

the importation of foreign printed materials, noting that such laws may violate the Covenant's provisions and, in more general terms, make the degree of its incorporation into the domestic legal system uncertain; the fact that the principle of equality between women and men is far from being implemented in practice, particularly in the spheres of employment and education, in spite of progress in some areas such as the judiciary; and, bearing in mind that marital rape has been considered a crime since 1996, reports indicating that domestic violence against women is widespread. Concerns were also raised in relation to the continuation of the practice of forcing citizens to attend "informative talks" at police stations, the continuing low level of minority participation in political, administrative, cultural and other institutions, and the situation of the Roma population.

The Committee recommended that the government, *inter alia*:

- ♦ provide for an independent investigation of events in Gostivar in July 1997, subject those found responsible to appropriate penal or disciplinary sanctions, and take all necessary measures to prevent similar occurrences anywhere within the country;
- ♦ ensure appropriate disciplinary or penal sanctions against persons responsible for cases of abuse of police authority; strengthen training programmes on human rights for the police and establish permanent mechanisms for ongoing instruction with the participation of international agencies and experts in the field;
- ♦ ensure that persons under its jurisdiction enjoy the right to seek and impart information and repeal any legislation which runs counter to those rights;
- ♦ take further measures without delay to ensure genuine equality between women and men, noting the activities of the Department for the Promotion of Gender Equality and other governmental initiatives to overcome deeply rooted stereotypes and traditions;
- ♦ ensure that concerted action is taken by all public authorities to reduce the incidence of domestic violence and to strengthen the remedies which are open to women who are subjected to it; and
- ♦ strengthen its programmes to increase the representation of the Albanian and other ethnic minorities in public life, including the civil service, army and police; continue to encourage minority participation in the design, organization and functioning of the educational system, in particular at the secondary and higher educational levels, and provide for the training of teachers of minority languages in public establishments.

## COMMISSION ON HUMAN RIGHTS

### Report of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia

The mandate of the Special Rapporteur on the former Yugoslavia was established at the Commission's 1992 special session. Since that time, the situation in the FYR Macedonia has been addressed in the general report on the situation in the territory of the former Yugoslavia. The resolution adopted at the 1997 session of the Commission anticipated conclusion of consideration of the situation in FYR Macedonia based on a final and separate report from the Special Rapporteur unless there was information indicating that continued monitoring was advised. Ms. Elisabeth Rehn was the Special Rapporteur (SR) who prepared the report for the 1998 Commission.

The SR's report to the 1998 session (E/CN.4/1998/12), includes information on: legal protections, the Office of the Ombudsman, security of person and the incident in Gostivar, the right to freedom from arbitrary arrest and detention, minority rights, freedom of religion, the situation of the media, the right to an adequate standard of living and the situation of refugees.

In general observations, the SR comments that the government had made considerable progress in the maintenance of peace and the protection of human rights and had succeeded in staying at peace with neighbours in a volatile region. Note was also made of the increasing contacts between FYR Macedonia and its neighbours as well as the establishment of diplomatic relations with Greece and Yugoslavia. The SR cautioned against complacency, however, and stated that close monitoring of developments in the region is necessary. The instability in Albania and the increase in weapons smuggling and other illegal activities were identified by the SR as causes of concern.

The review of legal protections notes, *inter alia*, that the process of legislative reform has been slow and the Constitutional Court has to intervene from time to time to bring laws into conformity with the Constitution and most basic laws are now in place so that the legal structure of the state has been established; the reform of the judiciary gained momentum with the implementation of the new Law on Courts in July 1996 but many courts still face technical and financial difficulties and lengthy delays in court proceedings have been reported as well as challenges to the competence and independence of some judges; and FYR Macedonia is a state party to virtually all major international human rights instruments, became a member of the Council of Europe in November 1995, and ratified the European Convention on Human Rights and several of its Protocols, as well as the Framework Convention for the Protection of National Minorities.

Commentary on the Office of the Ombudsman notes that at the time the report was prepared: the Office had not yet become operational, but was expected to be func-