

# KOSOVO CRISIS RESPONSE BRIEFING

August 1998

**Kosovo: Which way now?**

**An Amnesty International Briefing**

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## **BACK COVER TEXT**

Hundreds of civilians have lost their lives and hundreds of thousands have fled their homes during the conflict between Serbian forces and the ethnic Albanian armed opposition for control of Kosovo.

This Amnesty International Briefing looks at the human dimensions of the conflict, the years of human rights violations that have shaped it, the immensity of the suffering caused by the actions of the warring parties, and the trials facing refugees and the internally displaced. The briefing concludes with a series of recommendations to both sides and to the international community.

## **KOSOVO: THE BACKGROUND**

Kosovo, a province of Serbia, covers an area of 11,000 square kilometres (4,400 square miles) in the federal Republic of Yugoslavia.

The population of Kosovo is about two million, 200,000 of whom are ethnic Serbs, Montenegrins, Roma or members of other minorities, and 1.8 million (90 per cent) are ethnic Albanians. The proportion of ethnic Albanians has grown steadily through a combination of a proportionately higher birthrate among the Albanians, and emigration by Serbs.

Kosovo was given increasing autonomy after the creation of the second Yugoslav state in 1945, culminating in a 1974 Constitution in which it was afforded almost the same degree of autonomy as Yugoslavia's constituent republics, although it lacked the constitutional right to secede.

In March and April 1981 ethnic Albanian demonstrators voiced calls for Kosovo to be made a full republic. Their demonstrations were violently broken up and a state of emergency followed. Nationalist unrest in the province grew throughout the 1980s.

Serbs increasingly complained that the 1974 Constitution had placed them in an intentionally weak position in Yugoslavia. In 1989 Serbian President Slobodan Milošević\_ stripped Kosovo of self-rule, soon reducing it to an administrative region of Serbia. Albanian language and cultural institutions were suppressed.

The following year, Serbia dissolved Kosovo's government. In 1991, following a secret referendum, ethnic Albanian leaders proclaimed an independent "Republic of Kosovo". Ethnic Albanians went on to elect a political assembly and a president; Serbia declared both the referendum and elections illegal.

The Kosovo Liberation Army (KLA), an armed group formed by ethnic Albanians, emerged in 1996. It has since claimed responsibility for a series of increasingly frequent attacks on Serbian institutions. By February 1998, when a large-scale Serbian operation was launched against the KLA, it was dominating a significant proportion of Kosovo.

### **Human rights standards**

The Federal Republic of Yugoslavia is a State Party to most important human rights instruments. These include the International Covenant on Civil and Political Rights (ICCPR) – it has also signed the Optional Protocol to the ICCPR; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees; and the Convention on the Elimination of All Forms of Discrimination against Women.

### **Amnesty International on Kosovo**

Amnesty International has issued numerous reports and membership actions detailing human rights abuses in Kosovo, including a series examining the current crisis and the background to it. These are:

- Background: A crisis waiting to happen (AI Index: EUR 70/32/98)
- Violence in Drenica (AI Index: EUR 70/33/98) (covers February and March)
- Deaths in custody, torture and ill-treatment (AI Index: EUR 70/34/98)
- Unfair trials and abuses of due process (AI Index: EUR 70/35/98)
- Ljubeni\_ and Poklek: A pattern repeated (AI Index: EUR 70/46/98)
- Human rights violations against women in Kosovo province (EUR 70/54/98)
- "Disappeared" and "missing" persons: The hidden victims of conflict (EUR 70/57/98)
- Orahovac, July-August 1998 – deaths, displacement, detentions: many unanswered questions (EUR 70/58/98)

These documents can be obtained from your local Amnesty International office or from the address at the back of the briefing.

**BOX:** Kosovo placenames are spelt differently in Serbo-Croat and Albanian. From consistency with international media, the former have been used throughout this report. A list of Albanian equivalents follows:

SERBIAN	ALBANIAN
Priština	Prishtina
Pe_	Peja
Djakovica	Gjakova
Brestovik	Bërstevik
Ljubeni_	Lybeniq
De_ani	Deçan
Glodjane	Glllogjan
Donji Prekaz	Prekaz i Poshtëm
Srbica	Skënderaj
Mališevo	Malisheva
Glogovac	Glllogovc
Novi Poklek	Poklek i Ri
Orahovac	Rahovec

**INTRO:****A human rights crisis in Kosovo**

Every one of the hundreds of thousands of people forced to flee their homes as a result of the violence in Kosovo province this year has their own terrifying story to tell.

Some describe how their families or neighbours were shot dead in ‘reprisal’ raids on villages by Serbian police, or how the police forced unarmed men from their homes and killed them in cold blood.

Some talk about how their houses were destroyed in indiscriminate bombardments by Serbian forces, and about the loved ones they left behind in the rubble.

Some talk about abuses perpetrated by the armed opposition, the Kosovo Liberation Army.

Their minds are seared with horrific images: walking along rows of dead bodies before they could identify those of their families; digging mass graves; the flight from homes and villages they fear they might not see again.

The crisis that has caused so much suffering began when the Serbian authorities launched a succession of large-scale military operations against armed ethnic Albanian forces in the province of Kosovo, starting in February 1998. Hundreds of civilians have been killed during the ensuing fight for territory.

The roots of the conflict go much deeper, to the years of human rights violations against Kosovo’s ethnic Albanian majority by the ruling Serbian authorities, and to the ensuing anger and resentment which eventually turned into violent opposition.

In charting the course of the crisis, this briefing looks at some of those people who have suffered so greatly during this litany of human rights abuse -- the victims of torture and ill-treatment, those bereaved by war, those who have fled their homes.

If their suffering is to stop for good, action is needed now to protect the human rights of all the people of Kosovo, regardless of their region's political status: to redress the abuses of the past, to enable them to live safely in the present, and to lay the foundations for a future without fear.

## PART 1 - A LEGACY OF RESENTMENT

*"Two police officers entered the bus and began to check our identity cards... one of the officers suddenly grabbed me by the hair and pulled me out of the bus. They took [me] to the police station... and then the beating and torture began. One of the police officers pulled out a knife and cut a cross [on my chest] with the Cyrillic 'S'."*

Eighteen-year-old Arian Curri, an ethnic Albanian arrested by police officers in Kosovo in April 1994.

The "S" is part of a slogan which, translated, means *"only unity saves the Serb"*. Arian Curri's horrific scars are a reminder of how much the issues of ethnic identity and human rights violations have come to be intertwined in Kosovo.

The ethnic Albanian community makes up more than 90 per cent of Kosovo's population. For nearly 20 years, the mounting calls from within the community for the region's secession from Yugoslav rule have been met with increasingly draconian measures on the part of the authorities.

During the 1980s, faced with demands for Kosovo to become a full republic of Yugoslavia or become independent, Yugoslav authorities violently broke up demonstrations and imprisoned thousands, often after unfair trials and as prisoners of conscience.

In 1989 Serbian President Slobodan Milošević removed Kosovo's relative autonomy within Yugoslavia, and made it an administrative region of Serbia. Kosovo had been at the heart of the medieval Serbian kingdom; its integration was part of Milošević's heavily nationalist program, which was built on claims of discrimination against Serbs in Kosovo.

The following year, in opposition to the Serbian authorities' rule of Kosovo, ethnic Albanian political leaders declared an independent "Republic of Kosova". A "parallel" political system was established -- the main party was the Democratic League of Kosovo (LDK - *Lidhja*

*Demokratike e Kosovës*), led by Dr Ibrahim Rugova -- as well as parallel systems of health, education and other institutions.

Since the early 1990s, the pattern of human rights violations against ethnic Albanians in Kosovo has become more widespread. Only very rarely have the police been held accountable for their actions.

Some people, like Arian Curri, have been singled out simply because of their ethnic background. On a daily basis ethnic Albanians are beaten with truncheons, punched and kicked by officers who commonly express ethnic hatred against their victims -- in 1997, five people died in police custody as a result. Riot police armed with automatic weapons and backed by armoured vehicles have increasingly used excessive force to break up peaceful demonstrations.

For years, the police have systematically raided the houses of ethnic Albanians on the pretext of searching for arms, and many beatings have occurred. Victims are sometimes even told to buy a weapon to hand in to the police.

Many ethnic Albanians have been specifically targeted for their alleged involvement in the "parallel" society or because of their political activism. Among the hundreds of ethnic Albanians imprisoned during the 1990s for their non-violent activities was Ali Stublla, imprisoned in December 1997 for failing to report soccer games he had organized in 1995.

The Serbian authorities have consistently failed to provide fair trials in political cases, where those convicted have been given prison sentences of up to 20 years. Victims are coerced into making statements incriminating themselves or others which are accepted as evidence in court. There are numerous other breaches of international standards, such as the violation of the right to communicate freely with a defence lawyer.

A few of the stories of people whose human rights have been violated during the past 12 months are on these pages; thousands more have been documented by Amnesty International and other human rights organizations over the years. The scale of oppression and suffering has been immense. That ethnic tensions rose to explosive levels, and the situation degenerated into one of armed conflict, was not a great surprise to anyone in the province.

## CASES / PHOTOS IN PART 1

*"Six policemen beat me yesterday, they hit me everywhere. They kicked me all over my body... they pushed me to the ground, pulled my hair".* Student Vlora Maliqi, 19 sustained bruises to her face, back, legs and arms after being beaten by police as they broke up a non-violent demonstration in Priština on 19 March 1998.

*"Two policemen directed their machine guns towards my head saying 'stand up!'. I was really scared and stood up because I just had to. They beat me with the end of a truncheon and I could see blood coming out of me".* 16-year-old schoolgirl Merita describes events in the town of Pe\_ on 18 March 1998, when police shot at ethnic Albanian demonstrators, injuring around 100.

*"When he came home, he could hardly walk. He was half dead... he was like a shadow, you couldn't recognize him. The children wouldn't go near him, they ran away from him".* Qamil Xhemajli's mother.

In January 1997, police officers burst into the house of Qamil Xhemajli, ostensibly looking for weapons. When the police did not find any, they beat him; he was ill-treated further at the police station and at Gnjilane prison. A medical examination conducted two weeks later confirmed he had a broken rib and still had bruises to his head and body.

In September 1997, Ferdian Ibërdemaj, 16, was reportedly accused by plainclothes police officers of stealing a bicycle; the officers reportedly took him from his home in Pe\_ to the hills near Brestovik, where they beat him and then abandoned him.

Soko Rugovac, 38, a Montenegrin Muslim from Ro\_aj, was stopped by police in Pe\_ in April 1998 while taking a taxi to his aunt's home. According to statements he later gave, he was taken to the main police station where he was asked if he was going to participate in a demonstration by ethnic Albanians the next day. When he admitted he had voted for Milo Djukanovi\_, an opponent of the Yugoslav President Slobodan Miloševi\_, in the Montenegrin Presidential elections, the police officers punched and slapped him, cut his chest with a knife, and branded "MILO" on his chest with a soldering iron.

Veton Mula (25), Agron Mula (26), Luigj Muaj (20), students at the parallel Albanian language university in Priština, and Visar Demaj (18), Luigj's cousin, were sleeping in their Priština flat on the night of 13 - 14 June 1998 when three police officers forced their way into the men's rooms at gunpoint, beat them with rubber truncheons and metal rods, and threatened to kill them. They suffered injuries to the head, spine and hands.

On 8 July 1998, Adem Xhevat (28) was returning from visiting his mother in Priština hospital when the taxi he was travelling in was stopped by police. He was ordered out of the car; he later told Amnesty International, "*They said I must be a KLA member to have a beard like that*".

The police beat him on the back of the legs and then took him to the police station, where they continued to beat him with a wooden stick and insult him. "*The stick I was beaten up with was broken*", Adem reported. "*The taxi driver said that the stick broke a day before when police were beating up one of his colleagues -- they used the other half to beat me up*".

### **The slide into conflict**

After years of systematic human rights violations, the slide of Kosovo's widespread institutional violence into all-out armed conflict was swift.

In 1996 the Kosovo Liberation Army (KLA -- in Albanian, *Ushtria Çlirimtare e Kosovës*), an armed opposition group formed by ethnic Albanians, became active. Possible factors in its emergence include the intractability of the Serbian leadership when faced with demands for any degree of autonomy for Kosovo, and frustration at the exclusion of the Kosovo issue from the Dayton peace agreement which ended fighting in Bosnia-Herzegovina, as well as the continued human rights violations.

The KLA claims to fight for an independent state made up of "the Albanian lands of Kosovo, Macedonia and Montenegro". Since 1996, it has claimed responsibility for a series of increasingly frequent attacks on Serbian institutions; its military success seems to have undermined support for the non-violent LDK. By the beginning of 1998 it became clear that some areas of Kosovo were only minimally under the control of Serbian police.



In February 1998, Slobodan Milošević, now President of the Federal Republic of Yugoslavia (which incorporates Serbia and Montenegro) apparently ordered a crackdown on the KLA, leading to a marked and extreme increase in police and military actions, and a corresponding wave of violence and human rights violations in which hundreds of thousands were caught up.

One of the most frightening aspects of this conflict has been the excessive force used against ethnic Albanian communities by Serbian police, who frequently appear to be out of control. Typical patterns of such police violence are real or alleged KLA attacks on police patrols, which are followed by large-scale police operations in which indiscriminate force is used. During these operations unarmed people, who are not connected with any attacks on the police, have been killed, injured or have been extrajudicially executed.

At around 6.45 am on 25 May, a civilian car containing police officers was shot at near the village of Ljubeni, on the road between Deani and Pe. Knowing only too well the likely reprisals by Serbian police, the ethnic Albanian villagers of Ljubeni reportedly tried to pass on a message to Serbian police that there were no arms or armed men in the village -- but to no avail.

By lunchtime that day, a large number of police officers, some in armoured vehicles, had arrived outside Ljubeni. They then fired artillery and other weapons at the village for 30 minutes. Those villagers who could not flee to the woods sheltered in their houses and hoped that the police patrols who had started to come down to the village would not find them.

A group of police officers forced their way into one house in which around 14 people were hiding. They ordered the occupants, who were reportedly unarmed, out of the house. The police separated the men from the women and children, and ordered the men to run. They then shot them in the back, killing four people -- all members of the Hamzaj family -- and wounding one. The police also entered other family compounds; by the end of the day, eight men had been summarily killed. The police also reportedly set several houses on fire. As of July 1998, the village stands deserted and the remaining villagers are refugees, too scared to return.

Many other people have become refugees as a result of the extensive police and army activities which, from late May, engulfed the area around Deani in western Kosovo. Apart from engaging

in the type of vindictive reprisal seen above, the aim of the Yugoslav authorities seems to have been to clear the area between the Albanian border and the central Drenica area of ethnic Albanians. There appears to have been no discrimination as to where military targets were -- whole villages were bombarded, while sniping made it unsafe for civilians as well as KLA members to venture outside.

Dozens of Serb civilians and Albanians perceived as "loyal" to the Serbian authorities have also been killed, ill-treated or abducted. Some displaced Serbs have related how they were forced out of their homes by threats and violence from the KLA -- or sometimes even from their own ethnic Albanian neighbours -- and how their houses were set on fire behind them.

Novak Stijovi\_ and Staniša Radoševi\_, two ethnic Serbians, fled their villages when the KLA took control of the Glodjane area. Their fathers stayed behind, however, and in April 1998 Novak and Staniša returned to the area to look for them. While searching for Novak's father, they were beaten by KLA members.

Staniša's father, Slobodan, who had stayed to look after the family farm, had not been in touch with his family for months. They found no trace of him; at the end of April there were reports that his body had been found together with that of another missing Serb.

Fighting between Serb forces and the KLA was continuing towards the end of August. Hundreds of citizens have been killed in violent clashes as the two sides try to capture or recapture territory.

### **Massacre in Donji Prekaz**

*"They took my son from me... they ordered him to lie down, then they searched him and ordered him to get up again, and he did that. They told him again to lie down, but did not find anything, no weapons. I saw with my eyes how they prepared their automatic weapons, two of them, one on [each] side, and they shot him between the shoulders. I saw that with my eyes and screamed at that moment 'Please God, I rely on you!'..."*

*"I didn't know what else I could say. I held those two walking sticks. I felt that my feet were completely cold. I could not feel them, I didn't know that they were mine. I saw how he was still -- he didn't move, he seemed to be sleeping. I thought to go and to see him but one of the police ordered me: 'Don't move!'. He did not let me and I was just staying and looking. Then I wanted*

*again to go and to cover him. I wanted to take my headscarf off but one of them turned a gun to me, he didn't let me."*

The 70-year-old mother of Nazmi Jashari, describing how he was killed by Serbian police.

On 5 March 1998, heavily armed Special Police Units swept into the village of Donji Prekaz, near Srbica. By the next day, 54 ethnic Albanians lay dead. Thirteen were too badly burned to be identified. Of the bodies remaining, 12 were women and 11 were children.

Many of the villagers appear to have been killed as part of a deliberate operation to eliminate those suspected of supporting the KLA and their families: the main target of the police operation appears to have been Adem Jashari, who in July 1997 was sentenced *in absentia* to 20 years' imprisonment for "terrorism".

It is difficult to be certain of the events surrounding 5 March. Serb accounts contradict those given to Amnesty International by several witnesses. Police apparently entered the village at dawn, and reached their target of Adem Jashari's compound by early morning, exchanging fire with armed men inside. Women and children were killed during the attack -- the only survivor appears to have been Adem Jashari's 11-year-old niece.

At about 1.30pm, the police opened fire on neighbour Beqir Jashari's house and it started to collapse, after which the police threw in a grenade and ordered people to come out of the house. The men who came out, who had reportedly ceased to offer resistance, were shot dead one by one. The first victim appears to have been Qazim Jashari, a teacher. The next, 26-year-old Nazmi Jashari.

A full, independent and impartial investigation is urgently needed into the events at Donji Prekaz; those responsible for the killing of unarmed men, women and children must be brought to justice.

### **Too dangerous to stay... and too dangerous to flee**

Separated from her parents in the chaos that surrounded the destruction of her village, 10-year-old Antigona Tishukaj walked for four days across the mountains between Kosovo and Albania. She

eventually found her mother across the border -- the picture shows her mother and cousin being reunited.

The fires, the shootings, the sheer devastation in Kosovo have left in their wake hundreds of thousands of victims like Antigona, each with their own personal tragedies. They have seen their loved ones killed, their villages destroyed, their livelihoods ruined. Many of those who leave their homes wait within sight of their houses for hours, even days, before the spectacle of destruction and looting finally forces them to give up any hope of going back.

However, for those who take flight, the suffering is rarely over. Many have had to cross territory where battles are still raging. They are in urgent need of food and shelter. Already in danger because of their position, they are even more vulnerable because of who they are: it has been estimated that half of those who have been forced to abandon their homes are children; and 10 per cent are elderly.

The risks involved in flight are huge. It is easy to get separated from your family when you are part of a massive movement of people. Antigona's story is testament to that, as are others reported by the office of the United Nations High Commissioner for Refugees (UNHCR), the main organization dealing with the refugee crisis. On 10 July, for example, UNHCR was faced with three children who no longer knew where their family was -- their mother was later found in hospital.

Although the vast majority of those forced to leave their homes are ethnic Albanians, Amnesty International has also interviewed Kosovar Serbs who have stated they were threatened by the KLA, shot at, and that their houses had been burned, forcing them out of their villages.

At the mercy of dangerous border crossings, difficult terrain and continued fighting, displaced families head for wherever they think they have a chance of being safe. During early stages of the conflict, some 13,000 ethnic Albanian refugees crossed into Albania. By mid-June, however, the flow of refugees across the border slowed to a trickle. Increased fighting between Serbian troops and the KLA meant that it simply became too dangerous to risk the trip.

Even for those who have made it to neighbouring Albania, conditions are dangerous -- there are frequent reports of shootings in the region of Tropojë, where the vast majority of refugees are

based; according to UNHCR, an 18-year-old refugee was killed in cross-fire on 6 July. There are also acute economic problems. Kosovar refugees in Albania have found themselves in a district which is probably the poorest in Europe, with 50 per cent unemployment and barely able to support its own population. These economic problems have been aggravated by the presence of large numbers of refugees; there is a dire need for international support to alleviate the situation.

Some refugees have fled to other countries, mainly in the Balkans or elsewhere in Europe. However, the vast majority of those forced to flee their homes are still within the borders of the Federal Republic of Yugoslavia. Fighting in Pe\_ and De\_ani, in particular, caused many to make the mountainous crossing into Montenegro, where over 30,000 Kosovars had been registered by the authorities by early August. Again, the journey is beset with dangers -- a group of several men told Amnesty International they had been badly beaten by Yugoslav army soldiers when they crossed into Montenegro. The vast influx meant that many people were crammed into ramshackle buildings without power, water, regular food or medical care. [QUOTE: One aid worker reported, "*Hungry children are standing in the streets in their underwear looking for food. Residents took in refugees for free at first, but with the numbers increasing they are starting to charge money. The situation is terrible.*"]

Well over 170,000 people remain displaced within Kosovo itself, with the number growing daily. The continued fighting between KLA and Serbian forces has rendered organized return to their homes out of the question, and as fighting has spread, it has also put them at increased risk.

In June UNHCR representatives visited a camp of some 600 ethnic Albanians in the area between Junik village and the Albanian border. "*The overcrowded shelters and harsh mountainous environment made for extremely unsanitary conditions,*" they later reported. "*Families [are] living in tents and make-shift shelters made from branches, logs and plastic sheeting*"

Other victims of the fighting have included Croatian and Bosnian Serb refugees settled in Kosovo who have become homeless for at least the second time in their lives. In July 1998, UNHCR found 43 Serb refugees, who had left Croatia during the conflicts which lasted between 1991 and 1995, gathered in one collective centre in the town of Orahovac. Over half of them were elderly and in poor health -- all were very frightened, and had not eaten for days. Due to the heavy fighting in

Orahovac, the majority of the local ethnic Albanian population had fled the town seeking a safe haven in Mališevo. But, in a cruel twist of fate, Croatian Serb refugees were left to fend for themselves. UNHCR has found them a temporary refuge until they are able to be repatriated to Croatia, where once again they may be searching for a home.

The plea in July 1998 of Sadako Ogata, UN High Commissioner for Refugees, is a grim reminder of her call to the international community for help during the crises in the Great Lakes region of Africa and elsewhere in the former Yugoslavia. *"The situation in Kosovo is deteriorating... I must emphasize that while UNHCR and its partners stand ready to continue to help the victims, firm political action is urgently needed to resolve the crisis."*

The international community must live up to its responsibilities to protect all refugees, and ensure that those fleeing human rights abuses in Kosovo are not forcibly returned to the region and that they are afforded effective and durable protection against forcible return.

#### QUOTE:

'We are surviving on what the village people can give us, the water is unhealthy, there are snakes in the forest'. One of the internally displaced in Kosovo speaking from a camp near Klavasarija, August 1998.

#### **THE 'DISAPPEARED' AND MISSING**

Dr Hafir Shala, an ethnic Albanian, was travelling with two companions when he was arrested by police on 10 April 1998. According to his companions' statements, he was separated from them, and they were all taken to the central police station in Priština.

*"The three of us were taken to separate rooms on the third floor,"* reported one. *"I was interrogated for six hours and then told I could leave. When I was escorted out of the room and down the hall I heard horrible screaming. It was Dr Shala. I stopped. I asked the policeman what was happening to Dr Shala. He pushed me forward, saying 'Go, go, go'".* Dr Shala's father went to the police headquarters the next day, but was reportedly turned away at the door and told that the doctor had never been in police custody. No one has seen or heard from Dr Shala since.

Hundreds of families like Dr Shala's, whether from ethnic Albanian, Serb or Montenegrin communities, do not know whether their loved ones are alive or dead.

Of several hundred ethnic Albanians reported "missing" since the beginning of March, dozens were seen being detained by the police. These include eight men who "disappeared" from Novi Poklek near Glogovac. On the morning of 31 May, a police officer was injured in unclarified circumstances. That afternoon, a large force of police arrived in several dozen vehicles and began firing at houses. Around half an hour later, police patrols started to go from house to house, separating men from women and children. Eight remain unaccounted for, amid allegations they are held in a nearby factory, or buried in a mass grave.

There are also reports of abductions of Serbs by armed ethnic Albanians. Since mid-April more than 100 Serbs have gone missing in the province, and in some cases there is evidence they were abducted by members of the KLA.

Action is needed by the authorities now to end the agony of the victims' relatives.

### **The international community**

The world's reaction to the Kosovo crisis has been primarily concerned with the eruption of armed conflict. Federal Republic of Yugoslavia President Slobodan Milošević, for example, was warned that "another Bosnia" would not be tolerated

However, when it comes to taking specific actions to protect human rights the international community has failed to give clear or consistent messages -- for instance, it demanded the withdrawal of Serbian special police forces from Kosovo, but did not address the specific violations perpetrated by the police.

One of the most important tasks facing the international community is to ensure that an impartial international human rights monitoring mission is deployed in Kosovo. At the beginning of August 1998, the opening of a Priština office of the UN High Commissioner for Human Rights was

still being blocked by the Serbian authorities, as was the redeployment of a mission of the Organization for Security and Co-operation in Europe (OSCE).

Human rights, and not just regional security, must be at the top of the international agenda.

### **The road towards a just society**

The road to crisis in Kosovo was paved with years of abuse by the Serbian authorities of the ethnic Albanian community's basic human rights, and by the failure of the international community to hold the Serbian authorities to account. It was built by the actions of Serbian police officers who were able to violate the rights of ethnic Albanians on a daily basis with almost complete impunity, despite the Federal Republic of Yugoslavia's obligations as a party to international human rights treaties – including the International Covenant on Civil and Political Rights – to uphold the rights of everyone in their society.

During the conflict, both sides have ignored basic principles of humanitarian law. As a result, the suffering caused has been immense. Hundreds of civilians have lost their lives, and well over 200,000 have fled their homes. Some people do not even know whether members of their families are alive or dead.

The road away from crisis is one towards a society in which human rights are guaranteed for everyone, whatever their ethnic background; one in which everyone sees themselves as free and equal in dignity and rights. Where no one is tortured or imprisoned for what they believe. Where all are equal before the law. Where everyone has the right to freely participate in their political system. And where the human rights violations that have occurred in the province have been properly investigated and those responsible brought to justice. Only then can the resentments and divisions that have been so much part of Kosovo's recent history be finally laid to rest.

## **PART 6 -- ACTION FOR HUMAN RIGHTS**

**Amnesty International is calling on the international community:**



- To assist the International Criminal Tribunal for the former Yugoslavia in its efforts to investigate the situation in Kosovo, and to provide the Tribunal with all the necessary financial and other support required to carry out its mandate effectively.
- To commit itself to providing financial resources and political support to an enlarged human rights monitoring program of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Federal Republic of Yugoslavia, enabling its field operation to effectively monitor human rights in the country as a whole including an adequately staffed field office in Kosovo.
- not to pursue any policies that prevent those forced from their homes from obtaining effective assistance and protection, across borders if necessary. States should respect the fundamental principle of *non-refoulement* of refugees, and meet their obligations to share responsibility for those in need of international protection.

**Amnesty International is calling on the Yugoslavian federal and Serbian national authorities:**

- To issue clear instructions to all police and other security personnel in Kosovo that deliberate and indiscriminate attacks on civilians, arbitrary arrests and expulsions and other human rights violations will not be tolerated under any circumstances, and that those responsible will be held criminally responsible for their actions.
- To allow immediate and unhindered access to the area for humanitarian agencies and UN human rights monitors. The OHCHR should now be granted the facilities to establish a constant presence in Priština.
- To allow the International Committee of the Red Cross (ICRC) unrestricted access to all areas of Kosovo and to permit the organization to visit all prisoners it requests to see, in accordance with established procedures.

- To cooperate fully with the International Criminal Tribunal for the former Yugoslavia in any investigations it may wish to conduct in Kosovo, and to permit the Tribunal and forensic experts to carry out their professional duties without restrictions.

- To promptly disclose the identity and whereabouts of those detained and instruct the police and other armed forces to allow them prompt access to lawyers - measures vital for the prevention of torture and to safeguard against "disappearances".

- To order prompt and impartial investigations into reports of human rights violations, to ensure that those responsible are held fully accountable and that victims, or their families, receive effective reparation.

**Amnesty International is calling on the Kosovo Liberation Army:**

- To ensure that all forces under its control abide by basic humanitarian law principles as set out in Common Article 3 of the Geneva Conventions of 1949. This prohibits the killing, ill-treatment or hostage-taking of civilians and insists on the humane treatment of captured enemy forces.

- To cooperate with international humanitarian agencies to ascertain the whereabouts and fate of prisoners reportedly detained by the KLA.

**What you can do**

Help raise awareness about the human rights situation in Kosovo. Distribute Amnesty International's publications, and contact the Amnesty International office in your country to ask how you can help.

Raise the issue with any relevant organizations. Write letters to the press about human rights violations in Kosovo.

Urge your government to act.

Write to your government. Urge ministers to publicly condemn human rights abuses in Kosovo.

Call on ministers to use their influence with the Government of the Federal Republic of Yugoslavia, and within intergovernmental bodies, to press for human rights reform.

Urge the Government of FR Yugoslavia to protect human rights

Write to:

President of the Federal Republic of Yugoslavia

Slobodan Milošević

Predsednik SRJ

Bulevar Lenjina 2

11070 Beograd, Yugoslavia

asking him to promote and protect human rights by taking the steps outlined above.

Urge the Kosovo Liberation Army to respect humanitarian standards

write to:

Dr Bujar Bukoshi

Representative of the Kosovar Albanians

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asking him as a leading member of Kosovar-Albanian civil society to use his influence to ensure that the steps outlined above are undertaken by the KLA. Please note that Dr. Bukoshi is not a member or official representative of the KLA but, as the "Prime Minister" of the parallel (and internationally unrecognized) "Republic of Kosova", is someone who may have significant influence within the Kosovar Albanian community.

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## KOSOVO BRIEFING PHOTO CAPTIONS

### Cover

Scattered belongings in a street in Orahovac, scene of clashes between KLA and Serbian forces in July 1998. © AP Photo / Srdjan Ilic

### Page 3 - Intro

Ethnic Albanian students in Priština, 1 October 1997. This peaceful demonstration was later violently broken up by Serbian police. © Reuters.

### Page 4 + 5 - Legacy of resentment

Ethnic Albanian demonstrators are sprayed by a police water cannon in Priština, 2 March 1998. Many were badly beaten after this photograph was taken. © AP

### Ill-treatment cases

Arian Curri

Vlora Maliqi

Merita

Fërdian Ibërdemaj

Soko Rugovac

Luigj Muaj

Qamil Xhemajli

### Page 6+7 - The slide into conflict

Serbian policemen near a burning ethnic Albanian house near the village of Mališevo, July 1998.

© Reuters

An ethnic Albanian walks between two rows of corpses as he tries to identify his relatives from Donji Prekaz. Srbica, 10 March 1998 © AP

Serb Maria Spašić, 60, cries while she awaits news of her son Marko, unaccounted for after being abducted in May 1998, apparently by the KLA. © Reuters

After the shootings, Serb police razed or bulldozed the Jasharis' part of the village, rendering it uninhabitable. © AP

Graves are dug for the dead of Donji Prekaz (© AI)

KLA fighters during a gun battle with Serbian police, June 1998. © AP

Page 8+9 - too dangerous to stay... and too dangerous to flee

Separated from her parents in the chaos that surrounded the destruction of her village, 10-year-old Antigona Tishukaj walked for four days across the mountains between Kosovo and Albania. She eventually found her mother across the border -- the picture shows her mother and cousin being reunited. © AP

Kosovo Albanians cross the border into Albania © Reuters 1998

An ethnic Albanian family, displaced from the area around Mališevo © Reuters 1998

Ethnic Albanian women who fled their homes after the killings in Donji Prekaz (*see over*) in a relative's kitchen in the neighbouring village of Gornji Prekaz, March 1998. © Reuters 1998

The wife (right) and family of Dr Shala © Wade Goddard

Page 10 - Towards a just society

Ethnic Albanian women light candles and carry banners against police violence, March 1998. © AP

BACK COVER

Ethnic Albanian women hold up blank pieces of paper to symbolize their lack of rights in Kosovo. © Reuters 1998

