

by security forces; and ceasefire and political negotiations.

In the context of the conditions on the ground in Kosovo and the extensive discussions with all concerned parties in Belgrade and Pristina, the SRep referred to: the impact on neighbouring regions; several reports of kidnappings and killing of Serbian civilians by the Kosovo Liberation Army (KLA) — calling on the international community to condemn strongly all atrocities and violence against civilians, regardless of their provenance; education for Kosovo Albanians — calling for immediate implementation of the Education Agreement signed in 1996 between President Slobodan Milosevic and Professor Ibrahim Rugova; recruitment and use of children — noting a lack of evidence of the systematic use of children as combatants in the fighting in Kosovo but allowing for the possibility that children may have been used in support roles, such as reconnaissance, or serving as messengers and porters, and calling for preventive advocacy and vigilance to ensure that fighting forces do not begin to engage children in hostilities; and use of landmines — noting only isolated reports of the use of anti-personnel landmines and the need for the government and KLA to refrain from the use of landmines in Kosovo.

Reference is also made to: assistance for Serbian refugees in the FRY — stating the importance of the international community not forgetting the needs of these refugees, both for humanitarian assistance and for permanent resettlement; monitoring the impact of sanctions on children — calling on the Security Council to review the effect of the ongoing sanctions regime on children in the FRY, particularly with regard to the provision of educational and medical services; and observing the Convention on the Rights of the Child — calling for the international community to insist that all concerned parties, including non-state actors such as the KLA, fully respect the principles and provisions of the Convention.

GENERAL ASSEMBLY

Special Rapporteur of the Commission on Human Rights

Between the 54th (1998) session of the Commission on Human Rights and 1998 General Assembly, Mr. Jiri Dienstbier (Czech Republic) was appointed to replace the previous Special Rapporteur (SR) for the territory of the former Yugoslavia. The SR's consolidated interim reports to the 1998 General Assembly Situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia were prepared by Mr. Dienstbier. The sections concerning Yugoslavia (FRY) (A/53/322, Section V; A/53/322/Add.1, Section III) contain information on, *inter alia*: arrest and detention standards; freedom of assembly; refugees and displaced persons; Kosovo, Sandzak and Montenegro; restrictions on Serbian media; and the Serbian law on universities. The SR conducted three missions to the FRY: 5 to 8 April, 10 to 21 September, and 21 to 29 October 1998.

In the introduction to his report, the SR stressed that because of the pace of developments in the FRY, particularly the crisis in Kosovo, he intended to submit a letter to the Commission on Human Rights after his September 1998 mission to act as an early warning of issues that may threaten the protection of human rights of persons in the FRY.

Commentary on the situation in Kosovo noted, *inter alia*: that violence had accelerated into a crisis with international consequences; information about the crisis has been characterized by high-tech campaigns, political colouring of facts, and sensational headlines; the numbers of persons killed, wounded, abducted, arrested or alleged missing could not be definitively confirmed; security considerations often prevented access to areas of concern; the failure to include in the work of diplomatic monitors a human rights component; the change in the nature of the conflict from isolated attacks and retaliations to a sustained armed confrontation along fluid front lines; use of excessive force by government forces, including deliberate destruction of property, leading to extensive civilian casualties; arbitrary killings by the police in the villages of Ljubenic and Poklek; abductions of both Serbs and Albanians by armed Kosovo Albanians believed to be part of the Kosovo Liberation Army (KLA); enforced disappearances attributed to state security forces; and torture during pre-trial detention in Kosovo.

Concerning arrest and detention standards, the SR expressed alarm at consistent disregard by Serbian state security forces throughout the Republic of international standards, as well as domestic law and procedures governing police conduct and the treatment of pre-trial detainees. Violations noted included: pre-trial detention longer than the period mandated by law; serious difficulties for lawyers in gaining access to their clients; the fact that lawyers are not allowed, as a general rule, to consult their clients in private; denial of access to detainees' own physicians and access only to official physicians provided by the police or court; routine beatings and ill treatment in pre-trial detention; failure of official physicians to report injuries sustained by detainees during police interrogations and failure to provide adequate medical treatment; and abuse of the investigative procedure of "informative talks".

The reports note that, between April and August 1998, there were over 100 separate protests by Albanians and Serbs in towns in Kosovo; most of these proceeded peacefully, in the presence of police. During the same period, in parts of Serbia outside Kosovo, armaments factory workers, students, university professors, pensioners and parents of army conscripts took to the streets in several protests. The reports note that police violently dispersed several thousand students and professors who gathered in front of the Serbian Parliament in May 1998 to protest the new law on universities; in June, in downtown Belgrade, police beat a group of students who tried to demonstrate outside the Serbian government building. The SR stated that police were more likely to react violently to small student demonstrations in Belgrade than to mass demonstrations in Pristina.