

bodies or organs of international organizations of which Ukraine is a member or in which it participates; the right to compensation arising from any material or moral injury caused by the state or its agents; the right of all citizens to know their rights and duties; the obligations of investigating bodies, official investigators, the public prosecutor and the courts in taking action to provide compensation for the injury caused to citizens by illegal acts; the reimbursement of the cost of in-patient treatment of victims of offences; with regard to unlawful acts of bodies conducting investigations or preliminary investigations, the public prosecutor's office and the courts, the entitlement of compensation for injury to be paid in full, regardless of the liability of the officials, bodies conducting investigations or preliminary investigations, the public prosecutor's office or the courts; rehabilitation; and compensation for moral or material injury caused by the activities of human rights protection bodies, for example, the Ukrainian Security Services.

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## YUGOSLAVIA

(Federal Republic of)

Date of admission to UN: 24 October 1945.

### TREATIES AND REPORTS TO TREATY BODIES

**Land and People:** Yugoslavia has submitted a core document (HRI/CORE/1/Add.40) for use by the treaty bodies. The report prepared by the government (22 July 1994) provides basic demographic, economic and social data and information on the general political structure as well as the general legal framework for the protection of human rights.

The federal Constitution and the Constitutions of Serbia and Montenegro establish the framework of rights and guarantee a wide range of individual, political, social, economic and cultural freedoms and rights, as well as the rights of national minorities derived from those guaranteed by international law. In addition to regular judicial protection, the legal system enables every person to begin legal proceedings before the Federal Constitutional Court against any document or act which violates the rights and freedoms guaranteed in the federal Constitution. All three constitutions stipulate that abuses of the rights and freedoms set out are unconstitutional and punishable and that all rights and freedoms enjoy the protection of the courts. The Federal Ministry for Human and Minority Rights was established in July 1992 and is generally responsible for monitoring human rights. The federal legislative assembly has a Commission for the Freedoms, Rights and Duties of Man and the Citizen which has the authority to consider issues concerning the exercise of human rights and adopt positions and reach conclusions. Similar commissions exist in the assemblies of Serbia and Montenegro and, in Montenegro, the Republic Council for the Protection of National and Minority Rights has been established. International human rights treaties ratified by Yugoslavia become a component part of the legal system and, as such, are directly implemented.

#### Economic, Social and Cultural Rights

Signed: 8 August 1967; ratified: 2 June 1971.

Yugoslavia's second periodic report was due 30 June 1995.

#### Civil and Political Rights

Signed: 8 August 1967; ratified: 2 June 1971.

Yugoslavia's fourth periodic report was due 3 August 1993.

**Optional Protocol:** Signed: 14 March 1990.

#### Racial Discrimination

Signed: 15 April 1966; ratified: 2 October 1967.

Yugoslavia's 11<sup>th</sup> through 14<sup>th</sup> periodic reports were submitted as one document (CERD/C/299/Add.17) which is scheduled for consideration at the Committee's March 1998 session; the 15<sup>th</sup> periodic report was due 4 January 1998.

#### Discrimination against Women

Signed: 17 July 1980; ratified: 26 February 1982.

Yugoslavia's third periodic report was due 29 March 1991; the fourth periodic report was due 28 March 1995.

#### Torture

Signed: 18 April 1989; ratified: 10 September 1991.

Yugoslavia's initial report was due 9 October 1992; the second periodic report was due 9 October 1996.

*Reservations and Declarations:* Declarations under articles 21 and 22.

#### Rights of the Child

Signed: 26 January 1990; ratified: 3 January 1991.

Yugoslavia's second periodic report was due 1 February 1998.

### COMMISSION ON HUMAN RIGHTS

#### Special Rapporteur on the former Yugoslavia

The Special Rapporteur (SR) on the former Yugoslavia prepared a special report on minorities (E/CN.4/1997/8) which includes information on national and international legal standards, the situation in Kosovo, Vojvodina, the situation in Sandzak, the Bulgarian community, and the situation of minorities in the Republic of Montenegro.

In establishing the context for consideration of the situation of minorities the Special Rapporteur (SR) stated that one cause of the many-sided war in the former Yugoslavia was the failure of the political leadership to meet the challenge of governing populations which do not share the nationality, ethnicity, religion or language of their region's dominant national group. The report notes that these smaller populations persistently voiced resentment, fear and anger over the policies of the region's governments which did not, in their view, respect the right of all people to express and sustain their group identities. The report asserts that the aspirations of minorities and the reactions of governments to them led to much of the violence and many of the human rights violations that took place in the territory of the former Yugoslavia.

In the section of the report dealing with the situation in Yugoslavia (FRY) note is made of constitutional provisions for the protection of minority rights, including the right to preserve, develop and express ethnic, cultural and linguistic characteristics. This basic provision is noted as being supplemented by national legislation in areas such as language of education and citizenship. Extended commentary is provided on the situation of ethnic Albanians in Kosovo, with note made of numerous violations against ethnic Albanian residents, including arbitrary arrest, torture, harassment and the arbitrary and violent search of homes for weapons.