victims of forced labour. The programme also addressed the problem of corrupt border officials. So far the programme has resulted in the return of 800 women from the Balkan region to Moldova, Romania and the Ukraine. A small number of NGO's work on trafficking and there is at least one shelter for victims. But general awareness of the problem is low. [2] [4d] [41a]

Freedom of movement

6.22 The republic Constitution provides for freedom of movement and the government generally respects this right in practice. Unlike in previous years, the VJ did not restrict freedom of movement in 2001. [2]

6.23 The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. [2]

6.24 In Montenegro, there are 14,600 refugees from the former Yugoslavia (10,600 from Bosnia, 3,800 from Croatia, 300 Romas) in the Republic. In addition there were approximately 25,000 to 30,000 internally displaced persons from Kosovo; the majority were Serbs, but approximately 7,500 Roma were also displaced. [35] The World Health Organisation estimates that refugees make up 12% of the population of Montenegro [48]. While citizens are routinely issued travel documents, only those refugees who are leaving the country permanently are issued with travel documents. [2] It is likely that most of the refugee population wish to remain in Montenegro. [35]

6.25 Conditions for refugees vary. Some of those with relatives or property in the country have been able to find housing and, in some cases, employment. The situation for others is bleak. Although international relief agencies and local NGOs are providing valuable support, government health, education and social sectors are underfunded. It is also notable that UNHCR's budget for the region in 2002 was nearly halved compared to that for 2000. [35]

6.26 Many Roma refugees live in large collective centers, with only limited access to health care and education. One of the major problems for Roma children is their lack of knowledge of the Serbian language,

and there are no schools teaching in the Roma language. [61] (see Roma)

6.27 There were no reports during the year of the forced return of persons to a country where they feared persecution. [2]

6B HUMAN RIGHTS - SPECIFIC GROUPS

ETHNIC GROUPS

6.28 Montenegro has a notably good record on pluralism when compared to its neighbours. Inter-ethnic relations in Montenegro have been considerably better throughout the process of Yugoslavia's disintegration than in most other republics. [46] It was the only place in the region where refugees from Kosovo of every ethnicity (Serbs, Roma, Albanians and others) were accepted. At one point after the war, refugees made up 20% of the population of Montenegro, though this has dropped now to 10 - 12% (50-60,000). [65] Although Serbs/Montenegrins predominate, there are substantial Albanian and Bosniak Muslim populations and the different groups live in relative harmony. [2]

6.29 The government has committed itself to policies of ethnic inclusion. Ethnic Albanians, who make up about 7% of the population, are guaranteed representation in the Montenegrin government and the Minister for Ethnic Minorities is Albanian, though the level of representation falls short of their proportion of the population. [2] [11b] [11c] 34% of the police force is made up of Bosniak Muslims and many of the Muslim police officers are deployed in the predominantly Muslim Sandzak area in the north of the republic. Ethnic Albanians and Bosniaks followed Djukanovic's call to boycott the federal elections in October 2000 and they generally tend to favour independence.

6.30 The minister in charge of ethnic minorities, Gzim Hajdinaga recently praised the government's record on minority rights, but called for the establishment of higher education institutions to be opened which operate in Albanian; and for recognition of degrees from Kosovan and Albanian universities. [10d]

6.31 Although there has been little inter-ethnic conflict in Montenegro, political parties and media opposed to the independence movement have sought to exaggerate ethnic tensions for their own purposes. For example, there have been incidents of common crime which have been portrayed by certain elements as being carried out by minority terrorist groups. The main line of division in the Montenegrin population lies within the majority Serb-Montenegrin community, between those who favour independence and those who wish to remain within the FRY. However, as tension on the independence issue grows, there is a danger that ethnic minorities may be scape-goated. [46]

6.32 Although the government has promoted ethnic inclusion and there are further plans to build upon the recent FRY level law on ethnic minorities, societal discrimination against ethnic minorities persists. This is probably most serious in relation to the Roma community. [47]

Roma

6.33 While there is no official discrimination against Roma population, prejudice is widespread. Social and racial discrimination, as well as the effects of traditional Roma practices and customs limit their access to education, health centres and employment. Local authorities often ignore or condone societal intimidation and ill treatment of members of the Romani community. [2]

6.34 Roma refugees, mostly from Kosovo, tend to fare worse than those from other ethnic backgrounds, about 50% of them living in large collective centres, often in very poor conditions with no electricity, running water or sanitation. They are heavily dependent upon support from international NGOs which is gradually being reduced as aid budgets are cut. [67a] Many face a winter in flimsy makeshift accommodation and insufficient supplies of food. The lack of official documents means many Roma refugees have little or no access to health care or education. [65]

6.35 One of the major problems for Roma children is their lack of knowledge of the Serbian language, and there are no schools teaching in the Roma language. Roma girls in particular, have less access to education, vocational training and employment than any other group. [35] The Deputy of the Montenegrin Ministry for Refugees commented to the Women's Centre for Refugee Women and Children in 2001, " We estimate there

are 1,500 primary school children who are not in school. Most of them are Roma children. Our intention is to integrate the children into the local school system, but the impediments are serious. They include social discrimination, language and cultural barriers, poverty and hygiene." [61] [35] [2]

WOMEN

6.36 The traditionally high level of domestic violence still persists. 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 and spousal rape is not recognised as an offence. A lack of female police officers at police stations resulted in long delays in investigating rapes, assaults and offences against women. [2]

6.37 Sexual harassment is a problem. Women do not enjoy a status equal to that of men and few women hold upper level management positions in government or commerce. However, increasing numbers of women are serving in professional fields such as law, science, medicine and human rights organizations. Women are legally entitled to equal pay for equal work, though in practice they do not always receive it. Women are allowed 12 to 18 months of maternity leave. Traditional patriarchal ideas of gender roles, which hold that women should be subservient to the male members of their family, long have subjected women to discrimination in the home. [2]

6.38 In some rural areas, particularly among minority communities, women do not have the ability to exercise their right to control property or the ability to have legal responsibility for their children. Divorce occurs only infrequently. Women refugees and internally displaced people, especially female single-headed households and widows, face particular problems, including difficulties in obtaining documentation of their husbands' deaths which would entitle them to pensions. [2]

6.39 Montenegro is a known source, transit and destination country for women and girls trafficked to other parts of Europe for forced prostitution and this is a growing problem. Italian police intercept illegal immigrants from Montenegro on a weekly basis. [2] [23a]

CHILDREN

6.40 The government attempts to meet the health and educational needs of children, but insufficient resources at times impede this goal. Education is relies upon foreign funding support. Since 2000 UNICEF has contributed \$1.6m. [49b]

6.41 The education system provides 8 years of mandatory schooling. Although ethnic Albanian children have access to instruction in their native tongue, the government was criticised for not developing a curriculum in which they could learn about their own culture and history. Children of refugees may have problems in accessing adequate health care and education, and often live in unhealthy conditions. [35] In particular, most Roma children receive little or no education beyond the primary school level - see section on ethnic minorities. [2]

6.42 There is no societal pattern of abuse against children. However, domestic violence is a particular problem among refugees. [35] Also, according to a Council of Europe report, the law does not allow a juvenile allegation of a crime without a parent or guardian present. Consequently, there is almost no reporting of child abuse or incest. A lack of female police at police stations resulted in long delays in investigating rapes, assaults and offences against children. [2]

6.43 The official minimum age for employment is 16 years, although in farming communities it is common to find younger children assisting their families. The high unemployment rate ensures that there is little demand for child labour in the formal sector. [2]

6.44 The country served as a transit point for trafficking of girls for forced prostitution. [2]

Child care

6.45 There are six state run institutions accommodating children in Montenegro. Only one of these is for children under 18 without parental care, the remaining five catering for children with special needs. UNICEF is in discussion with the government about the conditions in these establishments, which have suffered from underfunding in recent years, and some may be closed. Apart from the adoption of babies, there are no alternative arrangements for children under 18 without parental care. [11]

6C HUMAN RIGHTS - OTHER ISSUES

Repatriation

6.46 The FRY authorities imposed travel restrictions in November 1994 that made it more difficult for returnees (including voluntary) to re-enter the FRY. In particular, the FRY made it clear that asylum seekers abroad would not be re-admitted unless or until a bilateral readmission agreement was in force.

6.47 Discussions are in progress with the new FRY government on how the UK could recommence making returns of failed asylum seekers and others to FRY. It is not yet clear whether it will still be necessary to sign a readmission agreement. However, the FRY authorities have indicated that they will accept the return of individuals whom they accept as being FRY nationals.

6.48 FRY has recently concluded readmission agreements with Slovenia, Bulgaria and Germany. [26]

KOSOVO

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2. GEOGRAPHY

2.1 The province of Kosovo lies in south-west Serbia. The overwhelming majority of the population of just under two million are ethnic Albanians (over 90%) with the remainder comprised of minorities including Serbs, Roma, Muslim Slavs, Turks and Croats. The capital is Pristina. [1]

3. HISTORY

3.1 Although a province of Serbia, and therefore part of FRY, Kosovo has been administered on an interim basis by the UN since June 1999. On 9 June 1999, FRY signed an agreement requiring the withdrawal of all forces from Kosovo and the establishment of an international security presence under a UN mandate. An

interim civil presence, the UN Interim Administration Mission in Kosovo (UNMIK) was established shortly after. [1] [2] [6a]

3.2 Within weeks, over 800,000 ethnic Albanians who left Kosovo during the conflict had returned. Urgent work began to help hundreds of thousands of people to rebuild their homes and gain access to food, water and electricity before the onset of the harsh winter. Fearing revenge attacks, about 200,000 Serbs and Roma left the province in the following months. [1] [2]

3.3 The greatest challenge for UNMIK has been to contain inter ethnic violence. In the aftermath of the conflict there were very high levels of violence, harassment and discrimination directed at non-Albanians, with Serbs the main victims. The incidence of violent crime has reduced considerably over the years since the conflict ended. However, inter-ethnic tension remains, particularly in the northern city of Mitrovica, where the Serb and ethnic Albanian communities are completely divided. [15a] [15c] [17b] [18a] [17a]

3.4 UNMIK has supervised the creation of Kosovo as a functioning province. As well as supporting the reconstruction of domestic accommodation (mostly undertaken by the people of Kosovo) UNMIK has established civic structures (police, judiciary, legal system etc) and much has been done to rebuild the physical infrastructure of the province. Water, electricity and heating supplies have improved greatly but are still not wholly reliable. Much progress has been made and the focus is shifting from physical reconstruction to institution building. Most people from Kosovo have returned to their homes, schools and businesses have reopened, land is being cultivated and buildings and streets are under repair. [68] [15a] [15c] [17b] [18a] [17a] [15d] [18b] [19e]

3.5 UNMIK has transferred much of the responsibility for governing the province to its people. Following municipal elections on in October 2000, local politicians assumed a greater role in the administration of the municipalities. Elections for a Kosovo Assembly were held in November 2001 and, after some delay, Ibrahim Rugova was appointed as President of Kosovo in March 2002. Municipal elections will be held again in October 2002. The future status of Kosovo and the eventual relationship between Kosovo and FRY remain uncertain. [8f]

4. ECONOMY (AND INFRASTRUCTURE)

4.1 Kosovo remains one of the poorest regions in Europe. [21c] The economy inherited by UNMIK had been reduced to near collapse by 10 years of deliberate neglect from Belgrade and there was no administrative structure to build upon. The economy before the conflict had a substantial agrarian sector, which continues to support a large percentage of the population. Key industries were mining, metallurgy and related manufacturing enterprises, particularly centred around the Trepca mine complex which is currently inactive. Remittances from relatives abroad were and continue to be an important source of income, currently estimated at £780m per annum. [2] [15e]

4.2 The economy of Kosovo remains dominated by the presence of the NGOs and other international organisations and their highly paid staff. For Kosovo Albanians, of whom over 55% are of working age, unemployment runs at about 50% and salaries are very low (the average public service employee earns about £90 per month). GDP is approximately £1,100 per capita. [15e] 50% of the population are considered by UNDP to be living in poverty. [21c] Most Kosovo Albanians with language skills seek jobs as interpreters for international organisations, which has led to a shortage of language teachers at schools. Many survive by trading in the thriving black market. [2]

4.3 UNMIK believes that the emergency reconstruction needs of Kosovo have been met, with the emphasis shifting to economic sustainability and capacity building. The economy grew in real terms by 10% in 2001. Reliance on donor support has decreased as regulated and revenue generating commercial economy has begun to take root. As the need has diminished, donor support from EU has been reduced from £320m in 2001 and £134m in 2002, to only £50m in 2003. [68] UNMIK expects to raise about 95% of the recurrent budget expenditures of £374 from local taxes and revenues. During the period 20-27 August 2001 alone, UNMIK collected DM14 million at its collection points. [21c] [15b] [15e]

4.4 Policies that encourage the development of a market-oriented business environment have been pursued and progress has been made to establish an appropriate legal environment to support newly emerging enterprises. Over 70% of private small and medium businesses have now restarted. The agricultural sector is also recovering: although about 50% of Kosovo's farm assets were destroyed as a result of the conflict,

thanks to NGO project support, recent wheat harvests have been higher than recent pre-conflict harvests. However, there are indications that the period of rapid economic expansion may be over. [15b] [15e]

4.5 The newly created banking sector is expanding and there are now 80 commercial bank branches throughout the province. [15f] UNMIK worked with the banks to resolve logistical issues involved in switching from the Deutschmark to the Euro in January 2002. [15b] The process of conversion led to about 100,000 customers opening new accounts. [15e]

4.6 Most of the damaged housing stock has now been rebuilt. But UNMIK continues to provide temporary community shelters for those with no alternative accommodation. [27c]

4.7 A regulated social assistance system has been introduced, targeted at up to families from vulnerable groups. Centres for Social Work, located in almost all municipalities, are responsible for selection of the remaining beneficiaries of food aid. [27d] However, the UN agency World Food Programme has ended its operation in Kosovo because of the fundamental change in the socio-economic situation in the province since 1999. [21c] Pensions are provided for people of over 70 years old, though these amount to only about £10 per month. [15a] [15b] [15c]

4.8 Most schools and hospitals have been reopened, though facilities are sometimes basic and access for ethnic minority groups can be problematic. Significant improvements have been made in the civic and administrative infrastructure, as demonstrated by the successful completion of the municipal and assembly elections at which over 70% and 64% of the population voted respectively. Over one million identification cards have been issued and vehicle registration is continuing with over 185,000 vehicles registered so far. [15a] [15b] [15c]

4.9 With extensive reconstruction works, there have been considerable improvements in the physical infrastructure of the province. The basic utilities of power and water are continuing to improve. Over 80% of the population now have a chlorinated water supply. Communications have been improved: an international postal service operates with computerised functions and the telephone network has been expanded. [15a] [15b] [15c]

4.10 Transport links are improving and a plan to overhaul and reorganise the public transport system is being prepared. A freight railway system became operational in March 2001 and this is expected to alleviate congestion on the main road routes. Pristina airport has been upgraded and remained operational throughout the winter apart from minor disruption for severe weather. The airport processed more than 100,000 passengers in July and August 2001 alone. [2] [15a] [15b] [15c] [19a]

5. STATE STRUCTURES

Constitution

5.1 Under UN Security Council Resolution 1244 [20], UNMIK, is responsible for performing basic civilian administrative functions and promoting the establishment of provisional self-government. UNMIK is led by the third Special Representative of the UN Secretary General (SRSG), Michael Steiner, who was appointed January 2002 [50] The previous incumbents were Hans Haekerrup and Bernard Kouchner. The organisational structure of the administration is arranged in four distinct "pillars", run by the following organisations respectively: Law and Order - UN; Civilian Administration - UN; Institution Building - the Organisation for Security and Co-operation in Europe (OSCE); and Reconstruction - EU. [1]

5.2 Until the municipal elections in October 2000, the involvement of the local population in the official administration was limited to their participation in various advisory bodies, the highest being the Joint Interim Administrative Structure (JIAS). However, the JIAS was replaced by a 120 seat Assembly, following the province's first Assembly elections in November 2001. [2] [15b]

5.3 The Constitutional Framework for Provisional Self Government established the legal structure for the Provisional Institutions of Self Government (PSIG) including the assembly. Responsibility for most functions of government have transferred been to the PSIG. [21d] However, UNMIK retains control of foreign affairs, monetary policy, justice and public order. UNMIK also retains a veto over any measures that appear to violate UNSR 1244 and the assembly is not permitted to discuss the future status of Kosovo. [8g] [12b]

Political System

5.4 The two main ethnic Albanian political parties in Kosovo are the Democratic Party of Kosovo (PDK) and the Democratic League of Kosovo (LDK). The PDK evolved from the political arm of the Kosovo Liberation Army (KLA/UCK) and is headed by a former KLA commander Hashim Thaqi. The KLA was officially disbanded on 20 September 1999, with many former members being absorbed into the newly formed Kosovo Protection Corps (KPC/TMK) a civil emergency service led by former KLA commander Agim Ceku. [1]

5.5 The LDK predated the existence of the KLA and they formed the main focus for resistance to the Serb regime in the years before the conflict. Led by Ibrahim Rugova, the LDK always advocated the achievement of their aims by peaceful means. They were critical of the violence against ethnic minorities following the conflict, much of which was alleged to have been perpetrated by extremists associated with the KLA. Both parties, (as well as the third most popular ethnic Albanian party, the Alliance for the Future of Kosovo (AAK)) have independence for Kosovo as their principal policy. [1]

5.6 There has been considerable tension between the LDK and PDK and this was manifested in politically motivated violence in the run up to the municipal elections in 2000. However, the election for the Assembly passed off largely without violence and was considered to be free and fair. [15b] The LDK won the elections with about 46% of the vote, taking 47 seats. But it failed to secure an overall majority and needed to enter a coalition with the other main political parties. Following the election it took three months of political wrangling before the appointment of Ibrahim Rugova was agreed, with Bajram Rexhepi of the PDK taking the post of Prime Minister. [8f]

5.7 The Kosovo Serbs boycotted the municipal elections because they saw them as part of a process that would lead to the eventual independence of Kosovo from Serbia. However, the Serb Coalition "Povratak" agreed to take part in the Assembly elections and the Serb community participated in the voting following intensive negotiations between UNMIK and the FRY authorities, which led to the signing of a "Common Document". The Common Document addressed Serb concerns, including those about security, justice and returns issues. [15b]

5.8 Ethnic minorities are guaranteed representation in the Assembly with 35 seats reserved, of which 10 are for Serbs. The Serb coalition have 22 seats in the Assembly, including those won through direct voting. [15b] As well as the Serb Coalition Povratak, which includes 21 Serb parties, others representing Roma, Ashkali, Egyptians, Bosniaks and Turks also took part in the elections. Ethnic minorities are guaranteed two ministerial positions; one of which was assigned to the Serb coalition, the other to the Bosniak / Gorani Vatan coalition. [15e]

5.9 Working relations between the different ethnic groups within the Assembly have been reasonably good, though there has been some friction with Serb members in relation to external border issues. The Head of UNMIK has had to intervene on a few occasions when the Assembly has passed resolutions on issues beyond their remit, largely in the area of international relations. [15f]

5.10 Municipal elections are to be held on 26 October 2002. Some Kosovo Serb groups made statements indicating that their participation in the municipal elections would be conditional upon the establishment of separate Serb municipalities. It was made clear by Michael Steiner that such "cantonization" would not be allowed, though other options within the existing regulatory structure are being considered to address the concerns of Kosovo Serbs in the north of the province. [15f]

Judiciary

5.11 The applicable law provides for an independent judiciary. UNMIK re-established a court system that included a Supreme Court, 5 District Court, a Commercial Court, 13 offices of the Public Prosecutor and a number of courts for minor offences. The compilation of criminal law is based on that in force in Kosovo in 1989 combined with regulations issued by UNMIK and is somewhat complicated and unwieldy. UNMIK has completed a new Criminal Code and Criminal Procedure Code, but these are not yet in force. [2]

5.12 It has taken UNMIK time to establish an effectively functioning independent judicial system. The climate of revenge made it difficult to recruit impartial judicial personnel, but the numbers are now up to target levels. It has been difficult achieve and maintain an ethnic balance in the judiciary, though the Department of Justice recently created the Judicial Integration Section to coordinate a minority recruitment strategy in the judiciary. [15b] There have also been concerns that members of the judiciary are subject to intimidation and harassment. [9b]

5.13 UNMIK has introduced international judicial support, which is taking the lead in processing the large number of war/ethnic/organised crimes as well as other cases that may affect the security situation. There are now 27 international judges and prosecutors in place (out of a target of 34), who take part in judicial proceedings at all levels. It is hoped that these appointments will remedy concerns that the courts have shown bias in their treatment of ethnic minorities [2] [15a] [15c]

5.14 The indigenous justice system comprises 337 local judges and prosecutors - 314 Kosovo Albanians, 4 Kosovo Serbs, 10 Bosniaks, 7 Turks and 2 Roma. UNMIK aims to increase the representation of Serbs in the judicial system and is in discussion with the Serbian Justice minister on possibilities for cooperation. [15f]

5.15 As part of the drive to raise the quality of the domestic judicial system, the first disciplinary hearings against local judges and prosecutors, resulting from investigations conducted by the Department of Justice's Judicial Inspection Unit began in mid September 2001. Most cases arose from complaints against Kosovo Albanian judges by other Kosovo Albanian judges. [2]

5.16 A working group has been set up to expand the availability of legal aid and to guarantee access for minorities. Also, the institution of the Ombudsman has been established to investigate cases pertaining to employment disputes, property rights, social rights, access to public services and discriminatory practices. [2]

5.17 Amnesty International noted that UNMIK failed to guarantee detainees the assistance of legal counsel, including during interrogation. [3e] [9b] They also noted that the failure to establish a comprehensive witness and victim protection programme compromised the ability of UNMIK police to investigate and prosecute those suspected of trafficking in women. [3e]

5.18 The recent arrest of several high profile ex-KLA members for crimes committed during 1998-1999 provoked outcry and violent demonstrations. The forthcoming prosecutions will test the commitment of Kosovo's people and politicians to an independent judiciary. [69]

Legal rights /detention

5.19 Under UNMIK regulation 1999/24 police may detain criminal suspects for up to 72 hours without charging them or granting access to a lawyer. However, there were reports of this procedure being used as a minor punishment without any intention of bringing charges. Applicable rules permit pre trial detention for up to 6 months, but UNMIK decreed that this period may be extended by up to an additional 6 months in cases of crimes punishable by a sentence of over 5 years. [2]

5.20 Lengthy pre trial detention is a problem in cases of serious crimes. Some detainees allegedly involved in ethnically based crimes have been held on the basis of weak evidence. Approximately 350 people are currently held in pre trial detention in civilian prisons and detention facilities. There have been claims that there is ethnic bias in the amount of time it takes to bring some cases to trial, with Serb cases taking longer. [2]

Internal security

5.21 Policing in Kosovo is being undertaken by a combination of KFOR troops, [11e] UNMIK civilian police and local Kosovo Police Service (KPS) officers. There are approximately 33,300 KFOR personnel in the province. [15g] UNMIK police are nearly up to strength with 4524 of the 4700 complement now in place and have assumed full responsibility for criminal investigations throughout the province, though they still rely upon KFOR support [15f] As of July 2002, 4770 KPS officers have graduated from the KPS Training School, with continuing efforts being made to increase the level representation from ethnic minority communities, currently 15.32% (8.32% Serbs and 7% from other ethnic minority groups). [15a] [15c] [15f] [16] [19f]

5.22 The figures for violent crime have dropped significantly over the past two years. The murder rate fell by 50% in 2001 compared to 2000. Kidnappings and arson have also fallen, though there has been some increase in the incidence of theft. Generally, as the days of conflict recede, the overall crime pattern that is emerging in Kosovo is considered by UNMIK police to be becoming more akin to the kind of crime pattern seen in other countries. [19b]

5.23 During the year 2001, a total of 136 civilians were killed, compared to 245 in 2000. These included 92 Albanians, 30 Serbs, 1 Bosniaks, 6 Roma and 116 of unknown or "other" ethnicity. In the first six months of 2002, Kosovo has seen 34 murders - 32 Albanians, 1 Serb and 1 Bosniak. [15f] Although there has been a considerable reduction in ethnically motivated crime, most attacks on Serbs and other minorities were

ethnically motivated. The majority of the attacks on Albanians were connected to family and economic rivalries, criminal activities or politics. [2]

5.24 UNHCR notes that a general improvement can be discerned in the number of serious security incidents and attributes this in large part to the growing effectiveness of the police and judicial system. In particular, decisive action has been taken to curb abuses of power by certain elements within the Kosovo Protection Corps (KPC/TMK), demonstrating that criminal behaviour will not be tolerated and that none can act with impunity. [15d] [18a][18b]

5.25 During 2002, UNMIK has arrested several high profile former members of the KLA on charges relating to crimes committed during 1998 and 1999. Some of these arrests, including that of Rustrem Mustafa ("Remi") in August 2002 have provoked outcry from ethnic Albanian politicians and large scale demonstrations. In some incidents, UNMIK police and the KPS were targeted for violent attack. [56b] [15f]

Mitrovica

5.26 The area of greatest ethnic tension and hostility in Kosovo is the city of Mitrovica. Divided by the river Ibar, the city has about 9,000 Serbs controlling the north bank and more than 90,000 ethnic Albanians living on the south side. The presence of 2,000 Albanians in the north, living under great pressure to leave from extremist Serbs, adds to the tension. [2]

5.27 Violence first swept the city after a rocket attack on a UNHCR bus killed 2 elderly Serbs in the south of the city on 2 February 2000. Revenge attacks left 2 ethnic Albanians dead and soon afterwards grenades at two Serb cafes injured 25. Others died in a series of clashes and shootings across the city. [15a] [15c] [18a] [17a] [1]

5.28 A curfew was introduced in the city and a large KFOR presence installed at the main bridge across the Ibar. Ethnic Albanians held a series of mass protests against the partition of the city. The most dramatic of these was a march from Pristina to Mitrovica by a crowd estimated at about 70,000 people, which had to be kept at bay by KFOR using tear gas. Demonstrations by both ethnic Albanians and by Serbs required the intervention of KFOR troops with several injuries sustained. [1] [15a] [15c]

5.29 In August 2000, UNMIK assumed responsibility for and subsequently shut down the Zvečan lead smelter, (part of the Trepça mining complex, once the main source of Yugoslavia's mineral wealth) because of concerns about high levels of lead pollution. Following this successful intervention, it was hoped that UNMIK would be able to establish authority in the northern Mitrovica, but this has not yet been possible. [1] [15a] [15c]

5.30 After 9 months of relative calm, the riots erupted in April 2002 after the arrest of one of the Serb "bridge watchers" for a traffic violation. Over 300 Serbs confronted UNMIK police armed with stones and hand grenades, resulting in injuries to 22 UNMIK policemen. UNMIK responded by doubling the number of UNMIK police in northern Mitrovica. [15d] [15e] [15f] [18b] [19c] [51]

5.31 A key aspect to establishing UNMIK authority in the area will be the dismantling of parallel Serb structures. However, this can only be accomplished with the establishment of a legitimate system to replace them. UNMIK is undertaking a recruitment drive for Serbs to join the Kosovo Police Service and working with the Serbian Government to increase police cooperation to enable the prosecution of criminal elements. Various programmes are also being developed to help economic regeneration of the area. [15f]

5.32 Fearing that they would be dominated by the ethnic Albanian majority from the south of the city in an integrated municipality, local Serbs have been pressing for the creation of a separate municipality for northern Mitrovica and have threatened to boycott the municipal elections this year, as in 2000. UNMIK has excluded the possibility of a separate municipality, which it describes as "cantonisation". But Michael Steiner has put forward a new plan to create a joint decentralised government for the whole city within existing structures. He described the north of Mitrovica as "a lawless area with no jobs and no future" and promised investment in the area if the Serbs accepted a future within an integrated municipality [15f] [58c]

Prisons

5.33 Prison conditions meet prisoners' basic needs of food, sanitation and access to medical care. Some facilities are in need of refurbishment and some are overcrowded. In 2000, UNMIK established the Kosovo Correction Service (KCS) and OSCE provided training for 700 plus prison officers. The KCS operates 3

prisons in Prizren, Dubrava and Lijan. It also administers facilities in Pristina, Mitrovica Peja and Gjiilan. KFOR holds detainees accused of war crimes and political violence at its base Camp Bondsteel. [2] With a prison population of about 1000 and growing, there is a need for increased prison capacity. Additional prison space will be available at Dubrava from mid-late 2002 following the construction of a quick-build prison, funded by the German Government. [15b]

5.34 UNMIK's efforts to increase minority participation in penitentiary structures have led to a significant increase in enrolment by Serbs in the Kosovo Correctional Service. [15e]

Military Service

5.35 Although Kosovo was subject to FRY Military Service law prior to the conflict in 1999, it has not operated in Kosovo since that time. Citizens of Kosovo are not subject to any laws requiring military service.

Medical services

5.36 The health services are capable of providing satisfactory primary care and are continuously improving. But some conditions requiring more complex or long term treatment are beyond current resources. Details are not included here because health provision is constantly developing. [27a]

5.37 All hospitals are working, but the capacity of their laboratories and x-ray departments is limited. Also, patients with conditions that require regular laboratory control (eg. transplantation patients taking immuno-suppressive drugs) may not be able to find the necessary laboratory tests. All health houses (large health centres in the main towns of the municipalities) are working but their diagnostic capabilities are limited. [2] [15a] [19a] [27a] [33b]

5.38 A review of the WHO mental health project in July 2002 made a positive evaluation of the progress in mental health sector in Kosovo. The WHO mental health programme has impacted on the development of a comprehensive mental health strategy developed in collaboration with local mental health professionals. This may come to be used as a model for use in other areas emerging from a period conflict. [48d]

5.39 Although mental health provision in Kosovo is relatively underdeveloped, treatment for psychological conditions including Post Traumatic Stress Disorder is available in Kosovo. Details of the "Kosova Rehabilitation Centre for Torture Victims (KRCT)" which provides treatment for PTSD are included in the source documents. [70]

5.40 As with medical treatment, the range of medical drugs available in Kosovo is constantly developing. Many standard drugs are now available, including Fluoxetine and Sertraline and from the Selective Serotonin Uptake Inhibitors group (SSIs) often used for the treatment of PTSD. [27e]

Education system

5.41 For comments on primary and secondary education see "children" section

5.42 Academic freedom is respected. Higher education in Kosovo is mostly concentrated at Pristina University, which is run and attended by ethnic Albanians only. The university has been in full operation from the 2000-2001 academic year. In 1999, the university dismissed six professors who cooperated with Yugoslavia by teaching there after 1989 when Kosovo lost its autonomy and ethnic Albanians established their own "parallel" education structures. [2]

5.43 UNMIK has recently established a Higher Education Centre in Caglavica, a Serb community near Pristina; a Mitrovica faculty of Pristina University; and a programme to modernize the Institute of Serbian History and Culture in Leposavic. UNMIK also plans to create a University of Applied Science, a mostly technical college with 3 year courses compatible with degree structures in Serbia. [50] [4e]

5.44 An administrative direction in February 2002 on the establishment of the North Kosovo University for Slavic Languages has led to the creation of an advisory board of Kosovo Serb teachers as well as general improvement in coordination of education reforms in northern Mitrovica. [15e]

6. HUMAN RIGHTS

Overview

6.1 The key human rights issues in Kosovo relate to the position of ethnic minorities in the province, who have been targeted by ethnic Albanian extremists. The security situation for ethnic minorities has improved considerably in the last eighteen months with a significant drop in ethnically motivated crime. The international community is trying to encourage the gradual return and reintegration of ethnic minority refugees who fled Kosovo.

6A HUMAN RIGHTS ISSUES

Freedom of Speech and the Media

6.2 With the establishment of UNMIK, the OSCE set up a Department for Media Affairs, which is responsible for promoting openness, fact-based reporting and providing access to the media for a broad spectrum of political views and information for all ethnic groups. The Constitutional Framework, under which the new Assembly was created, includes provision for the establishment of an Independent Media Commission and Board of the Public Broadcaster. [2] [43]

6.3 Although the numbers fluctuate, there are usually about seven daily newspapers and seven monthlies or weeklies with a broad circulation in operation. The only Serb newspaper is now published in northern Kosovo and distributed in Serbian enclaves. The print media has often acted irresponsibly, publishing articles which could incite violence against political personalities and listing names and addresses of individuals who allegedly collaborated with the Serb regime. Such incidents have declined since UNMIK have made regulations to allow legal action to be taken against media outlets that tolerate irresponsible journalism. [2]

6.4 Action was taken against *Dita* following that daily's publication of names of Kosovo Serbs it accused of war crimes. Warnings were issued to the newspaper *Rilindja* and the women's magazine *Kosovarija*, both of which published the names of alleged war criminals. On 1 December 2000 Bota Sot was fined DM 45,000 for breaking the regulation on press conduct and on 20 February 2001 Epoke E Re was sanctioned for publication of an article that could have incited injury. [2] During the summer of 2002, Bota Sot was fined twice for making unsubstantiated allegations against rival editors of having collaborated with Serb secret services. [43]

6.5 There are a 92 radio stations and 24 TV stations in Kosovo. Although the majority of broadcasts are in Albanian only, there are stations which broadcast in Serbian, Turkish and Bosniak. Three licences to broadcast television on a Kosovo-wide basis have been issued including to the station Radio Television Kosovo (RTK), which was awarded a prize in December 2000 for objective reporting. [2] [15a] [15c] [17a] [15d]

6.6 Journalists have sometimes been subject to intimidation and harassment, often for political reasons. In the first months following the war, journalists who have published critical statements about the violence directed towards Serbs and other minorities were attacked, threatened or harassed. The most serious recent example was in October 2001, when Bekim Kastrati, a journalist with the LDK linked newspaper Bota Sot, was killed in a car ambush. [2]

Freedom of Religion

6.7 UNMIK regulations require officials to respect freedom of religion and to prohibit discrimination based on religion under international human rights laws and conventions. Religion in Kosovo is often inextricably linked to ethnicity. Most ethnic Albanians are Sunni Muslims, but there is a Catholic minority who live mostly in the Southern and Western parts of the province. Serbs are almost exclusively Serbian Orthodox Christians. [2]

6.8 Most ethnic Albanians are not strongly identified with their religion and their animosity towards Serbs is essentially on the basis of ethnicity, with the difference in religion a coincidental factor. However, Serbian Orthodox churches hold symbolic significance and over 100 have been destroyed in retaliation for the

mosques destroyed by the Serbs. UNMIK have taken steps to ensure that all religious communities could worship safely and deployed extra security at Orthodox religious sites. Attacks on Serb Orthodox churches and cemeteries have reduced significantly since 1999. There have also been concerns for the safety of Orthodox priests and many have been forced to relocate. [2]

6.9 It is estimated that some 70,000 Kosovar Albanians are Roman Catholic. Generally, they tend to be wealthier, better educated and better connected abroad than many of their Muslim neighbours. There is no evidence of Catholic Albanians being persecuted specifically on religious grounds, but there are certain areas within Kosovo where they may have come under suspicion of collaboration with the Serb regime (see section on ethnic minorities - para 5.27). Such suspicion was fuelled by the fact that Catholic Albanian villages suffered relatively little damage during the conflict. Recent reports indicate that the Catholic church may be growing in strength in Kosovo. [2] [17a] [11d] [28]

Freedom of Assembly and Association

6.10 UNMIK regulations provide for freedom of assembly. UNMIK occasionally limit this right for security reasons. Organisers must provide 48 hours notice of demonstrations. KFOR have used force (including stun grenades and tear gas) to control violent demonstrations in Serb enclaves. [2]

Political activists

6.11 In 1999 and 2000, there were frequent reports of harassment, intimidation and violent attacks by extremist elements allegedly associated with the former KLA directed at supporters of the rival LDK party and others expressing moderate views. The LDK, led by Ibrahim Rugova had always advocated a peaceful, moderate approach and has been critical of the violence perpetrated by ethnic Albanians following the conflict. It is notable that the LDK achieved a majority in both the municipality and Assembly elections, suggesting that their moderate approach enjoys wide support within the province. [1] [2] [15a] [15b] [15c]

6.12 In 2001, there were relatively few incidents of violence where a political motive was suspected. While there were a number of politically motivated attacks on LDK members in the run up to the Municipal Elections in October 2000, the 45 day campaign for the Assembly elections in November 2001 passed off without any significant violence. [2] [15b] [15c] [17a]

6.13 There have been no reports of politically motivated violence in the run up to the 2002 municipal elections. LDK supporters and other moderate politicians are no longer listed in the UNHCR categories of ethnic Albanians who may still have protection needs in Kosovo. [17b]

Employment Rights

6.14 In October 2001, UNMIK promulgated the Essential Labor Law for Kosovo, which provides for fundamental rights at work, including the employment relationship, terms of employment and the right to form and belong to trade unions. Although the right to strike is not specifically recognised in law, strikes are not prohibited. However, given the poor state of the economy and high unemployment rates, wages other than those paid by international organisations are rarely paid on time and there is little opportunity for negotiation by labour organisations. There is no minimum wage. Neither employers nor employees give much priority to occupational health and safety standards, focusing instead upon economic survival. [2]

People Trafficking

6.15 Trafficking is a serious and growing problem in Kosovo; the province is both a destination and transit point for trafficking of women and girls for prostitution. Trafficking is specifically prohibited by an UNMIK regulation, with a penalty of 2-20 years imprisonment. A special unit of UNMIK police, Trafficking and Prostitution Investigations Unit, has been set up to deal with the issue. [2] [71] [41b]

6.16 Most trafficked women are from Moldova, Ukraine, Bulgaria and Romania, but also from Kazakhstan, Belarus and Albania. They usually end up working in Kosovo's sex industry, effectively imprisoned and used as slave labour by traffickers. Some do not remain in Kosovo but are smuggled through the province to Albania, Macedonia and Italy. The trafficking business is run by organised crime, sometimes as a cooperative enterprise between Serbs and ethnic Albanians. [2][41b] [3d]

6.17 Often, the victims are unwilling to complain to the authorities because of intimidation and because prostitution itself is illegal and punishable under the law. [2] Also there have also been cases where the

perpetrators have given short sentences and /or allowed to make an appeal from liberty. Court decisions of this kind place victims who complain at risk of retribution and can discourage reporting of the crime. [71] [41b] [3e]

6.18 UNMIK does not provide official residency status to victims. IOM offers free office skills courses to victims, shelter and repatriation assistance. Several other international organisations have established programmes to provide similar help for victims to return to their countries of origin and these have led to the repatriation of about 250 women. [2] [41b]

Freedom of movement

6.19 The law provides for freedom of movement. As noted below (ethnic groups), many people from ethnic minorities have limited freedom of movement because of security fears, some requiring escorts or special deliveries to access basic supplies. [2] Freedom of movement for Serbs was improved by the free distribution of UNMIK licence plates, making their vehicles less obviously identifiable. [15f]

6.20 In Mitrovica there are restrictions on freedom of movement due to ethnically based harassment. Ethnic Serbs stationed near the bridges (the "bridge watchers") monitor people crossing the river Ibar and have sometimes carried out physical assaults. [1][2]

6.21 During the war, the Serb forces confiscated and destroyed identification documents as well as central registers and municipal archives, leaving many ethnic Albanian Kosovars without civil documentation. UNMIK has issued over one million identity documents and over 77,500 travel documents to Kosovo residents, which are recognised by 22 countries including the Former Yugoslav Republic of Macedonia and all Schengen States. A FRY government office in Pristina continues to issue FRY passports, though there have been some reports of intimidation towards people who avail themselves of this service. The Head of the FRY Office was killed by a bomb attack in April 2001, causing the closure of the office for several months. [2] [15a] [15a] [15d]

6.22 Airport police in Pristina seized approximately 2400 false documents in 2001, including passports, permits of stay, identity cards etc. Only about 25% of documents were totally fake - most others were genuine documents where the picture had been substituted or stolen blanks had been used to prepare the documents. Most perpetrators were between 20 and 30 years old. [19b] This trend has continued, with 41 forged or altered documents seized during the first week of April 2002 alone. [15e]

6.23 The law does not provide for granting asylum in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. However, refugees from the Macedonia conflict were assisted in Kosovo, often staying with Kosovar families who previous fled to Macedonia and were helped there. About 12,000 refugees from Macedonia remain in Kosovo. [2]

6.24 In June 2002, the Government of Skopje abolished visas for holders of UNMIK travel documents, making travel across the border much easier. Also a Technical Agreement between UNMIK and Serbian Railways led to the resumption of the train service between Pristina and Belgrade. [15f]

6B HUMAN RIGHTS: SPECIFIC GROUPS

Part I

Part II

6B HUMAN RIGHTS - SPECIFIC GROUPS

ETHNIC GROUPS

General situation

6.25 Before the conflict, ethnic Albanians made up over 90% of the population of Kosovo. The percentage is even higher now, as large numbers of the Serb and Roma communities fled from Kosovo. Those who remained are mostly concentrated in mono-ethnic areas. In the immediate aftermath of the war there was a very high level of violence directed at ethnic minorities, Serbs and Roma in particular. It is assumed that most perpetrators were ethnic Albanians seeking revenge and/or pursuing the aim of a wholly Albanian state.

6.26 The number of incidents of violence against minorities has decreased significantly since the period following the conflict, with a notable improvement in the security situation during the year 2001. This improvement has continued in 2002 and most crime is now considered to be economically motivated. [15f] [15g] [18b] In 2000, there were 245 murders; in 2001 there were 136 and in the first six months of 2002 there have been 34 - 32 Albanians, 1 Serb and 1 Bosniak. [19f] The drop in ethnically motivated crime has been attributed to the increase in efficiency of the UNMIK police and the KPS and an easing of tensions with the passage of time. [2][15d][15f][18c]

6.27 In his report to the UN Security Council dated 17 July the Secretary General notes "Although difficult to assess over a short period of time, the security situation of the minority communities seems to have improved. A year ago, attacks and intimidation of minority communities were still considered systematic; now they have decreased significantly and are considered more random. Freedom of movement has also improved...Increasingly Kosovo Serbs now drive unescorted through Kosovo Albanian areas, although there are still cases of Kosovo Serb cars being stoned" [15f] [43k]

6.28 Most minority communities experienced a significant decrease in ethnically motivated violence in their local areas, but many continue to face isolation and severe restrictions on their freedom of movement. [18b] Harassment and intimidation remain a common experience. Few have jobs and many are heavily dependent on humanitarian assistance for survival. Some also face obstacles to accessing health, education and other public services, most of which are run by ethnic Albanians. It can still sometimes be dangerous to speak Serbian or to speak Albanian with a Slavic or Roma accent in public. Inter-ethnic understanding is not helped by the fact that many ethnic Albanians are afraid of associating with members of minority groups for fear of being condemned by their own community. [2] [15a] [15c] [15d] [17b] [18b] [17e][3d]

6.29 The situation for ethnic minorities varies considerably across the province. In some areas the communities are deeply divided, with Mitrovica being the most severe example. In other areas, such as Prizren, there is a long tradition of mutual acceptance among different communities and Serbian, Bosniak and Turkish languages are spoken freely. The quality of relations between communities tends to depend upon the situation in a particular area before the conflict, and events that took place during it. [18c] The positions for specific ethnic groups are discussed below.

Action to improve the position of ethnic minorities

6.30 UNMIK and the Provisional Institutions of Self Government (PISG) (including the Kosovo Assembly) continue to seek to improve the position of ethnic minorities. Ethnic minorities are represented in the government of Kosovo at both the Assembly and Municipal level. There are also policies in place which promote proportional community representation within the Kosovo Police Force, Judiciary, the Kosovo Protection Force and the Civil Service. [15e] [15f]

6.31 Other developments include the establishment of the inter-agency Advisory Board on Communities (ABC) to provide advice on minority stabilisation and integration; and the Office of Return and Communities. UNHCR has welcomed these initiatives but would also like to see further specific legislation to combat discrimination. [18b] At non-governmental level, initiatives include an Interethnic NGO Consortium and a network of Local Women's Councils.

6.32 There have been various inter-ethnic activities in the area of culture and sports, which have successfully brought the communities together. In October 2001, a "Carnival of Communities" was organised by UNMIK, KFOR and the Municipal Assembly at Ferizaj / Urosevac, involving about 4,000 people from different ethnic communities. Two mixed Ashkaelia, Roma and Albanian concerts were subsequently successfully performed involving 2000 people. And in April 2002, a concert for Albanian and Serbian youth was organised in Gjilan/Gnjilane. All passed off peacefully. [15e] [15f] [18c]

The return process

6.33 In his report to the UN Security Council dated 17 July 2002, the Secretary General observes: Over the past few months, a climate has been created that, for the first time since the arrival of UNMIK, appeared

conducive to promoting inter-ethnic return. [15f] This reflects an increasing interest and commitment from UNMIK and the international community to actively address the situation of minorities and return as a matter of priority. [18c]

6.34 There has been recognition at a political level of the need to encourage the return process. The coalition agreement for the formation of the Kosovo government endorsed the need for policies to promote minority integration. On 28 June 2002, all municipal assemblies agreed to a Strategy of Joint Principles of affirming the right to return. Also in June 2002, a Kosovo Serb Senior Adviser on returns and reintegration was appointed to the Office of the Special Representative. On 4 July 2002, the Kosovo Assembly adopted a resolution on the rights of communities and their members and on conditions for return of internally displaced persons and refugees, which was endorsed by Serb Deputy Prime Minister Covic. [21e] [15f]

6.35 Ethnic Albanian leaders at the highest level, including the Prime Minister, have made statements in favour of integration and non-discrimination. [18b] Speaking in the run up to the October elections, ex KLA leader, Hashim Thaci stated "The return of refugees does not endanger Kosovo. On the contrary, it stabilises it, democratises it and opens immediate prospects for Kosovo's independence." [43i]

6.36 UNMIK is planning the return of refugees and internally displaced persons to 25 different locations throughout Kosovo as part of a two year policy framework, the Returns and Reintegration Programme for 2002. In order to prepare the ground "psychologically", as well as physically through establishing the requisite infrastructure, much grass roots activity is taking place via regional and municipal working groups throughout the province. Various reconciliation and confidence building initiatives are underway in mixed communities. Also, regular information and organised "go and see" visits are provided for ethnic minority refugees who are considering return. The aim of the policy is to achieve increasing returns in 2002, so as to create momentum for more significant numbers in 2003 and 2004. [15e] [15f] [61]

6.37 While UNMIK and UNHCR are keen to promote ethnic minority returns on a measured and carefully organised basis, Serbs in Kosovo are dissatisfied with the pace of this approach, calling for an immediate mass return. There have also been demonstrations in Serbia in support of mass return, but the international community fears that this would have a destabilising effect upon the province. [72] Approximately 3,000 displaced Serbs have registered an interest in returning this year, though clearly this does not mean that they will actually do so. [43i]

6.38 There has been a modest increase in returns during 2002. According to UNHCR, 997 internally displaced persons (ie. within FRY) returned to Kosovo during the first six months of 2002, of whom 439 were Kosovo Serbs. In one of the largest return projects, 86 members of the Ashkali community returned in July 2002. During the same period, UNHCR estimated that approximately 268 people left Kosovo. [15f] [17d]

6.39 However, progress is slow and there have been setbacks. Shortly after Michael Steiner, Head of UNMIK, announced a \$4.5m project to assist Serbs returning to villages in Peje and Klina, a series of bomb explosions damaged empty Serb houses in the northern village of Klokot on 31 July 2002. [43i] [11h] On 11 October 2002, elderly Serbs who had been taken to Pec/Peje to collect their pensions were confronted by a violent crowd of 300 local Albanians and had to be protected by UNMIK police. [11j] [43k]

Serbs

6.40 Ethnic Serbs have been the principal targets for ethnically motivated attacks. Estimates vary as to how many have left the province, but it is likely that less than half the 200,000 who lived there before the conflict now remain. Most of the remaining Serbs are collected in the northern part of the city of Mitrovica, the municipalities of Leposavic, Zupin Potok and Zvecan to the north of the province, and Strpce in the South, where they form the majority of the population. The situation in Mitrovica is described in detail at para 5.26 [18b][18c]

6.41 Of the 136 murders in Kosovo during 2001, 92 were of ethnic Albanians and 30 were of Serbs (compared to 55 in 2000). As noted above, of the 34 murders in the first six months of 2002, only one was a Serb. [19f] To put this into context, it is important to note that Serbs make up about 5% of the population of Kosovo.

6.42 The precarious situation that still faces Kosovo Serbs is underlined by incidents such as the shooting of a Serb man through the window of his house at night in Deve Jugovica on 21 October 2001, causing serious injuries; the firing of five rounds from a pistol towards a group of Serb children in Plemetiin/Plemetina village on 30 January; and the arrest of two ethnic Albanian men in Viti / Vita on 27 January 2002 for allegedly

attempting to kill a Serb man when he was walking home. [18b] An attack against two elderly Serbs in Kosovo Polje at the end of November 2001 led to the death of one of them. [15b] On 2 December 2001, an elderly Serb woman was killed in Obiliq in a drive-by shooting. There were also several bomb and arson attacks on Serb property during 2001 - 2002. [2]

6.43 Many remaining Serbs, some elderly and alone, are subject to verbal and physical harassment, often by children who are immune from prosecution. One of the most common forms of harassment is the throwing of stones at vehicles carrying Serbs. In some areas they rely upon 24 hour protection from KFOR and deliveries of food and other essentials from aid agencies. Most Serbs are unemployed. [18b]

6.44 There have been some significant advances in the situation for Kosovo Serbs in relation to their freedom to travel and ability to access medical and other services. This may be in part due to increasing boldness on the part of the Serbs who have been frustrated at their inability to move during the past three years. Many now drive from Prishtine / Pristina to nearby towns without escort, which would have been unthinkable until recently. In Gjilan / Gnjilane and Viti / Vitina, improved transport and increased security from KFOR have led to significant improvements in mobility for Serbs. [15f] [43k]

6.45 However, even in areas which have been calm for some time, violence can still erupt. For example, on 26 April 2002, a hand grenade was thrown at an elderly Serb woman in Viti / Vitina town centre. [15b] [15d] [15f] [17b] [18c] On 10 October 2002, a group of elderly Serbs were taken to Pec / Peja to collect their pension cheques. They were confronted by a crowd of approximately 300 ethnic Albanians, chanting slogans and throwing rocks and petrol bombs. The Serbs had to be protected by UNMIK police. [11j] [17e]

Roma (and Ashkaelia and Egyptians)

6.46 Kosovo Roma have been targeted as a group because they are seen as having collaborated with Serb mistreatment of ethnic Albanians during the conflict. Allegations that some Roma took part in criminal acts with Yugoslav forces or opportunistic looting have blackened name of others. Many fled from Kosovo to Serbia, Montenegro or Macedonia and those who remain tended to move to Roma enclaves. Some estimates suggest that a community that once numbered 100,000 to 150,000 in the province has been reduced to about 10,000, though other estimates suggest that a higher figure remain. [2]

6.47 Roma are not a homogenous or cohesive group - they are made up of various groups with different allegiances, linguistic and religious traditions. Most have a settled rather than nomadic lifestyle. Although sometimes categorised together, Roma are distinct from the groups known as Ashkaelia or Egyptians. The following explanation of these groups is taken from the UNHCR / OSCE assessment of the situation of ethnic minorities in Kosovo [18c]

6.48 Ethnic identification as Roma, Ashkaelia or Egyptian is not necessarily determined by easily discernible or distinct characteristics or cultural traits, but rather by a process of self-identification. It is not uncommon in Kosovo for individuals to change their ethnic self-identification depending on the pressures of local circumstances, especially when it is necessary in order to distance themselves from other groups to avoid negative associations. In general, however, ethnic Roma clearly identify themselves as Roma and tend to use Romany as their mother tongue, although a large percentage of the Roma population can speak Serbian (and to a lesser extent Albanian) languages.

6.49 The Ashkaelia are Albanian-speaking (although many can also communicate in Serbian language) and have historically associated themselves with Albanians, living close to that community. Nevertheless, Albanians treat them as separate from the Albanian community. Like the Ashkaelia, the Egyptians speak Albanian language but differentiate themselves from Ashkaelia by claiming to have originated from Egypt.

6.50 It should be noted that, on the local community level, Albanians do not generally perceive the differences between the three groups, more often viewing Roma, Ashkaelia and Egyptians as one group. It should also be noted that the separations and distinctions between Roma, Ashkaelia and Egyptian vary between regions, and in some regions (Pejë/Peæ, for example), the Roma and Egyptian populations live in the same geographic areas, without much distinction between them on a day-to-day basis. In other areas or regions, the distinctions between the groups (including the geographic locations where they tend to live as well as their actual or perceived levels of integration with either the Albanian or Serb population) may be much more pronounced. [18c]

6.51 There have been notable improvements in the security and freedom of movement situation for Roma, Ashkaelia and Egyptians throughout Kosovo in the past year. The security position for Roma, Ashkaelia and

Egyptian (RAE) communities varies according to perceptions of the majority population, locality, and language issues. It is difficult to generalise, but the situation for RAE groups appears to be somewhat more settled in the western municipalities (especially the five municipalities around Peja / Pec). UNHCR notes that ...the Albanian-speaking Egyptian communities of western Kosovo enjoyed a gradual but significant reduction of insecurity, steady improvements of freedom of movement, and increased dialogue and interaction with the majority Albanian community. The ability to speak fluent Albanian is likely to be a factor in the degree to which RAE are able to integrate with the majority community. But overall, RAE have experienced significantly improved possibilities to move about in communities where they reside and have increased access to public services. [18c]

6.52 The improvement in the security situation for RAE is reflected in the crime statistics. During the year 2000, 12 Roma were murdered; in 2001 the figure was 6; none have been killed in 2002 [2] [15f] [17b] [18c] [19f] [17e]

Although there have been no murders of members of the RAE community this year, the potential for violence remains and there have been several incidents of assault, attempted murder and arson and bomb attacks on Roma property. Such incidents have often occurred after long periods of relative calm. Although not all incidents were directly ethnically motivated, Roma may be seen as an easy target for general crime and while the security situation for RAE has improved, it can still be precarious. [18c]

6.53 RAE continue to experience adverse living conditions due to historical patterns of discrimination, ostracism and marginalisation. [18] Large numbers of Roma are still living in collective centres or IDP camps in poor conditions. The fact that they choose to stay in these centres suggests that they remain concerned about the security situation in their areas of origin or do not have adequate possibilities for accommodation there. One of the main obstacles to return is the lack of adequate reconstruction assistance for repairing their damaged property. [18c] [67a] [67b] [17e]

Bosniaks (Muslim Slavs)

6.54 This group consists of Serbo-Croat speaking Slavs who are associated with the "Muslim nationality" created within the former Socialist Federal Republic of Yugoslavia. Their remaining population is estimated at about 35,000. Although many describe themselves as Bosniaks, this does not necessarily mean that they, nor their ancestors, came from Bosnia, but rather that Bosnians are seen as successors to the old Muslim nationality group. In reality, these communities originate from a variety of regions, including modern-day Bosnia, Sandzak and even Macedonia. Although some are dispersed within towns, most live in predominantly Muslim villages. Within the Muslim community, there is a distinct group of Torbesh / Torbesi found mainly in Prizren and Orahovac/Rahovec areas. [18a] [18b] [18c]

6.55 UNHCR describes the security position for Bosniaks as being relatively stable in comparison to Serbs and Roma, but still hazardous. In general, they appear to be tolerated by both ethnic Albanian and Serb communities. Incidents of violence against Bosniaks are relatively infrequent and sporadic, so that the community feels reasonably secure. One Bosniak was murdered in 2001 (compared to 9 in 2000) and one has been murdered in 2002 so far, though it is not clear whether the incident was ethnically motivated. [2] [18b] [17e] [18c]

6.56 Bosniaks may experience harassment and intimidation from ethnic Albanians in some areas, particularly the south part of Mitrovica town, where they tend to keep a low profile and avoid using their language in public. In other areas such as Prizren where there is a large community of about 25,000, they live peacefully with the Albanian population. However, their language does make them appear different and can lead to them being mistaken for Serbs. Limited freedom of movement outside areas with significant Bosniak populations and restricted access to the job market and social, welfare and education opportunities remain concerns. Bosniaks do have some access to education in their own language but more school hours are conducted in Albanian. [18a] [18b] [18c]

6.57 Very few returns have taken place and UNHCR believe that displacement of this group continues. [17b] [18a]

Gorani

6.58 Like Bosniaks, the Gorani community are Muslim Slavs, and experience similar difficulties. However,

UNCHR report that some sectors of the Gorani community may be perceived as having closer links with Serbs, which can lead to greater tensions with the ethnic Albanian community. The overall Gorani population is estimated at 10,000 - 12,000, most of whom live in the Gora region of Kosovo, though there are small communities in Pristina and Mitrovica also. They are a distinct group from Bosniaks, with their own language. [18a]

6.59 The Gora region comprises 18 geographically linked villages within Dragash municipality inhabited by Gorani. The region was largely unaffected by the conflict in terms of damage to housing. Many Gorani live in peace with their ethnic Albanian neighbours, but there have been reports of intimidation and harassment. Many Gorani retain vehicles with Serbian registration plates in order to facilitate commercial and social contacts in Serbia and this can lead to harassment by the Kosovo Police Service. [18c]

6.60 UNMIK police statistics show that there were no murders of Gorani during the year 2000, though the US State Department report for 2000 notes the murder of a 13 year old Gorani boy in November 2000. In 2001, there was a series of bomb attacks targeting Gorani property, but no fatalities. No Gorani have been killed in 2002. [2] [19f]

6.61 Most Gorani were previously employed in the public service sector and many are now unemployed. Most villages have dropped the Serb school curriculum in favour of instruction in Bosniak, the language of Bosnian Muslims. There have also been reports of difficulties in access to medical facilities. Initiatives to encourage dialogue between the Gorani and ethnic Albanian communities are being developed. [15a] [15c] [17e] [18a] [18c]

Turks

6.62 The long established Turkish community continues to use Turkish as its mother tongue, though most members also speak Albanian and Serbo-Croat. Of all the minorities in Kosovo, they are considered the most integrated with the majority population. They are politically organised, represented mainly by the Turkish Democratic Union. The Turkish community enjoys access to primary and secondary education in the mother tongue. [18b]

6.63 Many members of the Turkish community left for Turkey during the conflict and some of these are now returning. They may face discrimination in securing access to services and employment. There have been some reports of low level harassment in north Mitrovica from Serbs but in general there are no significant security problems for this group. [2] [17b] [18a] [18c]

Croats

6.64 In Vitina / Viti, almost the entire Croat population of 450 left for Croatia in a single movement organised by the Croatian government in October 1999. Janjevo / Janjeve and Letnica/Letnice are the only two remaining locations with significant concentrated pockets of ethnic Croats. There are only 300 Croats remaining in Janjevo and the Croat community in Letnica has fallen below 50. Croats generally have good relations with the ethnic Albanian and Roma populations, but they experience a sense of insecurity and are concerned about the education available for their children. No security incidents have been reported in the last two years. Some of the empty homes in the village have been temporarily occupied by refugees from FYRMacedonia, though the absent owners are far more concerned about the danger of more permanent appropriation by Catholic Albanian neighbours. [2] [15a] [15c] [17b] [18a] [18c]

Mixed ethnicity

6.65 People in mixed marriages with people from ethnic minorities may face the same difficulties as those groups, particularly where one partner is a Serb. Sometimes ethnic Albanians who are married to Serbs are considered "worse than Serbs". Unlike other minority groups, mixed families are unable to resort to the relative security of mono-ethnic enclaves and may be excluded from all communities. [2] [15a] [15c] [17e] [18a] [18b]

WOMEN

6.66 The ethnic Albanian community is strongly patriarchal and women are expected to be subservient to

men. In rural areas, women may have little ability to control their property and children. Women widowed by the war risk losing custody of their children due to an Albanian custom requiring children to be given to the deceased father's family. The widow is often returned to her own family, with her property passing to her husband's family. [2]

6.67 Rape and a high level of domestic violence are serious problems. There is severe stigma attached to rape, which affects the victim's entire family and this leads to under reporting. It is culturally acceptable for men to beat their wives and such crimes also tend to go unreported. [2]

6.68 In major towns, the presence of UNMIK and many NGOs has opened a large number of previously unavailable jobs to women. UNMIK police and the OSCE launched a campaign to recruit women for the Kosovo Police Service, where they make up 17-20% of the force. Women are also increasingly active in political and human rights organisations. Women are legally entitled to equal pay for equal work and are granted maternity leave for 1 year, with an additional 6 months available. There is a wide range of women's initiatives run by various organisations operating in Kosovo. [2] [17b] [23a]

6.69 UNMIK has determined that one third of candidates for the central elections should be women. Through the Office of Gender Affairs, UNMIK supports women representatives who are not currently in decision-making positions to make them part of the process by which legislation and policy are reviewed. The Office of Gender Affairs is also working to address concerns that women minority groups have insufficient access to employment, education, and medical facilities because of lack of freedom of movement. [15d]

6.70 As noted above, Kosovo is a destination and transit point for trafficking of women for prostitution. [2] The sex industry in Kosovo itself has also grown considerably in the post conflict years. [43m]

CHILDREN

6.71 Since the end of the conflict, schools reopened under UNMIK administration. The Department of Education and Science, with over 30,000 employees and 420,000 students in 1,200 schools and 15,000 students in two universities, accounts for 28% of the Kosovo consolidated budget. [21f] UNMIK aims to ensure that children from all ethnic groups receive free and universal education; school is compulsory for children between the ages of 6 and 15. All schools opened on time for the 2000-2001 academic year. [2]

6.72 Access to education has been problematic for some minority groups and they tend to attend separate schools. Both because of a lack of freedom of movement and because of reluctance to depart from a Belgrade-based curriculum, Kosovo Serbian children attended neighbourhood schools that were sometimes housed in inadequate facilities and lacked basic equipment. [2] UNMIK has developed a strategy to build a sustainable Kosovo Serb education system, with full recognition of the structures under the Constitutional Framework and maintaining strong ties with educational reforms in Serbia. Albanian will be offered as an option in Kosovo Serb schools, but will not be compulsory. [15d]

6.73 Economic problems have affected the health situation for children, which has remained poor. High infant and child mortality and increasing epidemics of preventable diseases have resulted from poverty leading to malnutrition, poor hygiene and pollution. A successful polio immunisation programme was successfully carried out with 69,579 children immunised. Children are legally permitted to work at age 15, provided the work is not likely to be injurious to their health. As noted above, the province has been a source of trafficking of girls for prostitution. [2] [15a][15c] [17b] [19a]

Child care arrangements

6.74 There are no "state run" orphanages in Kosovo. This is a matter of policy: UNMIK and UNICEF consider large institutions an unsuitable environment for children. [11k] [21g] [27f]

6.75 However, two NGOs have been authorised to provide support to children - Hope and Homes for Children (HHC) from the UK and SOS Kinderdorf, an Austrian charity. Hope and Homes for Children is in partnership with UNICEF until 31st Dec 2002. [11k] [21g] [27f]

6.76 Between them SOS and HHC run seven small family homes, which can accommodate up to ten children in each. These houses are for the temporary accommodation of abandoned / orphaned children. The SOS

homes are for children aged 0-3 years; HHC accommodates children 0-3 in one shelter and 3-17 years in another. The length of stay is approximately six months. Each child is allocated a local social worker who acts as its guardian and tries to find an adoptive or foster family. All homes are mixed sex. [11k] [21g] [27f]

6.77 EveryChild (formally ECT) is working in partnership with UNMIK on foster care. Initially this was for children under three years of age but they are about to train Social workers and families for fostering older children and children with special needs. [11k]

HOMOSEXUALS

6.78 UNMIK regulations prohibit discrimination on the basis of sexual orientation. There have been no recorded incidents of violence directed against homosexuals during the time since UNMIK has been in authority in the province. [27b]

6C HUMAN RIGHTS - OTHER ISSUES

Kosovo Albanians from "minority" areas

6.79 Kosovar Albanians are in the overwhelming ethnic majority in the province and are generally not subject to persecution from non-state agents on the basis of their ethnicity. However, there are some parts of Kosovo, particularly in the north of the province, where Serbs are in the majority and ethnic Albanians may be subject to harassment and persecution. These areas include the northern part of the town of Mitrovica - i.e. north of the river Ibar, the northern municipalities of Leposavic, Zvecan and Zubin Potok; and the southern municipality of Strpce. [17e] [18b]

Ethnic Albanians accused of involvement with the previous Serb administration

6.80 There have been reports of ethnic Albanians being the targets of harassment and violence in retribution for alleged association or collaboration with the Serbian regime. In some cases such accusations have been based on little more than the fact that a person had done business with Serbs in the past or that his house was not targeted by Serb forces. It is possible for people who have had no significant involvement with the Serbian regime to become victims on this basis. This phenomenon has been exacerbated by the local press by publishing inflammatory articles on the subject. [2] [17e] [2]

"Draft evaders" and "deserters" from the former KLA / UCK

6.81 UNHCR and Amnesty International have stated in the past that persons who refused to join the KLA or who deserted during the conflict may face protection concerns in Kosovo. The only known incidents of this kind remain one case of abduction, though the men were subsequently released, and one where a student was denied university admission because his father had not fought for the KLA. However, it is possible that other cases may have gone unreported. This category is no longer included in UNHCR's list of those ethnic Albanians who may be at risk of persecution. [2] [17b] [17a] [86]

Landmines and Depleted Uranium

6.82 The task of clearing or marking all mines and unexploded ordnance (UXO) in Kosovo was completed by mid December 2001. During the year 2001, casualties from mines and UXO decreased significantly as a result of mines awareness training and a change in strategy that has increased the rate at which cluster bomb units are cleared. [2]

6.83 There has been concern about the potential health risks of depleted uranium (DU) contamination in Kosovo. An UNMIK review of hospital records found that the incidence of leukaemia had not risen over the past four years among adults in Kosovo. Also, reports by the WHO, EC and United Nations Environment Programme concluded that the threat to public health and the environment from DU was minimal. However,

the reports recommended that sites should be marked and children prevented from playing in the immediate area; that an information campaign (currently ongoing) should be mounted encourage public reporting of DU ammunition findings; that groundwater used for drinking should be monitored for contamination (none has been found to be contaminated thus far) and improved health data. Marking of DU sites is underway with the situation being closely monitored. [15a] [15c] [52]

ANNEX A - CHRONOLOGY OF EVENTS: 1999 - OCTOBER 2002

1999

January: Eight Yugoslav army conscripts kidnapped by KLA on 9th, released on 13th in return for ethnic Albanians held by Serbs. 45 ethnic Albanians killed during a security operation in Racak on 15th; approximately 2000 people displaced from Racak itself and a further 3300-3500 from surrounding villages. Twenty four ethnic Albanians killed in Rugovo by Serbian police on 29th.

February: Peace talks begin in Rambouillet on 6th. Bomb in Pristina kills 3 people on February 6th. Bomb explodes in Urosevac on 13th, forty arrests made. Fighting around the village of Vucitrn, 16 miles n/w of Pristina, causes 9000 people to flee to neighbouring villages. Sylejman Selimi appointed commander-in-chief of the KLA.

March: Peace talks reconvened in Paris on 15th, ethnic Albanians sign peace accord on 18th. Talks suspended on 19th, due to Serb intransigence. KVM depart Kosovo on 20th. Violence reaches Pristina on 22nd. Holbrooke announced on 23rd that last ditch talks with Milosevic have failed to produce an agreement and NATO bombing commences.

April: NATO continue their series of air attacks on targets in the FRY throughout the month. 460,000 ethnic Albanian Kosovar refugees flood into Albania and Macedonia this month. On April 26 EU foreign ministers approve an embargo on oil and refined products to Yugoslavia.

May: Throughout May, NATO forces continue air attacks against targets in FRY. On May 7 bombers mistakenly hit the Chinese embassy in Belgrade, killing four Chinese nationals and injuring 20 others. On May 16, Yugoslav troops seize 150 male Kosovo refugees as they try to flee to Albania and Bosnia via Montenegro. Anti-war demonstrations erupt in two towns in southern Serbia May 17. The UN International Tribunal for the Former Yugoslavia on May 27 announces the indictment of President Milosevic and four other senior Serb leaders on charges of war crimes against humanity.

June: On June 3 Milosevic accepts peace plan from EU and UN envoys. Yugoslavia and NATO sign Military Technical Agreement on June 9. NATO secretary announces formal halt to the bombing campaign on June 10. Between June 11-13, K-For troops enter Kosovo. June 20, Yugoslav forces complete withdrawal from Kosovo, many ethnic Serbs leave and ethnic Albanians return to Kosovo. The first major anti-Milosevic rally since the end of the NATO air campaign held in Cacak on June 29. Attended by 10,000 people and led by the Alliance for Change, an umbrella opposition group.

July: Bernard Kouchner, appointed head of the UN Interim Administration Mission in Kosovo (UNMIK). Preliminary results of a UNHCR survey of the destruction inside Kosovo released on July 8 found high levels of damage to housing, widespread food shortages, the contamination of water supplies and a serious lack of health facilities. 14 Serb farmers shot dead at a village south of Pristina on July 23. At an EU donor conference on July 28 reports that economic support will be provided for Montenegro, whilst Serbia to receive humanitarian aid only. Anti-government protests continue throughout the month.

August: Mounting violence towards Serbs by ethnic Albanians in Kosovo, forcing thousands of Serbs to flee the capital Pristina. On August 5, Montenegro put forward proposal to abolish the federation and replace it with an Association of the States of Serbia and Montenegro, a loose "commonwealth". On August 12, President Milosevic brings in new ministers in a government reshuffle to shore up his power base. A rally held on August 19 in Belgrade is attended by over 100,000 anti-Milosevic protesters. The rally is marred by opposition disunity.

September: Violence flares in Mitrovica on September 10, when Serbs and Albanians clash in shootings and

grenade attacks, which leave dozens injured, including 15 French soldiers. A grenade attack on September 28 on a market south of Pristina leaves two Serbs dead and 40 wounded. The Alliance for Change launches a concerted campaign against Milosevic, which opens with a series of simultaneous rallies in 32 cities and towns, including Belgrade.

October: Violence between Serbs and ethnic Albanians continues during October in Kosovo. Mass rallies are held throughout the month in Belgrade and other towns and cities across Serbia. Representatives of Milosevic's Serbian Socialist Party and Montenegro's ruling anti-Milosevic Democratic Party of Socialists meet on October 25 to discuss the future relationship between Serbia and Montenegro.

November: The post-war "ethnic cleansing" of Kosovo's Serb population continues throughout November as armed ethnic Albanians roam the province kidnapping and murdering the dwindling minority population of Serbs. Montenegro moves further towards independence from Serbia on November 2 when it adopts the German Mark as its official currency. On November 9 the Serb police attack and beat a number of student demonstrators marching in Belgrade.

December: The Yugoslav army seize control of Montenegro's main airport on December 8 for "security reasons". The stand off ends peacefully and flights resume on December 9. China announces on December 9 that it will give aid to FRY to help rebuild its infrastructure destroyed by NATO bombing.

2000

January: On January 5, the Deputy Prime Minister of Montenegro calls for a referendum on independence from Serbia. Sixteen anti-Milosevic parties draw up a unified strategy calling for early elections and street protests. Zeljko Raznatovic (aka. Arkan) war crimes suspect and long term ally of President Milosevic is murdered on January 15.

February: On February 7, FRY defence Minister Pavle Bulatovic becomes the latest high ranking victim of the spate of Mafia-style killings. Milosevic is re-elected as President of the Socialist Party of Serbia. On February 14, the EU suspends their ban on commercial flights to FRY. A series of violent clashes takes place in the ethnically divided town of Mitrovica, in which 5 ethnic Albanians are killed, and many people including peacekeeping troops sustained injuries. On February 21 a crowd of 60,000 ethnic Albanian marchers attempts to cross the bridge over the Ibar to the Serb held north side of the town. KFOR troops deploy tear gas to restore control. It is suggested that the unrest is being fuelled by Milosevic backed influences. NATO announces plans to increase the troop presence from 30,000 to 37,000. On February 29, a UN worker is shot and wounded by ethnic Albanians while driving near Presevo.

March: On March 3, Serbia tightens its blockade on Montenegro. 1000 ethnic Serbs in Kosovo protest in Gnjilane against the murder of a Serb doctor. FRY authorities step up action against independent media in Serbia, destroying equipment and issuing large fines. On March 14, 2,000 army reservists protest against their call-up. On March 15, US Kfor troops conduct raids in eastern Kosovo to close down bases used by the UCPMB, an ethnic Albanian rebel group active in Serbia.

April: Ethnic Serbs in Kosovo (Gracanica) agree to join Joint Interim Administration Structure (JIAS) as observers. On April 14, the Alliance for Change opposition parties stage a rally in Belgrade, attended by 100,000. A law passed by the upper house in the Serbian parliament paves the way for Milosevic to change the constitution to allow himself to run for a further term as President. Ethnic Serbs clash with KFOR.

May: May sees an escalation in demonstrations and protest marches. The closure of the non-state owned Studio B and radio station B2-92 brings out over 10,000 demonstrators, leading to violent clashes between the police and protestors, some of whom are badly injured. Milosevic's government claims that the youth group Otpor and the SPO are responsible for the death of the Vojvodina provincial government chief. A Serb court in Nis on May 22 sentences 143 ethnic Albanians to a total of 1,632 years in prison for terrorism. It is claimed that the sentences had been imposed "only because they were ethnic Albanians". Goran Zugic, senior security advisor to President Djukanovic of Montenegro, is killed on May 31 outside his home. His murder is subsequently laid at Milosevic's door by the opposition. In Kosovo, the detention of AAK leader Haradinaj by Russian troops provokes protests.

June: On June 4 Serb leaders withdraw from the UN Interim Administration Mission in Kosovo in protest at the killing of Serb civilians by Kosovan Albanian extremists during April and May. UK troops seize 67 tonnes of ammunition and weapons in Kosovo on June 15. Milosevic accused of trying to kill opposition leader Vuk Draskovic, who was shot on June 16. Vuk Draskovic suffers a head wound and insists that the attack was

carried out by Serbia's state security. On June 29 the Serb ultra-nationalists in Milosevic's ruling coalition refuse to support a new anti-terrorism law which was reportedly aimed at curbing dissent and any opposition to the Milosevic regime. The draft law threatened prison terms of at least five years for 'acts' that threaten constitutional order. Kosovo Serb leaders withdraw from JIAS in protest at killing of Serb civilians by ethnic Albanian extremists. 67 tons of weapons and ammunition discovered and seized by UK troops.

July: July 6 the Yugoslav legislature approve constitutional changes that give Milosevic the potential to govern until 2009. Under previous rules the Yugoslav President was elected by the legislature for only one term. The constitution is also altered to make the upper house of the legislature, which has considerable veto powers, directly elected. On July 26 Serb journalist, Miroslav Filipovic is sentenced to seven years imprisonment by a military court for reporting allegations of army atrocities within Kosovo during 1999. He is convicted of espionage and spreading false information. Milosevic announces on July 27, that presidential, federal and legislative elections to be held early on September 24. In Kosovo, further clashes between ethnic Serbs and KFOR / UNMIK police - one policeman taken hostage. Kosovo census and voter registration completed. 40 representatives of Serb and Albanian communities meet in Airlie, Virginia, USA and support pact against violence.

August: Two UK police officers seconded to OSCE and two Canadians are arrested and accused of spying on August 3 just after crossing the Montenegro border. The Serbian Renewal Movement (SPO) risks splitting the opposition vote on August 6 when it proposes its own candidate for the September elections, although polls show that the SPO candidate, Vojislav Mihailovic, had not even appeared on pollsters' lists. On August 13, Bernard Kouchner, head of UNMIK, calls for the "first free democratic and well controlled election" to be held in Kosovo. The date for the election is set for October 28. Ethnic Serb children are killed and injured in two separate attacks.

September: Milosevic calls the elections earlier than anticipated. Many of the opposition parties unite under the Democratic Opposition of Serbia (DOS), with their presidential candidate Vojislav Kostunica, from the Democratic Party of Serbia. The run-up to the elections on 24 September sees an escalation of persecution of Otpor members and the few independent media outlets. Otpor members are arrested on site for wearing Otpor T-shirts or putting up opposition posters. There are reports of beatings at some police stations.

October: Milosevic claims that Kostunica did not achieve more than 50 per cent of the votes needed for an out-right win and that a second round is required. Kostunica calls for a general strike and continued street protests until Milosevic steps down. Large numbers of workers strike and huge demonstrations are held in the streets. On October 5 the demonstrators lay siege and gain entry to the parliament building. The police give little resistance with a number joining with the demonstrators. On October 7, Milosevic admits defeat on television and admits Kostunica's victory in the elections. With many of Milosevic's allies still holding important posts within the Serbian government, Serbian elections are called for 23 December.

November: November 1 sees Yugoslavia to the UN. On 4 November a new transitional Cabinet is sworn in to govern until the December elections. Diplomatic relations are restored with the UK, USA, Germany and France on 6 November. Yugoslavia is admitted into the OSCE on November 27.

December: The 18-party Democratic Opposition of Serbia (DOS) alliance, headed by President Vojislav Kostunica wins a landslide victory in the legislative elections held on December 23, winning 176 seats out of 250. Former President Slobodan Milosevic's Socialist Party of Serbia only gains 37 seats.

2001

January: During January conflicting messages emerge concerning the government's future plans for former President Slobodan Milosevic and other suspects wanted by the Hague-based UN International Criminal Tribunal, for war crimes during 1999. President Kostunica states that to extradite Milosevic and others would run counter to the constitution.

February: The campaign for the Montenegro general election to be held on April 22 starts on 19 February. In Serbia, several judges and prosecutors loyal to the former president are replaced. An amnesty law is approved which will cover over 28,000 draft dodgers and others accused of crimes during the former regime. On 27 February, amendments to the Yugoslav Citizenship Act are adopted to enable refugees from former Yugoslavia to acquire Yugoslav citizenship. On 16 February, the "Nis Express" bus service carrying Kosovo Serbs between Kosovo and Serbia is attacked near Podujevo on its return to Gracanica with 10 Serbs killed and many injured. On 18 February, three Serb policemen are killed when their truck ran an anti tank mine in the village of Lucane in Southern Serbia.

March: The South East European Media Organization (SEEMO), calls on the Serbian government to repeal laws affecting press and speech freedoms enacted during the Milosevic era. On 7 March, three VJ soldiers are killed by an anti-tank mine in Presevo. Demonstrations are held across Kosovo in support of ethnic Albanian rebels in Macedonia. COMKFOR signs a "technical agreement" with Serb Deputy PM Covic for the return of FRY forces to part of the Ground Security Zone.

April: Elections to Montenegrin Republican Assembly take place. Pro-independence alliance, led by Djukanovic secured 36 seats, narrowly defeating Bulatovic's alliance opposing independence with 33 seats. Klina LDK President, Ismet Rraci, shot dead. FRY charges 183 VJ soldiers for crimes committed in Kosovo against the Albanian population during the conflict. UNMIK police arrest KPC commander Ruzhdi Saramati on charges of attempted murder.

May: FRY forces return to demilitarized zone in Presevo valley. Belgrade newspaper Vecernje Novosti describes how refrigerator lorry from Pec containing 50 corpses was pulled out of Duabe on 6 April 1999. N UCPMNB leader Shefget Musliu signs statement on demilitarisation of key villages Lucane and Turija near Bujanovac. FRY Joint Security Force completes return to Ground

June: Federal Govt approve decree providing for the extradition of Milosevic to the ICTY. 10,000 supporters demonstrate at his proposed extradition. Following the temporary suspension of the government decree by the federal Constitutional Court, Milosevic is extradited. Federal Prime Minister, Zoran Zizic resigns in protest. Haekkerup visits Belgrade to open new UNMIK office. 70,000 refugees from Macedonia accommodated in Kosovo in homes of host families.

July: Milosevic formally charged at ICTY with crimes against humanity. He refuses to acknowledge the authority of the tribunal. Founding of Serbian Democratic Council of Kosovo, based in Gusterica, put forward as alternative to Serbian National Council. Parties registering for Kosovo elections include 16 Albanian parties, 4 Serbian parties, 2 Turkish, 3 Bosniak, 3 Roma, Egyptian and Ashkali and 1 coalition. KFOR intercept mule train attempting to cross Dragash area of Kosovo from Macedonia to Albania, resulting in arrest of 59 Albanian men.

58 relatives of missing Serbs end hunger strikes following appeal from FRY authorities.

August: FRY/Serbian governments approve appointment of DPM Covic as Head of FRY/ Serbian Coordination Centre for Kosovo; adopt programme for dealing with issues such as missing persons and return of DPs. Five members of Kosovo Albanian family killed in machine gun attack outside Pristina - motive may have been linked to father's previous employment for Serbian MUP. 2,000 Kosovo Albanian residents of Istok protest against return of 54 Kosovo Serbs.

September: UN arms embargo against FRY lifted. Kosovo Supreme Court rules that genocide was not committed during the Kosovo conflict but that war crimes and crimes against humanity were. Following exhumation of mass grave discovered in Lake Perucac near Uszice, south west Serbia, 48 bodies of Kosovo Albanians identified. Exhumation and autopsy of further 269 bodies, discovered in 5 mass graves, completed in Belgrade. Three people, including two policemen, shot dead when police attempt to stop vehicle for inspection near Gnjilane.

October: Constituent session of 50 member assembly representing ethnic Albanians from Presevo, Bujanovac and Medvedja is held in Presevo. Serbian miners go on strike. ICTY issues indictment against Milosevic for crimes in Croatia between August 1991 and June 1992. On 2 October, a Kosovar Albanian shot dead in his car in Mitrovica. On 6 October, a Roma man is stabbed to death in Gnjilane.

Serbian National Council (SNV) organises 4,000 strong protest in Mitrovica against forthcoming elections. 15 member coordinating council and 5 member presidency elected for ethnic Albanian assembly in Southern Serbia, later electing Riza Halimi as President.

November: UNSRG Haekkerup and FRY Special Representative Covic adopt UNMIK-FRY Common Document. Red Berets protest at arrest of Banovic brothers for warcrimes in Bosnia. Serb government accepts resignations of head and deputy heads of Serbian State Security Service (RDB) following Red Beret protests. Red Berets to be placed under Serbian Interior Ministry. Paris Club writes off 66% of FRY debt. Kosovo Assembly elections held, with final results: LDK 47/120 seats; PDK 26; Serb coalition Povratak 22.

December: Former editor in chief of Montenegrin weekly *Dan* sentenced to 3 months in prison for libel against Djukanovic. Covic makes public statement urging Kosovo Serb coalition Povratak not to participate in

Kosovo Assembly until FRY-UNMIK Common Document is implemented. On 10 December, the first meeting of the Kosovo Assembly is held.

2002

January: Serbia's parliament passes omnibus law restoring many of Vojvodina's autonomous powers, pending the enactment of a new constitution. Rugova fails to be elected in second and third rounds of voting for Kosovo President. German diplomat, Michael Steiner appointed by UNSG as new UNSRSG for Kosovo. Serbian Interior Ministry issue crime figures for Kosovo, indicating 59 killed during 2001: including, 33 Kosovo Serbs; 20 Albanians; 5 Roma and 1 other Serb. (See UNMIK figures in main text) International Judges free Kosovo Serb Radovan Apostolovic, who had been charged of genocide and war crimes.

February: Opinion poll by Serb Commission of Refugees says only 2 displaced Kosovo Serbs out of 10,000 living in Kursumlija in southern Serbia express any wish to return to Kosovo. 8 Kosovo Serbs begin KPC training. Steiner announces Local Elections to be held on 21 September if agreement has been reached on coalition government for the Kosovo Assembly. Kosovo Serb woman shot dead in Lipjan.

Rugova (LDK), Thaci (PDK) and Haradinaj (AAK) agree on formation of coalition government.

March: Rugova becomes President and Bajram Rexhepi (PDK) Prime Minister of Kosovo. US/UK demarche on President Rugova, PM Rexhepi and Speaker Daci over Rexhepi's recent public statements challenging FRY/Macedonia border agreement. Framework agreement for reconstitution of FRY into new entity of Serbia and Montenegro signed by leaders of FRY and two the republics.

April: Following increasing pressure from the US, which suspended aid to FRY in March, the Federal Assembly approves legislation allowing extradition of indicted war criminals. Of 10 former Yugoslav state officials indicted, six surrender to the Tribunal. Vujanovic resigns as Prime Minister of Montenegro, after four pro-independence ministers withdrew from his government in protest at the Republican Assembly's approval of the Belgrade agreement.

May: The Federal Assembly officially approves the agreement on the creation of a joint state. It is envisaged that a new constitution would be adopted later during the year, followed by national elections to the new joint legislature.

Kosovo Serb Povratrak nominates candidates for 3 Serb positions in Kosovo Government and Steiner's office. Former UCPMB commander Shefqet Musliu arrested by UNMIK police and KFOR. Steiner presents strategy paper for sustainable returns to Kosovo.

June: Reorganisation of the Serbian Government is approved by the Serbian Assembly. President Kostunica replaces Chief of General Staff of the Yugoslav Army, Nebojsa Pavkovic, who was closely associated with the actions in Kosovo during 1999. Former Yugoslav President, Zoran Lilic is arrested and extradited to the ICTY, having been subpoenaed as a prosecution witness in the trial of Milosevic.

FRY assembly passes amnesty law for persons suspected of committing terrorist off acts in southern Serbia between 1 January 1999 and 31 May 2001. Rugova and Thaci re-elected as presidents of their respective parties.

July: Serbian Presidential elections announced for 29 September to allow the extradition of the current President, Milutinovic, to the ICTY. Following the failure of Vujanovic to secure majority support for a new government, the Republican Assembly of Montenegro is dissolved and further elections scheduled for 6 October 2002. The ruling DOS coalition formally expels DPS (DSS) deputies, following their withdrawal in June. Kosovo parliament passes resolution on unconditional return of refugees and displaced persons. Local elections held in Bujanovac, Presevo and Medvedja - assessed as free and fair. Empty Serb houses bombed in Balance and Klokot.

August: Eight people wounded in attack at restaurant at Pec/Peje in Kosovo. UNMIK police fail to arrest Mitrovica bridgwatcher Milan Ivanovic, but attempt sparks protest of 1,000 Kosovo Serbs. Former KLA leader "Remi" Mustapha is arrested for alleged kidnapping and murder of ethnic Albanians in 1999. Demonstrations against arrests of KLA members lead to large scale demonstrations and violent clashes. September Kostunica wins the first round of the Serbian Presidential election, held on 29 September 2002.

October: Kostunica wins second round of Serbian Presidential election on 13 October 2002, but the turnout was below the 50% required for the result to be valid. The election will therefore need to be rerun before the end of the year, when Milutinovic's term ends. Kosovo municipal elections held 26 October 2002.

ANNEX B - MAIN POLITICAL PARTIES

SERBIA

Alliance of Peasants of Serbia Party:	Founded in 1990 originally as Peasants Party of Serbia. President Milomir Banic.
Civic Alliance of Serbia:	Contested elections in 1996 in an opposition alliance, known as Zajedno. Leader Vesna Pesic.
Democratic Party (DP):	Formed in January 1990, it is one of the two leading opposition parties making up the three members of the Zajedno opposition coalition. Supports free media, market economy, democracy, and was previously supported by Bosnian-Serb leadership. President is Zoran Djindjic.
Democratic Party of Serbia (DPS):	Formed in July 1992 by a breakaway, and more nationalistic, faction from the Democratic Party. Supports the full transformation to a democratic society. Led by Vojislav Kostunica.
Democratic Union of Albanians:	Founded 1990, President Ali Ahmeti.
Democratic Opposition of Serbia (DOS):	Formed in August 2000, a coalition of 18 opposition parties, in response to early elections being called by Milosevic. Led by President Vojislav Kostunica.
Alliance of Vojvodina Hungarians, Christian Democratic Party of Serbia Civic Alliance of Serbia Coalition Sumadija Coalition Vojvodina Democratic Alternative Democratic Centre Democratic Party (DP) Democratic Party of Serbia League of Social- Democrats of Vojvodina	
Movement for Democratic Serbia New Democracy New Serbia Party of Democratic Action Reform Democratic Party of Vojvodina Serb Resistance Movement-Democratic Movement Social-Democracy Social Democratic Union	
Liberal Party:	Favours a free market economy, founded in 1989. Leader Predrag M. Vuletic.

New Democracy (ND):	Formally part of the opposition group, Depos. Now junior member of ruling Coalition. Business orientated with little electoral support. President Dusan Mihailovic.
Nikola Pasic Serbian Radical Party:	Founded in 1995 following a split in the Serbian Radical Party. President Jovan Glamocanin.
OBRAZ	Far right nationalist movement
Otpor (translates as Resistance):	Although not a political party, Otpor were the most publicly anti-Milosevic organisation, which gained support from all levels of society. Formed in October 1998, initially as a student resistance group.
Party of Democratic Action:	Party of ethnic Albanians, founded in 1990. Leader Riza Halimi.
Party of Serbian Unity:	Ultra nationalist coalition, party leader was Zeljko Raznjatovic "Arkan". Commander of the 'Tigers' paramilitaries. Holds no seats in parliament.
People's Assembly Party:	Founded in 1992 as Democratic Movement of Serbia (Despos), a coalition of four parties and a party faction; reconstituted as a political party and renamed in 1995. President Slobodan Rakitic.
Presevo-Bujanovac Democrat Coalitions:	
Radical Party of the Left "Nicola Pasic":	
Regeneration of Serbia Party:	Milovan Drecun
Serbian Liberal Party:	Leader Nikola Milosevic.
Serbian Popular Party:	Leader Zelidrag Nikcevic
Serbian Radical Party (SRS):	Founded in 1990 by Vojislav Seselj. Hard left national party, which had a paramilitary wing known as the 'White Eagles'.
Serbian Renewal Movement (SPO):	Founded in January 1990 and was one of the two main members of the coalition Zajedno. Favours a multiparty democracy, a market economy, reintroduction of the monarchy and freedom for the media, and has a nationalist dimension. President is Vuk Draskovic.
Socialist Party of Serbia (SPS):	Formed in July 1990 from the League of Communists of Serbia and the Social Alliance of Serbia. Nationalist in outlook. Formerly led by President Slobodan Milosevic; acting President Zivadin Jovanovic.
United Radical Party of Serbia:	Leader Slobodan Jovic.
The Yugoslav United Left (JUL):	An alliance of 23 Left-wing organisations. Formed in July 1997. Led by Milosevic's wife, Mirjana Markovic.
Yugoslav Green Party:	Founded 1990, open to all citizens regardless of national, religious or racial affiliation. Leader Dragan Jovanovic.

SANDZAK

Lista for Sandzak:	A coalition of five ethnic Muslim political parties based in Sandzak, including the PDA-S.
Party of Democratic Action of Sandzak (PDA-S):	A Muslim party, aligned with the Bosnian PDA, and advocates autonomy for the Sandzak region. Chairman, Sulejman Ugjanin.

VOJVODINA

Alliance of Vojvodina Hungarians:	Advocates autonomous status for Vojvodina. Founded in 1993 following split in DZVM. Chair Jozsef Kasza.
Coalition Vojvodina:	Leaders Dragan Vasejinov and Nenad Cenak.

Democratic Community of Vojvodina Hungarians: (Demokratska zajednica Vojvodjanskih Madjara - DZVM) Founded in 1990 and supports interests of ethnic Hungarian minority in Vojvodina. Chair Sandor Pal.

Democratic League of Vojvodina:

Reform Democratic Party of Vojvodina:

Founded in 1992; President Ratko Filipoviae.

Vojvodina Democratic Opposition:

MONTENEGRO

Democratic Alliance of Albanians in Montenegro

Chair Mehmed Bardhi

Democratic League of Montenegro

As above, Mehmed Bardhi

Democratic Party of Montenegrin Socialists (DPMS):

Name changed from League of Communists of Montenegro in 1991; supports continued federation; division within the party emerged in mid-1997. Chair. Milo Djukanovic.

League of Communists - Movement for Yugoslavia of Montenegro:

Chair Rade Lakusic

Liberal Alliance of Montenegro: Party of Democratic Action - Montenegro:

Pro-independence party. Leader Miodrag Zivkovic. Slav Muslim party affiliated to the PDA of Bosnia and Herzegovina. Leader Harun Hadzic.

Peoples Party of Montenegro:

Chair Dragan Soc.

Peoples Socialist Party of Montenegro:

Leader Dusko Jovanovic

Social-Democratic Party of Montenegro (SDP):

Leader Zarko Rakcevic

Socialist People's Party of Montenegro:

Leader Momir Bulatovic. Pro - Milosevic party.

KOSOVO

Alliance for the Future of Kosovo (AAK)

Party founded by key ex-KLA figure Ramush Haradinaj

Albanian Democratic Movement:

Founded in 1998 by former members of the Democratic Alliance of Kosovo, ethnic Albanian party; Chair Redzep Cosja.

Christian Democratic Party (CDP):

An Albanian party with close links to the LDK. The party is led by Mark Krasniqi, formerly with the Parliamentary Party of Kosovo. The CDP advocates more extreme methods, but has less maximalist aims than the LDK. This party also boycotts Serbian elections.

Democratic Reform Party of Muslims:

Party of left-wing ethnic Muslims. President Azar Zulji.

Lbd(levizja e Bashkuar Demokratike) - United Democratic Movement

Coalition, headed by Rexhep Qosja - on good terms with KLA and contains many ex-LDK.

Includes the following parties:

LDSh(Levizja Demokratike Shqiptare) Albanian Democratic Movement

PPK (see below)

Albanian Unification Party PUKSh/
UNIKOMB

Albanian Liberal Party PLSH

Albanian National Party PLSH

Greens

Albanian Republican Party PLSH

LDK (Democratic League of
Kosovo aka Democratic Alliance of
Kosovo DAK):

Founded December 1989. In September 1991 the party held an unofficial referendum on independence, which had an overwhelming vote in favour. Unofficial elections were held in May 1992 in which the chairman, Dr Ibrahim Rugova was elected President of the Republic (of Kosovo). Member of JIAS.

KLA - based party. Radical.

LKCK (Levizja Kombetare per
Clirimin e Kosoves) - National
Movement for the Liberation of
Kosovo

LPK (Levizja Popullore e Kosoves) Radical party.
People's Movement of Kosovo:

PBD (Partia e Bashkimit
Demokratik- Democratic Union
Party): KLA - based party but key figures such as Thaci not members

PDK (Democratic Party of Kosovo) Party established following the demilitarisation of the KLA, headed by
Formerly PPDK (Party for a Thaci. Member of Assembly
Progressive and Democratic
Kosovo):

Parliamentary Party of Kosovo Political wing of the Kosovo Liberation Army (KLA).
(PPK):

Party of Democratic Action of Party of ethnic Muslims affiliated to the PDA of Bosnia and
Kosovo and Metohija (PDA-KM): Herzegovina. Chair Numan Balic.

Central Liberal Party of Kosovo Small party.
(PQLK)

Serbian Democratic Council of President Svetozan Gmijic
Kosovo

Serb National Council Leader Rada Trajkovic

Serb Resistance Movement: Ethnic Serb group, led by Momcilo Trajkovic.

Turkish Democratic Union: Parties representing interests of ethnic Turks.

Turkish Peoples Party of Kosovo:

ANNEX C - PROMINENT PEOPLE

Agani, Fehmi (deceased) -Moderate leader, former Vice President of LDK

Artemije, Radosavljevic - Bishop, Head of Serb Orthodox Church in Kosovo, moderate

Balic, Numan - Bosniac member of Transitional Council (KTC).

Bokan, Dragoslav - Ultra-nationalist politician. Serb paramilitary leader.

Brovina, Flora - Kosovar human rights activist, became presidential candidate for PDK

Buja, Rame - PDK member. Former KLA political directorate and former member of LDK.

Bukoshi, Bujar - Founder member of LDK with Rugova but since have become rivals. Also bitter rivals with KLA. Prime Minister of parallel Government 1991.

Bulatovic, Momir - Leader of Montenegrin opposition party. Previously President of Montenegro until 1997.

Ceku, Agim - Former KLA commander, now heads Kosovo Protection Corps (KPC). Has been cited for war crimes when in Croatian army. Supervised demilitarisation of KLA.

Cosic, Dobrica - Influential Serbian nationalist writer seen as spiritual father of Serbs. President of FRY from 1992-93.

Covic, Nebojsa - Deputy Prime Minister of Serbia

Demaci, Adem - Leader of the Parliamentary Party of Kosovo until 1998. Relatively moderate, has been critical of Thaci. Influence declining.

Djindjic, Zoran - President of Democratic Party (DP) and Prime Minister of Serbia.

Draskovic, Vuk - Charismatic Serbian politician, now marginalised

Djukanovic, Milo - President of Montenegro.

Haekkerup, Hans - Former UN Special Representative of the Secretary General in Kosovo - Head of UNMIK

Hajrizi, Mehmet - Former LDK leader now in LDSh. Member of Transitional Council.

Halimi, Riza - Mayor of Presevo and ethnic Albanian political leader

Haradinaj, Ramush - AAK leader, ex-KLA commander.

Haxhiu, Baton - Editor of newspaper *Koha Ditore*

Hyseni, Hydajet - Leading figure in LBD

Ivanovic, Oliver - Kosovo Povratak member of Kosovo Assembly.

Ivanovic, Milan - Serb "bridgwatcher" leader in Mitrovica

Kavaja, Burhan - Ethnic Albanian Head of Trepca mine, imprisoned after miners' strike of 1989.

Kostunica, Vojislav - President of FRY.

Kosumi, Bajram - Leader of PPK, Vice President of AAK.

Kouchner, Bernard - Former Special Representative of the UN Secretary General in Kosovo - Head of UNMIK.

Krasniqi, Mark - Leader of Christian Democratic Party.

Lilic, Zoran - Former President of FRY (from 1993-97).

Mahmuti, Bardy - IPDK Secretary for Foreign Relations.

Markovic, Mirjana - Slobodan Milosevic's wife. Was powerful and influential figure. Belgrade university professor. Leader of the JUL.

Mihailovic, Dusan - President of New Democracy (ND), Serbian Interior Minister.

Milosevic, Slobodan - Former President of FRY, now on trial by ICTY for a range of charges.

Mladic, Ratko - General Commander of Bosnian Serb Army from 1992. Previously Commander of Knin Corps. Indicted for war crimes.

Morina, Zef prominent - Christian Democratic Party member.

Qosja, Rexhep - Former leader of LDSH and overall leader of LBD coalition. Former member of Transitional Council (KTC). Former member of Interim Administrative Council, influence declining. Now with PDK.

Rakitic, Slobodan - President of Democratic Movement of Serbia (Depos).

Rexhepi, Bajram - Former mayor of Mitrovica (PDK), now PM of Kosovo Assembly

Rugova, Ibrahim - LDK founder and President, who advocated peaceful resistance. Principal moderate ethnic Albanian figure in Kosovo. Now President of Kosovo Assembly.

Rev. Sava Janjic - Aka Father Sava and "Cybermonk". Voice of tolerance.

Selimi, Rexhep - Prominent KLA member.

Selimi, Sylejman - Former Commander in chief of the KLA, appointed February 1999

Seselj, Vojislav - Leader of ultra-nationalist Serbian Radical Party. MP in Serbian Parliament. Commanded paramilitary unit during the war.

Shala, Blerim - Editor of magazine "Zeri". Member of KTC.

Shala, Shaban - KPC Commander Zone1.

Shukriu, Edi - Member of LDK presidency.

Solevic, Miroslav - Kosovo Serb activist.

Steiner, Michae - IUN SRSG for Kosovo, Head of UNMIK

Surroi, Veton - Publisher of "Koha Ditore" newspaper. Politically independent. Founder of the PPK, but has been critical of all parties.

Tahiri, Edita - Close associate of Rugova, key LDK figure.

Thaci, Hashim - Key political leader associated with KLA. Now PDK. Was PM of Provisional Government. Member of Interim Administrative Council.

Trajkovic, Moncilo - Chairman of FRY Committee for Co-operation with UNMIK. President of Kosovo Serbian Resistance Movement (SPO) Critic of Milosevic, would like to see cantonisation of Kosovo.

Trajkovic, Rada - Kosovo Serb representative on Interim Administrative Council. Member of Democratic Xion Party of Serbia (PMSS). Former member of Serb Radical Party.

Vllasi, Azem - Ethnic Albanian Kosovo Party leader. jailed in 1989 after Milosevic pledged to arrest him at mass rally. Released in April 1990. No influence.

ANNEX D - ABBREVIATIONS

DOS - Democratic Opposition of Serbia

EU - European Union

FRY - Federal Republic of Yugoslavia

IAC - Interim Administrative Council

ICTY - International Criminal Tribunal for the former Yugoslavia

JIAS - Joint Interim Administration Structure

JNA - Former Yugoslavia Peoples' Army

JUL - Yugoslav United Left Party

KFOR - Kosovo Force

KLA - Kosovo Liberation Army (aka UCK)

KPC - Kosovo Protection Corps

KPS - Kosovo Police Force (local police force)

KTC - Kosovo Transition Council

KVM - Kosovo Verification Mission

MUP - Serb Special Police

NATO - North Atlantic Treaty Organisation

NGO - Non-Governmental Organisations

OSCE - Organisation for Security and Co-operation in Europe

PDK - Democratic Party of Kosovo

SDS - Serbian Democratic Party

SFRY - Socialist Federal Republic of Yugoslavia

SPS - Socialist Party of Serbia

SRSG - Special Representative of the (UN) Secretary General

TMK - Albanian abbreviation for KPC

UCK - Ushtria Clirimtare e Kosoves (Albanian for KLA)

UCPMB - Ushtria Clirimtare e Medvedja, Presheve Bujanovac

UN - United Nations

UNHCR - United Nations High Commissioner for Refugees

UNIP - United Nations International Police

UNMIK - United Nations Mission in Kosovo

UNSCR - United Nations Security Council Resolution

VJ - FRY Army

ANNEX E - REFERENCES TO SOURCE MATERIAL

Part I

Part II**ANNEX E****REFERENCES TO SOURCE MATERIAL**

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