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HUMAN RIGHTS IN A DISSOLVING YUGOSLAVIA

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Background

The events of 1989 that redefined the political map of Eastern Europe did not go unnoticed in the Socialist Federal Republic of Yugoslavia. The drive for political and economic change in Poland, Hungary, Czechoslovakia and elsewhere produced similar aspirations in Yugoslavia. Within the six republics comprising the Yugoslav federation, there have been pressures to end the one-party state and demands for multi-party democracy and increased respect for human rights.

There is a certain historical irony that Yugoslavia should find itself behind the times in the struggle for political freedom. Yugoslavia, which rejected Soviet domination in 1948, subsequently developed a reputation for being the freest and most liberal of the communist states in Europe. Its citizens were allowed to travel, to engage in small-scale private enterprise, and to read and produce artistic and journalistic works with a latitude unknown in its Warsaw Pact neighbors. To a certain degree, this liberality was real, as was Yugoslavia's integration with Western economies which brought Yugoslav citizens greater material prosperity than was available elsewhere in Eastern Europe.

Despite Tito's dictatorial rule, many Western governments, eager for security reasons to have Yugoslavia on their side, were willing to characterize Yugoslavia as "liberal" and to grant it Western aid. These attitudes helped obscure the extremely repressive aspects of the Titoist regime and its violations of human rights, some of which, including mass executions following the end of World War II and a very high number of political prisoners during the post-war years, are only now being examined publicly in Yugoslavia.

The 1989 revolutions in Eastern Europe had an effect on Yugoslavia, but efforts to reform and eliminate the apparatus of the one-party state and Titoism have been mixed with and, in many respects, overtaken by ethnic struggles that threaten the unity of the Yugoslav federation. Helsinki Watch takes no position on whether Yugoslavia should or should not stay together as a country, whether as a federation, a confederation, or under still other political arrangements. Our concern is that the human rights of each individual be respected, regardless of the political

system.

The Yugoslav federation consists of six republics, comprising a still larger number of officially recognized nationalities, still more ethnic minorities not necessarily given official recognition, and at least ten languages. These various ethnic and linguistic groups do not live within neatly partitioned regions. There are significant numbers of Serbs in Croatia, for example, significant numbers of Croats in Serbia, and significant numbers of both among the Moslem population of Bosnia-Hercegovina. The province of Kosovo contains a small minority of Serbs and Montenegrins among its ethnic Albanians, and Macedonia has a sizable ethnic Albanian minority.

There have been calls for the dissolution of Yugoslavia as a federal state in favor of a loose confederation of individual ethnic states. These calls have come in recent months from the governments of Slovenia and Croatia, recently elected in contested multi-party elections. They advocate a loose confederal structure in which each republic would control its own police, military and diplomatic relations, while "Yugoslavia" would exercise authority only on limited economic matters. As an alternative to confederation, the governments of Slovenia and Croatia speak of outright secession from federal Yugoslavia.1

The government of Serbia, strengthened by contested multiparty elections in December 1990 that affirmed the nationalist leadership of Slobodan Milosevic, has opposed moves either to create a confederation or to allow secession by Croatia and Slovenia. It has instead propagated calls to maintain a single Yugoslavia, while calling for a greater Serbian influence in Yugoslavia. It has imposed tariffs and duties on goods shipped from Croatia and Slovenia, and Croatia and Slovenia have done the same.2 Serbia's leading opposition politician, Vuk Draskovic, has said that any breakup of the Yugoslav federation will have to be accompanied by a redrawing of internal republic borders within Yugoslavia, by force if necessary, in order to take account of Serb minorities living in Croatia, Bosnia-Hercegovina and elsewhere.3 The Yugoslav army, which has principally Serb officers and a strong pan-Yugoslav political orientation, announced recently that it might move to disarm the police and militia of several republics.4

Pressures on the federal unity of Yugoslavia have been compounded by economic crises and ethnic tension. The hyperinflation of 1989 was largely brought under control by policies of the federal government, under the economic leadership of Prime Minister Ante Markovic who, however, increasingly appears to lack authority to act even within the economic sphere, let alone on matters of ethnic strife and actions by security forces within the republics. Political uncertainty has brought large parts of production and investment to a standstill, which in turn has decreased real wages and increased actual unemployment. Some popular unrest with economic conditions has found an outlet, with the complicity of the various republic leaders, in national chauvinism based on resentment of other ethnic groups in the country. The history of European fascism has shown that economic downturn and ethnic hatred are a frightening combination, especially when fanned by demagogic leaders.

Elections in Slovenia and Croatia in 1990 brought to power politicians and political parties whose platforms appear to be expressions of Slovenian or Croatian ethnic solidarity against, principally, Serbia, at least as much as they are endorsements of political pluralism and multi-party democracy. Indeed, the mission received some preliminary indications that, as the new governments in Croatia and Slovenia move to consolidate themselves,

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1 *RFE/RE Daily Report*, No. 191, October 8, 1990.

2 *RFE/RL Daily Report*, No. 209, November 2, 1990.

3 *RFE/RL Daily Report*, No. 206, October 29, 1990, citing Associated Press story.

4 See *The Washington Post*, "Yugoslav Aide Threatens Separate Republic; Federal Troops May Disarm Local Police," Dec. 4, 1990, p. A19.

freedom of the press to criticize those governments within those republics may actually have declined.1

It is too early to tell whether these new governments will in fact allow the evolution of true multi-party politics and enduring democratic institutions that would ensure the systematic protection of human rights. As one Croatian intellectual in Zagreb, Croatia, told the mission, "There are not as yet truly political debates within Croatia about the issues politicians are supposed to decide, such as where to build roads and schools. Everything is still a matter of ethnic solidarity, the solidarity of all Croatia against the outside. But that's not politics."2

The election in Croatia on April 22-23, 1990, of a nationalist Croatian president, Franjo Tudjman, raised great fears among the Serb minority living within Croatia. The Serb minority bears strong memories of atrocities committed against it by the Fascist Croatian regime during World War II. Accordingly, the Serb minority generally refused to participate in the Croatian elections or else aligned itself with parties in Serbia calling for either the maintenance of a strong federal Yugoslavia which, in its view, would better protect its minority status in Croatia or else the outright annexation of its villages into Serbia.3

Following the official Croatian elections, the Serb minority, in August - September 1990, organized its own unofficial referendum on its minority status, posing the question of whether there should be Serbian autonomy within Croatia.4 The new Croatian government characterized the referendum as illegal, and at first appeared willing to use police to prevent it from taking place. However, it retreated from its threat to stifle the referendum by force, apparently in part because of a move by the Yugoslav army to interdict the flight of Croatian police helicopters to the place where the referendum was being organized. Instead, it merely called the referendum unofficial and therefore without legal significance. The referendum went forward among the Serb population during August and September 1990, with the unsurprising result that the Serb minority declared its autonomy within Croatia, according to reports from the referendum's organizers. The result was increased tension between Croatia and Serbia over the status of the Serb minority in Croatia. (See below, "The Serb Minority in Croatia.")

Treatment by the Serbian government of ethnic Albanians in the province of Kosovo meanwhile continues to worsen, resulting in one of the most severe situations of human rights abuse in Europe today. Ethnic Albanians in Kosovo are being arrested *en masse*, beaten and in some instances tortured in prison, and subjected to mass firings from their jobs solely on account of ethnicity. Serbian police units have repeatedly used excessive force in confronting ethnic Albanian demonstrations, killing more than fifty people so far in 1990 alone.5

Security forces of the Serbian government, as discussed below, have attacked ethnic Albanian villages in apparent attempts at intimidation. The Serbian government has suspended the Kosovo parliament and other institutions of government in which ethnic Albanians participated, shut down for extended periods of time the main ethnic Albanian daily paper, *Rilindia*, and taken all Albanian language programming off Kosovo television and radio. It has embarked on a program to disenfranchise and marginalize the ethnic Albanian population in ways constituting racism, impermissible ethnic discrimination and a grave violation of the rights of ethnic Albanians to free expression and equal political participation.

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1 See *The New York Times*, "Truth Is A Casualty of Partisan Yugoslav Press," September 13, 1990, p. 9.

2 Interview with Dr. Zharko Puhowski, October 2, 1990, Zagreb.

3 See generally, *Helsinki Commission, Report on the Elections in the Yugoslav Republics of Slovenia and Croatia*, May 31, 1990.

4 See *The New York Times*, "Croatia's Serbs Declare Their Autonomy," Tuesday, October 2, 1990, p. A3.

5 See Helsinki Watch/International Helsinki Federation, *Yugoslavia: Crisis in Kosovo*, New York, March 1990.

Helsinki Watch expresses no view as to whether Kosovo should be an independent province, or a republic as its outlawed parliament declared itself to be on September 14, 1990. The concern of Helsinki Watch is that the human rights of all individuals, of whatever ethnic group, be respected in Kosovo, including the rights of expression and political participation.

In the past, Helsinki Watch reports have found much to criticize regarding the treatment of both Serbs and Albanians by earlier governments in Kosovo, including governments composed predominantly of ethnic Albanians. As recently as September 1989, when a joint Helsinki Watch/International Helsinki Federation mission visited Kosovo province, there was at the time some basis for the view that repression by the Serbian government against ethnic Albanians, who comprise some 90 percent of the province's population, was at least partly an attempt, albeit abusively carried out, to protect the Serb minority in the province, rather than simply an attempt to subjugate ethnic Albanian identity. Serb and other minorities had, in the view of Helsinki Watch and the IHF, suffered abuse in earlier years. A year later, however, in October 1990, there is no justification for any claim that the Serbian government's intervention in Kosovo aims more than marginally to protect the Serb minority.

Nor does the Serbian government seriously make such a claim. Its assertion of power over Kosovo province is, as Slobodan Milosevic has stated in his speeches, a matter of Serb pride of control over Kosovo as the ancient birthplace of Serbian culture. The Serbian government has therefore undertaken an ambitious program to resettle Serbs in Kosovo in order, in effect, to retake the province. This resettlement is being accomplished by a racist policy of displacing ethnic Albanians from government, schools, and workplaces. The policy has led to severe violations of human rights and the imposition of a military occupation on the civilian population.1

Expulsion of International Human Rights Monitors from Kosovo

The Serbian government has treated international human rights monitors with hostility, especially those who have gone to Kosovo to investigate charges of human rights abuse.

On September 2, 1990, a delegation of the International Helsinki Federation (IHF) went to Kosovo to examine conditions there. The delegation consisted of four citizens of Austria, Denmark, and Holland. On September 4, the IHF delegation members were detained overnight by Serbian secret police in a Pristina, Kosovo, hotel.2 Members of the delegation were interrogated at length by Serbian police, and one member of the delegation, an Austrian citizen of Albanian descent, was threatened with imprisonment. The delegation's notes and papers were seized by police and the members were told to leave Yugoslavia within twenty-four hours. Passports of the delegation's members were stamped indicating *persona non grata* status for a period of three years.

Diplomatic protests as well as nongovernmental protests to the government of Yugoslavia were appropriately harsh. Nevertheless, the Yugoslav government took days even to acknowledge that the expulsion had taken place. Subsequently, revealing the increasing weakness of the Yugoslav federal government in relation to the Serbian republic government, the federal government took the view that the expulsion order could be revoked only by a competent court in the republic of Serbia. After a month of negotiation, the expulsion order and *persona non grata* stamps were finally expunged. The IHF sent a delegation back to Kosovo in November 1990.

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1 *The New York Times* has described it as "an apartheid of sorts." See "Ethnic Rivalries Push Yugoslavia to Edge," *The New York Times*, October 14, 1990.

2 See *The Washington Post*, "Serbia Said to Arrest, Expel Rights Investigators," September 1990, p. 20.

The IHF expulsion was not an isolated incident. In July 1990, another human rights activist, Ms. Eva Brantley, was detained in Kosovo and expelled from Yugoslavia. And in October 1990, notwithstanding previous apologies of the Yugoslav government for the IHF expulsion, Mr. Bjorn Funnemark of the Norwegian Helsinki Committee, an affiliate of IHF, was similarly detained in Kosovo. In these actions, the government of Serbia has blatantly defied international human rights standards.

The Serb Minority in Croatia

Immediately following the crisis between the Croatian government and the Serb minority in Croatia over the unofficial Serb referendum (described above in "Background"), a new crisis developed involving an attempt by the Croatian government to collect weapons from reserve caches in police stations throughout the republic. The Helsinki Watch mission visited the site of demonstrations against the weapons collection in the town of Petrinja, observed a protest meeting organized by Serbian political parties in the Serb village of Glina, and visited a Serb village, Dvor na Uni, that was, in effect, under occupation by Croatian government militia forces. The mission took testimony from individuals at these locations and in addition, met with Croatian intellectuals and politicians in Zagreb and with Franjo Kuharic, the Roman Catholic Cardinal of Croatia.

It appears that sometime around September 29 or 30, 1990, the Croatian government began to carry out plans to retrieve weapons cached in local police stations.1 The weapons had long been kept in these locations as part of a defense reserve and militia program, but, as tensions increased over the question of Serbian autonomy within Croatia, the Croatian government apparently decided that the availability of these weapons posed a possible threat to public order. This decision was also likely influenced by the fact that most policemen in Croatia are Serbs and that some Serbs had blocked roads and impeded railway transportation in and around the town of Knin since late August. In addition, tensions between the governments of Franjo Tudjman in Croatia and Slobodan Milosevic in Serbia had escalated dramatically. Radio Belgrade broadcast declarations of Serb autonomy within Croatia that had been promulgated by various Serb minority organizations, mostly based in the town of Knin. There were calls for redrawing internal borders over the issue. The Croatian government responded that it would call upon the Croatian people to defend Croatian sovereignty with force.2 The attitude of the Yugoslav army was not clear, although it had prevented Croatian police helicopters from interfering with Serb activities some days earlier.

The Croatian government's decision to collect the reserve weapons apparently became known to the residents of Serb towns and villages in Croatia, and, in some cases, the residents seized the weapons before the government forces arrived. When special Croatian police units (composed of Croat nationals, not Serbs) arrived, generally late at night, in various towns to pick up the rifles and other munitions, they were met by Serb demonstrations. Serbs, who had suffered terribly at the hands of Croatian fascists during World War II, apparently believed that the current arms seizures would put them at the mercy of the Croatian government, a fear that was compounded by the fact that the arms seizures initially were carried out by special Croat-only police units, apparently hastily assembled and trained, and mainly in villages and towns that were predominately Serb. The Serb minority thus saw the seizures as a targeted disarmament, and not as a neutral move by the government on a general and non-ethnic basis to reduce the quantity of arms that might otherwise fall into private hands and present a threat to public order.

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1 See "Croatia's Serbs Declare Their Autonomy," *The New York Times*, October 2, 1990, p. 3.

2 Indeed, subsequently, on October 18, 1990, Croatia's President Franjo Tudjman stated that, in defense of independence, "we would first use all our regular forces of the Croatian Interior Ministry, and we would also invite our entire people to take arms." *RFE/RL Daily Report*, No. 200, October 19, 1990.

Knin. The most publicized incidents took place in the area around the town of Knin. News reports and interviews with persons who witnessed events in the area indicate that Serb crowds gathered at police stations in the region on successive nights from Friday to Sunday, September 28-30. The crowds gathered in response to reports that Croatian police planned to remove weapons from the police stations. On Sunday night, September 30, Serb groups in Knin and surrounding villages blocked area roads and railways by felling trees across them, and set up armed roadblocks on some roads. Press reports indicate the moves were in response both to anticipated searches of weapons and the arrest of Serbs for illegal weapons possession and disorderly conduct.1

According to witnesses interviewed by the Helsinki Watch mission, there was a great amount of fear and hysteria in both Serb and Croatian villages in the area. It was reported to the mission that whole villages, out of fear of being attacked at night, fled into the woods for several nights. There were reports of explosions on one main railway line into Knin, but no reports of casualties.

Petrinja. The Helsinki Watch mission visited the town of Petrinja, located some 50 kilometers outside of the Croatian capital of Zagreb, and compiled the following information. A Croatian police unit arrived in Petrinja, apparently around 3:00 a.m. on the morning of Saturday, September 29. A crowd of several hundred people was waiting for them, which later expanded, according to eyewitnesses, to around 2,000. The crowd surrounded the police station in Petrinja, which then surrendered. Weapons stored in the building were then taken by persons in the crowd, in order to prevent their seizure by Croatian police. According to two witnesses interviewed by the mission, the arms were voluntarily returned to the police station because of the action of the local police chief, a Serb, who went from house to house of persons known to have taken weapons and persuaded them to give them back.2 There was no violence in this process, according to an eyewitness.

Later in the morning of Saturday, September 29, around 9:00 a.m., however, a new demonstration developed at the police station. Additional Croatian police units had arrived in Petrinja, and the crowd was reportedly more violent, breaking windows in the police station, throwing stones, and calling for Serb autonomy. The Croatian police units called on the crowd to disperse by megaphone. Some 500 to 1,000 persons remained at the police station, confronting some 100 to 150 Croatian police.

At approximately 5:30 p.m. on Saturday, September 29, after a day-long standoff, Croatian police fired tear gas at the crowd and moved to disperse it. The mission received no information of live ammunition being used, and the mission is not aware of any deaths or serious injuries. Several dozen arrests were made in dispersing the crowd. Perhaps two hundred persons took refuge in the Yugoslav army compound, and others went to the local army headquarters asking for gas masks and assistance against the Croatian police. The army, however, reportedly closed the gates and the windows of the headquarters and refused to become involved. By approximately 6:30 p.m., the crowd had dispersed. Some persons taken into custody were transferred to police stations in other towns. The Serb police chief who reportedly had persuaded the crowd to surrender its weapons was later sacked by the Croatian Interior Ministry. The reserve weapons were then removed from the Petrinja police station, and the special Croat police units went on to other villages where similar disturbances were underway.

Glina. The Helsinki Watch mission went to the Serbian village of Glina, where a mass meeting of Serb peasants was underway, sponsored by two Serb nationalist parties. The rally was held in an open field, in front of a large monument, with loudspeakers and broad press coverage. Hundreds of cars and farm trucks passed over the narrow mountain roads, and approximately 1,000-1,500 persons were present. The immediate concerns of the

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1 See *The New York Times*, "Croatia's Serbs Declare Their Autonomy," Oct. 2, 1990, p. A3.

2 *The New York Times* account of October 2, 1990, states that the weapons were not returned. The mission has no further information that would settle the discrepancy in accounts, which are otherwise generally consistent.

speakers were the seizure of weapons in Serb villages and the arrival of Croatian special police forces, who, as discussed below, had virtually occupied some villages. The broader concern of the speakers was the issue of Serb autonomy within Croatia, and the matter of Yugoslav unity.

Although a few local police, generally unarmed, were present at the fringe of the meeting, the Croatian police presence was limited. Also striking was the fact that two well-known Croatian opposition politicians, Slobodan Lang and Ivan Cicak, were greeted without animosity at the meeting. Lang and Cicak are Croatian nationalists, in favor of confederation or secession, but neither are associated with the governing party of Croatian President Franjo Tudjman. Each had publicly expressed support for human rights of all persons in Croatia, and had attempted to mediate earlier disputes over the autonomy of the Serb minority.

In general, restraint appeared to govern the confrontation between the Croatian government and the Serb minority. Although its tactics were sometimes inappropriately heavy-handed and intimidating, the Croatian government appeared anxious to avoid violence. Nevertheless, the possibility of clumsy police tactics and attendant tragic consequences seemed frighteningly close at every moment. The fear and suspicion of the Serb minority was palpable: whole villages fled their homes on several nights, hiding out in the woods or corn fields for fear of pogroms.

Dvor na Uni. The Helsinki Watch mission observed a tense situation in the remote Serbian mountain village of Dvor na Uni. According to the president of the village commune, Croatian special police forces had arrived without warning or provocation at 11:00 p.m. on Friday, September 28, 1990. These special forces were composed entirely of Croat nationals, dressed in battle fatigues, and armed with automatic assault rifles or automatic pistols. Their equipment, in the view of the mission members who interviewed several of them, was appropriate to combat rather than to crowd control.

According to leaders of the village commune, these troops had taken over the police station and several municipal buildings, although they did not interfere with a general meeting of delegates to the commune council. Commune leaders reported that the troops carried out house searches without warrants or judicial orders. When asked the purpose of the searches, local householders were told that the troops were searching for weapons. Commune leaders also reported that schoolchildren had been searched by troops and forced to march with their hands over their heads; because of this, the commune leaders shut down the school. Several of the Croatian special police later denied that any searches of schoolchildren had taken place. On Saturday, September 29, a protesting crowd had been dispersed with tear gas. No shootings or other violence had occurred.

When the mission members asked the commune leaders if anything had occurred that might have brought troops to this village, commune leaders replied that on Thursday, September 27, the night before the special police units had arrived, police had come to seize arms in the police stations, and the population, in anticipation of the raid, had taken the arms from the police station. The special police units occupied the village the next day and began searching for the arms. Appeals to higher authorities, whether in Croatia or in the Yugoslav federal government, it was added, had been unavailing. No one, including the special police forces themselves, seemed to have any idea of how long the situation would continue.

The troops themselves, somewhere around fifty men, were living under difficult circumstances, rotating their shifts every four hours and sleeping on the buses in which they had arrived. Their food was cold army rations. They denied that anyone had been mistreated or arrested. They also claimed that their orders were to avoid deadly force under all circumstances unless fired upon. On the other hand, they were armed with assault weapons and tear gas; in an actual confrontation, the possibility of bloodshed loomed large. There were some indications that these troops were in fact inadequately trained for the police duties of crowd and riot control: those interviewed by the Helsinki Watch mission appeared to have been hastily recruited ex-soldiers, used for this purpose because they were Croat nationals.

The mission was later informed that some days after its visit to the village the troops were withdrawn without further incident. Indeed, the tension over weapons collections appears to have subsided for the moment. In the view of the mission, however, the Croatian government appears to have used inappropriate and intimidating amounts of force in Serb villages to carry out its orders to collect weapons, with troops ill-equipped for the task of crowd and riot control. A statement by the Croatian government, explaining the policy of weapons collection and assuring the Serb minority that the operation was not directed specifically against Serbs, might have helped to defuse the situation. Although predictions of imminent violence did not come true, none of the underlying political issues have been resolved in such a way as to prevent a new crisis.

Helsinki Watch does not dispute the authority of the duly constituted Croatian government, in the interest of public safety, to require that private arms be turned in or to collect reserve militia arms, and to use appropriate steps, under rule of law, to enforce such orders. However, Helsinki Watch believes that excessive force was used by Croatian police in, for example, the village of Dvor na Uni. There is reason to believe that the intent was to intimidate the Serb population as well as to bring about compliance with otherwise lawful orders to collect arms. Although the collection of arms was presented as part of a general program of public safety, at least in the early part of the collection program, the burden of the government orders appears to have fallen on the Serb villages alone.

Assault on the Village of Polat in Kosovo

The Helsinki Watch mission investigated reports of an attack on the ethnic Albanian village of Polat, which is reached by a dirt road some kilometers beyond the town of Podujevo in Kosovo province. In the predawn hours of September 13, 1990, the village was reportedly surrounded by several dozen Serbian police vehicles, including what appear from eyewitness accounts to be armored personnel vehicles and small tanks with mounted weapons. The village was assaulted by gunfire. Two young men were killed: Besim Latifi, a law student, age 22, and Skendar Munolli, age 33. Police forces sprayed indiscriminate automatic weapons fire at houses in the village, penetrating the windows and walls of some buildings. Thirty-three villagers from seven families were rounded up, taken to a police station, held for several days and severely beaten and tortured. A young woman named Azize Munolli, age 18, was held separately in police custody; she was later released in a state of severe disorientation and unable or unwilling to describe the details of her treatment to the Helsinki Watch mission. At least three village men, including Naim Latifi, Besim's older brother, were still being held without charges as of October 4, 1990. The mission conducted intensive interviews among the villagers in an effort to establish an accurate picture of what transpired.

The timing of the police assault, at dawn on September 13, does not appear to have been coincidental. On September 14, members of the banned Kosovo parliament, dissolved by the government of Serbia a few months before, met secretly to declare Kosovo an independent republic within the Yugoslav federation and no longer a province of Serbia.1 Such a position was absolutely unacceptable to the Serbian government, which moved to arrest various ethnic Albanian ex-parliamentarians, many of whom fled to safety in Croatia or Slovenia.

Although the government described the action at Polat as the killing of two "terrorists," the mission's own investigation did not yield any evidence that would support the account attributed to the government by the Serbian press.2 On the basis of available evidence, it appears more likely that the assault on Polat was an attempt to intimidate the ethnic Albanian rural population. A Western diplomat informed the mission that similar attacks on other villages appear to have occurred at the same general time.3 The mission was unable to visit rural sites other than Polat.

It was still dark when the Polat assault began. Hashim Latifi, father of the deceased Besim Latifi, awoke when he heard dogs barking. He heard shots and saw police vehicles force their way through the gate and into his yard. In a separate building facing the same courtyard, Besim Letifi and his brothers were sleeping. They got up, according to two of Letifi's surviving brothers, and came toward the door on the second floor of the house, leading to an outdoor stair. Besim Letifi was leading the way and, according to his brothers, was shot through the glass windowpane of the door as he opened it. The windowpane had a single bullet hole, and there were bloodstains just outside the door where he apparently fell. There were additional bulletholes in the wall around the door. The brothers said they were unarmed and received no warnings from the Serbian police outside.

The surviving brothers pulled the body back into the house and stayed there until Serbian police entered, searched the place, and then took them into custody. The boys' father described how he was beaten by police as he tried to go to his dead son. At the time of the interview on October 4, 1990, severe gashes were still visible on his head from, he said, blows from a rifle butt. Men and women were then systematically rounded up, placed in police vehicles and taken to the police station in Podujevo.

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1 *RFE/RL Daily Report,* No. 177, September 17, 1990.

2 Reuters reported stories from Radio Belgrade, a Serbian government-dominated medium, as saying there was a "confrontation between armed villagers and police who were searching for weapons." Reuters, September 13, 1990.

3 Reuters also reported that, according to ethnic Albanian leaders, there had been similar attacks in Repa and Metohija. Reuters, September 13, 1990.

In the house of Hamdi Latifi, 56 years old, an uncle of Besim Latifi, the family flattened itself against the floor, according to the father and mother, while troops outside sprayed it and several other buildings with indiscriminate fire. Several bullets passed through the walls of the house, narrowly avoiding hitting the inhabitants inside. The men in this house, too, were rounded up and taken to the police station in Podujevo, including an elderly man in frail health.

Several houses away, according to villagers, a young man, Skendar Munolli, slipped out of the house and ran toward the river. His motives for fleeing are unknown, but his family heard him screaming and later found each of his shoes in different places, one near a pool of blood, suggesting that he had been dragged. He was not seen alive after that, and his body was found at the Pristina hospital, reportedly with marks of beatings and a bullet hole in the hip. The family was unable to get the results of the autopsy from the Serbian doctors, and no definitive cause of death was established.

Azize Munolli, Skender Munolli's 18-year old niece, was seized by Serbian women police and taken to the police station in Pristina. She told the Helsinki Watch mission that she had been held for 24 hours in a big room and beaten by male policemen who kept coming and going: "It seemed like a 100 of them." She said that they had beaten her all over, including the soles of her feet, but claimed that she had not been sexually abused while in custody. She was released onto the street in a state of shock and was taken to a doctor, who examined her and treated her.

The other villagers who were arrested were taken to the Pristina police station where they were systematically beaten, some of them for several days before they were released. Interrogation was not, apparently, the purpose of the beatings; the questioning appeared to be cursory, according to the victims' accounts. The mission heard horrific stories of the beatings, including the beating of an invalid and of a visitor to the village, who was taken, beaten and forced to lick his own blood from the floor. One witness said that the police used the villagers' traditional hats to wipe up the blood and kept the hats as trophies.

Helsinki Watch calls for a full-scale investigation of the events in Polat and punishment for the perpetrators. It calls for investigations in other villages where similar atrocities may have occurred. It is particularly distressing that there has been so little outcry against such abuses within Serbia itself. Helsinki Watch calls upon Western governments to bring pressure upon the Serbian government to prevent such abuses from continuing.1

Macedonian Concerns

The mission met briefly in Skopje with various intellectuals and professors concerning issues of concern to ethnic Macedonians. These issues were focused less on the situation within Yugoslavia than on the treatment of Macedonians in neighboring Bulgaria and Greece. The mission received accounts of human rights abuses against ethnic Macedonians in both countries. Helsinki Watch is now undertaking an investigation of these and related allegations.

The Role of U.S. and West European Governments

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1 Of grave concern is the abduction on October 6, 1990, of Dr. Bujar Bukoshi, a prominent leader in the Democratic League of Kosovo, by Serbian police in what appeared to be a virtual dry run of a death squad killing. According to information made available by a human rights delegation of the Bar Association of the City of New York, which was in Kosovo the week following the Helsinki Watch mission and which conducted extensive interviews with the victim, Dr. Bukoshi was kidnapped off the street by plainclothes armed men, taken to a safe house, interrogated and beaten, then released and dumped, handcuffed, in a field some distance from Pristina. See the forthcoming report of the Delegation to Yugoslavia of the Bar Association of the City of New York.

During the Cold War, US and Western European policy toward Yugoslavia was based on the goal of keeping it independent of the Warsaw Pact. As part of this policy, Western governments avoided criticizing Yugoslavia's human rights practices. Their aim was to keep Yugoslavia stable and thus invulnerable to Soviet pressure. With the end of the Cold War, and the growing recognition that no foreign influence may suffice to hold Yugoslavia together in its current form, such attitudes were changing.1

Helsinki Watch takes no position on whether Yugoslavia ought to remain a single federal country, a confederation, or break up entirely. Its only concern is that the human rights of all individuals, including members of minority groups, are respected throughout the territory. Accordingly, it urges that economic sanctions be imposed by foreign governments to persuade Yugoslavia and its internal republics to comply with international human rights standards.

In point of fact, the European Community is by far the most important trading partner and economic actor with respect to Yugoslavia, both now and in the foreseeable future. As a consequence, the European Community and its members have the greatest ability to pressure Yugoslavia to improve its human rights record.

The United States also has some leverage. On November 5, President Bush signed into law the legislation which appropriates foreign assistance for fiscal year 1991. It included a provision (which takes effect six months after enactment, or in May 1991) which bars bilateral assistance to Yugoslavia and also requires US representatives to international financial institutions to oppose loans to Yugoslavia unless all six of the individual republics of the Federal Republic of Yugoslavia have held free and fair multiparty elections and are not engaged in a pattern of gross violations of human rights. Humanitarian assistance is exempted from this provision. The law permits the President to waive the provisions if Yugoslavia is found to be making "significant strides toward complying with the obligations of the Helsinki Accords and is encouraging any Republic which has not held free and fair elections to do so." Now that multiparty elections have been held in all the republics there is reason to fear that the provision may be deemed satisfied despite the ongoing abuses that are taking place in Kosovo. Helsinki Watch would oppose such a move until gross abuses in Kosovo are curbed.

Yugoslavia stands to receive considerable assistance from international financial institutions. Section 701 of the International Financial Institutions Act requires the US to oppose such loans to any country engaged in a consistent pattern of gross violations of internationally recognized human rights. Again, Helsinki Watch urges the US to oppose such loans because of the violations of human rights in Kosovo.

Various members of Congress, some acting in response to ethnic constituencies in their home districts, have taken an interest in Yugoslavia and brought considerable publicity to human rights issues, particularly in Kosovo.2 The US ambassador to Yugoslavia, Warren Zimmermann, has also scrupulously attacked violations of human rights by all perpetrators. Ambassador Zimmermann has not hesitated publicly to criticize and denounce violations; members of his staff have actively sought out information on abuses and brought them before government authorities. The record of the US embassy in this regard has been exemplary, especially as the crisis in Kosovo deepened.

Nevertheless, as a matter of policy, Ambassador Zimmermann and the US State Department do not support the suspension of such US economic assistance as exists. The State Department makes the traditional argument that a stable, unified Yugoslavia is important to US security interests. In addition, an argument has been made against

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1 See Jeri Laber and Kenneth Anderson, "Why Keep Yugoslavia One Country?" *The New York Times*, November 10, 1990.

2 For example, public statements by Senator Dole while he and other members of a US Congressional delegation were in Kosovo in September received wide press attention in Yugoslavia and elsewhere. See Reuters, September 7, 1990.

economic sanctions on human rights grounds. Economic sanctions against Yugoslavia, it is said, particularly if imposed in a way that undermines the Yugoslav federal government, will inevitably tend to drive Yugoslavia to break up, with human rights virtually guaranteed to suffer. Conversely, it is argued, strengthening the Yugoslav federal government, while publicly denouncing the abuses engaged in by its constituent republics, aims at the best human rights outcome. Helsinki Watch recognizes the strengths and good intentions of this argument.

Nonetheless, Helsinki Watch does not endorse this position. As a human rights monitoring group, we do not take positions on which political arrangements within Yugoslavia or which political strategies may or may not ultimately serve to protect human rights. Rather, Helsinki Watch believes that the United States should distance itself from abusive governments and express its disapproval by ending most forms of economic support, as provided by US human rights law. Section 116 of the Foreign Assistance Act provides that governments engaged in a consistent pattern of gross violations of human rights should be given no economic assistance except that which benefits the poor, or meets basic human needs. Such gross abuses -- including torture and arbitrary killings -- are being committed in the province of Kosovo because of the policies of the Serbian government. Because the federal government in Belgrade continues to be, formally at least, the government of all Yugoslavia, it must under US law be held responsible for human rights abuses that occur in the various republics.

Helsinki Watch also takes the position that sanctions should be directed not only at the government formally responsible for preventing abuse, but also at any abusing agencies, such as abusive security forces or abusive local governments. If, in fact, the federal government of Yugoslavia lacks control over the security forces of its various republics, as more and more appears to be the case, then it becomes increasingly important that to the extent possible economic sanctions be applied directly against the republic governments engaged in abuse, as would be possible in the case of development aid or loans that might bypass the central government.

Helsinki Watch thus urges that economic sanctions be used against the federal government of Yugoslavia and, when possible, against the government of the republic of Serbia which is involved in egregious human rights abuses in the province of Kosovo. We also urge that the situation in other republics of Yugoslavia be carefully monitored, especially in Croatia where there is a potentially explosive human rights situation, and that economic sanctions be applied in the future to any Yugoslav republic engaged in egregious human rights abuses.

This report was written by Kenneth Anderson, an attorney in private practice in New York City, in collaboration with Jeri Laber, Executive Director of Helsinki Watch. It is based on the findings of a mission by Laber and Anderson to Yugoslavia between September 29 and October 6, 1990. Assistance in preparing the report was provided by Sarai Brachman amd Jemima Stratford. Helsinki Watch expresses special thanks to Sullivan & Cromwell, New York, for its pro bono lawyer time and word processing assistance and, in particular, to M. Bernard Aidinoff of Sullivan & Cromwell, a member of the U.S. Helsinki Watch Committee.

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