

MACEDONIA

HUMAN RIGHTS DEVELOPMENTS

Macedonia's image as an island of inter-ethnic peace and coexistence in the Balkans was dramatically upset in February 2001 by the emergence of an ethnic Albanian insurgent group, the so-called National Liberation Army (Ushtria Çlirimtare Kombëtare, commonly known as the NLA), and the ensuing months of fighting between the rebels and government forces. Negotiations between the major ethnic Macedonian and ethnic Albanian parties, facilitated by the international community, led to an August 13 peace agreement providing for far-reaching constitutional and political measures aimed at enhancing the status of the sizeable ethnic Albanian minority. In return, the NLA agreed to demobilize and hand over its weapons to a North Atlantic Treaty Organization force, deployed in Macedonia at the end of August. In mid-November, after a long delay, a lot of filibustering, and mounting international pressure, the Macedonian Parliament finally adopted the constitutional amendments envisaged by the peace agreement. At the time of writing, however, fears persisted that nationalists within the government and police would still try to derail the peace process and pursue a military solution to the conflict.

There was disagreement as to the causes of the conflict, with NLA leaders claiming that they were fighting to end systematic discrimination against ethnic Albanians by the Macedonian authorities, while the government claimed that the NLA's real goal was control over Macedonian territory. Government officials insisted that Kosovar Albanian radicalism lay behind the conflict, not legitimate grievances of Macedonia's own ethnic Albanians. Support for the insurgency by the country's ethnic Albanians, which was tepid early in the conflict, grew quickly as Macedonian security forces launched increasingly heavy-handed attacks against ethnic Albanian civilians and their villages and towns. As of mid-October, about 25,000 refugees remained in Kosovo, while 53,000 ethnic Albanians and Macedonians were still internally displaced within Macedonia.

Both government forces and the NLA committed serious violations of international humanitarian law in the course of the six-month conflict. The government police forces, whose brutality against Albanians has long been a cause of intense resentment, were responsible for a number of grave assaults against civilians and their property. Following an April government offensive in the Tetovo area, monitors of the Organization for Security and Cooperation in Europe (OSCE) found evidence of widespread and indiscriminate destruction and looting in the village of Selce. More than two hundred ethnic Albanians were arrested in the area, dozens of whom were later treated in the Tetovo hospital for fractures and severe bruising. Also in April, a joint mission of the Macedonian, Norwegian, and Serbian Helsinki Committees reported that some thirty men from Poroj had been arbitrarily arrested and severely beaten by the police, resulting in the hospitalization of six persons. The Helsinki mission and Human Rights Watch separately blamed govern-

ment forces for the destruction of the Runica hamlet in the Kumanovo area in retaliation for earlier NLA strikes. While the Macedonian government accused the rebels of using villagers in the Tetovo and Kumanovo areas as human shields, it frequently responded with indiscriminate shelling of those same villages.

Torture and abuse of civilian detainees was routinely used by the security forces to obtain information on the NLA and to intimidate ethnic Albanians. Following a May 22 offensive north of Kumanovo, for example, government forces separated ethnic Albanian men fleeing the fighting and took them to the Skopje and Kumanovo police stations, where dozens of them suffered torture and severe ill-treatment. Fear of such practices prevented many civilians trapped in the crossfire from fleeing to safety into government-controlled territory, forcing them instead to venture through dangerous mountain trails into neighboring Kosovo.

The most serious violations by the government forces were committed during a three-day operation in a village north of Skopje. Following a land mine explosion that killed eight government soldiers, the Macedonian police launched a fierce attack on the nearby village of Ljuboten, which was heavily shelled for two days in August 10 and 11, 2001. On August 12, several hundred police entered the village and began a house-to-house assault, killing six ethnic Albanian civilians, burning scores of houses and terrorizing the village population. Two men were summarily executed and another three were shot dead after they attempted to flee their burning home. More than one hundred men and boys from the village were taken to police stations in Skopje, where they were subjected to severe beatings. As of late October, about twenty-four of them were still being detained on charges of participation in the insurgency. Thirty-five-year-old Atullah Qaini died in police custody, his mutilated corpse bearing clear signs of torture. Three other men were beaten unconscious by ethnic Macedonian vigilantes in full view of the police. The minister of the interior, Ljube Boskovski, who was himself present during the operation in Ljuboten on August 12, claimed that the village was an NLA stronghold and that the victims were "terrorists." However, Human Rights Watch researchers who visited the village, and interviewed victims and eyewitnesses of the abuses, found no evidence that there was an NLA presence in Ljuboten during the attack or that any of the villagers put up armed resistance. The police operation appeared to be motivated by nothing more than revenge.

NLA forces were responsible for indiscriminate killings, abductions, and intimidation of ethnic Macedonian and other civilians. In June NLA forces arbitrarily detained and tortured eight elderly ethnic Serb civilians from the village of Matejce, subjecting them to repeated mock executions. On August 7, 2001, uniformed members of the NLA kidnapped a group of construction workers on the Skopje-Tetovo highway, and, holding them for several hours, the NLA fighters severely beat, humiliated and sexually abused them. The NLA was also suspected of being behind the August 26 bombing of an ethnic Macedonian-owned restaurant in Celopek, which left two of the employees dead. About ten persons from NLA-controlled areas were still missing at the time of this writing, despite claims by rebel commanders that the NLA had released all captives before its formal disbandment by the end of August.

Such methods of warfare against civilians were imitated by an array of ethnic Macedonian paramilitary groups, whose members were largely drawn from the

police reserves. Local and international press reported that the most active of those groups, including the so-called Lions, Tigers, and Red Berets, were controlled by radicals within the Macedonian police structure. Members of such groups appeared to have led a June 6 riot in Bitola, where dozens of ethnic Albanian homes and shops were burned within a few hours. The local police took no action to stop the attacks; in fact, some police officers took an active part in the rampage. The paramilitary groups continued to intimidate and harass ethnic Albanians even after the signing of the peace agreement, threatening to derail the peace process. In a September 15 incident, five "Red Berets" abducted Muharem Ibrahim, a Tetovo-based activist with an ethnic Albanian humanitarian organization, and attempted to kill him by throwing him into the Vardar river.

The conflict also took a toll on the press covering the events. International and local journalists, both ethnic Macedonian and ethnic Albanian, faced frequent hostility and occasional violence, mostly from ethnic Macedonian crowds and security forces. Reporters sans Frontières protested in June against the ill-treatment of the Agence France-Presse correspondent Colin Neacsu and his interpreter, who were detained and repeatedly beaten at a Skopje police station. A Macedonian journalist from the *Utrinski Vesnik* newspaper was beaten unconscious by a mob outside Ljuboten on August 10, as were several Swedish journalists trying to enter the village on August 12. Ethnic Albanian journalists, in particular, faced severe security constraints and discrimination, and were frequently denied access to the conflict areas by the police. Albanian language public television broadcasts were interrupted for three weeks as the Albanian language bureau rejected an order to air only translations of programs prepared by the ethnic Macedonian editors.

Two serious incidents raised concerns that communist-era practices of surveillance of the political opposition and civil society continue unabated in Macedonia. In January 2001, the opposition Social Democratic Union (SDSM) presented evidence of the unlawful phone tapping of 150 conversations that had taken place between September and November 2000. Most of those involved, including prominent opposition leaders and journalists, confirmed the authenticity of the recordings. A parliamentary investigation led to the resignation of the minister of the interior, Dosta Dimovska, but stopped short of assigning responsibility for the violations. The issue resurfaced after the signing of the peace agreement, when a telephone conversation between Branko Crvenkovski and Arben Xhaferi, the respective leaders of the SDSM and the Democratic Party of the Albanians, was leaked to a television station that accused the two of conspiracy against national interests.

DEFENDING HUMAN RIGHTS

Human rights organizations generally operated freely in 2001, although security concerns often prevented their members from reaching certain areas of the country. Both ethnic Macedonian and ethnic Albanian organizations faced difficulties in moving across the ethnic divide in the conflict areas. The Helsinki Committee for Human Rights investigated the Ljuboten events and made findings that were consistent with the conclusions of Human Rights Watch. (See above.) How-

ever, investigation and reporting by local nongovernmental organizations on human rights abuses committed during the conflict was limited overall and at times one-sided.

THE ROLE OF THE INTERNATIONAL COMMUNITY

In contrast with earlier conflicts in the former Yugoslavia, the international community moved relatively quickly in 2001 to bring the inter-ethnic violence in Macedonia to a halt, and to limit its human costs. The diplomatic efforts of the European Union, the United States, NATO, and the OSCE, all of which appointed special envoys to Macedonia, were critical to the negotiation of the cease-fire and the peace agreement. But while much effort was put into security monitoring and shuttle diplomacy, the investigation of human rights violations committed by both sides was inadequate throughout the conflict. At this writing, the international community stood ready to assist with the implementation of an enduring peace in the country, but more needed to be done to integrate critical human rights dimensions into the process.

United Nations

The U.N. Security Council addressed the Macedonian crisis regularly in 2001. The council supported the timely implementation of the peace agreement and the deployment of a multinational security presence in Macedonia. The U.N. High Commissioner for Refugees (UNHCR) cautioned the Macedonian government at the end of September that the return of the refugees remaining in Kosovo and of the internally displaced persons would require ethnically mixed police patrols in conflict areas. UNHCR-chartered buses facilitated the movement of all communities across ethnic lines and security checkpoints in the troubled Tetovo region. The chief prosecutor of the International Criminal Tribunal for the former Yugoslavia warned both warring sides early in the conflict that the tribunal's jurisdiction extended to the events in Macedonia, and that tribunal staff were on the ground collecting information on serious violations of international humanitarian law.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE committed itself, under the peace agreement, to providing a significant number of monitors to report regularly on security incidents, the return of refugees and trafficking in human beings. OSCE-seconded police experts were tasked with assisting in the implementation of the envisaged police reforms. On October 4, however, the OSCE warned the Macedonian government that single-handed efforts by the police to hastily retake control of formerly NLA-held areas were delaying the deployment of the monitors and were jeopardizing the fragile peace. During the conflict, the OSCE Spillover Monitor Mission to Skopje condemned human rights abuses committed by the NLA forces, but showed reluctance to address the serious violations for which the government security forces were responsible.

North Atlantic Treaty Organization (NATO)

NATO's role in the Macedonian conflict was limited by its members' unwillingness to maintain a long-term security presence in the country. The 4,500-strong NATO force deployed in Macedonia throughout September successfully completed its limited, month-long mission to collect about 4,000 weapons voluntarily handed over by the NLA. Doubts remained, however, as to whether the NLA had surrendered all its weaponry. To avoid a security vacuum created by an early departure, NATO agreed by the end of September to maintain a German-led contingent of seven hundred to 1,000 troops in the country to protect E.U. and OSCE security monitors. The second NATO force was to operate in Macedonia for three months, with the option to extend the mission with the consent of the Macedonian government.

European Union

In April 2001, the European Union and Macedonia signed an Association and Stabilization Agreement that sets the stage for Macedonia's progressive integration into the union within ten years. In October the E.U. pledged to finance a 10.3 million euro (approximately U.S.\$9.3 million) program aimed at supporting the implementation of the peace agreement. The program was part of a 24.7 million euro emergency package, and in addition to 42.5 million euros of regular support to Macedonia pledged for 2001. The package was made, however, conditional upon the ratification of all constitutional amendments envisaged by the peace agreement. The European Union maintained that improving the status of the country's ethnic minorities was a requirement of the association process, and it postponed a donors' conference scheduled for October 15, citing Macedonia's delay in the implementation of the agreement.

United States

The United States supported the political and constitutional reforms agreed upon by the Macedonian and ethnic Albanian parties. The U.S. special envoy James Pardew, together with the European Union's Francois Leotard, played an important facilitating role in the negotiation of the peace agreement. Although the United States contributed no troops to the two NATO missions, it provided intelligence and logistical support. The U.S. administration pledged also to support the Macedonian police reform, training of ethnic Albanian police officers, the return of refugees and the new Southeast Europe University, set up to provide higher education in the Albanian language.

Relevant Human Rights Watch Reports:

Crimes Against Civilians: Abuses by Macedonian Forces in Ljuboten, August 10-12, 2001, 9/01