

system in Kosovo, signed in 1996; noted with concern the use of force by Serbian police against peaceful Kosovo Albanian student protesters on 1 October 1997 and the failure of the FRY government to make reasonable accommodation to address the legitimate grievances of the students; expressed deep concern about all violations of human rights and fundamental freedoms in Kosovo, in particular the repression of the ethnic Albanian population and discrimination against it, as well as acts of violence in Kosovo; called on the FRY authorities to: (a) take all necessary measures to bring to an immediate end all human rights violations against ethnic Albanians in Kosovo, including, in particular, discriminatory measures and practices, arbitrary searches and detention, the violation of the right to a fair trial, and the practice of torture and ill-treatment, and revoke all discriminatory legislation; (b) release all political prisoners, and cease the persecution of political leaders and members of local human rights organizations; (c) allow the return in safety and dignity of Albanian refugees from Kosovo to their homes; (d) allow the establishment of genuine democratic institutions in Kosovo, including the parliament and the judiciary, and respect the will of its inhabitants; and, (e) allow the reopening of the educational, cultural and scientific institutions of the ethnic Albanians; urged the authorities to pursue a constructive dialogue with the representatives of the ethnic Albanians of Kosovo; emphasized the importance of laws and regulations concerning citizenship being in accordance with the standards and principles of non-discrimination, equal protection before the law and the reduction and avoidance of statelessness, as set out in the relevant international human rights instruments; and, emphasized that improvements in the promotion and protection of human rights and fundamental freedoms in Kosovo will assist the Federal Republic of Yugoslavia (Serbia and Montenegro) to establish the full range of relations with the international community.

### FIELD OPERATIONS

The 1997 reports of of the human rights field operation in the former Yugoslavia (HRFOFY: January, April, May, July, August, October, November, December) provide an overview of leading human rights concerns in Yugoslavia and summarize difficulties arising following the second round of local elections on 17 November 1996, noting the massive daily protests held throughout Serbia by the opposition and, separately, by students. The reports refer to, *inter alia*: the use of unnecessary force involving security personnel from the Ministry of the Interior and police, some operating in plain clothes; preparation of a new Penal Code which will no longer provide for the death penalty and the new Code of Criminal Procedure which should contain improved provisions for early access to lawyers and limit the 72-hour period during which suspects may be held in police custody without judicial supervision or access to lawyers; serious concerns related to the freedom of the media, especially the electronic media; a draft Public Information Law which, while prohibiting censorship of public information services, contains various proposals which appear to contravene important human rights guarantees protecting the right to freedom of expression and the media; in Montenegro, the postponement of the trial of Nebojsa Ranisavljevic, who is the only person to have been arrested

for alleged involvement in the February 1993 abduction and subsequent "disappearance" from Strpci station of 19 passengers, nearly all Muslims, travelling on the Belgrade-Bar train; preparations for the September and October elections as well as ongoing difficulties related to forced evictions, court-ordered evictions to facilitate the return of the rightful owners and incidents involving bombings; and, the Presidential elections in Montenegro and Serbia.

With regard to the situation in Kosovo, the reports note, *inter alia*: widespread police abuse or torture and the situation of rejected asylum seekers returning mainly from Western European countries to Kosovo; violent attacks against the local Serb authorities and their alleged Albanian collaborators, which contributed to increasing tensions in the region; the signing of the Memorandum of Understanding on the normalization of education in Kosovo, in September 1996, and the fact that six months after the signing neither side had moved closer to putting it into effect; the trial of 20 Kosovo Albanians — two of them in absentia — accused of forming an illegal organization called the "National Movement for the Liberation of Kosovo" and charged with threatening the constitutional and territorial integrity of the Federal Republic of Yugoslavia (FRY); police abuses, "hostage" arrests, repatriation of rejected asylum seekers from other areas of Europe, and student demonstrations and protests over failure to implement the memorandum related to normalization of education; ill-treatment and harassment by the police and security services in Kosovo, including arbitrary detention and ill-treatment of journalists and political activists; and the failure to implement the memorandum on education in Kosovo; the start and continuation of the trial, in Pristina, of 19 Kosovo Albanians accused of terrorist activities; and, the emergence of the organization calling itself "the Liberation Army of Kosova" (UCK) and its call for armed resistance as the only solution for the Kosovo Albanian people to gain independence.