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**The Regions of the Federal Republic of Yugoslavia (Serbia/Montenegro)  
Covered by the CSCE Missions of Long-Duration (Kosovo, Sandzak and Vojvodina)**



# Sandzak





## Summary

Sandzak is one of three regions of the new Yugoslavia -- consisting of the republics of Serbia and Montenegro -- in which there is a strong ethnic mix. Muslim Slavs, like those in Bosnia-Herzegovina, have become a slight majority there in recent years, followed by Serbs and Montenegrins. Tensions have risen greatly in Sandzak in the last year. This is a result of the effects of the Bosnian war next door, to which many Sandzak residents have personal ties, and from which thousands of refugees have fled. There is a strong military presence in Sandzak as well, and Serb paramilitary units often harass or outrightly attack civilian Muslims. The situation bordering Bosnia-Herzegovina in north and west Sandzak, where Muslims are in the minority, is significantly worse than to the east and south, where they are the clear majority and the effects of the war are less apparent.

There is also discrimination against Muslims, who are generally alienated from the system. Combined, these factors have caused many Muslims, perhaps tens of thousands, to leave Sandzak.

Solving these problems is complicated by several factors. First, there is a lack of trust and of dialogue, especially between officials and Muslim activists. There is also a rampant spread of rumors, which exacerbates existing fears. Local officials have little power to change things, and, indeed, their superiors as well as military and security officials may not have the desire to change things for the better, let alone the will. While there may, or may not, be a policy from above to extend some form of "ethnic cleansing" to Sandzak, the lack of effort to protect Muslims and to grant them their equal rights can amount to the same thing. Clearly, the burden is on the authorities to demonstrate that they mean what they say in regard to their peaceful and democratic intentions.

The CSCE Missions of Long-Duration, consisting of only a few individuals that nevertheless have a variety of backgrounds, have proven themselves to be a useful exercise in preemptive diplomacy and in enhancing the role of the CSCE in managing European affairs. The Missions have essentially a two-fold mandate: to monitor and report on the situation in Sandzak, and to foster dialogue between disputing parties. The Mission has performed these tasks well, despite a less than cooperative attitude on the part of some officials and local Serb and Montenegrin activists. Its greatest asset, however, is simply that it is a foreign presence in an area of tension. It has not prevented every ugly incident from occurring, but it perhaps does have the capability to prevent some by having a calming effect in the region. It is especially critical for the Mission to extend its presence more strongly in the area bordering Bosnia-Herzegovina, and the establishment of an office in Prijepolje was an important step in this direction.

In the end, the utility of the Mission, and the Missions to Kosovo and Vojvodina, is to "buy time" while others seek to end the war in Bosnia-Herzegovina and begin the long and arduous process of building democracy in the new Yugoslavia. As current leaders, not to mention the roving bands of paramilitaries, show little interest in such developments, the Missions may be necessary even after the Bosnian conflict has ended. Most will acknowledge that the Mission's presence has a demonstrable effect in calming the situation, especially in Novi Pazar itself.

## Sandzak

Of the three regions covered by the CSCE Missions, Sandzak is the least known and yet, in many respects, the most complicated. Straddling the mountainous Serbian-Montenegrin border area from Bosnia-Herzegovina in the north and west to Kosovo and Albania in the south and east, Sandzak's regular population of around 450,000 consists of a slight Muslim majority, which is most heavily concentrated in the areas to south and east around Novi Pazar, Tutin and Rozaje and is weakest around Nova Varos, Priboj and Pljevlja along the Bosnian border. The transit through Sandzak of thousands of refugees from Bosnia-Herzegovina, mostly Muslim but also Serb, and the outmigration of as many as 70,000 ethnic Muslims from the Sandzak region (according to Muslim activists), particularly along the Bosnian border, have likely accentuated the Serbian and Montenegrin majorities in the north and west and the Muslim majorities in the south and east.

"Sandzak" is more a historical than a political term, referring to this same stretch of land as it developed during the course of Ottoman rule. As the Ottoman Empire in Europe waned in the latter half of the 19th century, the Sandzak of Novi Pazar -- Novi Pazar being the region's largest city and trading center -- became its northernmost protrusion and soon became known simply as "the Sandzak." The 1878 Berlin Congress, which placed Bosnia-Herzegovina under Austro-Hungarian administration, left Sandzak as a region to be administered by the Ottoman Turks, although it provided for 4-5,000 Austrian troops to be placed in the Sandzak towns of Priboj, Pljevlja and Prijepolje near the Bosnian border. The Congress also formally recognized the *de facto* independence of Serbia and Montenegro, which were nevertheless separated from each other by Sandzak. The ethnic and historical affinities of Serbs and Montenegrins, however, led to their close collaboration in expelling the Ottomans from Europe during the First Balkan War in 1912, in which they successfully seized Sandzak territory and divided it between them. Since that time, this region has remained under Serbian and Montenegrin control, first within their respective kingdoms and, after 1918, within the Yugoslav state that survived under various forms of government and political subdivisions until 1992. At present, this control continues in the context of the smaller Yugoslav federation formed by Serbia and Montenegro in May 1992, which remains largely unrecognized internationally. While there were indications during World War II that Josip Broz Tito, the Partisan leader, would grant Sandzak some political status, this did not happen. Unlike Kosovo and Vojvodina, Sandzak does not exist as a political entity. Instead, the historical and multi-ethnic area consists of 11 opstine (or counties), six in Serbia and five in Montenegro.

The present situation in Sandzak is, first and foremost, related to the war going on next door in Bosnia-Herzegovina. The fact that Serbs and Muslims are killing each other in Bosnia-Herzegovina makes feelings of mistrust, fear and anger unavoidable among Serbs and Muslims living together in Sandzak. And these feelings are generated not only by an individual's loyalty to his or her ethnic group but, perhaps more importantly, to the strong personal ties that span the border. Virtually every Muslim in Sandzak, and a large number

of Serbs and Montenegrins as well, have family of some sort or close friends who live -- or lived -- in Bosnia-Herzegovina. Others worked or lived there themselves. Given this highly emotional scene, previous friendships and business relationships increasingly break along ethnic lines, although it would be wrong to say that the society has been completely segregated. Indeed, given the circumstances, it is sometimes surprising to see it stay together as much as it has so far.

Exacerbating this situation is the large inflow of refugees. Most seem to have come to Sandzak last summer, although new arrivals continue to appear, sometimes suddenly. In the course of only a few days in late January, for example, over 1,100 Bosnian Serbs fled Rudo for Priboj in light of a nearby Muslim attack, while one week later 1,600 Bosnian Muslims "cleansed" from Trebinje arrived and sought refuge in Rozaje. These refugees present an enormous drain of resources, already limited by the worsening economic situation, and they upset the ethnic balances of the particular town or opstina (county). As a great number of the refugees find shelter with local families, they must also shape the attitudes of their hosts with the horrors their personal tales contain.

A more direct threat coming from the war in Bosnia-Herzegovina is the presence of Serb paramilitary units which apparently cross into Sandzak with relative ease. While in most cases they cannot be precisely identified, they are often assumed to be one paramilitary group in particular, the White Eagles, and the extremist political party which is allegedly connected to this group, the Serbian People's Movement (SNO), seems to have supporters among the populations of border towns, judging by the prevalence of their political posters. They may well have been involved in the recent attacks on Sandzak villages bordering Bosnia-Herzegovina, such as Kukorovici in Priboj opstina in February 1993, which left three dead. They may have also been the kidnapers of the 25 to 30 Muslim passengers on the Belgrade-to-Bar train passing through 12 kilometers of Bosnian territory later that month. Whoever is responsible for these acts, it is these groups that pose the greatest threat to the safety of Sandzak's Muslims at present.

The presence of the military, again particularly along the border regions, may create more problems than it solves. According to Yugoslav Army representatives, a main goal of the military in the area is to keep the Bosnian war in Bosnia. To an extent, increased patrolling of the border may prevent some spillover, but, as the paramilitary problem in Sandzak demonstrates, the border is still porous, at least for ethnic Serb units. The heavy military presence has not protected the ethnic Muslims living on the Serbian and Montenegrin sides of the border. Instead, it has fueled suspicions that the military is, in fact, assisting the Bosnian Serb militants and, around the time when Bosnian Muslim forces attacked Rudo, possibly crossing the border and coming to their direct aid. Moreover, military reservists are apparently among those who harass Sandzak civilians, drinking heavily and shooting their rifles which they can carry with them while off duty.



Beyond these effects of the nearby war, Muslims in Sandzak complain of blatant discrimination against them. First and foremost, they claim they are being removed from senior positions in the region, both at commercial enterprises and in public administration. There are enough exceptions to question the extent to which Muslims have been completely eliminated from the system, and the large Muslim boycott of the last elections, denying them elected officials who can influence hiring and firing of other officials, can explain at least part of that which is true. A prerequisite for Muslims seeking to hold their positions, however, is unquestioned loyalty to the system and the largely Serbian outlooks it represents.

Muslims also complain that the system itself discriminates against them, citing everything from law enforcement practices to everyday public administration as favoring Serbs over them. This, of course, is much harder to prove. In law enforcement, for example, Muslims are reportedly much more heavily engaged in black marketeering and will be much more likely to find themselves in some sort of legal problem than most Serbs. Anecdotal evidence nonetheless suggests discrimination. When one Muslim, robbed of large sum of German marks by reservists or paramilitaries, reported the incident to the police, he was interrogated as to how he got the money in the first place, with no follow-up as to who took it from him. Others, perhaps justly arrested for illegal marketing activities, nevertheless claim to be harassed or even beaten by the police officers doing the arrest. Perhaps the most common example of discrimination cited, however, is confiscation of handguns, which occurs with Muslims but allegedly not with Serbs.

Muslims will also argue that they face discrimination in terms of Yugoslav military service, and they are, for the most part, refusing to answer calls to serve. This charge is two-fold. First, there were instances in the past, especially in the months immediately following the start of the war in Bosnia-Herzegovina, when Muslim men serving in the military were subjected to harassment by Serbs, who dominate their ranks, and those Muslims serving in the officer corps were removed from any key positions they may have held. There have been no apparent incidents recently. This may represent a successful effort to restore order in the military, but more likely it is the result of so few Muslims actually being in the military at present. Second, and more generally, Muslims fear that, once in the military, they may be sent to Bosnia-Herzegovina where they would face fellow Muslims. While the Yugoslav military is, strictly speaking, out of Bosnia-Herzegovina, rumors abound of military personnel and equipment covertly being sent to the war. Moreover, there is a likelihood that the Yugoslav Army would reenter the war if the Bosnians suddenly scored major victories over the Serbian militants, which could happen if the arms embargo were lifted on the Bosnian side. That Muslims soldiers would fight and possibly be killed in a war serving Serbian aims which they do not share constitutes, to the average Muslim, a distinct form of discrimination. Muslim activists go so far as to claim that the Yugoslav military is merely a paramilitary force, given the lack of legitimacy given to the new Yugoslavia internationally, and that Muslims therefore are under no obligation to serve. Others speculate that calls for Muslims to serve, which seemed to increase in February 1993, reflect not so much a shortage in

personnel (although many young Serbs, indeed, are also uneasy about military service) as much as an effort to drive one of the most important segments of the Sandzak Muslim population from the region.

With the effects of the war and the apparent discrimination combined, Muslims have been deeply concerned about their future in Sandzak. To an extent, the suddenness with which the situation deteriorated, especially in the summer and autumn of 1992, magnified their concerns. Unlike the situation in Kosovo, where ethnic tensions and repression have become part of everyday life, most Muslims seemed comfortable in Sandzak until recent years. They had done reasonably well in Tito's Yugoslavia, a fact documented in part by the many portraits of Tito that remain on the walls of Muslim-owned businesses and homes. As the situation changed quickly for the worse in 1992, this relative contentment caused the population to react with much greater shock.

As a result, Muslims do feel pressure to leave the Sandzak region, and many in fact have. Figures on the exodus are not readily available, but Muslim activists have arrived at a figure of about 70,000, which would be about one-third of the entire Sandzak Muslim population. A similar figure was given as early as September 1992, indicating that the exodus had slowed since. These people are believed to have left the country entirely, although it is possible that some may have simply moved from the less stable border areas to Novi Pazar and other towns with comfortable Muslim majorities. In giving such figures at least, it is asserted that most of the departees are from the areas bordering Bosnia-Herzegovina, which, given the vast differences between this area and that further south and east, is a reasonable assumption. However, another statistic given, specific to this border area (Priboj and Pljevlja), is that 60 percent of the Muslim population has left. Based on population statistics for these *opstine* used by the Muslims themselves, this would constitute about 15,000 persons, certainly less than what might be assumed from the 70,000 figure. While it is not impossible for both statistics to be correct, it seems unlikely to be the case.

Beyond the question of numbers is the question of what it all means, specifically whether the Muslims of Sandzak are victims of "ethnic cleansing." This is, in fact, a controversial point, with some Muslim activists making the claim very strongly. If ethnic cleansing is defined as an area where a people of one ethnic group was living but no longer does, then it has taken place in the area immediately bordering Bosnia-Herzegovina but not in Sandzak as whole. If it is defined more as a process of leaving, then it may have a wider regional application, but the term ethnic cleansing normally does not have the connotation of subtle or latent pressures which affect the broader population. Perhaps more important to this issue is whether, for ethnic cleansing to exist, there has to be a policy from above with cleansing areas as a goal. The "cleansing" of border areas can be explained, albeit not altogether convincingly, as a result of the war going on just across the border. Moreover, even the discrimination against Muslims may not have the intent of actually driving them away.

These questions in no way seek to minimize the problem in Sandzak. Rather, they seek to address what seems to be increasing use of the term "ethnic cleansing" which has become popular through its association with the policy of Serb militants in Bosnia-Herzegovina. There, ethnic cleansing is a definite and deliberate policy to clear large areas of their ethnic Muslim populations and not just by pressure to leave or deportation but by seeking to wipe out large segments of these populations altogether, with mass executions, rapes and other forms of torture, and detention camps. Indeed, this may be more appropriately labelled an attempt to commit genocide, but the fact is that the "ethnic cleansing" associated with Bosnia-Herzegovina is not the same as what is happening in Sandzak. That said, however, both seem to emanate from Belgrade policy-makers. Given the continuous incidents which victimize Muslims in Sandzak and the evidence of discrimination, the burden is on the authorities to prove that the claimed existence of a policy geared toward driving Muslims away is false. At minimum, the lack of protection Muslims generally receive and the manner in which the system seems to work against them points to a policy of intentional neglect.

What makes the accusation of ethnic cleansing more controversial, however, is the effect the accusation itself has on the population. To average Muslims in Sandzak, already concerned about the uncertain futures they and their families have in the region, the possibility of being intentionally victimized as a matter of policy provides a strong inducement to leave before that happens. As a result, claims of ethnic cleansing can be, to a certain extent, a self-fulfilling prophecy. There is no evidence that this, in fact, has taken place, and it can be argued, from an ethical perspective, that warning of potentially impending action against a population is necessary despite the effects it may have. Nevertheless, the contribution such warnings may make in encouraging people to flee can be logically assumed.

Beyond the problems in Sandzak themselves are questions as to what can be done about them. On this, the situation is equally complicated. On the official side, for example, authority is dispersed among the opstine, as Sandzak does not exist as a political entity. Of the six opstine in Serbia, they are administratively divided as parts of two larger okrugs, the Uzice-based Zlatibor Okrug and the Kraljevo-based Raska Okrug, each of which contain opstine outside Sandzak as well. From the okrug level, authority then reaches to the Serbian authorities in Belgrade and, technically, to the federal authorities who are also in Belgrade. In reality, however, Serbian authorities are viewed as having much greater power than their federal counterparts. Montenegro has no okrugs, and the five Sandzak opstine there are administratively supervised by the republic's capital, Podgorica, technically under the federal authorities in Belgrade but also with substantial powers of its own and at least some indirect influence by the much larger Serbian republic. Military and security (police) authorities are similarly divided but in a way that they overlap rather than strictly parallel political subdivisions.

In addition to this maze of structures is the centralization of power in those structures. As a result of this centralization, local officials assert little real authority. Many, if not most, of these officials appear to be true believers in current policies anyway, but among them are some who likely would like genuinely to resolve local problems and improve the situation in their respective opstina. Unfortunately, these officials seem to have little room to maneuver in this regard. While local understandings might be reached on some issues, substantial local problems can only be resolved through broader efforts and the blessing of those from above.

On the opposite end are the Muslim activists, primarily the Party for Democratic Action (SDA) but also smaller Muslim parties in Serbia and Montenegro, which along with humanitarian, cultural and other Muslim organizations coordinate their work in a Muslim National Council of Sandzak. In contrast to the authorities, the Muslim groups do see Sandzak as a distinct region and have organized themselves as such, centering their collective efforts in Novi Pazar in addition to their bases in each opstina. While there are some variations, for the most part these groups represent a common point of view, both in Novi Pazar and in the opstine. At the same time they coordinate, the dominant SDA claims to give each of its opstina branches significant independence. The unity in positions can possibly be explained by the reality of what all Muslims commonly perceive as detrimental to their interests in Serbia, even if they differ on some points regarding how to respond.

To the extent Muslim activists do differ, it usually involves the issue of autonomy for Sandzak. This is sometimes couched in terms of elevating the legal status of Muslims in the new Yugoslav federation from a minority to a nationality, but, in Yugoslav parlance, doing this would likely mean regional autonomy anyhow. Some downplay autonomy as a serious option; all that they look for is equal protection and opportunity in all aspects of society. This view, in fact, appears to be the most common among the Muslim population as a whole. For the most part, Muslims in Sandzak have little notion of autonomy, since the region has not had such autonomy within the course of their lifetimes. Moreover, since Muslims, like Serbs are south Slavs speaking the same language, Sandzak society has generally not had to become as segregated as elsewhere in the Balkans.

Some Muslims, however, do take a more nationalistic approach, and some will claim that Sandzak Muslims tend to be more nationalistic than their Bosnian brethren. In addition to the existing lack of equality, the nationalist Muslims will justify autonomy for Sandzak as a distinct region with historical arguments and the claimed will of the Muslim people based on an October 1991 referendum. At best, however, any possible achievement of autonomy is admitted to be a long way off, and any government in Belgrade willing to agree to it would, almost by definition, not be denying Sandzak Muslims their individual rights in the first place. Since the denial of these rights is the real impetus to calls for autonomy, then these calls can be seen as an effort to improve the human rights situation. As one Muslim activist asserts: "The less democracy we get, the more autonomy we want." At the same time, it is not impossible to imagine the stronger advocates of autonomy as having more grandiose plans, and continually using human rights problems to give these plans a greater

degree of legitimacy. Either way, unfortunately, Serbian discrimination against non-Serb groups as well as the frequently self-induced fears Serbs have regarding the intentions of these groups have, at least in the short term, caused Belgrade normally to respond to calls for autonomy not with more democratic behavior but with more repressive policies. While calls for autonomy are, in fact, exercises in the right to free expression for which there should be no retribution, if the intent of these calls is actually to improve the situation in Sandzak they may, in fact, be promoting the opposite.

In addition to the organized Muslim groups and the officials are the independent Serbian groups, specifically the non-ruling political parties, and a few peace groups and other "mixed" organizations. For the most part, these groups have little apparent influence in local affairs, a result of the general lack of democracy that exists in the new Yugoslav federation and in Serbia in particular. A more serious problem, however, is the degree to which they actually oppose existing policies and push for democratic development. For example, the leading Serbian opposition party -- Vuk Draskovic's Serbian Renewal Movement (SPO) -- has developed an image of being a democratic force opposed to Serbia's involvement in the Bosnian war, based on its Belgrade activities, but at least in its Sandzak branches it retains the strong nationalist fervor of a few years ago. Its primary attributes seem to be a continued anti-communist orientation as well as an unwillingness to engage in violence itself, the latter in contrast to parties such as the Serbian Radical Party (SRS) and the Serbian People's Movements (SNO). Beyond that, the SPO, as the leading voice for Serbian opposition, presents little alternative to the currently tense situation in Sandzak. Other, more democratic opposition, is virtually non-existent in the region.

Adding to this problem is the fact that extremist groups do have some local support in Sandzak. The SRS has considerable support among Serbs throughout the region. The more mysterious, and probably more dangerous, SNO has visible support in the border regions, judging by the numerous posters plastered in towns like Pljevlja and Priboj. Linked to the paramilitary White Eagle forces, the SNO's recent establishment of a branch organization in Prijepolje has been seen as an ominous development for that opstina.

In between all the main actors are the people themselves, practically all less nationalistic than those who claim to be defending their interests. To some extent, they have kept an multi-ethnic society together, although almost all lament the gradual weakening of personal and business relationships between Muslim and Serb. Beyond these commonalities, however, differences abound. Many in Sandzak, particularly among the Muslim population which traditionally is more urbanized, have the intellectual sophistication to rise above the mess around them, although many of them may do so by leaving. Others, again also mostly Muslims due to their tradition as traders, are better able to cope with the sanctions imposed on their country and seemingly can even find opportunities for personal gain from the hard times. While Muslims complain of being kicked out of official enterprises, Serbs and Montenegrins argue that it is these same enterprises, and not the entrepreneurial activities of Muslims, that are most directly and negatively affected by the sanctions.

While Serbs differ greatly in their willingness to engage in, or support, violence, they are more of one mind regarding the situation in Sandzak, Bosnia-Herzegovina and the former Yugoslavia as a whole. Many genuinely lament the continuing conflict next door, and Serbs too have family in Bosnia-Herzegovina or house refugees from that war-torn country. Yet, they virtually all believe the conflict was started by "fascist" Croats and "fundamentalist" Muslims, that the Austrians, Germans and especially the Turks have designs in the Balkans, that the Americans have been duped by Croatian lobbying and that the sanctions are the cause of all of the new Yugoslavia's economic problems, affecting innocent people the most. The extent to which they believe the official line is the result of more than the propaganda they receive on television. It reflects also the problem of self-denial as far as believing fellow Serbs are able to commit the atrocities they have. It is not uncommon for people to have access to German, British and other foreign television via satellite dishes, but even when confronted with the grim reality, Serbs continue to refuse to acknowledge what is happening. To an extent, the cause of this may be that the peoples of the Balkans almost all view themselves relative to their neighbors, and Serbs cannot accept the notion that their leaders deserve more of the blame for what has happened than those of Croats or Muslims. Indeed, even the complaints about sanctions are usually not couched in terms of whether Serbia deserves them or not. Rather, they are expressed in terms of their allegedly unfair distribution by not being imposed at least on Croatia as well.<sup>1</sup>

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<sup>1</sup> At the same time, travellers to Croatia will hear similar complaints about the equal treatment they get in regard to the international arms embargo.

## The CSCE Mission to Sandzak

As early as June 1992, the CSCE States envisaged the stationing of Missions of Long-Duration in three regions of the self-proclaimed Federal Republic of Yugoslavia, comprised of Serbia and Montenegro, where large minority populations reside. In Kosovo, for instance, approximately 90 percent of the population is ethnic Albanian, while over half the population of Sandzak is ethnic Muslim. Serbs constitute a majority in Vojvodina, but there is a large Hungarian minority and sizable populations of Croats, Slovaks and numerous other ethnic groups as well.

The effort to establish Missions of Long-Duration developed out of concern over the treatment of these populations in the new Yugoslavia, and the potential for the conflict taking place in Bosnia-Herzegovina to spread to these regions. While short-term missions of the CSCE visited these regions in the past, the most that could be expected of them was a cursory look at the complex situation in each area. If the CSCE wanted to have a positive impact on the situation, then it would need to establish a permanent presence so that Mission members could regularly examine and report on the situation to the CSCE States, obtain objective information about specific incidents, and foster dialogue among the ethnic communities and their representatives in the hope of avoiding future incidents. An August 1992 CSCE Exploratory Mission to these three regions confirmed the need for such an effort to be carried out on a long-term basis.

Yugoslav authorities were initially reluctant to permit CSCE Missions to be established, but an agreement between CSCE representatives and the federal authorities was reached on the matter in late October 1992. While Missions would be permitted in each of the three regions, as desired by the CSCE States, they would be considered one, collective effort coordinated by an office in Belgrade, implying that these regions were integral parts of the new Yugoslavia and not internationally recognized entities in their own right. Ambassador Tore Bogh of Norway was selected to head the Missions from Belgrade. In Kosovo, the first Mission was established in the capital, Pristina. In January and February 1993, additional offices have been set up in Pec and Prizren. In Sandzak, the first Mission was established in Novi Pazar, the largest city and commercial center for the area. A second office was established in Prijepolje, closer to the troubled areas bordering Bosnia-Herzegovina, in March 1993. In Vojvodina, the first Mission was established in Subotica, next to the Hungarian border. A second office is being contemplated for Novi Sad, the province's capital.

Originally envisaged to have 12 members, the CSCE decided in November 1992 to expand the size of the Missions to 20, and then again in February 1993 up to 40, provided they have sufficient vehicles and other equipment to allow them to carry out their duties effectively and in relative safety. Most new Mission members would likely be sent to Kosovo, although Sandzak and Vojvodina would receive additional members as well. The Belgrade office might also be expanded as necessary to coordinate the Missions' expanding

operations. Despite this increase, the Missions have only for a few weeks ever reached the 20-member plateau. Obtaining qualified personnel who can commit themselves to participate to several months of service remains the biggest single problem for the Missions.

The basic mandate to be carried out by the Missions was stated in the decisions of the fifteenth meeting of the CSCE Committee of Senior Officials in Prague in August 1992. There, the participating States decided that the Missions will:

- promote dialogues between the authorities concerned and representatives of the populations and communities in the three regions;
- collect information on all aspects relevant to violations of human rights and fundamental freedoms and promote solutions to such problems;
- establish contact points for solving problems that might be identified; and
- assist in providing information on relevant legislation on human rights, protection of minorities, free media and democratic elections.

These combine operationally into two essential tasks. First, there is the task of obtaining as accurate and objective a picture of the situation on the ground as possible. The purpose of this fact-finding is to inform the CSCE States of what is actually happening. Some earlier, overly hasty international efforts, for example, presented erroneous, exaggerated or one-sided reports, such as the November 1992 allegation of UN Human Rights Rapporteur Mazowiecki that several mosques in Sandzak had recently been demolished, which was later proven to be unfounded. For the international community to respond properly, it has to work on the basis of facts, which, given the situation in the new Yugoslavia, usually supports minority complaints in any event. While regular, biweekly reporting is intended for the CSCE States and not the local audience (one or the other side of which would otherwise be constantly be calling on the Missions to defend their reports, taking time from other efforts), accurate information obtained regarding specific instances could also be released locally, especially through the media. Such efforts have the potential of quelling sensationalized rumors that so easily spread in such a tense and divided society.

A second task is the facilitation of local dialogue between disputing parties that otherwise do not talk to each other. This task is usually much easier said than done. All sides express a willingness to meet and talk, but such an effort frequently breaks down over such simple matters as where to meet (e.g, Serbs and officials often refuse to meet at certain Muslim-owned restaurants). The most neutral ground is usually the main local hotel or the office of the president of the opstina, but, even then, there can be difficulties in obtaining common satisfaction with the timing and the agenda.



When differing sides have finally been brought together, the result seems modestly positive. To foreign observers, such as those on the CSCE Missions, it can be amazing to see people who otherwise do nothing but complain about each other sit side-by side. Indeed, it is not uncommon to find that they are acquaintances if not neighbors, and that they can talk directly to each other about their problems. Combined with the difficulties in finding a neutral site for meetings, gatherings in Sjenica and Novi Pazar at least reveal the extent to which society has been, during these tense times, breaking into its Serbian and Muslim parts at the political level. Only in Prijepolje was there evidence of continued interaction despite the nearby war.

Three problems make the holding local dialogues only modest successes so far in Sandzak. First, Muslim activists become very nervous when it comes to making any compromises with others. While this can cause the frustrated to conclude that they are therefore not serious in terms of working out problems, it appears to be more the case that they, likely similar to other minority groups, feel backed into a corner by a system that excludes them, with few options remaining and little power to change things. With every step taken, therefore, there can be no stepping back, causing the Muslims to tread carefully while others would hope to see them rush toward common agreement.

Second, Serb participants continually hold to the notion that they have the right to deny someone else their rights if need be to address the perceived wrongs of at least decades, if not centuries of history. While some of their grievances may actually be legitimate, it is virtually impossible to convince them to see things only as they are now for the sake of achieving lasting solutions to problems. Of course, their historical arguments often provoke equally believable historical responses from the other side, moving discussion away from a more productive base.

Finally, while the officials present at these dialogues, usually ethnic Serbs, appear to be the most reasonable and flexible, they have little ability to take the concrete steps suggested to them. Some measures can be taken to avoid spontaneous incidents that could escalate into a real confrontation, such as the agreement reached at one dialogue to extend the no-parking area in front of a local mosque and to restrict alcohol consumption at a nearby restaurant during the course of the holy month of Ramadan. The source of the underlying tensions that make these incidents possible in the first place lies elsewhere, however, first and foremost in the policies emanating in Belgrade but also in the war that continues next door in Bosnia-Herzegovina. The situation in Sandzak will not instantly return to normal with changes in Belgrade and Bosnia-Herzegovina, but these changes are certainly a precondition for any return to normal to take place at all.

A broader problem, but one with which the Missions are, by and large, all able to handle, is the contrast between their "objective" role in reporting events, which sometimes means taking one side or another on a particular issue, and their "neutral" role in fostering dialogue, which means remaining between disputing parties without casting blame on either one of them. On the one hand, vocal Mission criticism of particular people, especially

officials, can limit the ability of the Mission to get these same people to cooperate with it and talk to others; on the other hand, the lack of such criticism when it is deserved can undermine the credibility of the Mission in the eyes of those feeling victimized. To succeed in both reporting the situation and fostering dialogue requires a careful balancing of the two.

Inevitably, as a result of all these factors, Muslim activists tend to be the most disappointed in the Mission's work. To them, "internationalizing" the plight of Muslims can only work toward their interests. However, high expectations come with the arrival of foreign observers, who, it is frequently assumed, will agree fully with the complaints heard and can intervene with the authorities on any issue and get results. Others, such as those belonging to the Albanian community in Kosovo and the Hungarian and other minorities in Vojvodina, likely develop similar sentiments.

The Mission does forward virtually every complaint made to the appropriate authorities and asks for responses, even if the complaint is based on allegations. Moreover, direct results can be achieved through the Mission's work, such as the withdrawal of the Yugoslav Army tanks on the hill overlooking Novi Pazar in late 1992 and the release of a Sandzak Muslim held by Bosnian Serbs in early 1993. In other instances, however, the Mission has little more welcome in some offices than the Muslim activists themselves. Despite the Memorandum of Understanding with the Federal Government,<sup>2</sup> the authorities, and much of the ethnic Serb and Montenegrin population, have viewed the Mission with great suspicion. Given the fact that it was the Muslims who wanted the Mission in the first place, they assume that its members are biased against them. They indicate that they are offended at the suggestion that they need foreigners around to watch how their country is run. Frequently they will point to the use of the name "Sandzak" for the region as clear evidence of a pro-Muslim inclination.<sup>3</sup> One opstina chief in Montenegro continues to refuse even to deal with the Mission, as he claims his opstina is not a part of any so-called "Sandzak." Serbs have repeatedly told the Mission of the rumor that, wherever the CSCE

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<sup>2</sup> The Memorandum (MOU) was negotiated with the moderate government of federal Prime Minister Milan Panic, which itself may have had little clout on Serbian, local and military authorities, and which collapsed in any event following the December 1992 elections.

<sup>3</sup> As already noted, "Sandzak" is the word used by the Muslims. Some nationalist Serbs spitefully suggest "Raska," for the early medieval state, instead. While "Sandzak" is favored by the Muslims, as a practical matter it is the only single word that correctly describes the 11-opstine region straddling the Serbian-Montenegrin border, the Serbian part of which is subdivided and split between two larger okrugs, in which a large Muslim population resides. Use of the word "Sandzak" by the Mission does not indicate any particular historical viewpoint on the part of its members, nor does it indicate any interest in establishing any form of autonomy for the region. Its use is a simple matter of convenience. No other designation can describe this ethnically mixed area.

goes, conflict always follows, making even those more positively inclined wary. Obtaining meetings with some officials, especially those in the military and security apparatus, can be difficult for the Mission.

Sometimes, Serb/Montenegrin attitudes toward the Mission can go beyond annoyance to hostility. In one instance, for example, a local chief of police threatened Mission members with arrest and deportation if they came into his opstina unannounced. Elsewhere, the Mission had a tire of its vehicle -- which had diplomatic license plates -- slashed. Most police officers are polite and friendly toward the Mission, especially since its vehicles acquired diplomatic license plates early in 1993, but they sometimes still insist on a brief inspection of the inside of the vehicles in apparent violation of diplomatic privilege. On one occasion, this was coupled with a short lecture on why the Mission was not even needed in the area.

Over time, the Mission's performance has caused the previously suspicious to accept it and work with it. This has especially been the case in Novi Pazar itself. While the Mission still criticizes shortcomings as it feels is appropriate, Mission members sensed that their desire to be objective is taken increasingly seriously by the local population. In the case of Sandzak, this seems particularly important to local officials in light of the late 1992 Mazowiecki report which wrongly claimed that a number of mosques in Sandzak had been destroyed. In addition, in early 1993 the Mission learned that there was some discussion among various authorities, including the military, on how to respond to the Missions, and the decision was to cooperate with it. This decision could have been based on the fact that the more senior authorities, despite their suspicions, feel their best chance to defend their point of view and relieve some of the international pressure on them is through direct contacts with Mission members, and that their willingness to have such contacts itself might score points for them internationally. Domestically, the Missions may also have been viewed as a potential check on the demands of more extreme activists as well. One might even assume that at least some of the authorities genuinely want to see reduced tensions in society. On the other hand, the authorities in Belgrade may simply tolerate the Missions until such time that their attention turns from the war being waged in Bosnia-Herzegovina to the situation in the three regions.

In the end, the main utility of the Missions seem to be their very presence for a long duration. Like foreign election observers, Mission members cannot be everywhere all the time, but the possibility of their appearing at one particular place at one particular time may make a difference. Officials may be more reluctant to take repressive measures if there is a reasonable chance of the international community finding out about it. Unfortunately, there are instances when this is not the case, evident in the many instances of harassment and attacks on civilians reported to the Mission. Nevertheless, most will acknowledge that the Mission's presence in Novi Pazar had a demonstrable effect in calming the situation. Its effect outside Novi Pazar is harder to document, especially since the success of its presence is measured more in terms of what has not taken place rather than what has.

To the extent that the Missions are useful mostly for the foreign presence they provide, then the fact that the Mission was only based in Novi Pazar was its greatest shortcoming in early 1993. The Mission to Sandzak, perhaps more so than any other Mission, travelled throughout the region for which it was responsible, but Sandzak is almost the size of Kosovo, with an extremely mountainous terrain, making travel difficult. As a result, based in Novi Pazar in the northeast corner of Sandzak, the Mission could not be in the tense border areas as frequently as its members wanted, nor could it respond immediately to an incident by travelling to these areas on short notice. It took a minimum of two and one-half hours to reach Priboj and Pljevlja. Given the winter weather and the shortness of the day, travelling at certain times was also somewhat risky. Clearly, the Mission needed to have an office closer to the border areas so that its presence could be more significantly felt. During the first weeks of 1993 this was one of the top goals for the Mission members.

Prijepolje was chosen as the second site for a Mission office in Sandzak for several reasons. First, it is strategically located between Priboj and Pljevlja, the two opstine bordering Bosnia-Herzegovina and by far the ones with the most significant troubles. Driving to Priboj takes 30 minutes; to Pljevlja, 45 minutes. At the same time, the situation in Prijepolje is relatively calm, in fact surprisingly so until Sandzak Muslims from the town travelling on the Belgrade-to-Bar train were kidnapped in late February. Locating an office in Priboj would therefore have not only extended the travel time to Pljevlja, or the other way around, it also would have made it more difficult for the Mission to leave Priboj or Pljevlja in the first place, given the ongoing problems in each. In other words, one town would have benefited at the expense of the other. Moreover, living in Prijepolje seems considerably more secure, permitting Mission members in this tense and isolated region to relax in off hours. Finally, Prijepolje is closer to Novi Pazar than the other two towns, with a quicker northern route through Sjenica and a safer southern route through Bijelo Polje from which to choose. Assuming that Sandzak would only get one additional office for the foreseeable future, Prijepolje was the obvious choice.

As important as the number of offices and of members on the Missions each are, the qualification of the members is, in some ways, more crucial. Several backgrounds are important. Of course, one member of a particular team should have fluency in Serbo-Croatian. It is useful for others to have some understanding of the language as well, although this becomes much less critical if some other member already has it. This is especially the case if one is less than fluent, given the particular dialect in Sandzak and the potential for missing important nuances when a person is speaking frantically or nervously (which is frequently the case). Using an interpreter can also be a useful way to slow down an otherwise heated discussion (although it also gives people more time to think of additional things to say).

Another critical asset is a current knowledge of Yugoslav affairs. Many individuals may have a knowledge of the former Yugoslavia and can speak its principal language, but their direct, personal experience is limited primarily to the days of Yugoslav unity, well

before many of the present players came to the stage. Especially when it comes to knowledge of opposition parties, which get less analysis in the foreign media, it is important for someone on the Mission to know who is who and how things developed to the point they have. Similarly, knowledge of the CSCE itself and how it works is important, especially of the direct, aggressive human rights diplomacy for which it is known. While the Missions of Long-Duration are new ground for CSCE, it is useful to be aware of CSCE commitments in the area of national minorities, free elections, etc. Previous experience as a diplomat dealing with human rights is a closely related and very similar asset. Knowledge of military matters is particularly important in the border areas, where the military is very present and a cause for concern in light of the many rowdy, gun-toting reservists and the rumors of troops crossing into Bosnia-Herzegovina. It is also important in establishing a rapport with Yugoslav military officials. A native or near-native command of English is important for drafting reports to the head of Missions in Belgrade, the CSCE Chair-in-Office and the CSCE States themselves.

Finally, logistical skills come in handy on the Missions of Long-Duration. Such missions are relatively new for the CSCE, and therefore operate somewhat on an *ad hoc* basis. This is not a criticism of the Missions; indeed, the *ad hoc* nature of the work is an asset that lets each specific office decide its own operating procedures. This must happen to some extent anyway, given the different circumstances in each region and the general need to rely on a black market in a country under strict international sanctions.

Fortunately, in 1993 the CSCE Mission to Sandzak has had people who, combined, have all of the above assets. The countries represented on this Mission, for both the Novi Pazar and the Prijepolje offices, include the United States, Austria, Denmark, the Netherlands and Slovakia. The members included career diplomats, military officers, language teachers and experts on Yugoslav affairs and the CSCE.

While the countries of origin are not important to the CSCE and the Missions, they are important in the eyes of the local population. Frequently, an Austrian and American travelling together would be seen by Serbs and Montenegrins as representing their countries of origin more than the CSCE, no matter how much they made their status clear. Those from neighboring countries obviously carry historical baggage no matter how much they try to avoid it. Serbs and Montenegrins will treat Americans with the same harangue about what is viewed as an unfair international response to the conflict, although there is not the same mistrust and seething animosity for them. Indeed, criticisms of American policy toward the former Yugoslavia are often coupled with words of respect, and many leave the impression that American policy is based on a lack of understanding of European affairs and history combined with a certain gullibility that causes policy-makers to be vulnerable to effective lobbying in Washington by Croatian, Albanian and other "anti-Serbian" groups. In any event, it is useful for the Missions each to have a good mix of countries, but to have them speak with a common voice in reacting to situations observed.

It is also good for the Missions to explain exactly what CSCE is; "KEBS," the Serbian acronym (Croats and Muslims use "KESS") is known to just about all inhabitants of Sandzak, but few know anything more than that. Stressing that it is an all-European organization -- i.e., including not only the United States and western Europe but Russia, the other former Soviet republics and eastern Europe as well -- can add greatly to the legitimacy and credibility of Mission activities.

## Conclusion

The situation in Sandzak is not a clear-cut case of the systematic repression of an ethnic group, nor of an ethnic group seeking to separate under the guise of self-determination. Instead, it is an example of how a relatively content, ethnically mixed society can be torn apart by its proximity to war, both geographically and socially. It also shows how much more easily this can happen in the absence of a democratic political system in which human rights are respected, and when extreme nationalism makes discrimination based on ethnicity acceptable. It is not impossible, under such circumstances, to imagine that Yugoslav, Serbian and Montenegrin political leaders, acting in concert, have more sinister designs on Sandzak, and possibly on Kosovo and Vojvodina as well, which will only manifest themselves in overt "ethnic cleansing" when the Bosnian phase of the Yugoslav conflict has concluded. Even if one makes the plausible assumption that this is not the case, tensions are such that a spontaneous incident can explode into an unplanned confrontation leading to violence.

This is where the CSCE Mission to Sandzak has a critical role to play. There is little that this Mission can do to address the sources of tension in the region, namely the ongoing war in Bosnia-Herzegovina and the undemocratic and nationalistic policies emanating from Belgrade. Other international actors, with greater political clout and administrative capabilities, will need to play that role, although the reporting of the CSCE Mission can contribute knowledge helpful to international decision-making. The CSCE Mission can, however, make an important contribution in the field, in essence reducing tensions through dialogue and active engagement with local officials and political activists until such time that the larger sources are more effectively addressed. While this role seems small, it is in fact a critical one given the location of the three regions on the "front line" of international efforts to prevent a conflict spillover.

Usefully deploying individuals who make up for their small numbers in diversity of experience and high capabilities, the Mission is suitably organized for this task, although more members could be deployed in areas where tensions are most high. They are needed, in fact, not only to "buy time" until the overall conflict is settled, but for the critical period when the war in Bosnia-Herzegovina is brought to an end, one way or another. Whether it is done intentionally or not, there is a good chance of the war moving to other regions, especially Kosovo and Macedonia, as those now fighting in Bosnia-Herzegovina move on. Many of them, such as the infamous Zeljko Raznjatovic (a.k.a. "Captain Arkan") or Mirko Jovic, have little interest in the restoration of peace and have become active in the regions. A political leadership such as that which exists in Serbia, moreover, may not be able sustain its power for long in today's Europe without the diversion of conflict. Even if Serb militants and their political supporters no longer have the desire to continue, the post-conflict situation will remain tense because of all that has happened and because no one is quite sure that it is over. The CSCE Missions, therefore, will play just as critical role in the immediate aftermath of a settlement as they play now in trying to keeping the conflict from

spreading. The CSCE Missions of Long-Duration to Kosovo, Sandzak and Vojvodina, are a useful example of the preemptive diplomacy that the world may be using with increasing frequency in coming years.



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# COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1993

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REPORT

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## SERBIA/MONTENEGRO\*

Serbia and Montenegro, two of the constituent republics of the former Yugoslavia, proclaimed the establishment of the "Federal Republic of Yugoslavia" in 1992. The United Nations and the Conference on Security and Cooperation in Europe (CSCE), as well as the international community, rejected the "FRY's" claim to be the sole successor to the former Yugoslavia and suspended Yugoslav participation in their organizations.

Serbia/Montenegro's formal federal governmental structure is subsumed under an authoritarian state apparatus controlled by Slobodan Milosevic, reelected for a second 5-year term as President of the Serbian Republic in a December 1992 election that was judged by CSCE observers to have been neither free nor fair. He dominates the political scene through his Socialist Party of Serbia (SPS), which holds the key administrative positions in both the Federal and Serbian Governments, and has generally succeeded in circumscribing Montenegrin autonomy. Serbia has two provinces—Kosovo and Vojvodina—but their political autonomy was abolished in 1990, and all significant decisionmaking authority is centralized in Belgrade.

Because of Serbian responsibility in instigating and propagating violence on the territory of Bosnia and Herzegovina, including human rights abuses on a massive scale, the United Nations imposed sweeping economic and political sanctions in 1992 and tightened them in 1993. Despite claims to the contrary, the Belgrade regime sustained military, economic, and political support for ethnic Serbs responsible for massive human rights abuses and acts of genocide in Bosnia-Herzegovina in 1992-93 and similarly aided Croatian Serbs occupying nearly a third of Croatian territory.

Milosevic also wields absolute control over the Serbian police, a heavily armed force of some 70,000-80,000 which is guilty of extensive, brutal, and systematic human rights abuses, including extrajudicial killing. It continued a pattern of gross human rights violations and systematic repression of ethnic Albanians in the Kosovo region.

The economy, already under serious strain due to the cost of proxy wars in Croatia and Bosnia-Herzegovina and the breakup of Yugoslavia, deteriorated markedly in 1993 under the impact of U.N. sanctions. The massive printing of money to keep the economy afloat resulted in hyperinflation of historic proportions. By year's end, many goods, including food staples, had disappeared from stores and were available only on the black market for foreign currency.

Human rights violations increased in Serbia during 1993, but Montenegro's human rights record was not as poor. Ethnic minorities continued to suffer most. Systematic police repression in Kosovo, where some 90 percent of the population are ethnic Albanians, included killing suspects allegedly while they were fleeing or resisting arrest, beating detainees and prisoners to death, arbitrary arrests, and widespread harassment. Paramilitary attacks and threats tolerated by the Belgrade regime resulted in the murder and dislocation of many Muslims in the Sandzak region. Selective intimidation by police and others of members of the Croatian and Hungarian minorities in multiethnic Vojvodina spurred the emigration of non-Serbs. This situation worsened after Belgrade authorities, over Montenegrin objections, expelled CSCE human rights monitoring missions at the end of July, despite a U.N. Security Council resolution calling for the missions' continuation.

The police also used heavy-handed violence against Serbian opponents of the regime. During a spontaneous protest in Belgrade in June, police arrested and maltreated several dozen people, including opposition leaders Vuk and Danica Draskovic who were both severely beaten while in police custody. More than a dozen Kosovar Albanians died at the hands of police, either while allegedly resisting arrest or in custody. Police responsible for abuses are rarely prosecuted. However, two Serbian police officers in Prizren were sentenced to short prison terms in December for the beating death of Aif Krasniqui, a Kosovar Albanian, while in police custody.

Freedom of the press is greatly circumscribed. One Serbian journalist was briefly kidnaped by unknown individuals, thought to be agents of the Government. Belgrade authorities refused to renew the accreditation of two long-time foreign journalists, without official explanation. The police sometimes interfere with peaceful assembly and travel and regularly enter homes and offices without warrants. They monitor and harass opposition leaders and dissidents.

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\* The United States does not recognize the Federal Republic of Yugoslavia.

## RESPECT FOR HUMAN RIGHTS

*Section 1. Respect for the Integrity of the Person, Including Freedom from:*

a. *Political and Other Extrajudicial Killing.*—Political violence in Serbia/Montenegro, including killings, resulted mostly from direct and indirect efforts by Serbian authorities to suppress and intimidate ethnic minority groups. Leaders of minority communities in the Sandzak, Vojvodina, and Kosovo reported numerous acts of violence and intimidation, the express aim of which was to disrupt and terrorize non-Serbs and Muslims to the point that they would flee their homes and the ultimate objective of “ethnic cleansing” would be achieved.

During the war in Croatia, Yugoslav army (JNA) soldiers and Serbian paramilitary forces were stationed throughout neighboring Bosnia and Herzegovina. When sporadic outbursts of violence there escalated into full-scale war in April 1992, as Serbian nationalists attempted to establish an independent state within Bosnia and Herzegovina, the JNA armed Bosnian Serb irregulars and fought on behalf of Serbian forces until its nominal withdrawal in mid-May. At that time, federal and republic authorities claimed that the personnel of the JNA in Bosnia, 80 percent of whom were Bosnian Serbs, were free to remain in Bosnia and Herzegovina to fight. Approximately 80,000 “volunteers” who “left” the JNA formed the core of the newly formed Serbian army of Bosnia and Herzegovina. The federal and Serbian authorities continued to provide fuel and other materiel support to that army.

Violence was most severe in the Muslim-populated region of Sandzak and the Albanian-populated region of Kosovo. Paramilitary groups regularly crossed the border from Bosnia-Herzegovina into Serbia and Montenegro to attack local Muslims without opposition from units of “FRY” army reservists stationed in border villages. During these raids, paramilitary forces beat to death at least five elderly Muslims. The Humanitarian Law Fund, a Serbian human rights organization, charged in a February report that “FRY” reservists intentionally allowed groups of armed Bosnian Serbs onto the territory of the State of Serbia and did not prevent the mistreatment and abuse of its non-Serb residents.

In Kosovo at least 15 ethnic Albanians died at the hands of police during 1993, of which 7 took place after the CSCE monitoring missions left the area in late July. In most cases, the authorities claimed that those killed were shot while fleeing or resisting arrest. Police, however, appear to have resorted to deadly force with little or no attempt to apprehend the alleged suspects by other means. During a raid on the market in Pristina, police arrested two brothers, shooting both of them as they broke away, and one died instantly. In late August, during a raid on a house in the village of Cernille, also in Kosovo, police waiting to question two brothers shot and killed their 16-year-old brother as he and his two older brothers tried to run away.

In other cases, persons died while in police custody as the result of torture and other mistreatment. In February police arrested, imprisoned, and subsequently beat to death Adem Sequiri, an ethnic Albanian from Djakovica, Kosovo. The official report of death cited blows all over his body as the cause of death. In August Arif Krasniqi, an ethnic Albanian, died at the police station in Prizren 24 hours after his arrest. His body showed clear signs of torture to his head, feet, and genitals. Two policemen were charged in Krasniqi's death and sentenced to 3-year prison terms. The convictions represented an exception to the general rule of official denial and failure to investigate police abuses.

In a series of incidents along the Serbian-Albanian border, Serbian border guards were responsible for the death of 14 Albanian citizens in Albania. Serbian authorities defended their behavior, claiming that those killed were on the Serbian side of the border and had crossed it illegally, possibly for acts of terrorism. Smuggling is rife in the area, but the authorities appear to have used deadly force with little effort to apprehend the suspected border violators. In an effort to excuse the killings following one incident, a senior Serbian official said that the Serbian border guards involved were inexperienced.

The Yugoslav Democratic Party of Gypsies complained that police had harassed and beaten Gypsies in the village of Strazilo, resulting in one death.

b. *Disappearance.*—Bosnian Serb paramilitary forces operating with impunity in Serbia/Montenegro were responsible for disappearances in the Sandzak region. In one case, paramilitary forces abducted at least 19, and possibly 24, Muslims from a Serbian train when it was forced to stop while in a Serb-controlled area of Bosnia-Herzegovina en route from Belgrade to Montenegro. Despite a meeting between Milosevic and families of the disappeared, no progress was made in finding the men. Police held Milan Lukic, a Serb paramilitary leader in Bosnia, for 2 days in Serbia in connection with the disappearances but released him after his troops threatened to blow up the Belgrade-to-Bar railway. The paramilitary forces are presumed to have murdered the Muslims, although their bodies have not been found.

In February Bosnian Serb soldiers entered the predominantly Muslim village of Seliste (Montenegro) and took away two women, a 16-year-old youth, and two small children, returning the following night for more members of the same family. Six of those taken, all over 60, were released after 3 weeks. According to some reports, Bosnian Serbs continued to hold the others, including a mother and two children under 5 years of age, in Cajnice, Serb-held Bosnia. Those released described their treatment as brutal.

In April two Muslims, Hasan Mujovic and Mustafa Pulinac, who had abandoned their homes in Sjeverin (Serbia) following the kidnaping of some of its residents from a bus passing through Bosnian Serb-controlled territory in 1992, returned to check on their property. Four masked men attacked Pulinac, but he escaped into the woods when Mujovic ran to his aid. Mujovic has not been seen since. Bosnian Serb officials in nearby Rudo reportedly had information as to his whereabouts but stated they were not responsible for the safety of citizens of another country.

c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.*—Federal law prohibits torture, but reports that police in Serbia severely beat people, whether under detention or at police checkpoints, numbered in the thousands. Police routinely used violence indiscriminately against ethnic Albanians, justifying such repression as necessary to quell Kosovar Albanian demands for independence. While overt police violence against Serbian opponents of the regime was comparatively rare, some cases occurred.

In a highly publicized instance, police violence was directed against Vuk Draskovic, leader of a major Serbian opposition party, and Danica Draskovic, a member of the party's executive committee. Police arrested them at their party headquarters following a demonstration during which violence broke out in front of the Federal Parliament building on June 1. Police severely beat them while dragging them from the party headquarters to police vans, where at least 10 policemen subjected them to further beatings. During the initial 20 days of their detention, the Serbian Ministry of Justice denied that the couple had any serious health problems. After a panel of medical experts examined them, however, Serbian authorities felt obliged to transfer them to a special clinic because of the severity of their injuries. Mounting international pressure and domestic support for a hunger strike by Vuk Draskovic led President Milosevic to pardon the couple on July 9.

Police brutality contributed to and exacerbated the violence which erupted at the June 1 rally that provided the excuse for the Draskovics' arrest. Police conducted sweeps, detaining some 30 opposition party members and 5 journalists; eyewitness reports confirmed that police clubbed and detained innocent bystanders, including journalists who identified themselves to the police. One policeman died, and several others were injured as a result of the fracas.

Police also badly beat a Serbian woman in Belgrade in October when she protested economic conditions while waiting in a ration line for flour. The middle-aged woman was shown on television with severe bruises on her face. The Serbian Minister of the Interior later apologized to the Serbian parliament and said the policemen who had beaten the woman were suspended and under investigation. An opposition party called for the Minister's resignation, citing a growing pattern of police brutality and disregard for the law.

In Kosovo indiscriminate beatings of ethnic Albanians took place routinely, with a marked increase following the expulsion of the CSCE missions in July. One Albanian human rights group took statements from 804 people beaten by police during a 12-month period. Many times that number were also reportedly beaten but did not register the assaults with human rights groups. Those victimized included professionals associated with Albanian demands for independence, human rights monitors, and people without any discernible political affiliation. In June the principal of a secondary school in Pristina, after being warned against continuing his work in the local Albanian private school system which Serbian authorities considered illegal, was arrested and badly beaten, likely suffering permanent damage to his hearing.

Confident of their impunity and with no fear of reprisal, police brazenly abused and beat their victims in public view. For instance, in late August, during a raid on an ethnic Albanian village near Kamenica, Serbian police, conducting a fruitless search for weapons, allegedly badly beat two brothers in front of their family, causing the pregnant wife of one of them to collapse and miscarry. A few days later, during a raid on the village of Cabra, Kosovo, an 80-year-old woman reportedly collapsed and died after witnessing the beating of her sons. Victims of the raid were interviewed 3 days later, and witnesses saw evidence of severe beatings of several villagers.

Police were exceptionally brutal after several attacks against security forces by unknown assailants. An ethnic Albanian former policeman provided details of tor-

ture during investigations into the ambush of Serbian police in Glogovac in May, during which two policemen died. One of several hundred Albanians rounded up after the ambush and taken in for questioning, he described how police beat and threatened some 150 men. A policeman hit a man next to him in the head with such force that it looked as if he would lose an eye. Similar instances of mass arrests and police beatings occurred after other attacks on police (several policemen were wounded but none killed) in Pec and Prizren. No one was charged with the attacks on the police.

The victims themselves, usually through ethnic organizations, provided accounts of police brutality carried out against minority members. Human rights organizations independently confirmed many of these reports. The sheer number of such reports, represented here by illustrative examples, is evidence of pervasive, systematic police brutality.

Most allegations of harsh interrogations and police brutality stem from incidents in police stations rather than in prisons. However, abuses were also known to occur after sentencing. In July prison officials rejected the requests of ethnic Albanian prisoners serving sentences in Nis to be transferred to prisons in Kosovo, placed them in solitary confinement, beat them, and did not allow them parcels or family visits. With the exceptions noted below, conditions in prisons generally meet minimum standards. Prison facilities are for the most part built for that purpose and reasonably maintained.

Prisons are divided into three categories: open, low, and high-risk. Due to the extremely low number of female inmates, lower category facilities for women are not available, and instead all female prisoners are confined in high-risk facilities, with far greater restrictions. Female prisoners have reported that, although they are permitted writing materials, they are not allowed to keep what they write, whereas the men are. Female prisoners are not given any opportunity for further education, though mandated by law, nor are their recreational facilities as well supplied as those of the men. A new draft law to correct this situation was drawn up but not enacted by year's end.

The number of political prisoners in Serbia/Montenegro is unknown. At the end of 1993, there were at least 60 prisoners who had been convicted of political crimes. The International Committee of the Red Cross (ICRC) was able to visit political prisoners after sentencing but not to gain access to those in pretrial confinement. Numerous Albanian political activists were arrested because of their political activities in support of Kosovo independence and were detained briefly under misdemeanor laws.

d. *Arbitrary Arrest, Detention, or Exile.*—Federal law permits police to detain suspects without a warrant and hold them incommunicado for up to 3 days without charging them or granting them access to a defense attorney. After this period, police must turn a suspect over to an investigating judge, who may order a 30-day extension and, under certain legal procedures, subsequent extensions of investigative detention up to 6 months. During investigative detention, detainees theoretically have access to legal counsel, although in practice access is only occasionally granted.

In May and June, there was a wave of arrests of Muslims in Novi Pazar (Sandzak) for illegal possession of weapons. Many of those arrested had close ties to the Muslim Party of Democratic Action (SDA), which publicly advocates autonomy for Sandzak through peaceful means. In September, while he was out of the country, a warrant was issued for the arrest of the leader of the SDA, Dr. Ugljanin. The prosecutor later brought formal charges of fomenting rebellion against SDA members. SDA leaders admit that some of those charged may have possessed weapons but point out that Serbian police as a rule have not prosecuted ethnic Serbs for violations of weapons laws, despite the proliferation of arms within the general population and the threatening activities of organized Serbian paramilitary groups.

Police arrested several dozen former political prisoners and activists of Albanian political parties and associations in Kosovo in August and September. Some were later charged with threatening the territorial integrity of Serbia. According to their attorneys, police had severely beaten them all during detention. Police detained Salajdin Braha from Prizren, member of the ethnic Albanian Kosovo parliament, for 5 weeks, repeatedly beat him during this time, and then released him due to lack of evidence.

Exile is neither legally permitted nor routinely practiced. No specific instances of the imposition of exile as a form of judicial punishment are known to have occurred.

e. *Denial of Fair Public Trial.*—The court system comprises local, district, and supreme courts at the republic level, and a Federal Supreme Court to which republic Supreme Court decisions may be appealed. There is also a military court system.

According to the Federal Constitution, the Federal Constitutional Court rules on the constitutionality of laws and regulations, relying on the republic authorities to enforce its rulings. The Federal Criminal Code of the former Yugoslavia still applies.

Under federal law, defendants have the right to be present at their trials and to have an attorney, at public expense if needed. Both the defendant and the prosecutor may appeal the verdict. The judiciary is not free from political influence or ethnic bias, as evidenced by the dismissal of ethnic Albanian judges in Kosovo following their refusal to take an oath of loyalty to Serbia, and judicial handling of charges against the Draskovics. Serbian courts continue to sentence ethnic Albanians, reportedly including some minors, for political actions to terms of from 1 to 20 years.

Sandzak Muslims and ethnic Albanians and Hungarians still avoid military service. Prosecution is rare, but force is sometimes used in mobilizing troops. The draft is sometimes used as a means of harassing opposition figures. In Vojvodina in late December, Sandar Balint, editor in chief of the Hungarian language publication *Magyar Szo*, was called up for military duty. Balint is in his mid-forties. However, ethnic Serbs in Vojvodina have reportedly been subjected to similar treatment by the military authorities.

*f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.*—Federal law gives republic ministries of interior sole control over the decision to monitor potential criminal activities, a power routinely abused. Authorities routinely monitor opposition and dissident activity, eavesdropped on conversations (see Section 2.a. re Dusan Reljic), read mail, and tapped telephones. A Serbian minister boasted in Parliament about the wiretapping of the leader of the main ethnic Hungarian party. Although the law includes restrictions on searches, officials paid scant attention to such restrictions.

In Kosovo, police routinely subjected ethnic Albanians to random searches of their homes, vehicles, and offices on the pretext of searching for weapons.

Police at checkpoints throughout Kosovo, both between localities and within cities and towns, systematically stopped private vehicles and searched them and the passengers with no probable cause. In a round-trip journey of 40 miles, independent observers noted four separate checks of a single vehicle. Police often confiscated foreign currency from drivers and passengers, although it is not illegal to possess foreign currency. Similar confiscations occurred in Sandzak.

Police deliberately timed raids on Albanian private schools in Kosovo to disrupt entrance tests for children to secondary schools. Police subjected all those suspected of any form of involvement with private Albanian schools to searches of their homes and offices and often confiscated personal documents.

*g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts.*—Despite their denials, the Governments of Serbia/Montenegro and Croatia were deeply involved in the extensive and egregious violations of humanitarian law and abuses of basic human rights in Bosnia committed by Serbian and Croatian paramilitary forces there. The Government of Serbia/Montenegro armed the Serbian forces in both Bosnia and Croatia, its citizens participated in the wars as members of paramilitary formations with government sanction, and it permitted regular troops to remain in Bosnia after May 1992 in the renamed "Serbian army" there. In addition, it continued to supply the Bosnian Serb forces with fuel, food, and other supplies, even while these items were in critically short supply in its own territory. The authorities in Belgrade have not sought to prosecute former regular army personnel for suspected war crime activities in either Croatia or Bosnia-Herzegovina.

Members of ethnic minorities in Serbia were frequently subjected to intimidation, with the goal of provoking the emigration of non-Serbs. The army and the police did not interfere with or try to prevent paramilitary forces and other extreme nationalists from carrying out numerous attacks and harassment against minorities designed to drive them from their homes. In Vojvodina, paramilitary forces associated with such extremist groups as the Serbian Radical Party (SRS) led by Vojislav Seselj openly threatened Croats, Ruthenians, Hungarians, and others and waged a campaign to replace the non-Serbian population with Serbian refugees from Croatia and Bosnia.

In the multiethnic Serbian province of Vojvodina, following the defeat of Prime Minister Panic in the December presidential elections, there was a resurgence of the campaign of harassment against non-Serbs. In Hrtkovci, Vojvodina, the local mayor and his deputy, who had been imprisoned for incitement to violence against non-Serbs, were convicted on May 5 and given suspended prison sentences. Harassment began anew of non-Serbs and of Serbs who defended them, as well as of Serbian refugees from Croatia and Bosnia-Herzegovina who refused to return to fight alongside local Serb paramilitary forces.

Many of these incidents were instigated by SRS chief and paramilitary leader Seselj and his followers. In October Milosevic's ruling party denounced Seselj as a

Fascist and a war criminal, guilty of paramilitary attacks and war crimes in Croatia and Bosnia. Serbian authorities recently brought criminal charges against nearly 40 members of Seselj's paramilitary organizations, including accusations of smuggling, racketeering and rape. Although the authorities described the charges as related to war crimes, press reports indicated that only one case was specifically connected to activities in Bosnia. The timing of the charges had a highly political flavor, growing out of Seselj's conflict with Serbian President Milosevic, and do not appear to have been motivated by justice or the rule of law. As of year's end, no legal action had been brought directly against Seselj or his Serbian Radical Party. In December Seselj and Zeljko "Arkan" Raznatovic, a paramilitary leader and a candidate in the elections for the Serbian Parliament, traded accusations of criminal activity on state-run television. The charges included war profiteering and murder.

Officially sanctioned violence and intimidations directed against the Croatian population of Vojvodina, which peaked in the summer of 1992, continued in 1993. Conditions eased in the last months of the year following the arrest of some Seselj supporters directly implicated in these crimes. Early in 1993, Croatian families in the Vojvodina town of Srijemska Kamenica received threatening telephone calls to move out or be killed. These calls were usually followed by visits from men offering property exchanges in Croatia. Fearing for their lives, many families moved out. Local authorities did not intervene and in at least one case actively participated. In July in Kukujevac, Vojvodina, one prominent Croat, his wife, and elderly aunt were found shot dead. He had been warned many times that he should move. Several people, all of them members of the Serbian Radical Party, were arrested and charged with the crime.

Significant numbers of ethnic Hungarians left the Vojvodina due to the prevailing atmosphere of fear, economic collapse, and insecurity. Estimates range as high as 50,000, out of a total Hungarian population of 350,000.

Local Serbian authorities reportedly threatened and intimidated Albanian inhabitants in northern Kosovo into leaving their homes near the town of Leposavic, which is a mostly Serb-inhabited area, according to an international human rights organization.

Ceko Dacevic, a local Radical (SRS) and paramilitary leader, was the main instigator of attacks on Muslims in Montenegro. He enjoyed immunity from prosecution for a time as a member of the Federal Assembly. In late March, members of his group burst into a local restaurant, forcing the owner at gunpoint to remove a picture of former President Tito and ordering him to close down the restaurant, which they said would be converted into an Orthodox church. At the end of August, Serb extremists demolished a Muslim-owned cafe under the eyes of the police, who intervened only when a crowd of Muslims demanded they prevent the rape of the owner's daughter. A week later police arrested a Muslim bystander as well as three of Dacevic's men, who were only briefly detained. Harassment of Muslims in the Montenegrin Sandzak district of Pljevlja lessened following the arrest and trial of Dacevic.

In 1993 more than 800 Bukovica (Sandzak) Muslims were forced to leave their homes and villages following threats from "FRY" army members and the kidnaping of some villagers during a violent attack by the Bosnian Serb army during cross-border sorties. Many claimed they fled to escape "FRY" reservists, putatively stationed in the area to protect them but in practice making no attempt to do so, who in some cases beat and accused them of working for the Bosnian Government of President Izetbegovic. The last three Muslim families in the village of Dekare moved to Pljevlja in April, following a late night incident at the home of one of them when "FRY" army members burst in and questioned them about weapons.

A group of armed civilians opened fire on a Canadian company of the United Nations Protective Force (UNPROFOR) that was stopped at a police checkpoint in Serbia near the Bosnian border. A French soldier with the Canadian company was wounded in the leg. Serbian police were on the scene but did nothing to prevent the shooting or to pursue the attackers. It was noted that SRS leader Seselj was attending an SRS meeting nearby and drove past the UNPROFOR convoy shortly before the shooting, rolling down the window of his car to shout obscenities at the UNPROFOR troops.

On at least one occasion, armored personnel carriers, trucks, and armed troops of the Serbian militia prevented a humanitarian aid convoy from proceeding through Serbia to Srebrenica, Bosnia, claiming that the United Nations did not have permission to use that road.

#### *Section 2. Respect for Civil Liberties, Including:*

a. *Freedom of Speech and Press.*—Although freedom of press and speech is provided for under law, this right is not respected in practice. The regime controls fre-

quency allocations for broadcasters and has enormous influence on supplies and revenues for the print media. Although the regime continued to tolerate the critical independent but low-circulation print media of Borba and Vreme in Belgrade, most of the population nationwide is dependent for their news on electronic media firmly under government control. The Government blocked the attempts of independent television station Studio B and independent radio station B-92 to expand transmission of their broadcasts. Republic authorities use provisions of the Federal Criminal Code to restrict freedom of speech.

Shortages of newsprint and the deteriorating economy due to international sanctions enabled the Government selectively to direct supplies to favored publications and to reduce financial support to independent journals. In Vojvodina, the Hungarian independent Magyar Szo resisted an attempt to have it merge with a Serbian publishing house, fearing financial mismanagement would force it to close. The paper struggled on, overcoming a stoppage in March, but ceased publication temporarily in October due to financial problems and a shortage of newsprint. At year's end, Magyar Szo was appearing twice weekly.

Proposed press regulations to regulate foreign investment in domestic media would make illegal Serbian press connections with foreigners or foreign support of Serbian media under most circumstances.

Despite a precarious existence, Bujku, the only Albanian-language newspaper, continued to be published. It was forced to miss two issues in October because of their Serbian-run publishing house's alleged inability to obtain newsprint. The publishing house itself had previously been in Albanian hands but was transferred to Serbian control by various financial and legal measures over objections from the Albanian management. A hunger strike by Albanian writers in June failed to prevent control being transferred into Serbian hands. The paper is prepared independently and uncensored and clearly reflects the views of the ethnic Albanian democratic movement in Kosovo. As such, it is the main source of information for the Albanian community.

Publication of material critical of the Government, however, was tolerated, with a few notable exceptions. A political cartoon deemed to incite ethnic, religious, and racial hatred resulted in the confiscation of all copies of an issue of Sandzak, a publication of the Muslim cultural society in Novi Pazar; the prosecutor brought criminal charges against its editor in chief. Serbian police seized Rexhep Ismaili's book "Kosovo and the Albanians in the Former Yugoslavia" from a private printing house and confiscated all copies of it. They also temporarily blocked distribution of "Thema", published by the Kosovo Association of Sociologists and Philosophers.

On February 9, satirist Mihajlo Radojic was sentenced to 5 months in prison, with 2 years suspended, for "exposing the President of the Presidency of the Republic of Montenegro, Momir Bulatovic, to ridicule." The President of the Association of Professional Journalists of Montenegro criticized the conviction and accused the Government of trying to eliminate free thought.

Both local and international journalists were harassed and intimidated. Dusan Reljic, foreign editor of the independent Vreme, a publication consistently critical of Milosevic, was kidnaped and questioned while blindfolded for 2 days in late September, shortly after the Serbian Minister of Information warned of "fifth column" elements among Serbian journalists. Reljic believed his interrogators were police or state intelligence agents.

Progovernment media in January accused Roy Gutman, correspondent for Newsday, of being a spy involved in a Western media conspiracy against Serbia. They made these charges on the same day that the Government threatened restrictions on certain foreign journalists. During the June 1-2 demonstrations in Belgrade, police confiscated or destroyed the equipment of many journalists whom they beat and threatened. The authorities expelled the Belgrade correspondent of the London-based, Saudi-owned Al Hayat from Serbia/Montenegro after 13 years in residence, with 2 weeks' notice and no official explanation. In early December, the Government refused, without explanation, to extend the accreditation of long-time London Times correspondent Desa Trevisan.

Milosevic's control of the media and particularly state television is vital to the strength of his regime. Through Serbian Radio and Television (RTS), the Government exerts editorial control over all news programming, which is used to spread ethnic hatred. Blatant anti-Muslim or anti-Albanian propaganda, fanning the fires of religious and ethnic hatred, constituted a substantial portion of the regular news programs which RTS broadcast.

In early 1993, RTS placed some 1,500 employees on involuntary leave. The majority had publicly condemned RTS's encouragement of nationalistic and religious intolerance. They were also members of the independent RTS union. The director of Novi Sad Radio-Television ordered stricter application of the Serbian law on the official



use of language and the alphabet, which resulted in the immediate deletion of all references in the Hungarian language from official programming.

Independent television station Studio B continued to struggle for survival. It faced eviction from its premises in favor of a proregime firm. Despite its having received frequencies approved by the International Telecommunications Union for repeater stations, Serbian authorities refused to approve them on the grounds that only the Serbian government could allocate frequencies on Serbian territory. This attitude, combined with the hijacking in late 1992 of new equipment and its inability to buy suitable land from the government to house its transmitter, prevented Studio B from extending its range of reception beyond Belgrade. Police broke into Studio B studios and confiscated video footage of the June 1 protest (see Section 1.c.).

A new compulsory tax was levied on citizens of Serbia/Montenegro as part of their electric bills beginning on October 1. Revenue is to be used to subsidize RTS, thus further diminishing independent television's ability to compete.

Reports continued of threats and, on rare occasions, instances of physical violence directed against individuals or organizations who expressed criticism of Serbia's extreme nationalist ideology or of the "Yugoslav" army and security services. For instance, a journalist who wrote for a Belgrade daily a piece critical of the army subsequently received death threats. Several Belgrade University professors who expressed oppositionist views or simply failed to collaborate with the regime received death threats.

In January Milosevic's government fired the Rector of Belgrade University, as well as the directors of the Modern Art Museum and the National Theater. Some teachers were removed from their posts, and others reported receiving death threats. Legislation granted the State direct control of public enterprises. The Education Ministry used this power to fire school principals.

The controversial university law was quietly modified by the Serbian assembly in May to give more control to the government regarding the founding of private and foreign universities and minority language instruction, requiring that an "opinion" (in other words, permission) be sought from the Ministry of Education. The Government controls 50 percent of the membership of the University Council, the supreme ruling body of the University, as well as the chairman. On June 22, the University Council elected the dean of the Agricultural faculty and SPS representative in the Federal Assembly as Rector of the University of Belgrade.

In June Rexhep Osmani, chairman of the Kosovo Association of Albanian Teachers, was sentenced to 60 days in prison for organizing peaceful protests on Albanian education in October 1992. Professor Ejup Statovci, rector of the underground Albanian university of Pristina, was returned to prison in February to complete serving a 60-day sentence growing out of the same 1992 incident.

b. *Freedom of Peaceful Assembly and Association.*—Although freedom of peaceful assembly and association is legally provided for, these freedoms were severely restricted. Authorities arbitrarily enforced regulations, permitting some demonstrations and banning others. They permitted supporters of National Peasant Party leader Dragan Veselinov to demonstrate in Belgrade in July for the release of Vuk Draskovic, whereas in late August police broke up a gathering of milk producers in Belgrade organized by Veselinov's party to protest the Government's pricing of milk. When violence by protestors marred the spontaneous June 1 demonstrations at the Federal Assembly building, police riot teams broke up the gathering, indiscriminately beating and arresting participants and bystanders alike (also see Section 1.c.).

Ethnic Albanians involved with political groups are subjected to arbitrary arrest and detention, disruption and destruction of their meetings and offices, and confiscation of documentation and property. During one such raid on the offices of the Democratic League of Kosovo, police arrested the local vice chairman and party members. During their detention at the police station, police beat them and instructed them not to continue their political activities. In another incident, the chairman and secretary of the office of the Democratic Alliance of Kosovo (LDK) in Glogovac were beaten at a police checkpoint. The branch chairman was sent to Pristina where he was detained for 30 days for allegedly assaulting a police officer, during which time police beat and tortured him. He faces a possible 5- to 15-year sentence. During raids on schools, police arrested ethnic Albanian teachers and released them the same day as a form of harassment to discourage employment in private Albanian schools. Police held many others for longer than 3 days but subsequently released them without filing charges or providing an explanation for their detention.

Disruptive and violent police raids frequently targeted meetings of ethnic Albanians. In Mitrovica, police raided a peaceful gathering to commemorate the 60th anniversary of the murder of Hasan Prishtina, an ethnic Albanian hero. Police broke

up the gathering and indiscriminately beat the participants, including the elderly, children, and women.

Police detained and questioned a founding member of Arkadia, a gay rights group, about the group's activities.

Police arrested committee members of the Belgrade Islamic community in April and accused them of collecting money for arms while compiling data on the Islamic community.

*c. Freedom of Religion.*—There is no state religion, but the Government gives the Serbian Orthodox Church, to which the majority of Serbs belong, preferential treatment over other faiths and access to state-run television for religious events.

Although there are no legal restrictions on the practice of religion, the regime overtly and covertly promoted religious intolerance. Police condoned periodic harassment of religious facilities used by ethnic minorities. After the fire-bombing of Hungarian and Croatian Catholic churches in the Vojvodina, police investigations were generally perfunctory and inconclusive.

Following the mining of a mosque in the municipality of Bar in October, the fourth such act of vandalism against Muslim religious sites in Montenegro, there was widespread condemnation from local authorities.

*d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.*—The Constitution provides for freedom of movement. Exit visas are generally not required except for travel to Albania. Passports are available to most citizens of Serbia/Montenegro, but many Kosovar Albanians have had their right to travel restricted.

Following Macedonia's imposition of a passport requirement for all citizens of the former Yugoslavia, there were increasing reports that Serbian border guards confiscated the passports of ethnic Albanians working abroad as they returned to Kosovo. Police also confiscated some passports during house searches. Serbian authorities on the Kosovo-Macedonia border delayed departure of a Kosovar Albanian delegation attending meetings on educational issues of the International Conference on the Former Yugoslavia.

The authorities detained two members of the Kosovo Helsinki Committee as they crossed into Kosovo from Macedonia following their attendance at a meeting in Tirana. Serbian police seized the passport of a well-known ethnic Albanian journalist and political activist on the grounds that he had visited Albania without obtaining a Serbian exit visa. Despite such cases, Serbian authorities have generally allowed ethnic Albanian leaders, including LDK leader Ibrahim Rugova, to leave the country and return, even though they consider his party and other ethnic Albanian parties illegal.

On May 1, Serbia tightened its refugee requirements, drawing up a list of "safe municipalities" and contending that those arriving from nationalist Serb-controlled regions of Bosnia and Croatia were no longer eligible for refugee status. Only Montenegro continued to offer unconditional protection to refugees from Bosnia and Croatia. There are approximately 60,000 refugees in Montenegro, 10 percent of its population. As in Serbia, nearly 95 percent live with host families.

Informed observers reported that Serbian police at times prevented Muslim refugees from entering Serbia by bus from Montenegro, while allowing Serb refugees on the same busses to enter.

Numerous reliable reports indicate that local minorities, especially in Vojvodina, have been forcibly displaced and Serb refugees moved into their homes.

### *Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government*

The Constitution allows citizens to change their government, but their ability to do so is circumscribed by the Milosevic government's control of mass media and the electoral process. This is the case particularly in Serbia. In the December 1992 elections, opposition parties were denied equal access to the state-run media, voter registration lists omitted many eligible voters, international observers noted numerous voting irregularities, and serious questions were raised as to the accuracy of the vote count. The CSCE report concluded that this election could not be deemed to be fair and democratic. The CSCE found conditions in Montenegro much better. In the December 1993 Serbian parliamentary elections, similar doubts were raised as to the fairness of voting procedures.

Parliamentary elections are held every 4 years. In principle the ballot is secret, but in practice voting booths are often not available, and voters mark their ballots on open tables or behind small cardboard shields. Voters, nonetheless, can obtain a degree of privacy.

Slobodan Milosevic dominates the political system in Serbia/Montenegro. Although formally President of Serbia, one of the two constituent republics in the so-

called Yugoslav Federal Republic, Milosevic, through his control of the Serbian police, the army, and the state administration, first weakened the authority of the Federal Government and then placed his followers in key positions, including Federal President and Federal Prime Minister.

In May the Serbian Socialist Party combined with the Serbian Radical Party to remove Federal President Dobrica Cosic, who had shown some degree of independence from Milosevic. In a striking display of political ruthlessness, Cosic was summarily ousted following a single day's unscheduled debate in the Federal Parliament with no opportunity to defend himself. Democratic opposition deputies, who protested the unprecedented haste with which the Head of State was dismissed, were jeered and threatened by SRS deputies, one of whom subsequently attacked an opposition delegate in the lobby of Parliament, knocking him unconscious. This sparked the June 1 demonstrations (see Section 1.c.).

A new law on the declaration of a state of siege carries the threat that martial law could be imposed over the objections of the Montenegrin republic. Throughout 1993, party and political institutions in Montenegro functioned in fits and starts with some degree of adherence to democratic principles and the rule of law, as well as tolerance for opposition and ethnic minority views, at least in comparison with the situation in Serbia. Nevertheless, the Montenegrin government's sphere for independent action is greatly circumscribed by Milosevic's refusal to tolerate significant divergence from the Serbian party line.

#### *Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

Local human rights monitors, Serbs as well as members of minorities, worked courageously under difficult circumstances and despite public insinuations by ultranationalist leaders and sometimes government officials that they were traitors. Police routinely searched human rights offices in Kosovo, confiscated documents, and harassed their employees.

A number of independent human rights organizations exist in Serbia/Montenegro, researching and gathering information on abuses and publicizing such cases. Several operate out of Kosovo, including the Council for the Defense of Human Rights and Freedoms and the Kosovo Helsinki Committee. In the Sandzak region, a separate Council for the Defense of Human Rights and Freedoms monitors abuses against the local Muslim population. The Belgrade-based Humanitarian Law Fund and the Center for Antiwar Action (CAA) have a broader scope of activities, researching human rights abuses throughout the "FRY" and on occasion, elsewhere in the former Yugoslavia. In addition to monitoring human rights abuses, the CAA sponsors symposiums and lectures and runs a small publishing house. The activities of independent human rights agencies are carefully monitored by Serbian authorities but they are not generally subject to overt harassment. Last July, however, local authorities seized files and computer disks belonging to the Council for the Defense of Human Rights and Freedoms in Pristina. The materials have not been returned. In August the CAA and two opposition groups had their offices robbed and documents stolen, pointing to political rather than criminal motives for the break-ins.

The governments of Serbia and Montenegro formally maintain that they have no objection to international organizations conducting human rights investigations on their territories. However, they regularly attacked the findings of human rights groups. The Federal Minister for Human Rights and National Minorities repeatedly charged the international community with selective application of international law, criticized the work of the CSCE monitors even as local Serbian officials praised that work, and denied human rights violations against minority groups.

On June 29, the "FRY" mission to the United Nations in Geneva rejected a proposal to allow envoys of U.N. Human Rights Rapporteur Tadeusz Mazowiecki entry to Serbia/Montenegro. The refusal was based on the assertion that in previous visits, Mazowiecki had indulged in "malicious" misrepresentations and had applied double standards unfair to Serbia.

The CSCE missions established in September 1992 and terminated by Milosevic in July 1993 experienced varying degrees of cooperation. During a planned visit to villages bordering Bosnia in the Montenegrin part of Sandzak, the mission was not able to reach the villages because local officials failed to provide security guarantees. However, relations with local officials were generally good. Belgrade refused to extend the mission's mandate in July after insisting on linking its presence to Serbia/Montenegro's suspended status in the CSCE, and several Serbian and federal officials publicly accused the CSCE mission of inciting local populations.

Violent acts against ethnic minorities in the regions formerly monitored by the CSCE missions subsequently increased, particularly in Kosovo, including acts

against former employees and associates of the missions. Prizren police detained and questioned a Helsinki Watch representative and a British journalist while they were covering the aftermath of a trial of five Albanians accused of "endangering the territorial integrity of Yugoslavia." They were released after 4 hours of questioning.

Many foreign delegations visited all parts of Serbia and Montenegro without difficulty, but a Swedish delegation due to visit Kosovo on a refugee-related mission was denied visas.

*Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status*

Federal and republic laws guarantee equal rights to all citizens, regardless of ethnic group, religion, language, or social status.

*Women.*—Women have suffered numerous human rights abuses in the hostile atmosphere of oppressive nationalism fostered by the regime during the conflict and warfare over the breakup of Yugoslavia. Women's rights activists have little access to the mass media and are therefore virtually unknown outside of Belgrade and Novi Sad. Serbian women face rising levels of domestic violence and sexual harassment in the workplace. Few women are represented in high-level political positions.

Federal and republic laws prohibit discrimination against women, but the laws are not enforced. In comparison to men, women have limited access to senior positions in political and economic life but are well represented in the professions, particularly as doctors and teachers. According to women's rights monitors, as a result of the deteriorating economic situation, women were often the first to be let go. The Police Academy no longer accepts female students. Those women who had attended the school were hired in purely administrative positions, and there are no female police officers in uniform on the street. Although women constitute 70 percent of the students enrolled at the Law Faculty of Belgrade University, in the workplace women comprise only 10 percent of public prosecutors and only 10 percent of judges at the Supreme Court level.

Women are entitled to equal pay for equal work. Maternity leave for employed women usually is granted for 1 year, and even longer in some cases, although the collapse of the economy has restricted such benefits in practice. Legal penalties for spousal abuse are the same as those for abuse of other persons, but a complaint must be filed. This is seldom done, according to women's rights groups, due to traditional attitudes.

According to women's rights monitors in Belgrade, these same traditional attitudes cause women's rights groups to be largely ignored. One group reported a burglary at its offices, during which nothing was taken, and after which the group was evicted from those premises. The reasons for the eviction are not clear.

Women's rights groups established an SOS hotline and opened a rape crisis center in Belgrade in September with the aim of assisting women raped in the war in Bosnia. Some 5,000 calls have been received since the hotline was established in 1992. Most of the women who call are aged between 40 and 60, poorly educated, and unemployed. Representatives claim that domestic violence against women and children has taken an upward turn as husbands, returning traumatized and armed from the war in Bosnia, are unable to find jobs and take their frustration out on their families. The hotline reports that sexual harassment of women has increased and is tolerated by women from all levels of society who are fearful of losing their jobs.

The Serbian Orthodox Church accused Serbian women of failing to give birth to enough children and demanded a ban on abortions earlier in the year. The Church had insufficient political support and failed to achieve the ban.

*Children.*—The minimum age for employment is 16 years, although in villages and farm communities, younger children often assist with family agricultural obligations.

*National/Racial/Ethnic Minorities.*—The ethnic minorities of Serbia/Montenegro continued to suffer discrimination in all respects, in addition to the abuses described elsewhere in this report. There were credible reports that qualified Muslims or ethnic Albanians were fired from their jobs on the basis of religion or ethnicity.

Members of ethnic minorities were badly treated in the armed forces where they were viewed with suspicion and often outright hostility. In early 1993, there appeared to be an increase in the number of Muslims being called to military service which may have reflected an effort to encourage Sandzak Muslims to leave the area. A recently enacted law for the army contains a provision whereby recruits may serve in a civilian capacity for religious or other reasons of conscience; it remains to be seen whether it will be applied to minorities.

There is a traditional prejudice against the substantial Gypsy (Roma) population. The Yugoslav Democratic Party of Gypsies is not well organized and does not play

a role in the political life of the country commensurate with its numbers. The Gypsy population has the right to vote, and there is no legal discrimination, although traditional societal discrimination is widespread, and local authorities apparently condone and even participate in harassment and intimidation of Gypsies.

*Religious Minorities.*—After the December 1992 election victory of Milosevic's Socialists and Seselj's Radicals, the regime moved to fire uncooperative employees and place its own handpicked candidates in senior positions at Serbian Radio and Television and other institutions. Seselj mounted a campaign of treason accusations against dissidents and non-Serbs. Increasing authoritarianism and intolerance created a fearful climate for members of all of Serbia's ethnic and religious minorities.

The Humanitarian Law Fund stated that since August 1992 violent incidents against Muslims have been increasing. The Fund accused military and paramilitary Serbian groups from Bosnia, reservists of the "FRY" army, and local police. The government has not taken any effective action to protect the Muslim population in Sandzak from continuing violence.

Sandzak Muslim soccer fans and supporters of Zeljko "Arkan" Raznjatovic's All-Serbian Pristina Club clashed at Novi Pazar stadium during a soccer game. Police arrested 50 Muslim spectators on a variety of charges, but none of Arkan's supporters were arrested.

In Sandzak there continued to be reports of destruction of mosques and Muslim-owned businesses. In Sjenica 17 Muslims in senior positions were fired and replaced by Serbs.

*People with Disabilities.*—There is no formal legislation to guarantee equal rights for the disabled. Attempts to introduce legislation have failed. An opposition party is lobbying to broaden existing legislation to provide equal rights for the disabled. Public buildings are required to provide access for the disabled, but it is only recommended that private buildings provide such access.

#### *Section 6. Worker Rights*

a. *The Right of Association.*—All workers (except military personnel) are legally entitled to form or join unions of their own choosing. This right is formally respected. Workers are no longer obligated to join and pay dues to the official unions.

The older semiofficial union umbrella organizations (the Council of Independent Trade Unions of Serbia—CITUS, the Council of Independent Trade Unions of Montenegro—CITUM, and their federal counterpart, the Council of Independent Trade Unions of Yugoslavia—CITUY) had offered material benefits to members, such as preferential access to lower cost commodities from government reserves, that the fledgling independent unions were unable to match. These commodity reserves have dwindled, however, leaving union members facing much the same shortages as nonunion members. Although statistics on the size of the organized workforce are unreliable, the large bulk of Serbian and Montenegrin workers are probably members of the semiofficial CITUS and CITUM. CITUS claims current membership of 1.8 million workers, while the more loosely affiliated Serbian independent trade union organization (Nezavisnost) has between 80,000 and 200,000 members.

There are reportedly no unions independent of CITUM in Montenegro. Since mid-1991, union activity has generally been at a reduced level, either out of support for the Government or due to fears of being perceived as disloyal.

The right to strike is recognized and was exercised by both the independent and progovernment trade union organizations throughout 1993. A 30-day notification of the intent to strike is required. More than two dozen strikes were recorded, protesting lack of job security and the failure of wages to keep pace with hyperinflation. Some unions called for the resignation of the Federal Government. Additionally, there were two general strikes, one organized by the independent labor union on May 19 and the other organized by progovernment unions on August 5. Both were poorly organized and failed to achieve the widespread work stoppages initially planned. During the course of the year, the Government successfully defused worker discontent by either partially or fully meeting union demands for wage increases. Hyperinflation, however, eroded purchasing power so quickly that any wage increases rapidly disappeared in real economic terms.

The Serbian Interior Ministry has instructed Belgrade's public prosecutor to investigate leaders of a strike organized by the Kolubara Coal Miner's Union in December. There have been reports of union activists being harassed and briefly detained by the police.

In June 160 civil air controllers working for the Ministry of Traffic and Communications went on a hunger strike to protest low wages and hazardous working conditions. The strike, which was bitterly fought, proved to be a negative turning point in government-labor relations but, more significantly, provided the Government

with the impetus to pass a major new law that bans all public service workers from participating in strikes.

The Independent Trade Unions of Kosovo (ITUK), formally recognized by the Federal Government, continued to face huge obstacles at the local level in representing a work force that suffered from official repression, repeated mass dismissals on ethnic grounds, and consequent massive unemployment. CITUS is well represented in Kosovo and has taken over the offices occupied by the Communist-era trade union. According to ITUK, worker union fees deducted from paychecks are deposited with CITUS, and benefits are distributed only to Serbian workers. All ethnic Albanian workers pay union fees voluntarily.

b. *The Right to Organize and Bargain Collectively.*—This right is guaranteed by law, but Western-style collective bargaining is unknown. Under U.N. sanctions, which have led the Government to freeze previously planned economic reforms, real collective bargaining is unlikely. Plant management is not independent of the Government nor an effective bargaining partner for the unions. Republic wage controls effectively usurped the role of enterprises and the semiofficial chambers of economy. The republic governments have promised that no workers would be discharged as a result of the sanctions and guaranteed that idled workers would receive an income equal to 50 percent of their former wages.

Privatization of social property (state enterprises) is another problem in which the rights and interests of workers are not well defined or understood.

c. *Prohibition of Forced or Compulsory Labor.*—Forced labor is prohibited by law and is not known to occur.

d. *Minimum Age for Employment of Children.*—The minimum age for employment is 16, although in villages and farm communities younger children often assist with family agricultural obligations.

e. *Acceptable Conditions of Work.*—The republic governments guaranteed minimum wages, but delays and partial payments were pandemic. The governments of Serbia and Montenegro continued strict wage controls in 1993. Unemployment and underemployment due to sanctions and other economic problems also reduced the number of families with two wage earners. The minimum wage is insufficient to provide a worker and family a decent living standard. By October the net minimum monthly wage in Serbia was only sufficient to feed a family of four for 2 or 3 days.

The official workweek was listed as 40 hours, but many enterprises and workers worked fewer hours for lack of raw materials. In general, sick leave and other benefits are generous. Federal and republic laws and regulations on occupational health and safety were adequate, although enforcement was lax.

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COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE

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CSCE ACTIVITY REGARDING THE FORMER YUGOSLAVIA:  
A BRIEF CHRONOLOGY  
19 April 1994

- o In June 1991, Austria and Italy invoked the CSCE Unusual Military Activities Mechanism, citing concern with Yugoslav National Army activities close to their borders. After Yugoslavia responded to the Austro-Italian request for a clarification, Austria proceeded to convene a meeting on the situation in early July of all CSCE participating States. In August 1991, the UMA mechanism was invoked for a second time by Hungary, leading to a bilateral meeting between Yugoslavia and Hungary.
- o In July 1991, agreement was reached under CSCE auspices between Yugoslavia and the EC for EC missions to observe an EC-brokered ceasefire; in August 1991 the missions were expanded to include non-EC CSCE participating States (Canada, Switzerland, Sweden, Czechoslovakia, and Poland).
- o In addition to being regularly addressed at the meetings of the CSCE Committee of Senior Officials, the conflict has led to the use of the Berlin Emergency Meeting Mechanism twice: the first meeting was held *seriatim* in July, August, September, October and November 1991, and the second meeting was held in May 1992.
- o In January 1992, the CSCE sent a rapporteur mission to Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia tasked with reporting on the human rights situation. A follow-up mission was sent in May 1992.
- o Finding "clear, gross and uncorrected violations of CSCE commitments," the CSCE took an unprecedented consensus-minus-one decision on 12 May 1992, agreeing to suspend "Yugoslavia" from decision-making regarding its on-going conflict. Subsequently, "Yugoslavia" was suspended indefinitely.
- o In May 1992, the Office for Democratic Institutions and Human Rights was mandated to take a fact-finding mission to Serbia to examine the pre-election conditions in that republic. At roughly the same time, the Conflict Prevention Center dispatched a fact-finding mission to Kosovo, Serbia to examine the military conditions there.

Prepared by the Staff of  
the Commission on Security and Cooperation in Europe

- Meeting in Budapest, Hungary in July 1992, the CSCE Parliamentary Assembly adopted a resolution condemning the violence in the former Yugoslavia, noting that "although blame attaches to all parties, the greatest share falls to the leadership of Serbia and the Bosnian Serbs."
- In August 1992, the CSCE established missions of long duration in Kosovo, Vojvodina and the Sanjak region in Serbia, three areas with significant minority populations believed to be at risk. Some twenty people were ultimately part of these missions, which remained in place until July 1993, when Serbian-Montenegrin officials refused to renew their visas. Subsequently, some of their monitoring and reporting activity has been taken on by the individual embassies of the CSCE participating States.
- A spill-over mission was established in Skopje, Macedonia in September 1992, tasked with promoting peace and stability in an effort to prevent a spill-over of the Bosnian war into that country. That mission is still in place.
- In August 1992, the Committee of Senior Officials established the so-called "Thomson" mission (known for its British head of delegation). This mission was mandated to examine the human rights and humanitarian situation in Bosnia-Herzegovina, with special regard for the treatment of persons in detention.
- In September 1992, the CSCE (in coordination with the European Union) authorized the placement of Sanctions Assistance Missions in countries bordering or having significant Danube traffic with Serbia (Hungary, Romania, Bulgaria, Ukraine, Macedonia, Croatia, Albania) in order to assist with the implementation of UN sanctions against Serbia-Montenegro. Through their headquarters in Brussels, over 150 customs officials are currently on the ground assisting host country officials to monitor borders and check suspicious shipments.
- Under the terms of the CSCE Moscow Mechanism, a mission was mandated to go to Croatia and Bosnia-Herzegovina in September 1992 to examine the situation in those countries. The mission completed a visit to Croatia in October 1992, but was unable to go to Bosnia because of the lack of adequate security. At the December 1992 Stockholm meeting, the Foreign Ministers of all CSCE participating States mandated the mission members (led by Swedish Legal Advisor Hans Corell) to prepare a follow-up to their report on Croatia. In February 1993, the mission issued a Proposal for an International War Crimes Tribunal for the Former Yugoslavia, which was submitted to the United Nations by the Swedish CSCE Chair-in-Office as an official UN document. This was the first concrete proposal for such a tribunal and fostered work on this issue in New York.



- In December 1992, an election-monitoring mission was sent by the Office for Democratic Institutions and Human Rights to observe and report on the republic-level and federal elections in Serbia-Montenegro.
- In December 1992, the CSCE also mandated the Office for Democratic Institutions and Human Rights to send a mission of short duration to examine the detention and treatment of Serbian opposition leader Vuk Draskovic. This mission was barred from entry by Serbia-Montenegro and hence unable to fulfil its mandate.
- In January 1993, the so-called Blackwell mission (named for U.S. Ambassador J. Kenneth Blackwell, head of delegation) was dispatched to Serbia and Montenegro to inspect alleged places of detention in the republics of Serbia and Montenegro.
- The CSCE Parliamentary Assembly, meeting in Helsinki in July 1993, adopted a resolution on the former Yugoslavia asserting, i.a., that "military aggression must never be rewarded through the use of force," that the "Vance-Owen peace plan has failed," and that "those who unilaterally insist on facts brought about by force . . . must not receive any reconstruction assistance from the international community." In addition, the Assembly has welcomed "efforts by the United Nations to investigate, prosecute, and try alleged war criminals responsible for crimes against humanity in the former Yugoslavia and urge[d] the participating States to provide adequate funding and support for these and related activities."
- Most recently, at the December 1993 Rome Ministerial, the CSCE participating States "affirmed their intention to participate actively in efforts to build a just and lasting peace in the [Yugoslav] region. They stressed that the CSCE stands ready, in co-operation with others, to contribute to a future process of reconciliation, rehabilitation and rebuilding of democratic institutions and processes and the rule of law." In addition, they mandated the CSCE Permanent Committee to examine how the CSCE could best be utilized in future efforts to this end, in particular in coordination with the United Nations.
- At the 25th meeting of the Committee of Senior Officials in March 1994, the CSO authorized the CSCE Chair-in-Office to explore ways in which the CSCE might contribute to the future process of reconciliation, rehabilitation and rebuilding of democratic institutions and processes and the rule of law.
- On 24 March 1994, an informal open-ended meeting began in Vienna within the framework of the Forum for Security Co-operation. The initiative is interested in developing a CSCE contribution to military security in south-eastern Europe through arms control and disarmament and confidence- and security-building measures, including as part of a comprehensive peace settlement for the former Yugoslavia.

# Diplomats on Lonely Mission to Ease Tension in Yugoslav Regions

By James Rupert  
Washington Post Foreign Service

NOVI PAZAR, Yugoslavia—In this isolated mountain town far from any capital and close to the Bosnian war, about the last resident you might expect to find would be an American diplomat. But Peter Prahar, a Foreign Service officer, shares a rented bedroom here with a coworker and a satellite telephone, working on an assignment he says might help prevent a war.

Prahar is one of about 20 diplomats, military officers, lawyers and scholars from Europe and North America working to ease communal tensions in those parts of Yugoslavia to which it is feared warfare could spread. This small group is staffing field offices of the Conference on Security and Cooperation in Europe (CSCE), monitoring human rights and promoting discussion between this country's ruling Serbs and its fearful minorities.

For eight months, the CSCE has borrowed personnel from among its 52 member countries and placed them in three tense regions of Yugoslavia: Kosovo, which is dominated by ethnic Albanians; northern Vojvodina, which is heavily Hungarian; and the mainly Muslim Sandzak. There is also a contingent in the former Yugoslav republic of Macedonia.

"Nobody explained exactly how we were supposed to do this," said Prahar, who has been here in Sandzak for about a month. "They gave us the keys to a four-wheel-drive, a pat on the back and told us to come

down here and keep the peace." So Prahar and his colleagues tool around the mountain roads of this region—sometimes like circuit riders, preaching coexistence over countless cups of coffee with local residents; sometimes like diplomatic policemen, racing to the scene of a reported bombing or communal shootout.

On a recent Saturday, Prahar was found in the family home, above a neighborhood cafe, where he and his coworker rent rooms. Wearing jeans, T-shirt and fuzzy red slippers as he stirred a pot of beans on a stove, Prahar hardly fit a diplomatic stereotype. But, he said, "this is the ultimate Foreign Service experience. We're on our own, with no supervision. We have to make quick decisions."

For Prahar, a 42-year-old from San Francisco who trained last year for a posting in nearby Albania, his work here is the most important kind of diplomacy. "Like a lot of people my age, I got interested in politics through the Vietnam War. I've always been interested in questions of peace and war—and when the opportunity came to prevent a war from spreading, I jumped at it."

In Sandzak, as in the other two regions, minorities long have demanded increased freedom to express their own cultures, which are largely distinct from that of the Serbs. But many Serbs see the calls for autonomy as a threat that the new Yugoslav state they dominate will be broken up, even as the old six-republic Yugoslav federation was shattered by communal hatreds and factional rivalries. And the warfare and atrocities in neighboring Bosnia and Croatia

have transformed the conflicts here into what the CSCE ambassador in Belgrade called "a psychosis of fear."

"We are encouraging local people to believe that conflict in Yugoslavia still can be resolved by civil and political means," said Ambassador Tore Bogh, a Norwegian diplomat who heads the CSCE mission.

Many non-Serbs in Yugoslavia "have given up on the idea of using the government system to seek justice" and have stopped reporting attacks or intimidation to the authorities, said a Western diplomat in

Belgrade. "The CSCE is pressing them to go to the authorities and ask for accountability—and then is trying to make the system deliver it."

The CSCE—a loose organization that grew out of East-West talks in Helsinki, Finland, during the Cold War—authorized this mission at a meeting last summer as the international community began searching for ways to contain and stop the warfare in the Balkans.

The CSCE field officers gather reports on allegations of violence—virtually always against non-

Serbs—and investigate. Prahar has had numerous calls—including several false alarms—from Sjenica, a town 33 miles away over a twisting mountain road. Some Muslim cafes there have been bombed, but Prahar said it is not certain the attacks were political.

"Sometimes it's impossible to find out anything," he said. At a village near Sjenica, "I stopped a guy on the street, and he said, 'The army is coming in shooting up Muslim homes—we're terrified.' I walked a few steps, and a second man said, 'We have no trouble.' This was a village of no more than 50 households, and even in such a tiny place, I can't get a clear picture. . . . You never know who may be hiding trouble to protect a relative or exaggerating it" to seek outside help.

Often the work is "simple things," said Maj. Jesper Boisen, a Danish army officer based in the Sandzak town of Priepolje. "Today, my partner has the car, so I'm going to visit a school and tell children how important it is to avoid a spillover of the war. . . . We visit victims [of communal violence] in the hospital and encourage the local officials to visit them too, to show they care about justice."

Boisen said that CSCE officers can put only limited pressure on local officials, many of whom remain suspicious of the foreigners' presence. He said police have denied him access to Sandzak villages near the Bosnian border, where Muslims reportedly have been expelled from their homes.

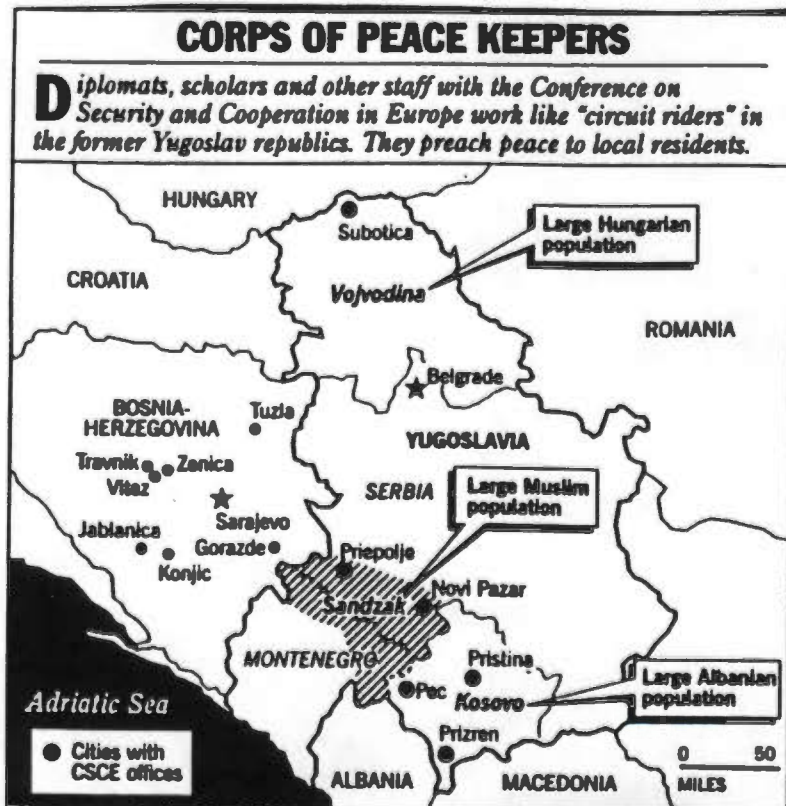
"We have problems with the [police] and the Serbian Interior Ministry," said Bogh. But, he added, "our acceptance by the Serbs has been improving since we began."

Bogh said Serbian officials have told him they believe his mission is evenhanded and that it often has helped the Serb case by refuting allegations from minority groups of communal violence by Serbs or government forces. When the CSCE's initial mandate expired at the end of April, Yugoslavia renewed it, but for only two months. Bogh expressed optimism that he will win further renewals.

The ambassador said his greatest problem is recruiting personnel who speak one of the local languages and can come without their families. Many officers stay only for two or three months before being recalled by their own agencies.

Inevitably, perhaps, not everyone is happy with the CSCE mission. Rasim Ljajic, secretary in Novi Pazar of the Muslim-dominated Party of Democratic Action, welcomed the CSCE role but said: "Unfortunately, their presence has not stopped the attacks on us. They are more psychological than practical help. They are too dependent on the government, which after all must give them permission to stay here."

While it is impossible to measure the CSCE's success, international aid officials and diplomats of Western embassies in Belgrade said they believe the mission really is helping to stabilize the tense Yugoslav regions. In Kosovo, seen as the most explosive of the three areas, "the mere fact that [CSCE officers] are on the ground has signaled to Serb authorities that the degree of repression will be noted," a Western diplomat said. "I think this has led to a degree of restraint."



Kosovo

## Cleansing up

FROM A SPECIAL CORRESPONDENT IN PRISTINA

THE president strides out of his office and into a purring limousine; the security men leap into the escort car, and off they roar. Ibrahim Rugova makes his rounds like other presidents. The difference is that his presidential palace is a hut on wasteland in Pristina, and his state exists only in the minds of 1.7m ethnic Albanians in Kosovo, Serbia's southern province.

Serb nationalists say that Kosovo is their people's heartland. Kosovo's Albanians say the heart is in a foreign body, since nowadays only 10% of the province's people are Serbs. Albanians have proclaimed their own Republic of Kosovo, organised an election from which Mr Rugova emerged as president, and declared their aims to be first independence then eventual union with Albania. They say they want unity with the motherland—just as Serbs in Croatia and Bosnia do.

The international mediators in the ex-Yugoslav mess, Lord Owen and Thorvald Stoltenberg, put Serbs and Albanians on an equal footing, proposing autonomy but not full independence for the Serbs in the breakaway Krajina region of Croatia and for Albanians in Kosovo. This is sure to fail, because it is not enough for either Serbs or Albanians. The unrest therefore continues. The Serbs told human-rights monitors from the Conference on Security and Co-operation in Europe to leave the province in July. Since then, says Mr Rugova, the (Serb) police have killed seven of his supporters and brutally searched whole communities.

A mile from Mr Rugova's presidential



A Serb policeman's unhappy lot



hut, a Serb called Zeljko Raznjatovic holds court. Under the *nom de guerre* of Arkan he won a reputation in Bosnia and Croatia for burning non-Serb villages. In the Serb parliament in Belgrade he represents the Serbs of Kosovo, who now expect him to get on with the job and start expelling Albanians before the Albanians expel them. Serbia goes to the polls on December 19th to elect a new parliament, and Arkan says that if his own new party wins more than 10% of the seats he expects a cabinet post: minister of the interior would do nicely. Mr Rugova says ethnic Albanians will not be voting.

Serbs in Kosovo say their policemen are under methodical attack by terrorists, who killed six of them in the first half of 1993. Kosovo's Albanians—who willingly pay the taxes levied by Mr Rugova's underground state—say the police constantly harass them unless they are paid off in D-marks.

Back in 1989, the Serbs in Kosovo sacked most Albanians from jobs in the public sector, hoping they would emigrate. This was a big mistake. The good foreign money the emigrants now send home supports their families and enables many ethnic Albanian businessmen to do nicely. Few shops in Belgrade sell milk nowadays, but Albanian groceries have plenty, bought in D-marks from Serb suppliers. The Serbs who grabbed the state jobs cannot afford milk, because the state companies are bankrupt.

Most Albanians and Serbs think the only solution lies in violence. But they agree that war is not imminent. The Albanians cannot start a fight against 40,000 Serb soldiers and policemen in Kosovo, plus paramilitaries and many armed civilians. Serb ethnic cleansers are itching to have a go, but Slobodan Milosevic's government in Belgrade would prefer them to hold off until the world lifts its sanctions on Serbia.

The wars in Bosnia and Croatia are left over from the collapse of Yugoslavia. The conflict in Kosovo began with the collapse of the Ottoman empire. The Serbs started trying to drive out ethnic Albanians in the 1870s, and have continued trying sporadically and unsuccessfully ever since. The Albanians, when briefly on top, have done much the same. Even when ex-Yugoslavia's other wars are over, this one will bubble on.

# The Economist

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SECTION: THE WORLD; PERSPECTIVES ON EASTERN EUROPE; Pg. 3

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HEADLINE: Serb Ethnic Cleansing Of Hungarians Alters Northern Province

BYLINE: Eric Bourne

DATELINE: VIENNA

BODY:

SERB "cleansing" of the multiethnic societies of former Yugoslavia has not been confined to Croatia, Bosnia-Herzegovina, and the Kosovo region of Serbia.

But the character of Vojvodina, one of Yugoslavia's largest, most prosperous provinces, has also been dramatically changed; cleansing there has gone largely unnoticed by the news media because it has been managed - so far - without bloodshed and war. It is by no means sure, moreover, that what has been accomplished will not lead finally to the terror that drove 2 million refugees from ancestral homes in Bosnia.

Serb intimidation following Belgrade's suppression of Vojvodina's autonomy in 1990 has already forced tens of thousands of its large Hungarian minority to emigrate. With them have left many Serbs hitherto content to live in a mixed ethnic community.

This northern province of old Yugoslavia was created 75 years ago when, following World War I, it was detached from Hungary to be part of the new Kingdom of Serbs, Slovenes, and Croats. Germans and Hungarians left, their places taken by a first big influx of Serb immigrants with eyes on its rich farm potential.

Another population shift followed World War II, when the new Communist regime bestowed land as a reward to its poor partisan supporters from Serbia, Macedonia, and Montenegro.

For four decades thereafter, Vojvodina became an economic showpiece of the new republic. It also rapidly moved toward self-rule and its autonomous status - like Kosovo's in the south - was confirmed by a new Yugoslav Constitution in 1974.

In a population of 2 million, about half were Serbs and 22 percent Hungarian, with Croats, Romanians, Slovaks, and Ruthenians making up the rest.

Vojvodina became one of Yugoslavia's four major grain-producing regions. As such, it was a beneficiary of Western economic aid that followed Belgrade's break with the Soviet Union in 1948.

Much of that aid was conditionally focused on modernizing agriculture, and Vojvodina was in the vanguard of the surge of private farming when the Communists abandoned collectivization. It increasingly became a model of a harmonious multiethnic society, its equality of minority rights acknowledged as one of the regime's most notable achievements.

That remained so until the 1980s when Serbian nationalism began to take its ominous shape. Vojvodina's autonomy - like Kosovo's - was abolished. Serbo-Croatian was made the sole official language; Hungarian was barred from official institutions. Minority language schools, media, and cultural activity were curtailed, and Hungarians in all walks of life were subjected to harrassment. In the last two years at least 40,000 Hungarians - educated young men escaping forced conscription into rump Yugoslavia's Army - fled into neighboring Hungary. Nationalist Serb immigrants poured into Vojvodina to make it more "Serb."

What prospects do the remaining Hungarians have? Last year a "Democratic Convention" of nonparty individuals seeking to salvage Hungarian interests and civil rights produced a draft for a new concept of autonomy. Belgrade dismissed it as secessionist, and the Hungarian government in Budapest, which praised the draft, was accused of having "territorial claims."

The European Union's leaders seem to trust that international opinion will not tolerate cleansing of a community that they say "is part of Central Europe." But the international community's disinclination in the past two years to stand up to Serbia is no encouragement to the belief that now, in fact, it will check further Serb inroads on minority rights.

Hungarian Foreign Minister Geza Jeszenszky's recent statement that Vojvodina could be a "tempting magnet" when cleansing "is over in Bosnia" seemed gloomy indeed.

Yet it seemed apt enough at a time when Serbia was flouting an unending host of pledges to the United Nations and breaking a cease-fire during the Christmas holiday.

LANGUAGE: ENGLISH

LOAD-DATE-MDC: January 11, 1994, Tuesday

CORD MEYER

## Signs of stability at corner of Balkans

There is no doubt that the United States' decision last week to recognize Macedonia and to open diplomatic relations has helped to bring about some stability in the Balkans. Isolated for two years by Greek insistence that Macedonia must first change its name, it has finally been recognized as "The Former Yugoslav Republic of Macedonia," and the World Bank has been quick to announce new loans amounting to \$80 million for economic reform and stabilization.

After two years of economic hardship made worse by Macedonian attempts to comply with the U.N. economic sanctions against Serbia, U.S. and Macedonian officials welcomed the American recognition as a well-deserved reward for that country's stubborn persistence in maintaining its democracy intact. It opens the door to a wide range of American economic assistance that was not possible before.

On the question of the name, Macedonian President Kiro Gligorov has already made it clear that he renounces any claims to Greek territory and is prepared to discuss the other issues with the Greeks in a spirit of mutual respect. Unfortunately, Greek Prime Minister Andreas Papandreu has reacted this week by suspending the movement of goods through the Greek port of Salonica to Macedonia's capital, Skopje. Only food and medicine will be allowed through the Greek blockade. This rash reaction of Mr. Papandreu has not been supported by any of Greece's NATO allies and will serve to isolate Greece from its traditional friends in the European Union.

In this southern corner of the Balkans, Macedonia is surrounded on its land-locked borders by Greece, Albania, Kosovo, Serbia and Bulgaria. There are complex and difficult issues on nearly all fronts and within Macedonia itself. For example, last weekend, the Party of Democratic Prosperity, representing the large Albanian ethnic minority in Macedonia, met in Tetovo for an extraordinary party congress. Albanian members of President Gligorov's coalition cabinet appear to have been defeated and a new, younger and more radical leadership was elected.

Charging the older leaders with having cooperated too closely with Mr. Gligorov's Social Democratic Alliance, the new leadership demanded a special constitutional status for Albanians and more educational opportunity for them. Basically, the young Albanians were saying that their minority rights had not been sufficiently asserted.

A further strain on relations between a Macedonian majority and the Albanian minority will be imposed by the countrywide census promised by Mr. Gligorov for the month of April as the best way of determining the exact proportion between the two groups. There are difficult financial and technical problems in the holding of such a census, and it would not be surprising if it was delayed a month or two. Clearly, the younger, growing and more assertive Albanian minority is challenging the extreme Macedonian nationalists, and Mr. Gligorov will need all of his negotiating skills to keep the problem under control.

However, it is within Kosovo — a southern province of Serbia on Macedonia's border — that the most serious threat to the peace of the region exists. With a population of some two million Albanians and about 200,000 Serbs, Kosovo has been transformed into a vast concentration camp, where the Albanians are kept under control by a ruthless Serbian police and army that denies them all rights and representation. Once an autonomous and self-governing province of the Yugoslav federation, Kosovo is now a Serb fiefdom — and the Serbs are attempting to provoke mass uprisings so as to justify the ethnic cleansing that many Serbs see as the "final solution."

Under these extreme circumstances, the Albanian citizens of Kosovo — the Kosovars — have informally elected their own government under President Ibrahim Rugova and his Democratic League of Kosovo. With remarkable self-discipline, the Kosovars have provided for their own autonomous educational system, but have been virtually excluded from the universities and the professions. On Feb. 10, the ultranationalist "Party of Serbian Unity" called for Serbian authorities to arrest the president of the LDK and to unite in a "war against Rugova and his organization." On Feb. 12, Serbian police raided the offices of the LDK in Pristina and confiscated several documents.

In the shadow of these violent events, the Clinton administration has pursued a policy of containment to try to prevent the outbreak of war in Macedonia and Albania, while limiting the damage in Kosovo. The deployment of 350 American soldiers in Macedonia last year to join a 700 man Scandinavian U.N. force has helped to discourage Serbian aggression on that front.

Since Kosovo is still legally a province of Serbia, it is not possible to impose a Conference on Security and Cooperation in Europe monitoring force over Serbian objections, but continuing publicity of Serbian atrocities could eventually trigger a U.N. reaction. The important thing in Kosovo is to keep the glare of world publicity on the Serbian occupying army and ensure that there is no retreat from the U.N. position in Bosnia.

Cord Meyer is a nationally syndicated columnist.

The Washington Times

February 18, 1994

MUSLIM NATIONAL COUNCIL OF SANJAK



MEMORANDUM  
ON THE  
ESTABLISHMENT OF A SPECIAL STATUS  
FOR  
SANJAK

NOVI PAZAR  
JUNE 1993



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**MEMORANDUM  
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*Notes*  
*on the*  
**MEMORANDUM**  
**OF THE ESTABLISHMENT OF A SPECIAL STATUS FOR**  
**SANJAK**

*The disintegration of Yugoslavia, which was caused and accompanied by war and the formation of new sovereign states on its territory from 1991 and to the present, has led to the establishment of new political relations in which the survival of the Muslim nation has been brought into question. Although the Muslims have been a state-forming and state-owing nation, third in numbers in former Yugoslavia, this nation has been split up among the several newly-formed states on this territory, and against their will. Apart from Bosnia and Hercegovina, an internationally recognized state in which the Muslim nation is the most numerous, the questions of the status of the Muslim nation has remained unresolved in Sanjak, where Muslims form a majority, as well as in Kosovo, Macedonia, and other states now existing on the territory of former Yugoslavia, where Muslim nation is at risk of 'ethnic cleansing' or assimilation.*

*Proceeding from the inalienable right to self-determination, following a policy of peace, tolerance and cooperation with other nations, and in order to preserve national identity and safeguard the individual and collective rights of the Muslim nation of Sanjak, the Parliament of the Muslim National Council of Sanjak (MNCS), at its session of January 11, 1992, adapted a resolution to establish a special status for Sanjak as the optimal solution for the Muslim nation, which is autochthonous on this territory. Consistent with this attitude, the Muslim National Council of Sanjak boycotted the elections in the remnants of Yugoslavia on May 31, 1992 and December 20, 1992, which resolution has been supported by the Muslim nation of Sanjak by not participating in these elections. The MNCS has decided to boycott any further elections until there is an official resolution of the status of the Muslim nation of Sanjak.*

*The request to establish a special status for Sanjak was made by the delegation of the MNCS to the Peace Conference on Yugoslavia in London*

*on August 26-28, 1992, where the delegation was officially invited.*

*The special status for Sanjak formed the basis of the discussions at the Peace Conference on September 16 and 17, 1992. Dialogs on this topic continued in Geneva on November 18 and 19, 1992, amongst the delegation of the MNCS and the co-chairmen of the Peace Conference, Mr. Cyrus Vance and Lord David Owen, and the chairman of the Group on Nationalities Mr. Gert Arens, as well as the newly appointed chairman of the Group on Sanjak at the Geneva Conference, Mr. Marcel Rey. It was then decided that the MNCS should work out a concrete and legal attitude concerning the special status applicable to Sanjak, which would be adopted as the basis for further discussions. On the basis of this agreement and the discussions done in public, the MNCS began work on the Memorandum for the establishment of a **Special Status for Sanjak**, the final text of which was adopted at the Parliament of the MNCS on June 06, 1993 in Novi Pazar.*

*In coming to a decision on a special status for Sanjak, the MNCS had in mind the following:*

- The importance of just and peaceful resolution of the status of the Muslim nation of Sanjak.*
- Contributing to the establishment of lasting peace and security in this part of Europe.*
- Effectively, contributing to general democratization in the remnants of former Yugoslavia which is one of the conditions for the international recognition of SR Yugoslavia and the lifting of sanctions, by which contribution Sanjak would become an important element of peace and stability in these territories.*

*Novi Pazar, June 06, 1993*

*Dr. Sulejman Ugljanin  
President  
Muslim National Council of Sanjak*

**MAP OF SANJAK**  
to be used with the Part II of this Memorandum



*Proceeding* from the will of the citizens of Sanjak, freely expressed on the referendum held on October 25 - 27, 1991,

*Guided* by the principles of the Charter of the United Nations, the General Declaration on Human Rights, the Declaration on Minority Rights, and other acts of international law which safeguard human and minority rights,

*In keeping with* the decisions, spirit and sense of the London Conference on Former Yugoslavia and Chapter II of the Draft of the Hague Convention of November 4, 1991, and with the aim of safeguarding the individual and collective rights of the Muslim nation,

*Bearing in mind* all the resolutions and decisions of the General Assembly and the UN Security Council regarding the territory of former Yugoslavia,

*Reaffirming* the determination to restore peace and democratic relations on the territory of former Yugoslavia, and to establish institutions in the states on this territory.

As the members of the International Conference on Former Yugoslavia, represented by the co-chairpersons of the Conference, together with all the signatories, we support the following:

## MEMORANDUM

### ON THE ESTABLISHMENT OF A SPECIAL STATUS FOR SANJAK WITHIN THE REMNANTS OF FORMER YUGOSLAVIA (SERBIA AND MONTENEGRO)

#### I. GENERAL PRINCIPLES

1. Within the framework of the remnants of former Yugoslavia (Serbia and Montenegro, henceforth Yugoslavia), a special status is being established for Sanjak (henceforth Sanjak). The functions of authority

- shall be carried out by the governmental bodies of Sanjak and by the governmental bodies of the townships within it, except in those cases specifically provided for in this Memorandum.
2. Sanjak will have no right to enter into international relations except in those cases provided for in this Memorandum.
  3. The areas in which Sanjak has the right to enter into international relations with others are: scientific and technical, cultural and educational, and economic collaboration, and other areas provided for by this Memorandum.
  4. The rights and the duties of Sanjak shall be regulated by the Constitution of Sanjak, the first version of which shall be elaborated by a suitable body, consisting of specialists of the International Conference on Former Yugoslavia.
  5. Sanjak shall have a democratically elected Parliaments as its legislative body, a Governor and a Government as the bearers of the executive power, including control of the police, and an independent court of Sanjak and other governmental bodies provided for by this Memorandum. The first elections of these governmental bodies shall be held under the supervision of the UN, and the CESC (Conference on Security and Cooperation in Europe).
  6. Disagreements concerning the special status shall be definitively resolved by the Special Committee for Sanjak of the International Conference on Former Yugoslavia.
  7. The territory of Sanjak shall be permanently demilitarized under the supervision of the UN and the EC, which shall obligate the Yugoslav authorities, within 30 days of the signature and the recognition of this Memorandum, to withdraw all military forces from the territory of Sanjak, as well as those police forces which exceed the requirements of normal circumstances.
  8. The Constitution of Yugoslavia and the Constitution of Sanjak shall guarantee human rights and minority rights as defined by the highest standards set by the documents of the international law. Their imple-

mentation shall be guaranteed by the national and the international mechanisms.

## **II. BOUNDARIES OF SANJAK**

1. The territory of Sanjak on which special status is being established encompasses the areas of the following townships: Novi Pazar, Sjenica, Tutin, Prijepolje, Nova Varoš, Priboj, Pljevlja, Bijelo Polje, Berane, Plav and Rozaje. The territory of Sanjak represents a historic, ethnic, economic, geographic, transportation and socio-cultural entity in which the rights and the duties shall be enforced as established by this Memorandum, the Constitution of Sanjak and the Constitution of Yugoslavia.
2. The boundaries of Sanjak can not be changed without the consent of all the signatories of the Memorandum or their successors.
3. There shall be no border control at the boundaries of Sanjak and full freedom of movement shall be guaranteed.
4. The map of Sanjak is an integral part of this Memorandum and is given on the page 1.

## **III. PARTICULARS OF THE SPECIAL STATUS**

### **A. Human rights and the rights of nationalities**

1. In Sanjak human rights and the rights of nationalities are guaranteed as defined by the highest standards set by the basic documents of international law:
  - Universal Declaration of Human Rights of 1948,
  - International Pact on Civil and Political Rights of 1966,



- International Pact on Economic, Social and Cultural Rights of 1966,
  - Declaration on Abolishing All Forms of Intolerance and Discrimination Based On Religion or Conviction of 1981,
  - International Convention on Abolishing All Forms of Racial Discrimination of 1965,
  - International Convention on Preventing and Punishing Crimes of Genocide of 1948,
  - Convention on Children's Rights of 1959,
  - International Convention on Abolishing All Forms of Discrimination Against Women of 1979,
  - Declaration on Abolishing Torture and Other Forms of Cruel, Inhumane and Degrading Treatment or Punishment of 1975,
  - Stockholm Declaration on the Environment of 1972,
  - Convention on the Legal Status of Refugees of 1951,
  - Final Act (Record, Bill, Document) of the Conference on Security and Cooperation in Europe of 1975,
  - Paris Charter for a New Europe and other documents of the CSCE which concern the human dimension,
  - Convention of the Council of Europe for the Safeguarding of Human Rights, with accompanying protocols,
  - Draft of the Hague Convention of November 04, 1991.
2. The Muslim nation shall, in particular, be guaranteed the following rights:
- the right of self protection from any activities which might threaten the existence of this nation,
  - all cultural rights, such as the right to identity, culture, religion and

- use of its own language and alphabet in public and private life,
- the right to education in accordance with the national values,
- proportional representation in all of the governmental bodies and nondiscrimination in the economic and social sphere, in political life and in access to the media,
- freedom of the individual in regards of the national orientation,
- the right to possess and publicly display national and religious symbols,
- the right to elect its own representatives to the Council of Nations of the Federal Parliament,
- the right to dual citizenship, in addition to the Yugoslav citizenship.

## **B. Jurisdiction of the governmental bodies of Sanjak**

1. The governmental bodies of Sanjak shall be exclusively responsible for:
  - Schooling (from the kindergarten through the University level),
  - Cultural institutions and programs,
  - Radio and television,
  - Issuing operating permits for large and small businesses,
  - Exploitation of natural resources, mining, agriculture, forestry, fishing and hunting,
  - Public health, social services and social insurance (health insurance and old-age pensions),
  - Traffic and transportation within the territory of Sanjak,
  - Energy production,

- Control of commercial banks, savings banks, and other financial institutions,
  - Police,
  - Organization and maintenance of the judiciary,
  - Taxation for the purposes of the special status.
2. The governmental bodies of Yugoslavia shall share the responsibility with the governmental bodies of Sanjak for carrying out the following on the territory of Sanjak:
- Environmental conservation, in which matter the government of Yugoslavia shall set minimum standards,
  - Federal highways and other major roads concerning Sanjak, canals, pipelines, postal, telephone and telegraph services,
  - Transmission of the electrical energy.

### **C. Structure of the Government**

#### *1. Legislative body – The Parliament of Sanjak*

The Parliament is unicameral and is the bearer of the legislative power. Decisions to change to Constitution or the boundaries of township shall be made by a two-thirds majority of all members of the Parliament.

#### *2. Executive authority – The Governor (President) and the Government*

- a) The Governor (President) represents Sanjak, nominates a candidate for President of the Government of Sanjak (Prime Minister), and coordinates the work of the Government of Sanjak and the governmental administrative bodies. In the case of absence of the Governor (President) or protracted incapacity, he shall be replaced by his deputy, the deputy being chosen by the Parliament. The Governor (President) and his deputy can not be of the same nation.

- b. The Government of Sanjak is responsible for executing the decisions of the Parliament and for the conditions in the territories encompassed by the special status. The Parliament of Sanjak, choosing from the nominees for the government office, elects its President (Prime Minister) and the members of the Government of Sanjak. The composition of the government of Sanjak must correspond to the national composition of the population of Sanjak.
- c. The police forces are under the control of the executive authority of Sanjak. In the police, as in the other governmental bodies, there must be proportional representation of and nondiscrimination against all national majorities and minorities. It is forbidden to create any irregular or paramilitary units.

### 3. *Legal authority*

- a) The First-level Court, the Second-level Court and the Supreme Court of Sanjak shall be independent and form judgments according to the Constitution and the Law. They are an integral part of the special status.

Judges of the First-level Court, the Second-level Court and Supreme Court shall be appointed and dismissed by the Parliament of Sanjak.

The judges must be chosen that their composition corresponds to the national composition of the population of Sanjak.

## IV. INTERNATIONAL GUARANTEES

- 1. The International Conference on Former Yugoslavia, and its successors, offer international guarantees for the establishment of the special status.
- 2. The Conference forms a Special Committee for Sanjak. In addition to the representatives of the Conference, who make up a majority, other

members of the Special Committee are, one representative of Yugoslavia, one representative of the Republic of Bosnia and Hercegovina, and one representative of the Muslim National Council of Sanjak.

3. The Special Committee is responsible for putting this Memorandum into effect and for performing the activities involved in so doing, and has final legal authority for resolving any disagreement which might arise in implementing the special status. The Special Committee shall at least once every six months inform the Conference on the progress of implementing the special status and on its work. The special Committee may also inform individual countries, international institutions and organizations about particular issues, and suggest that they take specified measures.
4. A Monitoring Mission for Human Rights shall be established. This Mission shall have observers stationed in all the townships of Sanjak. These observers shall monitor the enforcement of human rights, deal with charges brought and proposals put forth by the citizens and institutions, and inform the Special Committee and responsible bodies and institutions in Sanjak, Yugoslavia and the international community on its observations.

## **V. FINAL PROVISIONS**

1. This Memorandum shall go into effect within a year of its adoption.
2. Within the same deadline, elections shall be held under international monitoring for the governmental bodies of the special status of Sanjak.
3. Yugoslavia shall, within the same deadline, make appropriate changes in its constitutional system and its legislature in accordance with this Memorandum, and under the observation of the specialists from the International Community chosen by the International Conference.
4. On the day that this Memorandum goes into effect, all legal regula-

tions of Yugoslavia shall cease to be applicable if they obstruct the implementation of this Memorandum.

For the Peace Conference  
on Former Yugoslavia  
Co-Chairmen

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For SR Yugoslavia  
(Serbia and Montenegro)

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For Bosnia Hercegovina

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For the Muslim National  
Council of Sanjak

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