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HUMAN RIGHTS IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

CONTENTS

INTRODUCTION

This newsletter is one of a series of reports issued by Helsinki Watch on human rights problems in the republics of the former Yugoslavia.

The Former Yugoslav Republic of Macedonia (FYRM) faces serious problems. First, the republic is making the difficult transition from communism to democracy and a free market economy, an extremely taxing process in the best of circumstances. In addition, the republic faces a grave threat that the Bosnian

war may spread to other parts of the Balkans, including the Former Yugoslav Republic of Macedonia.[1] The official position of neighboring Yugoslavia (chiefly Serbia) is that it has no territorial claims on FYRM and is prepared to recognize FYRM once the republic's dispute with Greece over its name has been satisfactorily resolved. However, because Serbian leaders have exploited ethnic differences to foment violence and justify aggression in Croatia and Bosnia, many Macedonians are concerned that similar tactics may be used to spread the war to other parts of the Balkans, including FYRM.

The danger that the war may spread is of concern to the international community as well as to FYRM. In response to the perceived threat, a United Nations Protective Force of about 700 troops was deployed in the republic in December 1992; the U.S. added 300 troops in 1993. Moreover, the Conference on Security and Cooperation in Europe (CSCE) has had since 1991 a monitoring mission in the capital, Skopje; its assignment is to monitor threats--both internal and external--to the republic's stability.

The Bosnian war and the international embargo on trade with Serbia and Montenegro have worsened FYRM's economic conditions. Before the outbreak of the Bosnian war, most of the republic's trade was with Serbia, Montenegro and Bosnia. This trade has, of course, been sharply curtailed.

The 1991 constitution of the Former Yugoslav Republic of Macedonia provides guarantees of equality, due process of law, free expression, freedom of religion, political freedom and other internationally-recognized fundamental rights. However, a stalemate in Parliament between the coalition government and the largest opposition party, the Internal Macedonian Revolutionary Organization - Democratic Party of Macedonian National Unity (VMRO-DPMNU), has blocked passage of new laws needed to implement the constitution; important legislation requires a two-thirds vote in Parliament. As a result, most laws now in effect date from the communist era. These laws regulate the judiciary, political parties, local self-government, associations, the media, education, ownership of property, and other important aspects of life in FYRM. Many are simply not enforced.

Current human rights problems in the Former Yugoslav Republic of Macedonia include the use of excessive force by police in controlling demonstrations, discrimination in the treatment of ethnic minorities, and restrictions on some aspects of free expression and assembly.

BACKGROUND

[1] A dispute with Greece over the name "Macedonia"--the same name as a large region in northern Greece--was temporarily resolved in April 1993 by admitting the country to the United Nations under the provisional name, "Former Yugoslav Republic of Macedonia." There is as yet no final resolution of the question of the country's name.

The Former Yugoslav Republic of Macedonia is the only one of the four Yugoslav republics to have become independent from the former Yugoslavia without bloodshed. The southernmost of the former Yugoslav republics, it is bordered by Serbia (including the province of Kosovo), Bulgaria, Greece and Albania. Its population is a little over two million. According to a 1991 census, the population is made up of about 65 percent ethnic Macedonians, 22 percent ethnic Albanians, 4 percent ethnic Turks, 3 percent Roma (Gypsies), 2 percent ethnic Serbs, 2 percent Macedonian Muslims, and .04 percent Vlachs.[2] Most Macedonians and Serbs are Eastern Orthodox Christians; most others are Muslim.[3]

The Former Yugoslav Republic of Macedonia is a parliamentary democracy. The parliament was elected in 1990; the parliament then elected Kiro Gligorov president in January 1991. Following a public referendum, FYRM declared its independence and adopted a new constitution in November 1991. The present government is a coalition made up largely of social democrats (the Social Democratic Union of Macedonia--SDUM, formerly communists) and the larger of two Albanian[4] parties in Macedonia (Party for Democratic Prosperity--PPD).

The largest opposition party, the Internal Macedonian Revolutionary Organization (VMRO), elected the largest number of members of parliament in the last election (thirty-eight of 120), but was unable to form a government. A conservative nationalist party, VMRO was strongly anti-communist and anti-Serbian; it was the first of the parties in the republic to favor independence from former Yugoslavia.[5]

The present government is multi-ethnic: five of the twenty-four ministers are ethnic Albanians; one is an ethnic Turk; the rest are Macedonians. Serbs, Turks, Vlachs and Albanians are represented among vice-ministers. Of the 120 members of parliament, twenty-three are ethnic Albanians and one is a Rom (Gypsy); the vast majority are Macedonians. An inter-ethnic council made up of two representatives of each minority has recently been established by the parliament to deal with issues of minority rights and the treatment of minorities. In addition, Parliament has set up an inter-ethnic commission that advises members on matters affecting minorities.

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[2] Many minority groups claim higher percentages. The percentage of ethnic Albanians is a government estimate; many Albanians boycotted the census because it counted citizens, but not non-citizen residents, thus excluding many Albanians who have fled to Macedonia from the Serbian province of Kosovo. For information on ill-treatment of Albanians in Kosovo, see Helsinki Watch report, *Yugoslavia: Human Rights Abuses in Kosovo 1990-1992*, October 1992.

[3] Serbs, Croats, Slovenes, Montenegrins and Macedonians were recognized as constituent nations in post-World War II Yugoslavia. Macedonian Muslims were recognized as a constituent nation in 1971. Turks, Albanians and Slavic Muslims practice the same religion, but constitute three separate ethnic/national groups.

[4] The term "Albanian" is used in this newsletter to indicate ethnic Albanians living in Macedonia.

[5] The Internal Macedonian Revolutionary Organization was formed and participated in multi-party elections in 1990. A dispute concerning the party's leadership subsequently led to a split in the party and a formation of two separate parties with similar names. The smaller of the two, the Internal Macedonian Revolutionary Organization-Democratic Party (VMRO-DP), currently is led by Vladimir Golubovski and has one seat in the Macedonian Parliament. The larger and more significant is the Internal Macedonian Revolutionary Organization - The Democratic Party for Macedonian National Unity (VRMO-DPMNU) and is currently the main opposition party in FYRM.

COMPLAINTS OF EXCESSIVE USE OF FORCE BY POLICE

Government opponents contend that police have used excessive force in handling demonstrations. The most serious incident took place in November 1992 in Bit Pazar, an Albanian neighborhood in Skopje, following the police beating of a teen-age Albanian cigarette seller. Hundreds of ethnic Albanians rioted; four people were killed. Police were also wounded by gunfire during the riot. Parliament investigated the incident, but no one has been charged.[6]

Two earlier demonstrations in 1992 led to allegations of police brutality. On March 23, more than 2,000 farmers from the town of Kukliš organized a protest against government agricultural policies, including the prices set for their products. A large number of police officers reportedly responded to the protest by beating demonstrators with truncheons.

On March 31, between 1,500 and 3,000 farmers and producers of tobacco demonstrated in the town of Radoviš to protest government prices for tobacco. Police reportedly beat the demonstrators with truncheons.

Police officers were suspended in both of these cases, but no responsibility was allocated to higher officials.

On February 21 and 22, 1993, several thousand people from Skopje's suburb of Djorče Petrov protested the government's decision to build a refugee camp in their area. Police reportedly attacked the demonstrators.

In January 1993, Serbian youths celebrating New Year's day displayed a Yugoslav flag in the village of Kučevište near the Serbian border. Macedonian security forces tore down the flag and a fight ensued in which police reportedly beat youngsters with truncheons. Members of the Serbian minority complained to Helsinki Watch of ill-treatment of Serbs during the incident.[7] However, in questioning Kučevište residents, Helsinki Watch found that several young men had thrown rocks at police, and that police had arrested three people and charged them with disturbing the peace.

Prime Minister Branko Crvenkovski and Minister of the Interior Ljubomir Frčkovski told Helsinki Watch that the government is re-training the police, moving away from the political police practices of the old regime, and "depoliticizing" the force.

INTER-ETHNIC RELATIONS

[6] Sources for information on this incident and the incidents that follow are Norman Anderson, of the CSCE Spillover Monitoring Mission, the U.S. Department of State Country Report on FYRM for 1992, and Albanians, Macedonians, Serbs and others interviewed by Helsinki Watch in July 1993.

[7] All interviews cited in this newsletter took place in FYRM in late July, 1993. Most took place in the capital, Skopje, and the surrounding area; others were in Tetovo in the western part of FYRM, Kučevište in the north near the Serbian border, and Bitola in the south.

In the Former Yugoslav Republic of Macedonia relations among ethnic groups appear, on the whole, calm. The government is working to keep the resolution of inter-ethnic disputes within government institutions. The constitution mandated an inter-ethnic council and its members have recently been named by Parliament; whether it will be useful remains to be seen. A parliamentary commission also deals with minority questions. Interior Minister Frčkovski told Helsinki Watch that the government wants to have a hand in managing conflicts so that they are not resolved with force in the street. "If nationalities are left out of the process," he said, "you have an empty choreography of democratic institutions."

Minister Frčkovski told Helsinki Watch in July 1993:

> Ethnic relations are fairly smooth; we have a soft collective memory of relations between ethnic groups. There have been no significant fights between ethnic groups; our fights have been against occupiers. When a collective system falls, people tend to rely on either religion or ethnicity; neither has a tradition of democracy. We are striving toward ethnic tolerance and an honest approach to democratic institutions.

Norman Anderson, the head of the CSCE Spillover Monitor Mission in Skopje, which has been monitoring both external and internal threats to stability since 1991, told Helsinki Watch in July that although ethnic minorities have been living together in the Former Yugoslav Republic of Macedonia for hundreds of years, there is a good deal of mistrust, and not much cultural overlap or understanding of each other. However, he believes that on the whole, ethnic relations are "pretty good." The CSCE mission is in regular contact with minorities in an effort to hear problems first-hand and to investigate allegations of human rights abuses. "There have been few serious incidents in the past few months," he reported.

MINORITY RIGHTS

Equal treatment of minorities is guaranteed in the new Macedonian constitution. Macedonian is the official language, but in areas where others are a majority, or are of "considerable numbers," a second language is also considered official.[8] Minorities have the right to speak their own languages, produce and distribute newspapers or books in their own languages, and set up private schools that teach children in their own languages. Government schools provide instruction in the Macedonian, Albanian, Turkish, Serb and Vlach languages in some, although not all, of the places where the number of minority children warrants them.

General Minority Complaints

Both Albanians and Serbs resent the wording of the preamble of the Constitution, which says, "Full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanies and other nationalities living in the Republic of Macedonia." Inclusion only as an "other nationality" is a sore point with many Serbs interviewed by Helsinki Watch. Many Albanians told Helsinki Watch that they believe that they should be treated as a constituent nation equal to Macedonians.

[8] There are disputes as to what is a "considerable number" of minority members. VMRO-DPMNU has defined it as one-third, whereas ethnic Albanians have defined it as 10, 15 or 20 percent.

Mirjana Majčevska of the Center for Ethnic Relations, a year-old institute for social, political and juridical research, told Helsinki Watch:

> Minority elementary schools provide instruction in the minority language as well as classes three times a week in Macedonian. In secondary schools, a minority class is set up as long as there are at least fifteen minority students; instruction is then in the minority language, with classes in Macedonian. If there are fewer than fifteen students, the language of instruction is Macedonian, but classes in the mother tongue are provided several times a week. No minority-language university exists.

In Helsinki Watch conversations with minority members, many alleged discrimination in education. Most minorities argue that there are not enough elementary schools or classes for their children. Albanians, Turks, Roma and Serbs assert that there are also not enough secondary schools for their children and complain of the absence of minority universities.

Job discrimination is another prominent and widespread minority complaint. Ethnic Albanians told Helsinki Watch that they are discriminated against in government jobs--police, army, civil service, diplomatic service; the state is the major employer. For example, Albanians assert that in areas where Albanians make up 80 percent of the population, the police force is 97 percent Macedonian. The prime minister and the ministers of labor and the interior confirmed this. They told Helsinki Watch that the government has set a goal of 20 percent for minorities in the police academy, and that other affirmative action efforts are being undertaken in the army and the diplomatic service.

All Macedonians must carry identity cards written in the Macedonian language. Many minority members, led chiefly by ethnic Albanians, want the option of having identity cards in two languages, Macedonian and the minority language as well. The government accepted this proposal and prepared legislation to make the change, but the opposition party, VMRO-DPMNU, is strongly opposed to it and has blocked its passage.

The Albanian minority

Ethnic Albanians told Helsinki Watch that they are treated as second-class citizens in the republic. Representatives of Albanian political parties told Helsinki Watch that they advocate changing the preamble to the constitution to include Albanians as a nationality equal in status to Macedonians, and also to amend Article 7 of the constitution to include Albanian as an official language.

Albanians contend that their representation in Parliament is unequal in that voting districts have been set up so that 15,000 Albanians, but only 5,000 Macedonians, elect one member. However, Helsinki Watch found that twenty-three of the 120 members of Parliament are Albanian.

A 1992 law established a fifteen-year residency requirement for citizenship; Albanians had argued for five years, and the nationalist opposition, VMRO-DPMNU, for twenty-five. Thousands of ethnic Albanians have migrated to FYRM from the Serbian province of Kosovo in recent years to escape abuse by the Serbian government.[9] Because the 1991 census counted citizens, but not residents, meaning that

[9] Amnesty International and others reported in September 1993 that Macedonian police have rounded up in the

thousands of ethnic Albanians would not have been counted, ethnic Albanians boycotted it. A new census will be held in 1994 under the supervision of the Council of Europe. Helsinki Watch was told by Ilijaz Halimi, the president of the People's Democratic Party (PDP), the second largest Albanian political party, that Albanians will decide later whether to take part.

Albanians assert that the citizenship law discriminates against Albanians in favor of Macedonians, citing Article 11 of the law, which specifies that Macedonians from the former Yugoslav republics are automatically granted citizenship, regardless of the years spent in FYRM, due to their nationality.[10]

Mr. Halimi told Helsinki Watch that

> [t]he human rights status of Albanians is about the same as it was before Macedonia became independent, except that Albanians can talk freely and express their opinions, and can form political parties. But the number of Albanians taking part in government, police, and the army is very low. We are still treated like second-class citizens. We've appealed to international organizations for help. An Ambassador from the European Community has held twelve meetings with Albanians and the Macedonian government but the government doesn't keep its promises. We believe the government is becoming more nationalist, and is not truly multi-cultural.

Helsinki Watch met with six members of the Albanian Women's League of Macedonia, a group that was officially registered with the government on August 26, 1992. They described their main goal as the emancipation of Albanian women. Education and jobs are among their chief concerns. Myqerem Rusi, the president of the group, told Helsinki Watch:

> The factors that have led to a lack of emancipation of women in Macedonia are both objective and subjective. Objectively, Albanian husbands have not been able to find work here, and have traditionally gone abroad to make money. Their wives have closeted themselves in their homes and have not received an education. Subjectively, women feel inferior, that they only half-exist. How can they educate their children when they are not educated themselves? Now times have changed, but how can an illiterate, uneducated woman find a place in society? This is the consequence of a fifty-year communist system of government. Women have been considered by government just as child-bearing machines and Albanian men have not wanted their wives to be educated. Women have been caught under a dual patriarchy--politics and their husbands and families.

In education, the women's group reported that there are not enough secondary schools for Albanian students. For example, the women told Helsinki Watch that in Tetovo, which has a population of 250,000

Tetovo area in the western part of the country many ethnic Albanians who have recently entered illegally from Kosovo, and have returned them to Kosovo where they are in danger of ill-treatment and beatings by Serbian police. If the reports are correct, FYRM's actions violate international agreements prohibiting the refoulement (return to their native countries) of refugees who have a well-founded fear of persecution.

[10] Macedonian Information and Liaison Service, *The Current Situation of the Minorities: Principal Features*, Skopje, 1993, p. 62.

that is about 80 percent Albanian, there are four high schools. By contrast, in Skopje (largely Macedonian), with a population of 500,000, there are thirty-four high schools. Minister of Labor and Social Policy Iljaz Sabriu, himself an ethnic Albanian, confirmed the women's contentions, and told Helsinki Watch that only 25 percent of Albanians continue on to secondary school.

Prime Minister Crvenkovski told Helsinki Watch that

> most Albanians, Turks and Roma are not interested in going beyond elementary school. Of the 8,000 children who completed their elementary education in 1992, only 2,900 wanted to continue on to secondary school. Of the children who applied for secondary school, 97 percent were enrolled. Among the Albanian girls, 90 percent attend elementary school only.

The Macedonian Information and Liaison Service (M.I.L.S.) reported in a 1993 publication that only one-third of Albanian students who graduate from primary school continue on to high school, and that the percentage of Albanian students in Macedonian high schools was 7.7 percent. The M.I.L.S. posited that the reasons for the small number of Albanian high school students were:

> the insufficient number of high schools that carry out education in the Albanian language; the refusal by Albanian parents to send their children to high schools where the education is in the Macedonian language; the tradition in non-emancipated parts of the Albanian population according to which women have no need of education other than primary school; the financial inability of the parents to send their children to school, etc.[11]

On universities, Minister of Labor Sabriu told Helsinki Watch:

> The situation is even worse in the universities. Now there is a special quota of 10 percent for all nationalities [i.e. minorities] to try to get more into the universities, but it has not been fulfilled.

Teuta Arifi of the Albanian Women's League told Helsinki Watch that

> there are two universities in Macedonia: in Skopje and Bitola. There is no Albanian university. We have qualified professors, but they can't get jobs teaching in Macedonian universities. In Skopje University, only 1.7 percent of the students are Albanians. In Bitola University there are even fewer.

According to the Macedonian Information and Liaison Service,

> only 1.48 percent of the students in the two Macedonian universities are Albanian. This poor situation is due to several factors: the education at the universities is conducted in the Macedonian language. Albanian parents, a mainly rural population with a low standard of living, are not in a position to cover the expenses of a student in the city . . . the majority of Albanians who want a faculty education have as a tradition achieved this at the university

[11] Macedonian Information and Liaison Service, p. 51.

> in Priština in the Serbian province of Kosovo, and in Zagreb, Croatia.... [As to graduate degrees], not one Albanian gained a specialization, a Master's or Doctor's degree at the universities in Macedonia.[12]

Both Albanians and government officials told Helsinki Watch that a disproportionately small percentage of Albanians had government jobs. Teuta Arifi of the Albanian Women's League said that

> [f]ourteen percent of the jobs in Tetovo are in government, the rest are private or on a farm. Albanians have only 3 percent of the government jobs.

Of the six members of the Albanian Women's League with whom Helsinki Watch met, four had advanced degrees; all were obtained outside of the republic. One had a master's degree in biochemistry, one a master's degree in Albanian studies, and one was a psychologist. Another woman was a medical doctor who had not found work for five years. All charged that their failure to obtain jobs is due to discrimination because they are ethnic Albanians. Helsinki Watch was not able to confirm individual cases of discrimination, but government officials supported Albanians' general claims of job discrimination.

On jobs, Minister of Labor Sabriu told Helsinki Watch:

> Albanians and other nationalities do not participate equally in state organs. Not even one Albanian is in the Ministry of Foreign Relations or the consular and diplomatic services. What kind of equality is that? Albanians don't trust the government because they know, for example, that 97 percent of the police are Macedonian. Recently efforts have been made to change this, but it needs to be done faster.... If Albanians have full equality, that will establish mutual confidence. If relations are disturbed, it could lead to disaster for the state.

Deputy Minister of Justice Bartul Kuka told Helsinki Watch:

> Out of about 400 judges in the Municipal, District, and Commercial Courts, there are only fifteen or sixteen Albanians. There are no Albanian judges in the Criminal Courts. In the cultural area, only 1.6 percent of employees are Albanians in television, 5.8 percent in radio, 1 percent in the theater, 1.8 percent in the weeklies, and 13 percent in magazine publishing.

Prime Minister Crvenkovski told Helsinki Watch:

> Albanians do not take part equally in government--a situation we inherited from the past. It will take time to correct. For the past one or two years we have had different competitions for Albanians who apply for work in the police. The police school has changed enrollment conditions in order to train more Albanians. We are trying to do the same thing in the army and the diplomatic service.

Minister of the Interior Frčkovski said:

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[12] Macedonian Information and Liaison Service, p. 52.

> It's important to absorb Albanians into the administration. We don't have enough; only 4 percent of the police are Albanians. In September 1992 we established a quota in the police academy of 20 percent for nationalities. We hope that in two years we will have a decent percentage of nationalities. In the Ministry of the Interior we are holding an open competition for nationalities--it will be positive discrimination [i.e. affirmative action] until we reach an adequate level of nationalities.

Albanian women who want to work outside the home face other problems. Myqerem Rusi, the president of the Albanian women's group, told Helsinki Watch:

> One serious problem for Albanian women who want to work is child-care. Macedonians make up only 15 percent of the population in Tetovo, but there are three kindergartens for their children, ages one to five. But there are absolutely no kindergartens for Albanian children. And there are special schools for mentally retarded Macedonian children, but none for Albanian children.

The Serbian minority

Although the 1991 census put the number of Serbs in the Former Yugoslav Republic of Macedonia as 44,000, some Serbs told Helsinki Watch that the number was as high as 300,000. Helsinki Watch has no way of determining the correct number. The Serbian minority shares the general complaints of other minorities and has some additional complaints of its own.

Božidar Despotović, the head of the Association of Serbs and Montenegrins, based in Skopje, told Helsinki Watch that his group is

> fighting to preserve the identity of the Serbs. We want freedom of the press and information, education of our children in our native language, and all the civil rights that others have. No one can take away our right to live as a nation, but we are not making a big issue of this. For now, we only demand the rights given to other nationalities in Macedonia.

Government television and radio stations provide no programs in Serbian. The government's stated reason for this is that Serbs can receive programs in Serbian from Serbia, and thus broadcasting in the Serbian language is unnecessary. Many Serbs, however, contend that Serbian programs provide news only about Serbia, and not about what is happening in Macedonia.

Some Serbs allege other kinds of discrimination by the government. Helsinki Watch was told that a request for registration by an organization called the "Circle of Serbian Women" was rejected in 1992 by the Ministry of the Interior because of its name. However, Helsinki Watch observed that the Association of Serbs and Montenegrins is allowed to exist; in its office are a large portrait of Serbian President Slobodan Milošević and Yugoslav flags.

Serbs told Helsinki Watch that they were not allowed to have a newspaper of their own, but acknowledged that they had not asked for permission, saying they were sure they would not receive it.

Some Serbs allege police brutality against young Serbs who wear Serbian hats or sing Serbian

songs or in other ways assert their Serbian identity. Helsinki Watch was unable to confirm this.

Serbs can speak their own language and use their own names, although members of the Association of Serbs and Montenegrins told Helsinki Watch that Serbs with Serbian names are not given state jobs. Others, however, told Helsinki Watch that most Serbs are integrated into Macedonian society and were never second-class citizens like the Albanians or the Romas. Some Macedonians told Helsinki Watch that although they were of Serbian origin, they didn't "feel like" Serbs.

Bora Ristić, the president of the Democratic Party of Serbs in Macedonia, the largest Serbian party, reported on October 1, 1993, in an interview in *Nova Makedonija*, the largest government-produced newspaper, that the Serbs in FYRM will solve their problems "in a constitutional way." German Ambassador Gerdt Ahrens has been mediating disputes between the Serbian minority and the FYRM government; his mediation has resulted in an agreement, parts of which Mr. Ristić said are already being carried out, to settle disputes and disagreements.

Contrary to his statements and actions with regard to the situation of Serbs in other former Yugoslav republics, Serbian President Slobodan Milošević, has, to date, made no public statements suggesting that the Serbian minority in the Former Yugoslav Republic of Macedonia is threatened by government actions. However, some nationalist groups and individuals within and outside the government in Serbia have questioned FYRM's right to exist as an independent state.

In relation to President Milošević's behavior toward other republics, Helsinki Watch reported in October 1992:

> After his rise to power as President of Serbia in 1987, President Milošević embarked on a series of moves to extend his power throughout Yugoslavia, with little regard for the human rights of non-Serbs or those Serbs opposed to his policies. Milošević's dogmatic communism gave way to strident nationalism. Through an incessant propaganda campaign in the press in the late 1980s and early 1990s, the Serbian government repeatedly manipulated the patriotism of its people and exaggerated the scope and nature of human rights abuses against Serbs in Kosovo, Croatia and Bosnia-Hercegovina. Although individual acts of violence against Serbs occurred in all three places to varying degrees, such abuse was by no means widespread nor did it amount to "genocide," a claim the Serbian government has asserted. Rather, the exaggeration and misrepresentation of human rights abuses against Serbs was used by Milošević to stir up national passions and thereby to consolidate or extend his power in Kosovo, Croatia and Bosnia-Hercegovina.[13]

In the Former Yugoslav Republic of Macedonia, the Serbian minority has some legitimate claims of discriminatory treatment by the government. By and large, these claims echo the claims of other minorities: discrimination in education and employment, and political under-representation. Like other minorities, the Serbs complain about the government's failure to include Serbs in the preamble to the constitution as an equal nationality. Additional claims by the Serbs include the absence of Serbian-language programming on state radio and television, and complaints that Helsinki Watch was not able to substantiate of police brutality and harassment, and suppression of ethnic identity.

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[13] *Yugoslavia: Human Rights Abuses in Kosovo 1990-1992*, October 1992, p. 1.

The Turkish minority

Ethnic Turks, who represent about 4 percent of the population, share the general minority complaints about discrimination in education and employment. Erdoğan Saraç, of the Democratic League of Turks, told Helsinki Watch that

> [t]he state is our motherland as much as it is for the Albanians and the Serbs, but now we are behind the others in our social life. Between 1951 and 1974, 258,000 Turks left Macedonia--mostly for Turkey. Now they are successful businessmen, deputies and ministers. But Turks here can't even get jobs with the government. Turks hold only about 1 percent of jobs in the public sector. According to the official statistics, there are 97,500 Turks here; actually we estimate that there are between 170,000 and 200,000.

Ethnic Turks, whose population is not as concentrated as the Albanians, claim that voting districts are gerrymandered; they say that as a result Parliament contains no Turkish members, meaning that Turks are excluded from political life. "We want a dialogue with the government to regain our lost trust in the Macedonians," said Mr. Sarac.

The Roma (Gypsy) minority

According to the 1991 census, there are 54,000 Roma in the Former Yugoslav Republic of Macedonia, making up about 3 percent of the population. Some Roma groups accept this figure, but others claim that there are as many as 220,000, and contend that some Roma identify themselves to government representatives as Albanians, Macedonians or Turks to avoid discrimination. Helsinki Watch has no way of determining the correct number. Most people agree that Roma are at the bottom of Macedonian society, suffering from more discrimination than any other ethnic group.

The Roma in FYRM have two political parties: the Party for the Complete Emancipation of the Roma and the Democratic Progressive Party of Roma. Faik Abdi, the only Roma member of parliament and the head of the Party for Complete Emancipation of the Roma, claims that there are 220,000 Roma in the republic--65,000 in Skopje alone. He told Helsinki Watch:

> Roma are the most illiterate and most unemployed people in Macedonia. Many have left for Germany. [However,] we are very proud of the fact that the Roma are now listed in the constitution as one of the nationalities in Macedonia. Also, President Gligorov mentioned the Roma before the U.N. General Assembly; it was a great thing for the Roma. At the end of last year the first Roma grammar and language books for children were produced. Starting in October, university students will be able to study Romany, and in November the first international folk festival of Roma songs will be held in Skopje. These are great successes for our people.

Bekir Arif, the president of the Democratic Progressive Party of Roma of Macedonia, told Helsinki Watch:

> Although Roma have rights on paper in the constitution, the reality is quite different. The Roma have many problems, largely social and economic, and Parliament is not helping

with them.

Skender Yakup, the vice-president of the same group, said:

> If a Macedonian or an Albanian asks for a job, he gets it. But if a Rom asks, he won't get it. Although we're better off than other Roma in the Balkans, Roma here live in a very primitive way. In one case, the state knocked down a Roma settlement and promised to build new homes, but they never did. In that case, families of as many as sixteen are living in one room.
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> Another thing, if a Rom goes to the police in a Roma area for help, he is told to forget it. My friend recently went to the police for help in finding his fourteen-year-old daughter who had run off with a man. The police refused, and said, "That's normal for you Gypsies." But if you go for help in a Macedonian area, you are treated in a civilized way.
>
> We want laws applied equally to Macedonians and Roma. Now, a Rom will get a three-year sentence for something a Macedonian will get one year for.
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> In the better high schools few Roma are allowed in. They think we're not good enough. They want us all to go to craft schools; if a high school has chairs, the Roma don't get in.
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> There are two elementary schools in Skopje that are 90 percent Roma. The children are taught in Macedonian, but all of them speak Romany at home. We want an optional class in Romany, two classes a week.
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> The job situation is very hard for Roma. Macedonia is now changing from government-owned to private business. Lots of Roma have been fired. Most Roma are laborers, some are craftsmen. Some are small-scale independent entrepreneurs.

Helsinki Watch visited two Roma areas in Skopje in July. The first, Batinci settlement in Kisela Voda in Skopje, was the one described by Mr. Yakup, in which some families of as many as sixteen people live in one room, a fact that was confirmed by Helsinki Watch. Both Mr. Yakup and Mr. Arif emphasized to Helsinki Watch that the Batinci settlement was the worst area in Skopje in which Roma live.

The settlement was appalling. Between 600 and 700 people were crowded into small shacks made of boards, corregated metal and other materials. There was no water and no electricity. Families got water from a small dirty stream about a quarter of a mile away. The stench from the primitive outhouses was overpowering. Many babies and small children had skin infections; their mothers told Helsinki Watch that they were not able to bathe the children properly. Helsinki Watch was told that the only heat in winter comes from wood-burning stoves. Settlers in Batinci told Helsinki Watch that they had been there for about two years.

Prime Minister Crvenskovski and Interior Minister Frčkovski told Helsinki Watch that they were familiar with the situation. Prime Minister Crvenkovski said that the country needs a better social policy and that Roma are loyal citizens.

The second Roma area Helsinki Watch visited was Šuto Orizari, an outlying area of Skopje. The

houses were well-cared for, with water, heat, electricity, and indoor plumbing.

Mr. Skender Hadži-Alija lives with his wife and four children in a pleasant, clean, well-furnished attached house built for him in Šuto Orizari by the German government in 1992. The German government had offered to build houses and provide temporary income for Roma families who had left the Former Yugoslav Republic of Macedonia and settled in Germany but were willing to return to FYRM. About seventy families received these houses. After the houses were built, the Macedonian government took title to them and now charges the Roma rent. The families are now involved in a legal dispute with the Macedonian government. They believe that the German government had promised that the Roma would own these houses, and that the Macedonian government has illegally taken title to them.

The Macedonian Muslim minority

Macedonian Muslims are recognized as a separate ethnic group, and are represented in Parliament's inter-ethnic council. A Muslim national identity was recognized officially in former Yugoslavia in 1971. According to the 1991 census, Macedonian Muslims make up about 2 percent of the population. Dževad Džuliovski, the president of the Cultural and Scientific Association of Macedonian Muslims, told Helsinki Watch that he believed the figure was twice that, or about 80,000.

Mr. Džuliovski told Helsinki Watch:

> Both the Turks and the Albanians try to assimilate us. The Macedonian state has little interest in us, and gives us no economic, educational or social help. We are in danger of complete assimilation. We are not represented in the government; the coalition wants to get rid of us--they want us to say we are either Albanians or Turks.
>
> The Minister of Education calls us "you so-called Macedonian Muslims." They want us to speak Albanian, but we want to speak Turkish, although Macedonian is spoken by most of our people. Our people also have job troubles; no Macedonian Muslims work for the state.
>
> We are very worried about the future. The state has shoved us aside. The government has no ear for us; they are sacrificing us to the Albanians. Even where we are a majority, we have no rights. Most of our people live in western Macedonian in villages with no roads; our people do the hardest work.

The Vlach minority

The 1991 census set the Vlach population at 0.4 percent of the population. The Vlachs are a Romanian people and speak a language akin to Romanian.

In July, Nikola, a fifty-year-old Vlach, told Helsinki Watch in Bitola, in southern FYRM, that

> Vlachs don't have any problems now. In Tito's time, we were afraid to say we were Vlachs, and we were afraid to talk in the Vlach language. But since Yugoslavia fell apart, we are proud to be Vlachs and proud of our culture. Our sons and nephews don't speak Vlach, but that's all right. Our children don't learn Vlach in school. Until 1918 there were Vlach schools in Bitola, but they were burned down after World War I and many people left. In

the cities, Vlachs were too scattered to have their own schools.

> There aren't many Vlachs now, and the written language has been lost--some people are trying to recreate it. I can read a little Vlach, not much. Every village had its own dialect in the old days; it's related to Romanian. There's no job discrimination against Vlachs by the state, at least not at present.

Norman Anderson, the head of the CSCE Spillover Monitor Mission in Skopje, told Helsinki Watch that Vlachs are well-integrated into Macedonian society, and do not claim to have problems of discrimination.

MACEDONIANS OF GREEK ORIGIN

In the southern part of the Former Yugoslav Republic of Macedonia, near the Greek border, there are many thousands of Macedonians of Greek origin who have been assimilated into the Macedonian population. Most of them left Greece at the end of the Greek Civil War that followed World War II. Many had fought with the communists against the Greek government, and were forced to flee when the communists lost the war. In 1952, the Greek government stripped them of their Greek citizenship. In 1982, Greece declared an amnesty for those who had fought in the civil war; however, the amnesty was good only for people "of Greek origin." Those who identify themselves as Macedonians are therefore not allowed to return to Greece, even to attend weddings or funerals, sell property, or light candles at the graves of their ancestors. The situation of the Macedonians of Greek origin will be covered in detail in a forthcoming Helsinki Watch report that will deal with the Macedonian minority in northern Greece.

FREE EXPRESSION

Free expression is guaranteed in FYRM's constitution. There is no state censorship. Prime Minister Branko Crvenkovski told Helsinki Watch that in the past the Ministry of Information had directly interfered with the media, and that, for that reason, he had not appointed a minister of information, although the ministry still exists.

In a legacy from communist times, the government owns the only newspaper printing facilities and controls newsprint supplies (all of which are imported) and distribution. The government company, *Nova Makedonija*, prints two daily and one weekly newspaper in Macedonian (*Nova Makedonija*, *Večer*, and *Puls*) as well as newspapers in Albanian and Turkish that appear about three times a week. Helsinki Watch was told that opposition views appear in the government-controlled press. VMRO, the largest opposition party, publishes its own paper.

Some in the opposition believe that the government puts indirect pressure on the free press by charging inordinately high fees for printing and distributing fledgling opposition journals. Helsinki Watch was not able to substantiate this claim. However, the only opposition journal not connected to a political party that is issued at present, *Makedonsko Delo*, is printed at a printing plant outside of Skopje, the capital, at a lower price than was charged by the plant in Skopje. Journalist Krum Velkov described *Makedonsko Delo* to Helsinki Watch as a 32-page political journal featuring investigative journalism that also covers

culture, international politics and sports. Three earlier independent journals shut down for economic reasons. A student newspaper, printed by *Nova Makedonija*, has run articles critical of the government.

Prime Minister Crvenkovski told Helsinki Watch that publishing in minority languages is expensive, as there is such a small number of potential readers. He said that the largest daily published in the majority language, Macedonian, *Nova Makedonija*, has a circulation of only 17,000. The prime minister stated that the government covers losses incurred by the Albanian- and Turkish-language journals published by *Nova Makedonija*.

The government, through Macedonian Radio and Television (MRT), owns and operates several radio and television stations. Slobodan Čašule, the director of Macedonian Radio, told Helsinki Watch that many hours of radio programs in Albanian, Turkish, Vlach and Romany (the Gypsy language), but none in Serbian, are broadcast daily. One radio station is a multi-cultural station. Six and a half hours of programming are broadcast daily in Albanian and four and a half weekly in Romany, for example. Dragi Ivanovski, a journalist who has helped to set up independent journals, told Helsinki Watch that the state radio has pursued a pluralist course, permitting different views to be aired, and not just propaganda, as in the past.

Three MRT television channels are in operation; two cover the whole country and one broadcasts locally in Skopje. Opposition views are expressed in talk shows.

Eight or nine private television stations have sprung up since independence, including two that telecast from Skopje. Some private television owners complain that only the government stations can telecast throughout the country; private television stations broadcast only locally. Journalist Krum Velkov told Helsinki Watch that most of the private stations are not political; he said that for the most part they broadcast local news and movies.

Many private radio stations have begun broadcasting since independence. Martin Z. Trenevski, who was the minister of information under the previous Kljusev government (a so-called "government of experts" that held power briefly after independence), told Helsinki Watch proudly that during his tenure he had approved more than seventy licenses for new radio and television stations, newspapers, news agencies, and magazines. He reported that fifteen private radio stations now broadcast from Skopje alone. One station broadcasts programs from the Voice of America and the BBC.

FREEDOM OF ASSEMBLY

Demonstrations, including protests against government actions, are freely held. For example, Mitko Krzovski, the president of the student union at Skopje University, told Helsinki Watch that students had held a demonstration outside of Parliament in November 1992 to protest the government's decision to accept temporarily the name "Former Yugoslav Republic of Macedonia." He said that about 3,000 people took part; the police did not interfere. Helsinki Watch was told of other peaceful demonstrations that had taken place without police interference. Police have, however, interfered with other demonstrations, as described earlier in this newsletter.

THE RIGHT TO MONITOR

No groups actively monitor general human rights abuses in the Former Yugoslav Republic of Macedonia. In the past, human rights groups were generally allied with political parties; at present, an Albanian group monitors Albanian human rights. The government of the FYRM cooperated fully with Helsinki Watch's monitoring mission in July.

U.S. POLICY

The U.S. has not recognized the Former Yugoslav Republic of Macedonia because of the dispute over its name. State Department representatives have been stationed in the republic since its independence; recently a "liaison office" was established in Skopje. Since FYRM became independent, the U.S. has allotted $10 million in SEED (Support for East European Democracy) funds for the republic. Six million dollars has been obligated for specific projects, but to date only $350,000 has been spent (this includes training for customs officials at Macedonia's borders).

CONCLUSIONS

Helsinki Watch has concluded that human rights problems exist in the Former Yugoslav Republic of Macedonia, chiefly involving discrimination against various ethnic minorities--the Albanians, Turks, Romany, Serbs and Macedonian Muslims. This discrimination, however, appears to be a legacy from earlier times. The government acknowledges the discrimination, and appears to be attempting to work out solutions. Given the country's difficult economic situation, ending discrimination in education and employment may take some time.

In some cases demonstrations have taken place peacefully and without police interference. However, there have been incidents of the use of excessive force by police in handling demonstrations; the government appears to be taking steps to prevent such incidents.

For the most part, Helsinki Watch was not able to substantiate allegations of restrictions on freedom of the press. The one exception to this is the government's failure to broadcast Serbian-language programs on government radio or television. Helsinki Watch cannot evaluate opposition claims that the state has effectively banned independent journals by charging inordinately high fees for printing and distribution; one independent journal is published at present.

RECOMMENDATIONS

Helsinki Watch recommends to the government of the Former Yugoslav Republic of Macedonia that it:

* Monitor police handling of demonstrations, to ensure that police follow the standards set forth in the United Nations Code of Conduct for Law Enforcement Officials, which requires that law

enforcement officials use force "only when strictly necessary and to the extent required for the performance of their duty;"

* End all discrimination in the Former Yugoslav Republic of Macedonia, and assure that all minority members receive equal rights without discrimination, as set forth in the International Covenant on Civil and Political Rights, the European Convention on Human Rights, and the Paris Charter; and

* Assure that everyone in the Former Yugoslav Republic of Macedonia has the right to freedom of expression and assembly, as provided in the International Covenant on Civil and Political Rights and the European Convention on Human Rights.

Helsinki Watch recommends to the government of the United States that it use its influence to persuade the government of the Former Yugoslav Republic of Macedonia to end discrimination, to prevent the use of excessive force by police in controlling demonstrations, and to guarantee freedom of expression and assembly.

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This newsletter is based on a Helsinki Watch mission to the Former Yugoslav Republic of Macedonia in July 1993; the participants were Lois Whitman, deputy director of Helsinki Watch, and Vlatka Mihelić, consultant to Helsinki Watch. The newsletter was written by Lois Whitman, with the help of Ivana Nizich, research associate, Vlatka Mihelić, and Ivan Lupis, associate to Helsinki Watch; it was edited by Erika Dailey, research associate.