

1,100,000 unemployed, making the unemployment rate in 1999 well over 25 percent. However, that percentage may be even higher in view of the fact that between 800,000 and 1,000,000 employees were on forced leave.

Compared to the 1987 figure, the physical volume of industrial output declined by 62.7 percent, though some signs of recovery were noted in 2000. In the first six months of 2000, the average net pay was 1,760 dinars (U.S.\$ 32)¹⁴, rising up to 3,200 dinars in October. As an average family needed about 7,000 dinars (U.S.\$ 105), for the so-called monthly consumer basket, it can be concluded that only a small number of employees, mostly working in power generating, coal, gas, crude oil, oil derivatives and non-ferrous metals industries, can meet their basic needs. The average pays in the aforementioned industrial branches were 7,600; 9,900; 9,300; 10,000, and 10,280 dinars respectively.¹⁵

According to the Economic Instituted Analysis, published in the December 2000 issue of the "Economic Barometer," general macroeconomic conditions in October

2000 worsened when compared to the previous month. In October, there were dramatic price hikes, resulting from the suspension of state control over prices of some products. It was assessed that this suspension was orchestrated by the old Serbian Government to cause chaos in the market. Costs of living rose 23.9 percent, while industrial production declined 11.5 percent. Retail prices were up by 26.4 percent.

There were drastic outages Serbia-wide in late 2000. Dimitrije Boarov wrote in *Vreme* on 28 December that electric power shortages were a legacy of the old regime. Outages lasted on average 8 hours a day, but in some areas households were without electricity for 36 hours in a row. Srboljub Antić, the Republican Energy Minister, stated that the power supply crisis would last several years. Hospitals with aggregates used their internally generated power only in surgical and emergency wards. Those undergoing house-dialysis were deeply traumatised by fear of sudden outages. In fact, in its first days in power, the new authorities in Serbia faced a total collapse.

Kosovo¹⁶

IHF FOCUS: Freedom of expression and the media; judicial system and independence of the judiciary; role of the international community; violence and criminality; law enforcement and security; protection of ethnic minorities; violence against Albanians; conditions in prisons; international humanitarian law; Albanians imprisoned in Serbian jails and missing persons; women's rights¹⁷; economic and social rights.

The immense war casualties during the 1999 war in Kosovo (from 24 March to 10 June) resulted in an estimated¹⁸ number of around 9,880 Albanians killed, including 539 children, 884 women and 1,136 elderly persons. Some 1,752 Albanians were registered as wounded during the war. There is no reliable data on the total number of Serbs or other minorities killed during this period. About 120,000 housing

units in Kosovo (i.e. about one third of the pre-war housing contingent) were destroyed and/or damaged.

The suffering, physical damage and the trauma of ethnic cleansing significantly charged the post-war political situation, besides other factors, resulting in heightened inter-ethnic tensions and serious incidents.

However, the main feature of the second post-war year in Kosovo was continu-

ous, albeit slow, movement towards normalization of life and institutional development. This positive, although difficult, development was vividly proven with the holding of successful municipal elections in October. International observers judged them as being among the best organized in the region. The IHF, the Kosovo Helsinki Committee and Norwegian Helsinki Committees monitored the elections and issued a press release calling the elections the most important step so far towards institutionalizing democracy in post-war Kosovo.¹⁹

Among the important achievements of the international administration in Kosovo is the multi-ethnic participation of Kosovo-wide political and executive structures, i.e. the Joint Interim Administrative Structure (JIAS). Its central executive organ is the Interim Administrative Council (IAC), while the Kosovo Transitional Council (KTC) represents an interim improvised parliamentary surrogate of a Kosovo Assembly. Multi-ethnic participation in political life also included Kosovo Serbs later during the year, represented by the Serbian National Council, albeit still as an observer in the IAC. Two Serbs were co-heads of two of the departments (ministries) of the IAC, while a Bosniak and a Turk co-headed two other departments. Serbs also participated with four representatives in the KTC, while Bosniaks had two representatives in the body, as did the Turks and the Roma.

The re-establishment of the educational and health care systems, as well as the reconstruction of many other vital areas of infrastructure, proceeded successfully as of the end of 2000. They included the public utilities, road reconstruction, the establishment of new institutions such as for example the customs authority, central fiscal authority, and bank and payment authority, etc.

However, all along, the developments in Kosovo were accompanied by the lack of a sufficient degree of law and order and security, with occasional waves of ethnically or politically motivated violence. This feature has adversely affected all Kosovar citi-

zens. Serbs and other minority members were, however, most affected and the primary victims of these circumstances, although continuous improvement was to be seen. Serbs and other minorities have suffered severely from restrictions on freedom of movement (except in their enclaves) due to the lack of security, a fact that resulted in the restriction of many of their other basic rights. The same applied to the Albanians living in Serbian enclaves, especially in the northern part of Mitrovica.

The weak law enforcement, insufficient security and poorly functioning judicial system in Kosovo were the most fragile parts of the public sector. Both ethnically and politically motivated violence and general criminality continued. A vivid consequence of such developments was the so-called "enclavisation" of Kosovo, i.e. the concentration of Serbs in some parts of Kosovo, where they lived segregated from the rest of the population: The *de facto* partitioning of northern Mitrovica and its hinterland was an extreme variation of this, as well as the escalating situation in the Preshevo valley in southern Serbia.

One of the principal generators of the continuing political tension in Kosovo can be attributed to the uncertainty of ethnic Albanians regarding the future political status of Kosovo: practically all Albanians remain strongly committed to independence. That kind of final political status for Kosovo, however, is not anticipated by the UN Resolution 1244, which stipulates Belgrade sovereignty over Kosovo.

The image of Albanians in international public opinion was negatively affected by the post-war ethnically and politically motivated violence. However, the feelings of revenge persisted on all sides.

Another important aggravating factor perpetrating tension in Kosovo was the lack of law and order and security authorized to be provided by the internationals, facilitated also by domestic factors such as local police force, etc. The Kosovar political parties were supposed to take more political and

moral responsibility for the establishment of a climate of peace, security, tolerance, civil society spirit, human rights and reconciliation.

The UN Mission in Kosovo (UNMIK), the Civilian Police (CIVPOL) and the international forces (KFOR) were the sole organs authorized with the security and law and order issues. In practice, however, there was hardly any efficient law enforcement, while the judicial system that was being (re-)established, only belatedly and modestly began to function. Also, the political responsibility that rested with the political actors in Kosovo, despite the related difficult circumstances, should have certainly done more to promote the political processes of inter-ethnic communication, tolerance, reconciliation and a multi-cultural approach.

The issue of Albanians in the Preshevo valley in southern Serbia was also a significant factor in the overall Kosovo equation and needed more attention. However, by the end of the year the situation there escalated just as it did in the Serbian-controlled northern Mitrovica.

The issue of Albanians being detained in Serbian²⁰ prisons, as well as the issue of missing persons, also aggravated the overall situation.

In addition, of major importance was the failure to bring indicted war criminals to the Hague Tribunal. An apology by the new Belgrade authorities to those who have suffered because of the Milošević regime would have certainly alleviated somewhat the seriously tensioned situation according to the Kosovo Helsinki Committee. Other useful measures that could contribute to substantial improvement would be the establishment of a full and appropriate legal framework for Kosovo comprised of an interim Constitution and other related legislation on the basis of which Kosovo would efficiently function as an internationally protected entity, said the Committee. The process of drafting an interim legal framework is in progress in the meantime and it

is also to serve as the basis for central elections in Kosovo (expected during 2001).

The IHF on several occasions demanded the presence of an efficient, robust and assertive law enforcement by KFOR and UNMIK as the only factors authorized with the issue, as well as the full political and moral cooperation of Kosovar political parties in establishing security, law and order, political dialogue, tolerance and full respect for human rights.

Freedom of Expression and the Media

Following the war and throughout the year 2000 the media situation was characterized by a mushrooming number of Albanian-language media outlets – particularly printed media – and difficulties experienced by media run by Serbs or other minorities. This was the reality despite the attempts of UNMIK and the OSCE to re-establish a print and broadcast media system representing all ethnic groups in Kosovo.

As of the end of 2000, there were seven daily newspapers published in the Albanian language providing for considerable diversity. Their total circulation was estimated at some 35,000 copies. The largest was *Bota Sot* (believed to be very close to the largest Kosovo Albanian party, the LDK), with its circulation of approximately 18,000 copies being about twice as large as any other. However, international media observers considered it to be biased, often resorting to hate speech, despite the fact that the LDK and its activists claimed themselves to be victims of politically motivated violence. *Koha Ditore* (the second largest daily) and *Zeri* were regarded as independent and competent. *Epoka e Re* and *Gazeta e Re*, newspapers with smaller circulation, were believed to be closer to the PDK, the party that came out of the former KLA (Kosovo Liberation Army), and the main political rival of the LDK. Two newspapers ceased publication during the year: *Dita* and *Kosova Sot*, with the latter reappearing later.

As of the end of 2000, there were no Serbian-printed media outside the Serbian enclaves. Belgrade press, such as *Politika* and *Express*, as well as *Blic* and *Danas*, were distributed for free in those enclaves. A Kosovo Serb newspaper *Novo Jedinstvo* recently began publication in the enclave of Grachanica.

The Bosniak community published its weekly *Kosovski Avaz* in Prizren and it was distributed in Prishtina and Peja. The Turkish community published its weekly *Yeni Donem*. No Romani language publications were yet available.

Kosovar media were overseen by the OSCE Temporary Media Commissioner. The Commissioner was allowed to impose fines and other punishments on media that did not observe the regulations of the interim administration. The Temporary Media Commission is expected to be replaced in 2001 with an Independent Media Commission.

◆ By the end of 2000, two fines had been issued, one to the newspaper *Dita*, the other to *Bota Sot*, and the cases were appealed to the Media Appeals Board. *Dita* closed down due to the process. The paper had accused an UNMIK Serbian employee Petar Tucholski of being a war criminal, publishing also his address and picture in its article of 28 April. On 15 May, Tucholski's body was found dumped near Prishtina: he had been stabbed to death. On 4 July, *Dita* published another article in which it named 12 Kosovo Serbs living in Gjilane as alleged war criminals and also openly attacked Serbian Orthodox priests. A week later three priests in the region were shot at.

In practice, the media situation reflected the political realities in Kosovo. The security vacuum and deep social divisions caused by the recent past also affected the work of journalists. Thus, despite promises for full freedom of the media, self-censorship by journalists and publishers was evident. This phenomenon curtailed the full freedom of expression, caused harassment and potentially dangerous intimidation by,

for example, various political or criminal or extremist groups. The self-imposed silence damaged the media's credibility as a reliable source of information.

From May to December 2000, the OSCE journalist protection program registered 33 incidents of intimidation of journalists, such as anonymous and personal threats, assaults, bombings etc. Also, Albanian journalists felt that the UNMIK had failed to combat the general climate of insecurity in Kosovo.

The way the minorities were portrayed in the media affected the development of a climate of inter-ethnic intolerance.

The former Kosovo Public RTV, re-named RTK, operated under the control of the OSCE, which was trying to establish a media control board to uphold professional standards and guard against media bias in this influential medium. RTV broadcasted three hours per day, one hour longer than in 1999. Prior to the collapse of the former Yugoslavia, it had broadcast all day on two channels.

RTK TV broadcast five to eight minutes of Serb language daily programmes and occasionally also in Turkish. It also aired a ten-minute daily news bulletin in the Bosnian language, produced by the UNMIK TV. There were no Kosovo Serbian television stations: Kosovo Serbs could receive the broadcasts of Belgrade Serbian State Radio and TV, a few local radio stations such as Radio Contact and Radio Mir, as well as foreign broadcasts in Serbian. Radio Blue Sky, UNMIK's radio channel, also broadcast some Serbian-language programmes, as did Radio Kosovo's second channel.

Judicial System and Independence of the Judiciary

Facilitating the development of an independent and impartial judicial system is an essential component of establishing the rule of law and tackling impunity that was needed in Kosovo.

In 2000, the judicial system of Kosovo recuperated from the consequences of the

war and managed to reach its full institutional form. Sixty-five judicial organs were (re-)established, including municipal courts covering practically the entire administrative territory Kosovo, seven district courts, misdemeanour courts, the Appeals Instance for Misdemeanours Courts, the Commercial Court, district attorney offices, and the Supreme Court. The institution of the Ombudsperson was also introduced. The international community facilitated to a large extent the repair, renovation and equipping of these organs. However, a number of lower courts and other judicial bodies still functioned in highly inadequate premises.

The legal system operated despite difficulties regarding a number of issues, including the low salary of judges and other judicial personnel, thus making them vulnerable to corruption or temptations to leave for a better-paid job, e.g. in international organizations. Another reason for judges leaving the judicial system was the fact that in the first emergency phase of the establishment of the judicial system, the judges were appointed for a period of three months, which was subject to extension, but could still not provide security. The lack of general security and undeveloped law enforcement also affected their work, as did threats and intimidation by parties involved in their trial cases.

Partially successful efforts were made to provide for a multi-ethnic feature of the judicial system. As of 22 September, eleven Bosniaks, four Serbs, four Turks, as well as two Roma judges had been formally appointed. However, most of the Serb judges did not take up the office due to prevailing ethnic tensions and insufficient security while commuting between the enclaves they lived in and their work places. As a result, the judiciary remained prevalently mono-ethnic, but has been enhanced by the inclusion of an important international component. Only one functioning Serb judge was employed in the Municipal Court of Prishtina. Thus the minority population of Kosovo perceived the judiciary as biased

and partial, which in turn discouraged further minority inclusion and integration in it.

A parallel Serbian judiciary functioned in Serbian enclaves, for example in Mitrovica, Shterpece, Lipjan, Grachanica, and Gjilan. The international administration, however, was of the view that minority judges and prosecutors must be fully incorporated into the existing system in such a way that permits them to have a full and active role in the administration of justice in a fair and impartial manner.

In order to avoid potential bias and partiality of the judiciary in cases where the parties were of different ethnicity, as well as to provide the necessary experience of a modern judiciary, international judges and prosecutors were dispatched in Kosovo, although their number remained far too low. They were to deal with war crime, inter-ethnic and other complex cases.

The role of international judges was particularly important in light of the fact that international organizations (e.g. the OSCE) reported bias in proceedings against minority defendants, especially in cases involving ethnically motivated crime. According to some international monitoring reports, public officials were reluctant to pursue criminal acts committed by Kosovo Albanians against Kosovo Serbs. Moreover, the courts in some cases brought charges against Kosovo Serbs on bases that were assessed to be unfounded.

Role of the International Community

Since the escalation of the Kosovo crisis in 1998, the efforts of the international community have been insufficient in scope and scale to stabilize the situation, provide for a negotiated, peaceful political settlement, and prevent an outbreak of a larger conflict. The IHF and its member committees on several occasions criticized the UN Security Council for its slowness and reluctance to take proper action to address the threatening Kosovo conflict. It called upon the international community to stage a Dayton-type conference for resolving the

Kosovo crisis and urged the deployment of a robust and large-scale international protection, monitoring and preventive peace-keeping mission in Kosovo, as well as forces to monitor the implementation of cease-fire.

The post-war deployment of KFOR with 40,000 peace keepers in mid-June 1999 came far too late to save the lives of thousands of people and to prevent the humanitarian disaster, but soon enough to stop the continuation of the worst Serbian terror in Kosovo. The KFOR also enabled the swift and indeed unprecedented return of the overwhelming part of Kosovo Albanians and internally displaced persons.

However, the international community has been so far only partially successful in establishing law and order and security in Kosovo. That can primarily be attributed to major delays in the deployment of the international civilian policemen (CIVPOL) in the immediate post-war period. While KFOR is not suitable for police tasks, the UNMIK has been moving far too slowly in establishing its authority to secure law, order and security - a task provided by UN Resolution 1244 - and to protect all individuals living in Kosovo, regardless of their ethnic background. Moreover, it was feared that increasing criminality might pave the way for organized crime that would be difficult to get rid of later.

One serious consequence of the international community's failure to take sufficient steps to establish law and order in Kosovo was the *de facto* partitioning of Mitrovica with its hinterland, a town with industrial and strategic significance as the location of the important Trepca mines close to the Serbian border. The northern part of the town and its hinterland across the river Ibar, comprising about 18 percent of the Kosovo territory, was nominally under the control of French KFOR forces, but, in practice, under the effective control of local Serbs. This fact raised fears of the partitioning of Kosovo similar to the Bosnian ethnic-identity model. The standoff between the

two communities developed increasingly violent and no obvious progress was made by KFOR regarding the security situation in the town.²¹ The problems of Serbian enclaves in various parts of Kosovo and the *de facto* partitioning of Mitrovica illustrated continuing security and law enforcement problems that threatened human rights and indeed the lives of members of all ethnic groups, especially of Serbs and other minorities. Equally bad remained the situation of Albanians in the Serbian-controlled part of Mitrovica, albeit at a numerically smaller scale. Many Albanians (who made up 70 percent of the northern part of Mitrovica's pre-war population) were prevented from returning to their homes. According to CDHRF, 22 Albanians were killed in the Serbian-controlled Mitrovica during 2000, 54 were wounded by fire arms and explosives, and 116 forced evictions of Albanians from their homes or apartments took place.

The Kosovo Helsinki Committee emphasized the urgent need for just and vigorous engagement and more efficient measures to establish order, security, and a functioning administration as soon as possible for individuals living in Kosovo. It stressed that the interim international authority, i.e. the KFOR and UNMIK, have the only legitimate authorization to administer Kosovo as an international protectorate, during which process they should have the full and sincere cooperation of all relevant parties in Kosovo.

Violence and Criminality

The 1999 humanitarian intervention of NATO and the deployment of KFOR did bring an end to the aggression and ethnic cleansing of Albanians by Serbian forces. KFOR's presence also provided for the swift return of the overwhelming part of Kosovo Albanians and internally displaced persons. However, ethnically and politically motivated violence in Kosovo, albeit at an incomparably lower scale, continued in 2000, especially against Serbs and minorities. This violence was perpetrated by individuals

and/or extremists groups. In addition, increasing numbers of violent cases, especially among Albanians, were assumed to be criminally motivated.

According to the official data of the UNMIK civilian police CIVPOL, in the period between January and November 2000, 211 individuals were killed in Kosovo: including 122 Albanians, 51 Serbs, 12 Roma, 8 Bosniaks, 7 belonging to other ethnic groups, and 11 unidentified persons.

The overall number of registered crimes in this period stood at 20,500 cases, with Prishtina accounting for over one third of the cases. The average clarification rate stood at a modest 26 percent.²²

November was one of the worst months in 2000 with 28 individuals killed, including eight people who belonged to minorities, while 24 people were wounded. October, the municipal election month, by contrast, was one of the calmest.

There were 32 cases of reported "disappearances" or un-clarified cases of missing persons, including 30 Albanians, one Serb and one Rom. Twenty individuals were kidnapped, including 18 Albanians, and one Serb, as well as 17 attempted kidnappings of Albanians.

Despite UNMIK, KFOR and Kosovo Albanian appeals, there were numerous extremists' attacks on Serbs and other non-Albanians. The reasons were apparently revenge for the suffering caused by the Serbian war machinery, purely ethnic, criminal, or political. The perceptions of collective guilt and responsibility persisted as well as the fear for Kosovo's future status under FRY as stipulated by UN Resolution 1244.

According to the data of the ICRC, WHO and the Mine Action Coordination Centre (MACC), an estimated 400 square kilometres of minefields had yet to be demined. This represented about 4 percent of Kosovo's overall territory. It was estimated that between 300,000 and one million land mines were planted in Kosovo. Demining and/or defusing of them is likely to take years and many additional casualties.

Law Enforcement and Security

Security and law and order issues continued to cause serious concerns. The total number of the CIVPOL international police officers deployed in Kosovo by the end of the year stood at over 4,155, close to the number of 4,700 initially pledged. Over 3,200 of them were deployed, while 820 of them were assigned to special units. The IHF and the Helsinki Committee in Kosovo called repeatedly for the international community to place the highest priority on establishing efficient law and order and security.

The international police, however, faced various obstacles to greater efficiency, including a lack of knowledge of the local languages and familiarity with the local environment. In addition, there was insufficient cooperation from local citizens in providing necessary information and witnesses in fear of retaliation by local criminals - especially as the judicial system had just started to function modestly - and issues such as witness protection programs and similar were not even remotely available.

In addition to the international police, a Kosovar domestic civilian police force called the Kosovo Police Service (KPS) was being trained and set. These police officers were to receive an intensive 12-week training by international police instructors followed by a 19-week period on duty, accompanying CIVPOL officers. By the end of the year the number of KPS officers had reached 3,515, of which some 14 percent represented minorities (7 percent Serbs, and 6 percent others such as Bosniaks, Turks, and Roma). Seventeen percent of the officers were women.

However, according to newest estimates, the number of KPS police officers needed to deal efficiently with the law and order and security issues stands at 8,000-10,000. The shortage of available officers is overwhelming. This, coupled with just a meagre beginning of functioning of a judicial system in Kosovo, can hardly provide for law and order and security.

The KPS could not function independently but only to the extent authorized by

the international police. A higher degree of their direct and independent engagement as of the end of 2000 was being practiced only in the area of traffic control, which clearly improved. Kosovo Albanian political parties and public opinion in general called for a larger degree of authorizations and responsibility to be granted to the KPS as an efficient way of combating crime and all forms of violence in Kosovo.

Protection of Ethnic Minorities

In the post-war period, Helsinki Committees started to receive numerous reports of abuse against Serbs remaining in Kosovo as well as other minorities, such as Roma. An overwhelming climate of primarily revenge and hate-driven ethnically motivated persecution against Serbs emerged, presumably primarily to revenge for crimes committed by both the Serbian Government and local Serbs during the war.

Security remained the primary concern for ethnic minorities in post-war Kosovo also in the year 2000. As a consequence of war, the minorities - first and foremost Serbs - continued to remain sidelined from almost all sectors of life Kosovo society, except in Serbian enclaves. Lack of security as well as freedom of movement (travel to and from enclaves in Kosovo was relatively safe only by special bus lines arranged by internationals and escorted by KFOR) remained the fundamental problems that derived violations of other rights and freedoms, starting from the right to life all the way to the right to employment, etc.

Violence against Serbs

Violent acts against Serbs included grenade attacks, kidnappings, murders, arson, forced eviction from their property, intimidation, plundering or destruction of homes and property, and forced evictions. In April and May there was a significant rise of arsons of Serbian houses and property in Kosovo Polje and Obiliq. Serbian Orthodox Churches were also targeted. It was clear that unless security can be improved

substantially, many minority communities would not survive socially nor economically, and would be fully dependent on humanitarian assistance and international protection for survival and will have little option other than to leave Kosovo. Crimes against minorities were both ethnically and politically motivated.

Due to restrictions on the freedom of movement, Serbs and other minorities had major difficulties in getting access to essential services, such as health care, education, employment, etc. In addition, it was dangerous and sometimes impossible for the Serbs to use their own language outside the Serb-controlled enclaves without the protection of internationals. Serbs were afraid to make use of public facilities such as hospitals, or to visit shops and markets. Moreover, they also could not readily avail themselves of humanitarian assistance. UN security officers and other international organizations advised incoming international staff not to speak Serbian or other Slavic languages on the street for their own safety, despite the UNMIK regulations that Albanian, Serbian and English are official languages. The use of minority languages in official bodies remained a distant target.

According to international sources, at least 51 Serbs were killed in Kosovo in 2000.

- ◆ In February a grenade was thrown at an UNHCR bus transporting Serbs near the villages of Banja and Suhogro. Two Serbs were killed and three were wounded.
- ◆ At the end of April, the Serbian Orthodox Church in the village of Grncare, near Vitina, was blown up by a time-controlled anti-tank mine. The attack only narrowly missed some 150 local Serbs because their Easter celebration had been postponed by an hour.
- ◆ Also in April, a Serb was found killed and dumped in the Grmija park area, later in the month another Serb was found killed near the Grachanica lake in the outskirts of Prishtina.

One of the most drastic cases of violence against Serbs took place on 18 August when a hand grenade was thrown from a driving car at Serb children playing in the local playground in Crkvene Vodice near Obiliq. Ten children were injured. In a similar incident in August, a Kosovo Albanian driver apparently deliberately drove at a group of playing children in Lipjan. One child was killed and another three were injured.

Following a relatively peaceful October, violence escalated in November, possibly also in reaction to election results.

◆ In November, the residence of the Yugoslav diplomatic representative in Prishtina was shattered by a powerful explosive device that killed one person and damaged the residence seriously.

As a result of continuing violence and in fear of collective reprisals by extremists, large numbers of Serbs fled from Kosovo, although at a lower scale in 2000. According to UNMIK figures, over one half of the pre-war 226,000 Serbian population had fled for Serbia. According to KFOR assessments (without a census), about 97,000 Serbs had remained in Kosovo, making up about 6.2 percent of the Kosovo population. Most of them lived in the northern part of Kosovo and a few enclaves elsewhere, such as in Grachanica near Prishtina, Gjilan, Vitina, Fushe Kosove (Kosova Polje), Lipjan, and Rahovec. The northern part of Mitrovica under Serb control appeared to function less as an enclave than as a part of Kosovo annexed to Serbia.

The Serb population of Prishtina was assessed at 600 as of the end of 2000 - down from the pre-war figure of 26,000. Families continued to leave for Serbia or Serbian enclaves.

The IHF and the Kosovo Helsinki Committee made several public statements during 2000 condemning ethnically and politically motivated violence against Serbs and other minorities and calling for full respect of their human rights and inter-ethnic tolerance as a way of building democracy, civil

society and a decent future for citizens of Kosovo.²³ According to the Kosovo Helsinki Committee, ethnically motivated violence against Serbs would likely be much more reduced if war criminal suspects were apprehended and brought to justice and if the Serbian political leadership representatives were to apologize publicly and sincerely for Serbian abuses in Kosovo.

Violence against Roma²⁴

The massive wave of anti-Roma violence in Kosovo in 1999 was similar to that against Serbs. The situation of Roma in Kosovo abated in 2000 but remained serious.

According to the joint *Assessment of the Situation of Ethnic Minorities in Kosovo* report of the UNHCR and the OSCE of 11 February 2000, around 30,000 Roma lived in Kosovo in February, with the reservation that "many more may be present but unreported." Possibly over 100,000 Roma²⁵ had fled Kosovo to Macedonia, Montenegro, Serbia and other countries, and many Roma have fled within Kosovo, especially into enclaves (protected by KFOR). In places with a predominantly ethnic Albanian population, Roma mostly lived concentrated in certain neighbourhoods. The number of Roma living among ethnic Albanians was on a steady decline and expulsions of Roma by ethnic Albanians continued to be reported.

Despite an international protectorate in Kosovo, Roma in the region were not safe. Due to severely limited possibilities for Roma in Kosovo to travel safely, they did not, for example, have appropriate access to health services. The decline of the number of violent attacks was likely due to the diminishing number of non-Albanians in Kosovo, and the increasing concentration of those remaining in KFOR-protected enclaves. The protection of minorities by UNMIK was widely considered dramatically inadequate.

Also in 2000, Roma continued to be targets of arson, harassment, and killings. Further, the patterns these attacks followed suggested that perpetrators were trying to force the remaining Roma minority com-

munities into leaving their homes. Suspects were rarely arrested.

UNHCR adopted a “non-promotion of return” position with regard to Kosovar Romani minority refugees living outside of the country, but helped those who had decided to return.

- ◆ At the end of June, a grenade attack on a Romani IDP settlement in Mitrovica wounded four Roma, including a young child.

- ◆ In July, there were series of grenade attacks on Romani homes in the municipality of Shtimje.

- ◆ In the beginning of August, three Ashkalia (a Roma group) were killed by a booby trap bomb in the village Hallaq of the Lipjan municipality.

- ◆ In August, three dumped Roma bodies were found near Prizren and Rahovec.

- ◆ In September, a Roma was killed while three were wounded in a shooting incident in the municipality of Shterpce.

- ◆ In November, five Ashkali Roma were found killed in Dashec near Skenderaj in the Drenica region. They had returned to their pre-war homes within an UNHCR-organized return programme after consultations with local Albanians who had approved their return. The case remained unclarified as of this writing.

Violence against Bosniaks

According to Numan Balic, head of the Bosniak Party of Democratic Action in Kosovo (SDA), ethnically and politically motivated violence continued against some Serbian-speaking Bosniak Muslims through late 2000. According to Balic, since the withdrawal of Serb forces, at least 37 Bosniaks had been killed, 16 abducted, and over 800 families had suffered intimidation. Over 30,000 Bosniaks had fled Kosovo out of fear of attacks by extremist Albanians.

- ◆ On 11 January, a Bosniak Moslem family of four were was killed in their home in the town of Prizren.

- ◆ On 10 February, a prominent Bosniak was murdered in Dragash. There were also continued reports of arson and intimidation against Bosniaks in the Gora area as well as in Prizren.

During 2000, however, there was considerable improvement in the relationships between Bosniaks and ethnic Albanians and in their joint participation in political life. An indication of that was the joint attendance of Bosniaks and Albanians in the elementary school in Vitimirica near Peja. Joint schools of Albanians and other minorities remained an exception.

Violence against Albanians

While ethnically and politically motivated violence primarily affected the Serb population and other minorities, Albanians also suffered seriously. Albanians fell victim to ethnically motivated violence particularly in Serbian-controlled northern Mitrovica, where lack of security and freedom of movement and abuse reigned. Albanians also lived in fear and were forcefully evicted.

- ◆ In February, a series of attacks by local Serbs in the northern part of Mitrovica left eight people dead, including Albanians, Bosniaks and Turks. In the following days, as result of additional intimidation, over 1,700 Albanians and non-Serb minorities left the northern Mitrovica and settled elsewhere in Kosovo.

- ◆ In June, a former journalist of the Kosovo Albanian daily *Rilindja* was shot and killed. The case remained resolved.

- ◆ In July, former commander of the KLA, Drini, who had dropped the uniform and become a respected member of the communal board in Prizren, was assassinated by two unidentified gunmen. Other former prominent KLA members have also been killed in still unresolved cases.

- ◆ In September in Prishtina, the head of the Directorate for Urban Affairs, architect Rexhep Luci, was assassinated close to his home. It is believed that the killing was re-

lated to activities for the prevention of illegal construction. The case remained unresolved as of this writing.

◆ One high profile case was the assassination of Xhemal Mustafa in November, one of the long-time and closest aides of LDK president Rugova and head of the LDK sector for information. He was gunned down in the middle of the day in Prishtina. The two gunmen walked away from the site practically unhindered. Police were reported to have arrived only half an hour later. Some related this killing to the LDK victory in the municipal elections.

Another issue that raised concern among Kosovo Albanians was the development in the intimidation and harassment in the Albanian-populated areas of southern Serbia in the Presheva Valley bordering Kosovo (Bujanovac, Medvedja and Presheva). The majority (estimated at 20,000) of the Albanian population was abandoning their homes and fleeing to Kosovo for safety. As a reaction to these developments, a local Albanian armed formation called the Liberation Army for Preshevo, Medvedja and Bujanovac (UCPMB) emerged in the area claiming armed defence of the local population.

Conditions in Prisons

Prisons and other correctional facilities have been reconstructed, the major ones being the Dubrava facility near Istog as well as the prison and correctional facility near Lipjan. The latter has also been constructed to accommodate women and juvenile offenders. In addition, district prisons have been repaired and renovated.

Eighteen Serb prisoners escaped from the Serbian-controlled northern part of Mitrovica, among them two convicts sentenced to 20 years for war crimes, genocide and murder on three counts. The Albanian public suspected that the escapes were facilitated by Serbian prison officials.

International Humanitarian Law

During the war, ethnic Albanians were the sole targets of the state-sponsored eth-

nic cleansing campaign of the Serbian forces. Before withdrawing from Kosovo, Serb forces had killed some 10,000 Kosovo Albanians. Thousands more were injured and raped, and a large part of ethnic Albanian property was destroyed. The Serb forces had turned Prishtina and other major towns into ghost towns, as about 75 percent of their Albanian populations were forcefully deported or displaced. Western Kosovo and central rural regions were the worst hit, some of them totally destroyed in an apparent Serbian campaign to partition Kosovo. The last half a million Albanians remaining in urban centres were virtually kept as hostages by Serbian security forces.

After the war, some 500,000 Albanians remained without a roof over their heads due to the destruction of their homes.

The process of investigating war crimes by forensic experts has been complicated by the fact that many suspected perpetrators fled Kosovo with the Serb forces and also because evidence of war crimes appeared to have been destroyed before the withdrawal.

Following the war, 539 mass graves or collective graves were discovered, out of which, according to OSCE sources, all but 17 had been investigated by the end of the year 2000 and additional bodies exhumed. The investigations resulted in 260 identified victims and 1,260 still unidentified victims. In order to facilitate the very difficult identification process, the OSCE published a book depicting the personal belongings of 200 of the still unidentified victims.

Kosovo Albanian and some foreign media quoted members of Serbian militias who had participated in the war in Kosovo and said that corpses of Albanians had been burned in the Trepcha furnaces in order to conceal evidence about the real number of the dead. Such reports have not been verified, but they have opened up another avenue for investigations.

Albanians Imprisoned in Serbian Jails and Missing Persons

At least 2,066 Albanians were arrested, imprisoned and transferred with the with-

drawing of Serbian forces to prisons in Serbia. The figure refers to that confirmed by Serbian authorities and the International Committee of Red Cross (ICRC).

In 2000, 233 Albanians were tried in Serbian courts in show trials and received long sentences totalling 2,163 years, primarily on the charges of "terrorism" and "hostile activity."²⁶ In 2000, a total of 577 Albanians detained in Serbian prisons were released and returned to Kosovo accompanied by the ICRC. It was estimated that some additional 600 Albanians remained detained in Serbian prisons, despite international appeals to the new Government to release them. Four Albanians died in Serbian prisons in 2000. The issue of imprisoned Albanians in Serbia continued to generate considerable inter-ethnic and political tension and, indirectly, violence in Kosovo.

According to the ICRC, the number of missing persons due to the war in the year 2000 stood at about 3,600, out of which 2,745 were Albanians while the remaining 843 belonged to ethnic minorities. As of the end of 2000, there were still no reliable indications about their whereabouts. Many were believed to have been arrested and/or kidnapped by Serbian withdrawing forces or various extremists groups and were feared dead. Among them were prominent Albanian personalities, activists, civilians and KLA activists as well as Serbian civilians.

Families of the missing and imprisoned Albanians accused international agencies of doing too little to help their relatives and to keep the relatives informed. NGOs, such as the Humanitarian Law Fund, were also highly critical, claiming that the problem dated back to the failure to include any mention of an amnesty for Albanian political prisoners in the Military Technical Agreement before Serbian forces withdrew, even though this point had previously been included in the October 1998 Holbrooke-Milošević cease-fire agreement.

Economic and Social Rights

The economic situation in 2000 successfully passed the emergency phase,

when people were totally dependent on humanitarian relief and emergency accommodation provided by the international community. It entered the second phase with the reconstruction and strengthening of the infrastructure and public utilities. Most of the heavily damaged roads were reconstructed, as were the power-, water-, heating- and telecommunications systems as well as the railway network, housing, and - most importantly - the educational and health care systems. Although the systems did not function perfectly, especially due to overloading, substantial improvement was obvious.

The post-war economic and social life was strongly affected by a severely damaged infrastructure combined with disputes over formerly state-owned property. It was estimated that 120,000 or (30 percent) of all housing stock was destroyed in full or in part and rendered inhabitable.

The third phase of revival of the economy began during the second half of last year, a slow and painful process. Only modest steps have been undertaken due to difficulties in defining and resolving the property issues, a fact that depends on the resolution of the future political status of Kosovo. Namely, it was impossible to privatise the former state owned enterprises - the largest ones in Kosovo, also in terms of providing employment opportunities. This was based on UN Resolution 1244: the UNMIK administration regards such enterprises still as FRY state-owned property, albeit contested. A temporary solution is being sought in the so-called "commercialization" of these enterprises, meaning long time leases to potential investors. However, the "commercialization" has so far shown only a limited success.

Consequently, the economic and social situation in Kosovo remained difficult throughout 2000 with the unemployment rate assessed at 50-60 percent of the available work force, making the economic situation very difficult. By the end of the year 2000, it was assessed that 50-57,000

Kosovars were employed by internationals. They received disproportionately high salaries in comparison to other non-internationally employed Albanians, whose income was very modest. This phenomenon has contributed to increased social tensions.

The poor economic conditions combined with an emerging modern set of values and lifestyles, coupled with the war and post-war trauma, sufferings, deaths or injury, accelerated the breakdown of traditional family and social structures. The situation of Albanian women was undergoing change, including both strong emancipation and social dynamics, but also negative phenomena such as increasing prostitution. The operation of criminal gangs, partly cooperating also with similar organized groups from Albania, was blamed for increasing incidences of abduction of girls

and young women. On the positive side, self-help groups helped women get vocational training needed for employment and for support of their families.

A visible experiencing and appreciation of the recently acquired freedom after the withdrawal of Serbian forces, as well as the positive energy that it has unleashed, has been an important factor also in the economic field, despite many flaws. It resulted in a comparatively strong dynamics of private initiatives in many segments of life, albeit still somewhat chaotic. This was clearly visible particularly in reconstruction efforts and potential, trade and other business initiatives. It is expected to gain even greater momentum with the establishment of law and order and security, contributing strongly to the normalization of life in Kosovo.

MONTENEGRO²⁷

IHF FOCUS: The role of the so-called Yugoslav Army; the new "Constitution" and other legislation; elections; post-election period; freedom of the media; independence of the judiciary; misconduct by the military; religious intolerance; conscientious objection.

In 2000, the future status of Montenegro was the main public issue in that republic. Familiar with the bad experience of Belgrade domination, most citizens and authorities showed their will to re-establish independence from Serbia, to have Montenegro's sovereignty internationally recognised, and to be free to make their own decisions about their future. The euphoric support of the international community for Koštunica's victory in the presidential elections and the new Belgrade regime was taken with surprise. It implied the European Union attitude that supported President Vojislav Koštunica's project of a new model of Federal State, which was understood in Montenegro as a kind of Greater Serbia, the realisation of which would ensure Serbian domination and would mean permanent danger to peace and stability in the entire region.

The issue of the republic's status absorbed energy that would have been necessary for transition and other reforms in Montenegro. This specially applied to the initiated reform of the judiciary that stopped, and the reform of administration and local self-government, etc.

Serbia and Montenegro formed a Federal State in 1992, the Constitution of which was illegitimate. Still, not even this Constitution has been applied: in practice, the Federal State has functioned as an additional institution of the Republic of Serbia. The Constitution provided for equal status for both Serbia and Montenegro, but, in fact, Serbia has held a dominant position and Montenegro has been relegated to a position considered worse than a colony.

In 1997, Montenegro's position weakened, still as a result of a split in the gov-