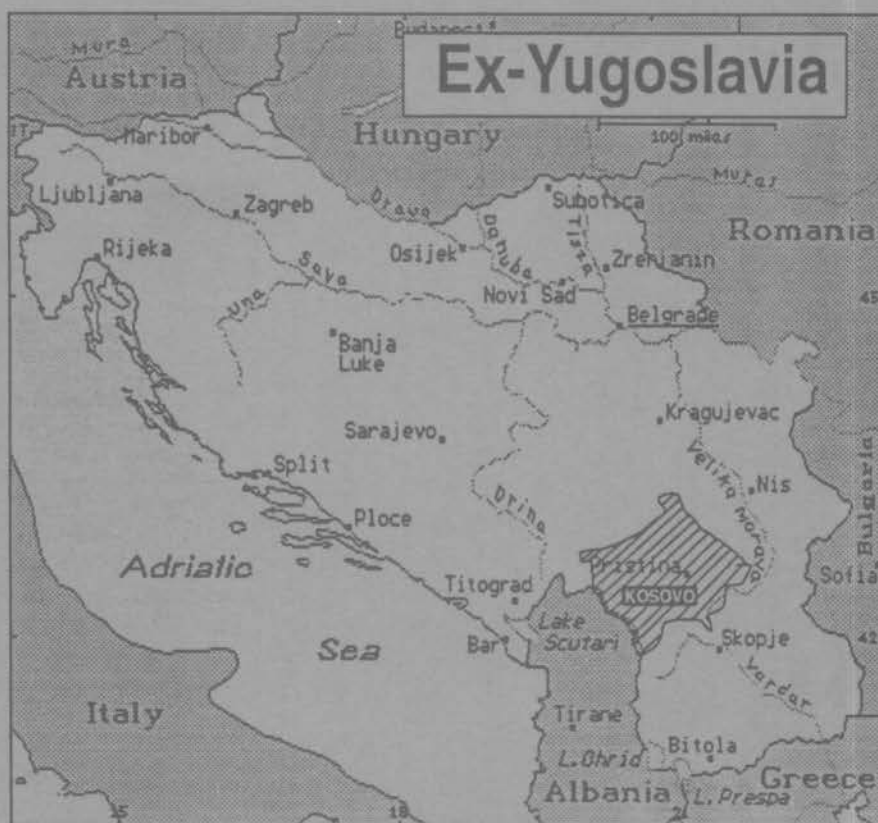


Dismissals and ethnic cleansing in Kosovo

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This report has been translated from the french original
"Licenciements et purification ethnique au Kosovo".

I. INTRODUCTION

The London Conference on the future of former Yugoslavia, in August 1992, announced its decision to «permanently station human rights observers in Kosovo, Voïvodine and Sandjak», and to place «early warning» observers in border States and regions (Statement by acting US Secretary of State Lawrence Eagleburger, London, 27 August 1992). According to the document of the Conference's co-Chairmen, of the same date, Serbia and Montenegro gave an undertaking at the conference to, inter alia «... fully restore the civil and constitutional rights of the inhabitants of Kosovo and Voïvodine, as well as ensure the civil rights of the inhabitants of Sandjak». The two Republics also agreed to «guarantee the rights of the ethnic and national minorities and communities within the borders of Serbia and Montenegro, in accordance with the United Nations Charter...», and, in more general terms, «to respect all international treaties and conventions».

With regard to Kosovo in particular, these measures should be verified by one of the six Working Groups to be set up in Geneva following the London Conference, the «Working Group on Ethnic and National Communities and Minorities», which must include a «Special Group on the Former Autonomous Province of Kosovo».

Without wishing to judge beforehand the effectiveness of these Working Groups, the least that can be said is that in Kosovo, the Serbian «guarantees» have so far remained a dead letter. On the contrary, the scores of cases reported by the ICFTU in the present document indicate that repression is being continued and even intensified by the Serbian authorities against the Albanian population and workers of Kosovo.

These detailed accounts demonstrate that the process of «ethnic cleansing» is well advanced in Kosovo. It is reflected in several developments: the dismissal of Albanian

workers and their replacement by Serbs and Montenegrans; the expulsion of dismissed Albanians from their homes, and the allocation of these homes to Serbs and Montenegrans; discrimination in education; police brutality and suspicious deaths at police stations; the distribution of arms to Serbs and Montenegrans, and armed incidents; anti-union repression; frequent arrests and sentencing, particularly of activists in the independent trade union, the Confederation of Independent Trade Unions of Kosovo (in Albanian: Bashkimi i Sindicatave të Pavarura të Kosovës, or BSPK).

The events reported here represent, despite their quantity, only a small proportion of all incidents reported to the ICFTU over recent months. They form part of a policy of repression first denounced by the ICFTU over a year ago. Many examples of human rights violations, and particularly workers rights - including freedom of association and protection against discrimination in employment - have already been reported by the ICFTU to the International Labour Office in Geneva. In June and October 1991, the ICFTU submitted two detailed case reports on these events, within the framework of international legal proceedings against the government - which at the time was that of the Federal People's Republic of Yugoslavia. These proceedings, a complaint under the terms of Article 24 of the Constitution of the International Labour Organisation, concern the violation by the Serbian authorities of ILO Convention No. 111 on Discrimination (Employment and Occupation). All the information submitted to the ILO at that time by the ICFTU is appended to the present document (Appendices 1 and 2).

Since that time, the situation in Kosovo has steadily deteriorated. Many ICFTU missions to the region (the most recent being in September 1992) confirm a sharp increase in tension over the last few months. The facts described below illustrate this situation. The similarities between the practices found in Croatia and in Bosnia-Herzegovina in the months preceding the eruption of armed conflict in these republics of former Yugoslavia, notably as regards employment and occupation, are striking. Such similarities prove, in the view of the ICFTU, the urgent need to put a stop to repression in Kosovo.

II. DISMISSALS AND ETHNIC CLEANSING

1. Ethnic cleansing

Most observers of the Yugoslav conflict, including international civil servants on the spot, have noted that the dismissal of those targeted for expulsion invariably precede «ethnic cleansing». Neither is this the exclusive prerogative of the Serbian authorities: in Croatia and Bosnia, many inhabitants lost their jobs before being expelled. The Special Rapporteur of the United Nations Commission on Human Rights, Mr. T. Mazowiecki, received accounts during his first mission to former Yugoslavia of tens of thousands of ethnic Serbs in Croatia who lost their jobs further to the publication of lists containing their names. According to Mr. Mazowiecki, «these lists are widely distributed, and even available for sale to the public. The circulation of such lists facilitates discrimination and harassment throughout the society.» (Report on the situation of human rights in the territory of the former Yugoslavia, United Nations Document E/CN.4/1992/S-1/9, para. 27). Other accounts give evidence of dismissals as a prelude to ethnic cleansing, including in Bosnia-Herzegovina.

The dismissal - individual or collective - of Albanian workers in Kosovo began several years ago, with a sharp increase since 1990. There are ample descriptions of this in the ICFTU's communications to the ILO. More recent concrete examples are given below (see «Dismissals and replacements»). However, «physical» ethnic cleansing, that is to say, straightforward expulsion or pressure aimed at driving Albanians out, is more recent; nonetheless it is taking place throughout Kosovo, as can be seen from several of the cases reported below.

On 12 August 1992, the Serbian government discussed projects regarding some

1,600 Serbian and Montenegrin refugees that had arrived in Kosovo. It asked the «federal» bodies (those of the so-called «Yugoslav Federation») to accelerate the programme for the construction of a complex of 360 homes in Deçan, where several hundred refugees had settled, notably 700 in the «Pishat e Deçan» holiday homes. In August and September, 13 building sites, bought many years earlier by Albanians from the district, were confiscated and allocated to Serbs, together with 18 apartments from dismissed Albanian workers. On 14 September, the (Serbian) district authorities began a mass distribution of land and buildings to refugees. According to decision 05-465-327/92 of the same date, over 370 hectares of fertile land changed hands this way. The decision further stipulates that the fertile land, building land, forests and grassland previously belonging to the Gjakovo «Ereniku» Complex, the «Apiko» beekeeping station in Deçan and the «Prodhimii Bimeve» agricultural cooperative in Irzniq, became, without compensation, the property of the refugees, with the aim of changing the ethnic structure of Kosovo. In Junik, Babaloc, Rastavice, the agricultural complex in Irzniq and in Deçan, the authorities confiscated a total of 88 parcels of land from the Albanian inhabitants.

Over 2,000 Serbs will settle in the Gjilan, Viti and Kamenice districts. In Gjilan, an anti-Albanian lawyer, Djivojin Cuckic, heads a special commission whose task is to re-house Serbs in the district.

Other than the refugees, the principal beneficiaries of the confiscation of Albanian land and buildings are Serbian soldiers. Large areas of land have been confiscated in Glloboçice (a district in Kaçanik, along the Macedonian border), notably in Xhemajl Zeka, where the army is now building military installations. The Albanian inhabitants of the surrounding villages, the target of harassment and provocation by Serbian soldiers, have begun to abandon their homes. The same is happening in Ponoshec (Gjakovo), along the Albanian border, where reservists from the Serbian army have settled: Albanian inhabitants, after suffering brutality, harassment and regular pillaging by the reservists, are leaving the village in large numbers. Similar cases have been reported in Prishtina, Gjakovo, Peje and Gilan.

The process of «serbianisation» can also be seen in the names of the streets and the signs of companies and institutions: where they were previously written in Serbo-Croat and Albanian, Albanian is gradually being replaced by signs in Cyrillic script. This is particularly the case in Gjakovo, Podujevo, Prizren, Prishtina, Kamenice, Peje, etc...

Serbian politicians openly state their wish to change the ethnic structure of Kosovo. During a visit to Kosovo at the beginning of September, Vojislav Seshel, President of the Serbian Radical party and a Member of the Serbian Parliament and the «federal» Yugoslav parliament, stated: «Given the too low percentage of Serbs in the Podujevo district, we have plans to settle Serbes and Montenegrans there, in order to exceed the

number of Albanians in this commune, which at present is almost ethnically pure». According to the V. Seshel's statements, the settlement of Serbs and Montenegrans in Kosovo should take place in two stages: firstly by withdrawing the right of Albanians «who do not legally have the right to occupy State apartments» to live there, and secondly by allocating jobs and homes to Serbs.

2. Dismissals and replacements

The systematic dismissal of Albanian workers in Kosovo, which began several years ago, accelerated after 1990, particularly following the adoption by the Serbian Parliament on 26 July 1990 of the «Law on industrial relations in exceptional circumstances» (see Appendix 1, «Discrimination in employment and occupation in Kosovo; Serbian law and practice regarding Albanian workers», ICFTU Report presented to the International Labour Office, June 1991). Both the contents and the manner of the application of this law, often known as the «exceptional measures», show all too clearly that its fundamental objective is to facilitate the dismissal of Albanian workers and their replacement by supporters of the Serbian authorities.

Over 100,000 ethnic Albanians have been dismissed since July 1990 according to the BSPK, which also cites official Serbian sources according to which 23,000 Serbian and Montenegrin workers have been hired in Kosovo over the same period. There appear to be two main reasons for these replacements. On the one hand, Serbia has to absorb tens of thousands of Serbian and Montenegrin refugees from Croatia and Bosnia-Herzegovina; on the other, workers have been left unemployed following the closure of numerous enterprises in Serbia. Hence, the Serbian authorities continue to offer various advantages to Serbian workers who agree to take a job in Kosovo, as reported by the ICFTU in 1991 (see Appendix 1, section 3.d.ii, p.10).

In July 1992, 2,000 unemployed workers from Nis, in Serbia, were offered various advantages to go and work in the place of Albanian workers dismissed from «Ferronickel» in Gllogove. A thousand miners who lost their jobs in Aleksinac, also in Serbia, were offered work in Trepca, the largest mine in Kosovo, where the campaign of mass dismissals began in earnest in the late '80s. In addition to work, the Serbs were offered housing, pay bonuses, free transport and other advantages.

The law of 26 July 1990, cited in the vast majority of dismissals of Albanians, is characterized above all by a wide variety of arbitrary reasons for dismissal, positive discrimination for certain categories of workers, restrictions on dismissal appeal mechanisms, and by its retroactive nature. The full range of measures is described in detail in Appendix 1.

As mentioned above, according to the BSPK, over 100,000 workers of Albanian origin have been dismissed since the introduction of the «exceptional measures», owing to their national origins and/or their political opinions, membership of or activities in the independent unions. Various pretexts were used for the dismissals, ranging from the act of speaking or writing in Albanian at the workplace to political or trade union demonstrations, together with technical unemployment, the «technological surplus», going on strike, etc. In addition to these reasons, the dismissals followed a regular pattern: they began at the top: Albanian managing directors were often replaced first; in practice no appeal could be made against dismissal; they were selective in that they were targeted only at Albanian staff; they were often «supplemented» by several weeks imprisonment, as well as by eviction from company housing; and finally, where workers were replaced, this was done systematically with Serbian or Montenegrin workers, often people displaced by the war in former Yugoslavia.

As shown in Appendix 1, the dismissals affect all occupations, both the public or «cooperative» - predominant in the economy, owing to the collective ownership structure inherited from the communist system of former Yugoslavia - and the private sector alike. The lay-offs are systematic in all sectors of activity: industry, trade, administration, the police, the legal apparatus, the health service, education, culture and others. The recent cases described below are examples of this.

On 13 June 1992, the management imposed on the pharmaceutical firm «Pharmakos» in Prizren dismissed 74 Albanian, Turkish and Muslim employees.

On 24 June, over 500 Albanian workers were dismissed on the same day: in Han te Elezit, 132 workers at the «Sharri» company were «temporarily» laid off for «technical» reasons, without the slightest chance of being rehired; at the Istog spare parts factory, 60 workers suffered the same fate, as did 350 Albanian employees at the big «Ferronickel» factory in Gillogove.

On 26 June, the Communications Ministry of the Serbian Republic dismissed 13 Albanian employees at the Kosovo Transport Company, and 11 workers employed at the Prishtina University campus.

On 7 July, at the Fushe-Kosove railway company, 500 Albanian workers were dismissed, to be replaced, they said, by Montenegrins and Serbs.

On 24 July the «Univerzal» building company in Prishtina dismissed 53 Albanian workers on the grounds of «technological surplus»; they were immediately replaced by Serbs and Montenegrins. On the same day, 39 Albanian employees were dismissed at «Ferronickel» in Gillogove, while 44 Serbs were taken on to replace them. The following

day, in the Rahovec plastics factory, the new Serbian management, appointed within the framework of the «exceptional measures», sent 500 Albanian workers on compulsory leave on the grounds of «a shortage of raw materials»; this measure did not affect Serbs or Montenegrans, who continued to work normally.

On 29 July, the new Serbian management at the «Ereniku» agricultural complex in Gjakove dismissed six Albanian agronomists and an Albanian lawyer; they were replaced by Serbs, all of whom were unskilled workers.

At the farming cooperative in Shtimje, the manager and six Albanian employees were dismissed on 31 July; they were promptly replaced by Serbs.

On 7 August, 45 Albanian employees of a road maintenance company were dismissed; six of them had received higher education.

On 21 August, 14 Albanian employees at the Treasury in Prishtina were dismissed; they were replaced by under-qualified Serbs and Montenegrans.

On 25 August, 60 Albanian workers at the «Radusha» forestry company were dismissed and replaced by Serbs. On 27, the management imposed on the «Kosovatrans» company in Podujevo dismissed 25 Albanian drivers; 20 Serbian drivers were immediately hired to replace them.

On 15 September, in Ferizaj, 96 Albanian workers were dismissed from the «Minex» exotic fruits company, which had just been integrated into the «Bambi» factory - in Serbia - and were replaced by 75 Serbs. According to local BSPK trade union leaders interviewed by visiting ICFTU representatives, the Albanians were dismissed because they refused to ratify a collective agreement signed by the official Serbian unions at the parent company.

On 25 September 1992, the total of Albanian workers dismissed in Kosovo had reached 100,272. Appendix 5 to this report shows a table giving the statistics on these dismissals, supplied by the BSPK.

3. Evictions

The number of Albanian workers dismissed and then evicted from their homes, which in many cases they had occupied for decades, is constantly rising. According to the BSPK and human rights groups in Prishtina, they are replaced by Serbs from Serbia, Bosnia-Herzegovina, and Croatia, as well as Romania and Albania.

At the end of July 1992, the Serbian authorities announced the eviction of 114 Albanian workers dismissed from the «Balkan» factory in Suharece; 13 evictions took place forthwith, with the assistance of the police. At the same time, in Gjilan, Momçillo Antic, president of the General Council, ordered the confiscation of the homes of all dismissed Albanian workers.

As soon as the announcement was made, 24 apartments were withdrawn from workers at the battery factory and reallocated to Serbian and Montenegrin workers. At the Mitrovice battery factory, 18 Albanian employees lost their homes.

In Gjakove, there were 54 evictions. Then, at the end of July, the Prishtina district court announced 250 evictions.

On 3 August, in Prishtina, 6 Albanian employees of the «Iber-Lepenc» water company were evicted from their apartments by the police; the apartments were then given to Serbs.

On 11 August, the family of Hasan Zeqiri was evicted by the police from their apartment in Prishtina. Their home was given to the Dasics, a Serbian family.

On 18 August, in the Ulpiana district of Prishtina, Serbian police searched the house of Zel Prenaj, one of the 3,500 Albanian policemen dismissed in Kosovo. The house was emptied, the ex-policeman's belongings were confiscated and he was evicted: his apartment was given to Ivana Lazic, a judge at the Prishtina municipal court and daughter of the town's former President.

On 23 August, in the Dardania district of Prishtina, Agim Sedllari, dismissed from his post as manager of «Batllava», was evicted from his apartment by Serbian civilians, backed up by the police. His apartment was given to a Serbian employee of the same company.

4. Repression in education

The end of the 1991-1992 school year in Kosovo was marked by intensive repression, against both teachers and students. The prime targets of the Serbian authorities were those who taught in Albanian - following the programmes of the Education Ministry of the Republic of Kosovo, established in semi-clandestinity by the independent Albanian movement of Kosovo - and those who benefitted from this education, with particularly harsh measures being taken against those linked, directly or indirectly, with the «officialistion» of this education through the use of seals, diplomas, examinations,

registers, teaching materials, etc...

In all the schools they «visited», the Serbian police confiscated the stamps, seals, and teaching materials in Albanian. Such searches were invariably followed by beatings, arrests and prison sentences. The following are some recent examples.

On 10 June 1992, the police arrived in force, together with armoured vehicles, to surround the home of Meta Shala, headmaster of the school in Terstenik, a village in the Peje region. After searching his house, the police took Mr. Shala and four members of his family away; they were released after being violently beaten.

On 18 June, Idriz Berish, a teacher at the Kline primary school, was sentenced to 20 days imprisonment for exhibiting his pupils' work at the school.

On 22 June, police raided the home of Malush Haxhiu. Three students from Malisheve, Skender Hoxha, Ali and Ramiz Kastrati, were beaten senseless, because they refused to tell the police where the examinations were being held for the Albanian students following the alternative education programme set up by dismissed teachers.

On 27 June 1992, the police searched the Magure and Sedllar schools, in the Lipjan district. Their seals were confiscated, and three people were arrested after being beaten: the headmaster, Esat Bylykbashi, the Secretary, Hysni Mejzinolli, and Vehbi Kozhani, a teacher at the Kraishe primary school. All three were sentenced to 40 days imprisonment, for having written the year-end results in Albanian and for having used seals bearing inscriptions in Albanian.

Identical action was taken at schools in «Vuk Karaxhic» and «Thimi Mitko» (in the Gjilan district), and in the Vushterri district (at the schools in Smrekonice, Kçiç, Bresalc and other villages).

Students are also targeted. In Smire (in the Viti district), the school was surrounded by police who beat up both students and teachers. This was repeated at schools in the villages of Gjylekar and Kabash, and at the Gillogove secondary school.

On the same day, in Prishtina, 50 Albanian students at the teacher training college, who had just finished sitting their examinations, were arrested and beaten for two hours.

On 1 July, Ramadan Dermaku, a teacher at the primary school in Hogosht, was questioned while in possession of his pupils' examination results. He was arrested and sentenced to 40 days in prison.

On 3 July, the police arrested the headmaster of the Verban (Viti) primary school, Ibrahim Emmerlahu. He was given a 50-day prison sentence by the police tribunal because his school had not followed Serbian education programmes.

On 6 July, Ramush Tahiri, headmaster of the school in the village of Kabah (Viti), was sentenced to 60 days imprisonment: the police had found the school's examination results on headed paper marked «Education Ministry of the Republic of Kosovo», considered illegal by the Serbian authorities. On the same day, in Deçan, the police arrested two teachers from the «Ram Dacaj» secondary school, Shefket Haskaj and Selman Zejnaj, for failing to respect Serbian education programmes. After being beaten, they were sentenced to 20 days in prison by the police tribunal.

On the following day, 7 July, Serbian police harassed several teachers in Zahac. They threatened Afrim Dreshaj, Halil Kelmendi, Azem Veseli, Rruste Kabashi, Reyhep Hyseni and Besi Berisha that they would «have their throats cut like chickens» if they refused to apply Serbian teaching programmes.

On 9 July, several teachers were arrested and sentenced. In Obranxhe (Podujevo), the police surrounded a school. Several teachers were savagely beaten, one of whom, Qazim Hoxha, an activist in the independent teachers' union, was sentenced to 60 days imprisonment. Esat Bylykbashi, headmaster of the Magure primary school (Lipjan) was sentenced to 20 days imprisonment. Hyzri Mejzinolli, Secretary of the Sedlar primary school, was sentenced to 40 days, as was Vehbi Kozhani, a primary school teacher in the village of Krajishte, and Selatin Ratkoceri, President of the Independent Trade Union of the Lipjan Secondary School.

Identical events were reported on 6 July in Prizren, 10 July in Lipjan, in Jabllanice and Vogel and in Novoselle (Peje), on 11 July in Junik (Deçan), etc...

Rame Dacaj, Selmon Zenaj and Shefquet Haskaj, teachers at the secondary school in the Deçan district, accused of taking part in a graduation ceremony for their pupils, were arrested and sentenced to 10 to 12 days imprisonment.

On 11 July, Zeq Gashi, headmaster of the Junik Primary School (Deçan) was sentenced to 30 days for presenting certificates in Albanian.

There isn't enough room here to list the names of the many other teachers imprisoned, beaten, tortured, etc, or the many examples of searches, demolitions, confiscations or thefts perpetrated by Serbian police in the schools that follow the independent education programmes of the Albanian community. In addition to the cases listed above, for example, the ICFTU has details of over 30 other cases of arrests, beatings,

searches, demolitions and confiscations in the education sector in the month of July alone.

The Serbian authorities do not seem to have changed their attitude since the school holidays in the summer of 1992. At the time of publishing this report (beginning of October 1992), at least 46 primary schools in Kosovo were closed by the authorities and the repression continues. It is targeted particularly at teachers suspected of preparing education programmes in Albanian for the new school or academic year.

In September, Mrs. Zymrete Limani, Jonuz Salihu and Hasan Ceravdiku, teachers at the Prishtina secondary school, were summonsed by the police for interrogation; Abdyul Gashi, the headmaster of the primary school, was questioned and beaten by police on 11 September; four members of staff at the Gjakovo secondary school, including Ismail Juniku and Bashkim Baraku, were arrested on 7 September; Musa Shehu and Lulzim Vokshi were arrested on 8 September.

On the same day, over 16 Albanian pupils tried to return to their school in Peje; they were beaten, and shots were fired in their direction. Also on the same day, the police beat up Gafur Ajvazi and Sadri Rezhepi, teachers at the Prishtina and Besi primary schools respectively.

On 14 September, Albanian schoolchildren tried for the third time to return to school. In Lipjan and other districts, the police set up barricades and blocked the entrances to schools. In Deçan, Sali Visoça, a teacher and President of the independent union of the «Haxhi Zeka» secondary school was beaten; Isuf Mavraj, headmaster, had his arm broken by the police.

Also on the same day, Shaban Çareti, head of the Institute of Economics, was sentenced to a 60-day prison term. On 16, Isa Bica, a teacher and vice-President of the Independent Union of Higher Education in Kosovo, as well as Jonuz Salihu, head of the «Gjon Gazulli» technical college in Prishtina, were summonsed by the police who subjected them to brutal interrogation about their academic plans for the forthcoming year.

The Serbian authorities seem determined to prevent the opening of the Albanian academic year. Several obstacles have been placed before Albanian students who wish to register at the Prishtina faculty. Demë Fetaj and Demë Iberdemaj, two administrative employees at the university, have been prohibited by the police from accepting registration, although in fact they are continuing to register students outside the official premises.

Attempts at providing mutual assistance - notably by the unions - among the dismissed teachers, have also been repressed. On 3 September, Hazir Haziri, a civil

servant at the Linguistics Faculty, was searched during routine checks. As he had with him documents concerning students in the Faculty, he was taken to the police station for further checks; the 600 Deutsche mark he had with him, destined for humanitarian aid, were confiscated by the police (it should be noted that confiscations of humanitarian aid funds from BSPK activists by the police are regularly denounced by the union; once again we don't have enough space here to publish all the concrete examples available).

The authorities' aggression against Albanian education is exercised outside Kosovo as well: at the «25 May» school in Bujanovo, a principally Albanian-populated district of Serbia, the school year had still not begun by the end of September, despite the fact that the Serbian programme had been introduced.

While most sentences are handed down by police tribunals, some teachers, like other workers - and in particular BSPK leaders and activists - are brought before higher courts, such as district tribunals or higher still. This was the case for the Albanian headteachers of several primary schools in Mitrovica, Messrs. Bahr Nici, Skender Ibrahim, Shefqet Pllana, Dant Gashi, Jetshi Peci and Murteza Berisha. According to ICFTU sources, they were charged with the same offences, reclassified as «resistance to the legitimate decisions of State organs» (Republic of Serbia Penal Code, Art. 216, para. 1 and 2).

III. ANTI-TRADE UNION REPRESSION

Given the huge number of dismissals of Albanian workers, and the active solidarity organized for them, BSPK leaders and activists are prime target for Serbian repression. They are constantly subjected to arrests, beatings and prison sentences, which affect hundreds of victims a year. Several examples are given in the ICFTU's second communication to the ILO (Appendix 2, p.5). The dismissals, arrests, brutality and prison sentences for membership of the BSPK, taking strike action, refusing to affiliate to the official Serbian unions or to sign the collective agreements approved by these unions continue.

The most striking examples of these practices so far in 1992 are the two raids by Serbian police on the BSPK headquarters in Prishtina, on 18 May and 23 June respectively. The first time, the police forcibly interrupted a meeting held at the union's headquarters in the centre of Prishtina. Twenty trade unionists were taken to the police station, most of whom were taken on foot at gunpoint, as the police had not taken enough vehicles with them to take all the meetings participants. The following trade unionists were taken and questioned: Xhevdet Nikçi, Shemsi Gashi, Rrahman Sylejmani, Hajriz Shahini, Milazim Rushiti, Sadik Shefqeti, Kadri Lekaj, Imer Qorri, Selim Delloli, Idriz Jashari, Milazim Emimi, Idriz Haliti, Shpend Maxhoni, Jahe Avdiu, Xhevat Rrahmani, Ismet Zeqiri, Rrahim Sekiraga, Xhovat Krasniqi, Qamil Sylejmani.

In the second raid, on 23 June, the police invaded the BSPK premises at three in the morning, without a warrant and in the absence of any union official. Their offices were searched, doors broken down, furniture overturned, drawers pulled out, etc... Many documents as well as funds intended for humanitarian aid were taken away by the police. This raid was in fact just part of a much wider operation aimed at preventing by every

possible means the holding of the opening session of the Kosovo parliament, appointed after the semi-clandestine elections held a month earlier, on 24 May. The search of the BSPK offices was coordinated with the arrest of members of the independent parliament, members of the independent (Albanian) trade union of the Kosovo police, and many members of political organizations and other independent Albanian associations. The arrests were concentrated in the towns of Prishtina, Mitrovice, Prizren, Peje and several others. Nine members of parliament were questioned, as well as 20 ex-police officers, members of the independent police union, seven teachers, and 18 other workers, all members of the BSPK. (The names, although known to the ICFTU, are not given here due to lack of space; they can be found in ICFTU document no. 9030 of 31.07.92).

Several members of the union were severely beaten, they and their families were threatened with death; several have stated that the Serbian police told them «now you have understood that even the United Nations can do nothing to save you!». Albanian ex-policemen are among the prime targets: the Serbian authorities accuse them of taking charge of the security of the members of the Kosovo Parliament and forming a «parallel militia». The situation in the whole of former-Yugoslavia's territory demonstrates all too clearly the seriousness and potential consequences of such accusations.

As mentioned earlier, the leaders of the BSPK and its affiliated unions are singled out for repression:

- on 30 May 1992, the President of the independent trade union of the battery factory in Mitrovice, Agim Hajrizi, was questioned and detained for four hours, for accompanying a Swedish mission of inquiry;
- in Podujevo, Rrahman Kmini, President of the independent trade union of the wire fencing factory was dismissed for not attending the speech given by the Serbian Prime Minister;
- on 1 June, Lutfi Jusufi, President of the independent trade union at the Ferizaj refinery, was dismissed for expressing his union's opposition, in a letter to the «Uljarica» refinery in Belgrade, to the company's forced integration into «Uljarica».

Sometimes, union members are targetted for having demonstrated their solidarity with the victims of Serbian repression, such as after the funeral of Tahir Berisha, a primary school teacher killed by police on 24 May, at midnight, in the village of Leshan in the Peje district. According to the BSPK, quoting the Council for the Defence of Human Rights in Prishtina, over 200 people, family members, colleagues, villagers and trade unionists who attended the funeral were beaten by the police, on 26 and 28 May. They

included Musa Rexha and Ose Smajli, activists in the independent trade union of the Peje car-parts factory, as well as four journalists and employees of a Prishtina newspaper who attended to report on the funeral.

In addition to mass dismissals (see «Dismissals and Replacements»), repression is also directed against BSPK members who refuse to signed declarations of loyalty to the Serbian authorities, to affiliate to Serbian unions, to pay affiliation fees to them or to sign collective agreements supposedly «negotiated» by Serb unions with company managements. These practices are described in detail in the two communications submitted by the ICFTU to the ILO (Appendices 1 and 2, respectively). They are continuing at the present time.

One example of this is the «Transport» company in Obiliq, a branch of the «Transkos» company in Prishtina. On 7 February 1992, the manager Perovic Zoran, a Serb appointed under the «exceptional measures», signed a dismissal order for all staff refusing to pay their affiliation fee (0.6% of net salary) to the company's «Autonomous Serbian Trade Union» (Appendix 3: Dismissal notice issued by the Obiliq «Transport» company, with the English translation).

The refusal of the Albanian workers to accept the collective agreement signed by the Serbian trade union at the «Progress» textile company in Prizren led to their dismissal: 600 were laid off. Membership of the official Serbian unions, however, can bring certain advantages. On 26 June 1992, at the «Fazita» wallpaper factory in Prishtina, the official (Serbian) union distributed food: only Serbian and Montenegrin workers, all members of the union, benefitted. Discrimination can also be exercised outside the workplace: Albanians no longer have access to various sports facilities in Prishtina, the capital of Kosovo. The football stadium is reserved for Serbian and Montenegrin teams, as is access to the swimming pool, which those who carry the membership card of the official Serbian trade union can use.

IV. OTHER HUMAN RIGHTS VIOLATIONS

1. Searches

Searches, including those without a warrant, ransacking and pillaging of Albanian homes, usually with violence, are regularly denounced by the BSPK and the human rights groups in Kosovo. Below are a few recent examples.

On 10 June 1992, two Serbian para-militaries searched the home of Smajl Iberhysaj in Deçan. The following night, they searched the «Pashtriku» bakery in the same village, beating up the staff, ripping open seven sacks of flour and stealing the workers' personal belongings.

On 11 June, Serbian police searched the home of Rexhep Mehmeti and detained three members of his family: Bekim, Orhan and Qabil Mehmeti; a video recorder and video tapes were confiscated.

On 13 June, fifteen policemen searched the homes of Zenel and Safet Doxho; members of their families were beaten and the children, who were in a state of shock, needed medical attention.

On 15 June, the police searched the home of Adil Ali Berish, in Svirce (Kamenice), on the pretext that he was hiding arms; his family was beaten up and he was taken away. The same day, the police searched the home of Rrahman Aliu, in Zajece, a neighbouring village, on the same pretext.

On 16 June, 50 heavily armed police officers searched the home of the Dinaj family.

The house was ransacked and Rrustem, Ramush, Rifat, Agros and Sheqere Dinaj were severely beaten; several were seriously wounded.

2. Police brutality

The brutality of Serbian police towards the Albanian population of Kosovo is regularly denounced by the BSPK and human rights organizations in Kosovo. The number of concrete cases reported to the ICFTU indicates that beatings during searches, identity checks or interrogations are daily events throughout Kosovo. Cases of torture, sometimes leading to death, are reported regularly. Some recent examples illustrate this situation.

On 10 June 1992, Mr. Ymer Gruda, former director of the Peje brewery, was questioned and beaten at length by the police, apparently for having taken down the photo of Serbian President S. Milosevic in his office.

Two weeks later, the police detained 30 trade unionists, members of the civil servants trade union of the Kosovo Ministry of Internal Affairs, all of whom had been dismissed. They were savagely beaten and threatened with death, before being released.

On 26 July, in Prishtina, Avdi Paçarada, was twice taken to the police station and severely beaten, for having followed the education programme of the «Republic of Kosovo». On the same day, in Shtedim, Serbian police arrested Ymer and Ramiz Alia, from Nivokaz, and Brahim, Adem and Nife Rrustemi, as well as Mone Rrustemi (aged 90 years); all were beaten, including the women, who were threatened with seeing their husbands killed and being sent to «service» the army.

3. Deaths attributed to the security forces

Several human rights organizations, including Amnesty International have already denounced many case of deaths attributable to the security forces, particularly the Serbian police in Kosovo (see «Yugoslavia: Ethnic Albanians - Victims of torture and ill-treatment by police in Kosovo province», Amnesty International, London, June 1992). The BSPK and several independent groups in Kosovo are continuing at the present time to report such deaths. Several recent cases reported to the ICFTU are listed below.

On 17 June 1992, the Serbian army killed an Albanian citizen, Rexhe Tabaku, from Tropoje, born in 1966. The incident took place on the Albanian border. When Serbian police took his body to the hospital in Gjakove, they declared: «This evening, we're going to fill the hospital with Albanian corpses».

On 10 July, towards four in the morning, the police searched the home of Zeqir Tahiri, in the village of Kline (Skenderaj). His 20-year old son Rexhep tried to escape because he was afraid he would be forcibly recruited into the army; the police fired, and the young man died of this wounds in the Mitrovice hospital.

On 21 July, Haki Pavataj, headmaster of the Strelac primary school (Deçan), was taken to the police station and severely beaten; he died a few hours later, still at the station.

On 24 August, two suspicious deaths occurred at police stations. In Junik (Deçan), a 22-year old Albanian, whose first name was Haki, was arrested in the village of Batushe, near the Albanian border, and died at the police station after being beaten. In Ruhot (Peje), Fetah Sokoli, aged 70 years, died following a beating at the hands of Serbian police.

4. Armed incidents and the distribution of arms

The number of incidents involving armed individuals, and the use of their arms, has sharply increased in recent weeks. According to the BSPK and the Prishtina Council for the Defence of Human Rights and Freedoms, such incidents are a carbon copy of those that preceded the outbreak of armed conflict in Croatia and Bosnia Herzegovina. Together with the policy of evictions, beatings and searches these incidents are, according to the Albanian leaders in Kosovo, the precursors of outright conflict in the region. For the time being, their destabilizing effect reinforces the difficulties faced by independent leaders in preventing a violent reaction by the Albanian population.

A worrying factor in this context is the ease with which the Serbian population seems to be able to procure arms and the parallel with other regions of former Yugoslavia is patently obvious. The army's distribution of arms to the Serbian population has been denounced by the BSPK since July 1991. It still continues at the present time. On 14 June 1992, in the Stakic district of Shtimje, civilian police employees unloaded a vehicle - licence plate number UR 29-375 - and distributed the arms it contained to Serbs and Montenegrans in the village. The same day, at the «Svinar» barracks in Mitrovice, 11 vans bearing registration numbers from Leskovo, in Serbia, loaded up with arms and set off in the direction of Leposavic.

The ease with which Serbs obtain arms in former Yugoslavia was pointed out by several observers, including the Special Rapporteur of the United Nations Commission on Human Rights on the human rights situation in the territory of former Yugoslavia, Mr. T. Mazowiecki. At the top of chapter C. of his report, titled «Factors contributing to the violation of human rights», the Special Rapporteur notes «with great concern the extent

to which the population is armed, especially in the territory of Bosnia and Herzegovina under the control of ethnic Serbs. He was particularly disturbed by the pervasive presence of heavily armed men and women, in and out of uniform, in Banja Luka, despite the claim by local authorities that the area was «at peace»(...) The wide distribution of weapons among the population greatly facilitates the tactics used to terrorize people in order to promote ethnic cleansing, such as shooting at houses and blowing them up.»(UN Document no. E/CN.4/1992/S-1/9,op.cit., para. 44).

The arming of civilians, as described by the Special Rapporteur, exactly resembles cases reported in Kosovo, which continually lead to incidents that risk degenerating into armed conflict.

On 15 August a group of armed Serbs from the Istog district arrived by tractor in the Albanian village of Tomoc, in the same district, where they provoked the Albanians and threatened them by brandishing arms, while some of them used the village's fields for target practice; throughout the district, Serbs are armed when they travel.

On 17 August in Krajshe (Lipjan), a group of armed Serbian civilians, led by police officer Bilagoj Nedelkovic, fired on Albanian houses; a police patrol in a neighbouring street did not intervene.

On 20 August, in the village of Koshar (Gjakove), a village on the Albanian border, Serbian reservists marched throughout the night firing their weapons and provoking the Albanian population to resist.

On 24 August, various incidents were reported: large groups of Serbian police reservists gathered at the Kamenice police station: heavily armed, they marched through the town accompanied by Serbian civilians; on the same day in Gjilan, four armed Serbians provoked Albanians at the vegetable market, and later entered the «Mostar» restaurant where they severely assaulted the owner; at about 2.00 p.m., an armoured police vehicle entered the rue Jabllanica in Prishtina and a police officer began to provoke the Albanian population using a loud-speaker.

On the morning of 25 August, four uniformed soldiers opened fire in the village of Krushe e Vogel; their targets were Albanian houses, a mosque and a company's premises; the bullet holes can be seen in the walls. On the same day, four civilians carrying automatic weapons and truncheons entered the Gjilan market, insulting people and asking them if they supported Serbia; several people were severely beaten.

On 26 August in the village of Pirane (Prizren), four Serbian soldiers directed automatic fire at Albanian houses. On the same day a young Albanian, Astrit Gashi, from

Doberdol, received bullet wounds in Podujevo. He was taken to hospital in Prishtina, where his family are being refused access to see him. On 29 August, in Kline, Serbian reservists aimed automatic fire at Albanian passers by, a school and several houses.

In Gjakove, on 15 September, 22-year old Rame Baka was severely wounded in a burst of automatic fire by police officers who later explained they thought it suspicious that he moved away when he saw them coming.

Several incidents were also reported in the villages of Korbilic e Letnice (Viti district), near the Macedonian border. Beatings, house searches and attempted rapes by armed Serbs are reported regularly.

It should be stressed that, given the quantity of arms distributed to the Serbian and Montenegrin population of Kosovo, any attempt to then disarm these people would be purely hypothetical. The Special Rapporteur's report details the various methods used by the authorities of the so-called «Serbian Republic of Krajina» in Vukovar to prevent the implementation of an agreement with the UNPROFOR for the disarmament of the «civil defence units»: «At first, their members were transformed into so-called «Special Police». When objections were raised the members of the Special Police became members of the ordinary police. (...) According to UNPROFOR, only 10 to 15 per cent of the police force in Vukovar has any professional training for this function.» (Special Rapporteur's Report, op.cit. para. 45).

The provision of vast quantities of arms to Serbian and Montenegrin citizens in Kosovo seems to be accompanied by the distribution of uniforms: various incidents have been reported involving Serbian police «reservists» (such as those on 20 August in Koshar and 24 August in Kamenice, as mentioned above). An ICFTU representative, on mission to Kosovo in mid-September 1992, was struck by the quantity of different uniforms worn by armed men patrolling the capital, Prishtina, and the main approaches to the city. Albanians identified various uniforms as those of the «special Serbian forces», without any further details.

The inherent dangers of the simultaneous presence of many different armed forces is clearly illustrated by a serious incident that took place on 12 June 1992. A Serbian soldier, Milan Mihajlovic, 19 years of age, was killed, apparently following a dispute at the «Emin Duraku» barracks in Gjakovo, near the Albanian border. According to the BSPK, an exchange of fire lasting approximately 40 minutes was heard, coming from the barracks that house the soldiers, volunteers, reservists and members of the Serbian police force. At the same time mass was being held at the Catholic church near the barracks. Many Albanian Catholics were celebrating Saint Ndou, and the service was held by a Croatian priest.

Hearing gunfire, and fearing provocation, the congregation decided to go home. Outside the church, they were met by the Serbian police and army, which had left the barracks in force and blocked the surrounding roads. Blows rained down on the Albanians, and guns were fired at the crowd. Gjyste Mark Ndou, 38 years old, an ethnic Albanian, fell after being seriously wounded by gunfire. The Croatian priest, Ilija Kovacevic, was injured by blows from rifle butts, as were the Albanians Kola Zef Dreni and Zef Sokol Dreni. The bullets also hit Cyme Mark Jaku, even though he was quite far from the incident. According to the victim, the shots that reached him were fired from a nearby hill, where there was a shooting range used by Serbian soldiers, police and irregular forces.

In the two hours that followed, the Serbian police and army sacked the whole district. Six cars were burnt, houses were machine-gunned, the windows of several houses were broken and doors, including those of the church, were broken down. According to the BSPK, Serbian forces blocked the entrance to the hospital, as well as all approaches to Gjakovo. Several people were taken to the police station and severely beaten, including women and children, particularly members of the Muharrem Kurti family, one of the eight families that had attended the St. Ndou mass. Mr. Kurti himself was threatened with death by the police if he and all his family did not leave their house.

A similar incident was reported by the BSPK in the town of Skenderaj. According to the Tanyug (official Serbian) press agency, a Serbian police officer was killed outright in the town and another wounded on 8 July, at about 01.40 a.m.. The agency didn't give any details. The BSPK says that the victim died in a settling of scores between Serbian police.

The district was immediately surrounded by police, backed up by an armoured car. By 7.30 a.m. the centre of town was isolated, the police were out in force, together with six tanks and an armoured personnel carrier. Towards 11.00 a.m., the tanks and the armoured personnel carrier took 60 police officers to the Babaj district in a neighbouring village. The police search the home of Sejdi R. Babaj, whose brother Sami had earlier been killed by Serbian police. Throughout the day, arrests of former Albanian police officers, dismissed workers and members of the BSPK, continued: the detainees included the former commander-in-chief of the Skenderaj police, Azem Gashi, as well as the former police officers Kerat Xhemajli, Muhamet Zaqiri, Zenel Gjinovci and Hilm Thaqi. A colleague, Naim Zaberxha, had his house ransacked.

According to the BSPK, such incidents show that the Serbian army and police are trying to provoke a conflict at whatever cost, in this case by trying to put the blame for the death of a Serbian policeman at the door of Albanian ex-policemen, who were not involved in any way.

5. Legal repression

The reclassification of minor offences as political crimes is becoming common practice. In addition to the 20 to 60 day prison terms handed down daily by police tribunals - the «minor offences judges» under Serbian procedures - the legal authorities are now taking cases to higher courts, for the same incidents but on different charges, which carry higher penalties. The case of Mufail Zariqi, from Ferizaj, President of the independent trade union of legal administrators in Kosovo and a member of the BSPK executive board, and his three co-accused, is a clear example. Following a series of trade union demonstrations at the Ferizaj town hall, in August 1990, the four were sentenced in September 1991 by the «minor offences judges» to terms of less than two months, for disturbing the public order. A few months after serving their terms, they were sentenced again for the same offences, by the Municipal Tribunal of Ferizaj. The public prosecutor charged them with «inciting resistance» under the terms of article 216 of the Serbian Penal Code. They faced possible terms of between one and five years imprisonment. They are still free, but in one year they have already attended twelve hearings: the last, on 16 1992, was suspended and postponed sine die, seemingly owing to the presence of an ICFTU observer.

A list of 33 people - including several trade union activists and teachers - currently facing charges brought by the District Tribunal of Ferizaj under the terms of the Penal Code of the Republic of Serbia, is attached in Appendix 5 of this report.

V. CONCLUSIONS

As an international trade union organization, it is not for the ICFTU to comment on the constitutional and political future of Kosovo. Nonetheless, given that 90% of the region's population is of Albanian origin, it is unlikely to continue to suffer the systematic repression of the Serbian authorities against the Albanian population without it degenerating into open conflict. Given the geographical location of Kosovo, the consequences for the entire Baltic region are easy to predict. In publishing the present document the ICFTU is issuing a warning cry: unless repression in this territory ends soon, the eruption of conflict is more than likely. In order to prevent this, simple logic suggests the most urgent measures to be taken to ensure the return to relative calm in Kosovo. These measures include:

- the stationing of permanent international human rights observers in Kosovo;
- an immediate end to the discriminatory dismissals of Albanian workers;
- an immediate end to all «ethnic cleansing» measures, including evictions from their homes, the brutal treatment of the Albanian population, including murder, discrimination in education, and the arming of the Serbian and Montenegrin population in Kosovo;
- the full respect by the Serbian authorities of all international legal measures for the protection of human rights, including those of workers, as stipulated notably in the United Nations International Charter of Human Rights (the Universal Declaration and the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights) and the Conventions of the

International Labour Organisation.

Finally, if full-scale warfare is to be avoided in Kosovo, negotiations on all these issues must begin urgently between the Serbian authorities and the representatives of the Albanian population of Kosovo, including the workers' representative, that is to say, the BSPK.

