

Public Statement

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Macedonia (FYROM): A durable peace depends on respect for human rights

The Framework Agreement, signed Monday in Ohrid, represents the best opportunity to ensure greater respect for the human rights of all people in Macedonia by establishing the principle of non-discrimination and equal treatment of all under the law. It provides a legal framework through which respect for the civil, political, economic, social and cultural rights of ethnic Albanians and other ethnic minorities could finally be realized.

As sporadic fighting continues in Macedonia, Amnesty International calls on the Macedonian government, representatives of the ethnic Albanian community and the international community to ensure that the peace agreement is effective in bringing an end to the human rights abuses experienced by civilians over the past six months.

Since February this year both the Macedonian forces and the armed opposition group, the National Liberation Army (NLA), have been responsible for indiscriminate killings of unarmed civilians. Macedonia has also seen incidents of "disappearances" and abductions, torture and ill-treatment, arbitrary arrests and the massive displacement of both the ethnic Albanian and Macedonian populations, within and outside of the country.

Those responsible for violations of international humanitarian law and serious human rights abuses in Macedonia must be brought to justice before the courts, in proceedings which respect the rights of each person suspected, as guaranteed under national law and international standards.

The Macedonian authorities have said they will investigate and prosecute war crimes allegedly perpetrated by members of the NLA. Amnesty International reminds the authorities of their obligations under domestic law, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and other international standards relating to arrest, detention and fair trials. The organization also calls on the Macedonian authorities to promptly and impartially investigate allegations of human rights violations perpetrated by the Macedonian military and police forces, and to bring the perpetrators to justice.

As part of the Framework Agreement troops from 12 of the 19 member states of the North Atlantic Treaty Organization (NATO) will be deployed in Macedonia to collect arms voluntarily surrendered by the NLA, provided there is a "durable cease-fire". Amnesty International is also calling on NATO to ensure that the human rights of all civilians are respected and protected by the 3,500 NATO troops, due to be deployed in "Operation Essential Harvest".

The organization further calls on all parties to the agreement, and the international community, to ensure the safe and sustainable return of displaced persons and refugees - including those who fled without documentation.

Amnesty International reiterated that a durable peace depends on respect for the human rights of all people from all communities in Macedonia.

The Framework Agreement

The Framework Agreement was signed on 13 August 2001 by the Government of Macedonia - which includes the leaders of the two main Albanian political parties - and representatives of the European Union and the USA. The NLA - who were not a party to the talks - have

generally welcomed the agreement; it has been opposed by another smaller armed opposition group, the Albanian National Army.

Amnesty International welcomes the provisions of the Framework Agreement which aim to redress the past human rights abuses and institutionalized discrimination which have contributed to the current crisis.

Amnesty International particularly welcomes proposed constitutional amendments which guarantee the internationally recognized human rights of all citizens of Macedonia, and the expansion of the Public Attorney's mandate to redress alleged violations of those rights by public authorities.

The organization also welcomes measures proposed for human rights training - with the assistance of the international community - of members of the police force and other actors in the criminal justice system. Amnesty International and other human rights organizations have, over the past ten years, documented many cases of ill-treatment and torture, and unfair trials of ethnic Albanians and other minorities.

The agreement aspires to create a multi-ethnic police force reflecting the overall make-up of the population by July 2004. Amnesty International notes that, in effect, this will increase the numbers of ethnic Albanians serving in police forces where that community is in a majority. The police will remain under the control of the central government.

Provisions of the Framework Agreement, which require amendment of the Constitution are due to be approved by the Macedonian parliament within the next 45 days. These, and proposed changes to the law, aim to ensure respect for the ethnic identity and

interests of all Macedonian citizens, and aspire to improve respect for the economic, social and cultural rights of ethnic minority communities, and in particular, the ethnic Albanians, who make up an estimated one third of the population of Macedonia.

Reflecting the demands of ethnic Albanians and others to be acknowledged as citizens, the preamble to the constitution will be amended to refer to "citizens of the republic of Macedonia", rather than listing Albanians, Turks, Vlachs and Roma and others - as in the previous constitution - as minorities.

Laws regulating employment in public administration will be amended to ensure an equitable representation of all communities. Other measures aim to ensure that where ethnic Albanians - or other ethnic minorities - make up at least 20 per cent of the population of a municipality, that minority groups will be able to conduct official business in their own language and educate their children up to university level in their own language. Albanian will also be recognized as a second official language throughout Macedonia.

In order to achieve these aims, the Framework Agreement requires the international community to come forward with the necessary financial and technical assistance.

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