

Information is also included on the situation in Vojvodina related to the rights of the Hungarian and Croat communities, the situation in Sandzak and actions against the local Muslim population, the situation of the Bulgarian community which makes up about 0.3 per cent of the total population of Serbia and the situation of minorities in Montenegro.

The report concludes with several recommendations, including that:

- ▶ international monitors be posted in Kosovo and the Sandzak region;
- ▶ the FRY government establish an ombudsman-type institution at the national level to assist in the resolution of human rights problems, including those related to minority rights;
- ▶ human rights courses be included in curricula throughout the territory of the former Yugoslavia; and,
- ▶ the international community give stronger support to local non-governmental organizations, including through the Office of the High Commissioner for Human Rights and the programme of confidence-building measures developed by the Council of Europe.

The Special Rapporteur's general reports on the situation in the former Yugoslavia (E/CN.4/1997/9, Section IV; E/CN.4/1997/56, Section IV) include information related to legal guarantees for the protection of human rights, security of the person, the right to life, freedom of expression and the media, the situation of refugees, the Law on Citizenship, the situation of minorities, non-governmental organizations, avenues for redress, the right to free elections and, in Kosovo, police abuse, torture and arbitrary detention, the return of asylum-seekers and education.

The reports recommend that the government:

- ▶ give a commitment not to take action against any electronic or print media which provide news that might be seen as critical of the government;
- ▶ permit an independent television channel to operate nationwide;
- ▶ take prompt action against any person or institution that incites hostility and violence;
- ▶ enable an independent authority to investigate promptly allegations of ill-treatment or torture;
- ▶ ensure that no person is convicted on the basis of statements extracted by torture or other forms of cruel and inhuman treatment or punishment;
- ▶ take effective steps to halt police abuses in Kosovo;
- ▶ permit international and regional human rights monitors to establish a presence in Kosovo;
- ▶ review legal provisions to ensure that all arrested persons are allowed prompt access to a lawyer of choice; and,
- ▶ ratify the Optional Protocol to the International Covenant on Civil and Political Rights.

The report on the special process related to missing persons

The report on the special process related to missing persons (E/CN.4/1997/55) contains information related to, among other things, communications on individual cases of missing persons, facilitation of the exhumation of mortal

remains and the root causes of the disappearances. The report focusses on the situation of missing persons in Croatia and Bosnia and Herzegovina and notes that the continuing non-cooperative attitude of the FRY government was a serious obstacle to efforts to clarify the fate of the missing persons in Croatia. The report states that although the government has officially accepted responsibility for the cases of missing persons which occurred during the armed conflict in 1991 between the Yugoslav National Army (JNA) and the Croatian forces, it has never responded to any of the cases which were transmitted by the expert during the past years and notes that 128 more cases of missing persons of Croat origin were transmitted to the government, the majority of them having occurred in 1991 and 1992, and for which the JNA and the Serb paramilitary groups were allegedly responsible. The report reiterated a request to the government to cooperate fully with the special process and to disclose all information related to the fate and whereabouts of missing persons, whether alive or dead.

Resolution of the Commission on Human Rights

At its 1997 session, the Commission adopted an omnibus resolution on the situation in the territories of the former Yugoslavia (1997/57). In addition to points raised in sections on violations of human rights, general obligations and the International Tribunal, the Commission specifically: called on the FRY government to make greater efforts to institute democratic reforms, expand opportunities for independent media, institute non-partisan management of state-owned media and cease efforts to restrict press and broadcast journalism; called on the government to cease torture and ill-treatment of persons in detention; called on the government to revoke discriminatory legislation and prevent arbitrary evictions and dismissals and discrimination against any ethnic or national, religious or linguistic group; called for respect of the rights of persons belonging to minorities; called for an immediate end to continuing repression in Kosovo, including harassment, beatings, torture, searches without warrant, arbitrary detention, unfair trials, arbitrary evictions and dismissals; called for the release of all political detainees and the lifting of restrictions on the return of ethnic Albanians to Kosovo; and, called on the government to allow establishment of democratic institutions in Kosovo.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4, paras. 17, 18)

The report notes an urgent appeal on behalf of six persons was sent to the government. No details of the appeal were provided.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, para. 33)

The report refers to the special process on missing persons in the territory of the former Yugoslavia which was established by the Commission on Human Rights in 1994.

Religious intolerance, Special Rapporteur on: (E/CN.4/1997/91, paras. 9, 17, 21, 25, 66)

The report notes violations of religious freedom against Jehovah's Witnesses and, on the question of conscientious