

for the JNA's withdrawal from Croatia and began a dialog with Croatian and Bosnian leaders on mutual recognition. Although federal officials promised a crack-down on Serbian nationalist paramilitary groups that were intimidating minorities in Serbia/Montenegro and fighting in Bosnia and Herzegovina, federal authorities arrested only a handful of paramilitary figures and did not confront the most notorious ones who were thought to have special links to Serbian President Milosevic.

The disastrous economic policies of the Serbian Government, the cost of the wars in Croatia and Bosnia and Herzegovina, and the effects of international sanctions produced a massive economic crisis in Serbia/Montenegro. Many essential commodities were in short supply, and foreign trade was at a standstill. An estimated 60 to 80 percent of the work force was either unemployed or on mandatory leave, and hyperinflation amounting to 20,000 percent in 1992 destroyed the value of the currency.

Serbian police under President Milosevic's control extensively, brutally, and systematically violated human rights in the Serbian province of Kosovo, continuing the pattern of gross human rights violations and systematic repression of Kosovo's majority Albanian population. Serbian authorities maintained complete control over all aspects of political, economic, social, and cultural life. The police routinely and systematically carried out arbitrary arrests of Albanians, and police torture and brutal beatings during interrogations resulted in a number of deaths; those responsible were not prosecuted. Serbian nationalists and paramilitary groups, encouraged by the Milosevic regime, used threats and violence to intimidate minorities—Muslims in the Sandzak area, Croats and Hungarians living in Vojvodina, and ethnic Albanians in Kosovo—resulting in disappearances and deaths. Ethnic Serbian and Montenegrin democratic opposition leaders were routinely denied fair access to government-controlled mass media and subjected to acts of intimidation. The Milosevic-dominated Serbian Assembly adopted laws restricting freedom of assembly and university autonomy. Freedom of press and speech are guaranteed by law but in practice not respected.

RESPECT FOR HUMAN RIGHTS

Section 1

Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

Political violence in Serbia/Montenegro resulted primarily from efforts by Serbian authorities to suppress other ethnic groups.

Leaders of minority communities centered in Vojvodina, Sandzak, and Kosovo reported that violence by the authorities or by Serbian paramilitary groups was intended to intimidate non-Serbs into leaving Serbia and Montenegro and ultimately to achieve the "ethnic cleansing" of these republics.

One of a number of extrajudicial killings took place in the village of Hrtkovci, in Vojvodina, where one ethnic Croat was killed, apparently by Serbian nationalists carrying out "ethnic cleansing" in the village, and an ethnic Serb accused of aiding his non-Serbian neighbors was also attacked. In August, at the insistence of federal authorities, the Hrtkovci mayor and a local Serbian paramilitary leader, together with three other men, were charged in connection with violence in the village.

In the Sandzak, Muslim leaders alleged that several unsolved murders of ethnic Muslims were politically motivated, including those of Selim Sejfic near Novi Pazar on October 15 and of Berbo Ramo near Priboj on August 26, the latter allegedly killed by members of the Serbian "White Eagles" paramilitary group. In October two Muslim men were killed in Belgrade (Ismet Bektasevic on October 14 and Ibro Hajrovic on October 17), and Muslim leaders claimed their deaths also were connected to a campaign to intimidate Muslims into leaving Serbia. On December 8, a hand grenade exploded at a mosque in Belgrade. Two Muslim patients abducted from the Priboj hospital in July were later found murdered across the border in Bosnia, in an area controlled by Serbian paramilitary forces.

In Kosovo at least 15 ethnic Albanians died at the hands of police during 1997. None of the incidents were investigated by the authorities, nor were the policemen involved in the killings indicted. In a well-documented case in mid-December 1992, Adem Zeqaj was severely beaten by policemen in the police station of Ponosnec. When taken to a hospital, he was reported to have been in a state of shock, his kidneys had almost stopped functioning, and he suffered from internal bleeding. He died the following day, reportedly from kidney insufficiency. However, the Director of the Institute of Forensics, who was unwilling to give international observers details of the cause of death, denied that the victim's kidneys had been damaged. An international human rights organization reported two deaths as the result of injuries sustained during interrogations. Although the families of both victims requested investigations of these killings, the Government did not respond. Kosovo Albanian sources reported at least two other deaths as the result of police raids on the villages of Lesan and Lacrovic. In the latter case, police claimed one of the dead had committed a crime. A number of Albanian citizens were killed by Serbian/Montenegrin border guards in the vicinity of the border with Albania under circumstances suggesting excessive use of force.

b. Disappearance

Serbian paramilitary forces and nationalist groups are largely responsible for numerous disappearances of Muslims. In October Serbian paramilitary forces kidnaped 17 Muslims who were traveling between the village of Sjeverin and the town of Priboj in Serbia's Sandzak region on a section of road that passes through Bosnian territory. Although Serbian republic police and federal army units were subsequently dispatched to the area and two persons were arrested, the fate of the abducted Muslims remained unknown. Two men disappeared from the predominantly Muslim district of Rozaje, Montenegro, after being forcibly mobilized into the VJ in August, according to their parents, who were refused information on their sons' whereabouts by military officials. On May 20, Sefko Kubat, a refugee from Bosnia, was arrested in Sutomore, Montenegro. After 4 days in detention, he was moved to an unknown location, according to his wife, who believes he may have been turned over to the Serbian Democratic Party (SDS) in Bosnia, to be offered in a prisoner exchange there.

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

Federal law prohibits torture, but there were numerous reports of severe beatings of persons in detention, most frequently involving ethnic Albanians in Kosovo. Among the hundreds of victims of such abuse were the Secretary of the Council for the Defense of Human Rights and Freedoms and a member of the Executive Board of the Kosovo Helsinki Committee. In many cases, police inflicted beatings on citizens in the street, in full public view. Although defense lawyers demonstrated that 19 Albanian youths were beaten while being held in pretrial detention, no police or prison officials were prosecuted for the beatings. During demonstrations in Pristina and other Kosovo towns in October, police used tear gas and truncheons against peaceful ethnic Albanian demonstrators, and a number of people were injured (see Section 2.b.). Police also beat ethnic Turks in Prizren for participating in a peaceful demonstration and arrested and beat a German citizen observing the demonstration.

In Sandzak, several cases were reported in which army reservists and Serbian paramilitary members beat ethnic Muslims, including one incident near Tutin in May in which an 85-year-old man was beaten.

Prison conditions are harsh. A citizen of Albania, arrested on suspicion that he was traveling to Croatia to join the military forces there, was badly beaten while incarcerated at the prison in Sremska Mitrovica. In women's prisons, inmates were reported to be forced to stand or sit on the concrete floor from 5:30 a.m. to 9:00 p.m.; they were fed twice daily, allowed two 10-minute exercise periods (with handcuffs), and permitted two bathroom breaks daily. Men's prisons are reported to be crowded with meagre rations.

d. Arbitrary Arrest, Detention, or Exile

Federal law permits detainees to be arrested without a warrant and held incommunicado up to 3 days without charge or access to a defense attorney. After this period, a suspect must be turned over to an investigating judge, who may order a 30-day extension of investigative detention. The courts may extend this period an additional 5 months before charges must be brought. During investigative detention, detainees have theoretical access to a lawyer, although in practice they often do not.

Arbitrary arrest continued to occur frequently in Kosovo in 1992. Ethnic Albanians were frequently detained for as long as 2 months for peacefully exercising their rights to freedom of expression, association, and assembly. Among those arrested were the Chairman of the Albanian Teachers' Association, who was detained in August and held for over 2 months, and the Vice President of the Democratic Alliance of Kosovo (LDK), who was detained in June. No charges were filed in either case. Mass arrests occurred in June when the Albanians attempted to convene the assembly of the self-proclaimed "Kosovo Republic," in September when they attempted to enter public schools without accepting the education program mandated by the Serbian Government, and in October when they organized a mass education protest.

For harassment with the intention of provoking departure and exile, see Section 1.g.

e. Denial of Fair Public Trial

The court system comprises local, district, and supreme courts at the republic level, and a Federal Supreme Court to which republic Supreme Court decisions may be appealed. There is also a military court system. According to the federal Constitution, the Federal Constitutional Court rules on the constitutionality of laws and regulations, relying on the republic authorities to enforce its rulings. The Federal Criminal Code of the former Yugoslavia still applies, but until the new Federal Constitutional Court is established, republic constitutional courts in effect have the final say on federal law. The Federal Assembly blocked efforts by the Federal President and his Government to establish a new constitutional court under the new FRY Constitution. The result is that the constitutionality of federal laws cannot be contested effectively.

Under federal law, defendants have the right to be present at their trials and to have an attorney, at public expense if needed. The defense, however, is sometimes restricted in the time allowed to prepare its case. Both the defendant and the prosecutor may appeal the verdict. The judiciary is not free of political influence or of ethnic bias.