

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 and fifth periodic reports were due 3 August 1993 and 1998 respectively.

Optional Protocol: Signed: 14 March 1990.

Racial Discrimination

Signed: 15 April 1966; ratified: 2 October 1967.
Yugoslavia's 11th through 14th periodic reports were submitted as one document (CERD/C/299/Add.17), which was considered at the Committee's March 1998 session; the 15th 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 (CAT/C/16/Add.7) was considered at the Committee's November 1998 session; 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.

REPORTS TO TREATY BODIES

Committee on the Elimination of Racial Discrimination

At its August 1998 session, the Committee adopted a decision in response to conditions in Kosovo and Metohija (CERD/C/53/Misc.30/Rev.3, Decision 3 [53]).

The Committee, *inter alia*: called on the government and the leadership of the Albanian community in Kosovo and Metohija to stop immediately all military and para-military activities or hostilities and to enter into negotiations on a just and lasting solution for Kosovo and Metohija, including a status of the highest level of autonomy which will make it possible for all persons to realize human rights and, in particular, to eliminate all forms of racial discrimination; reaffirmed that questions relating to Kosovo and Metohija can be resolved only by peaceful political situations and must be based on respect for the territorial integrity of the FRY; also reaffirmed that all people who have been displaced or who have become refugees have the right to return safely to their homes and properties, receive assistance to do so, and to be compensated appropriately for any such property that cannot be restored to them; and reiterated its call that the Memorandum of Understanding on the normalization of education in Kosovo and Metohija, signed by the FRY government and representatives of the Albanian population in September 1996, be fully implemented.

The Committee expressed deep concern over, *inter alia*: persisting grave violations in Kosovo and Metohija of basic human rights, including articles 5 (a) and (b) of the Convention; the disproportionate use of force by government law enforcement agencies and the military against the Albanian population, resulting in numerous violations of the right to life, destruction of property, and in a great number of people being displaced or made refugees; and acts of violence against civilians in Kosovo and Metohija based on ethnic origin committed by whatever groups or individuals.

Bearing in mind article 9, para. 1 of the Convention (reporting obligations of the state party), the FRY government was requested to provide the Committee with information about the attempts that have been undertaken to achieve, through a meaningful dialogue with the Kosovo-Albanian leadership, a political solution for the status of Kosovo and Metohija — including the observance of international human rights, in particular as enshrined in the Convention. The Committee requested that this information be submitted by 15 January 1999 so that the Committee can consider it at its March session in 1999.