

DEEPENING AUTHORITARIANISM IN SERBIA: THE PURGE OF THE UNIVERSITIES

SUMMARY	3
RECOMMENDATIONS.....	5
BACKGROUND.....	7
THE UNIVERSITY ACT OF 1998	9
“Depoliticizing” the Campuses.....	10
Faculty and Student Response	10
THE GOVERNMENT TAKEOVER OF THE UNIVERSITIES	12
DISMISSALS AND SUSPENSIONS OF FACULTY AT THE UNIVERSITY OF BELGRADE.....	13
THE IMPACT OF THE LAW AT THE PHILOLOGY (LANGUAGES AND LITERATURES) FACULTY	14
Suspension of Nineteen Professors; Dismissal of Six	15
Changes to the Curriculum	15
Case of Ranko Bugarski.....	16
THE IMPACT OF THE LAW AT THE ELECTRICAL ENGINEERING FACULTY	17
Case of Slavoljub Marjanovic.....	18
Suspension of twelve professors	18
Suspension of students Veljko Janjic and Stevan Koprivica	18
Internet Censorship	19
THE IMPACT OF THE LAW AT THE LAW FACULTY	19
Case of Vladimir Vodinelic	20
Case of Dragoljub Popovic, Dragor Hiber, and Mirjana Stefanovski	20
Suspension of Ten Professors	21
Case of Vojin Dimitrijevic	21
Case of Vesna Rakic-Vodinelic	21
Suspension of Marija Rudic	22
FACULTY AND STUDENT RESPONSE	22
Violence against Students	23
APPENDIX A	25

University of Belgrade Faculty Members Who Have Been Dismissed or Suspended, or Who Have Left the Faculty in Protest.....	25
APPENDIX B.....	29
Mission Statement of the Alternative Academic Educational Network (AAEN).....	29
APPENDIX C.....	31
International Appeal—Alternative Academic Educational Network (AAEN).....	31
ACKNOWLEDGMENTS.....	32

SUMMARY

Under the pretext of "depoliticizing" the campuses, the Serbian parliament in May 1998 enacted a law that removed basic protections for academic freedom and destroyed the autonomy of universities in Serbia. Over the past seven months, leaders of the ruling parties have put their own political allies in charge of the campuses and have suspended or fired many of the most respected professors and researchers in Serbia.

The de facto government takeover of the universities is part of a broader effort by Yugoslav President Slobodan Milosevic to shut down dissent, autonomous inquiry, and free expression in Serbia. With the attention of the international community focused on preventing further bloodshed in conflict-ridden Kosovo, Milosevic and his political allies have used their control of the Serbian parliament to enact and implement draconian new laws severely restricting independent media and freedom of expression. The universities, a center of large-scale demonstrations against the government in 1996-97, are one of the primary targets.

The law on universities enacted in 1998 opened the door to politically-motivated interference by creating a new university management structure in which all key personnel at all six of Serbia's public universities are appointed by and ultimately answer to the ruling political authorities. The ruling parties include the Yugoslav Left (JUL), led by Mira Markovic, wife of Milosevic; the Serbian Radical Party (SRS); and Milosevic's own Socialist Party of Serbia (SPS). At the University of Belgrade, the country's premiere university and home to some 60,000 students, nearly forty high-ranking politicians and members of the ruling parties now hold administrative or governing board positions. Among them is Vojislav Seselj, head of the ultra-nationalist Radical Party, coalition partner of Milosevic, and deputy prime minister of Serbia. Seselj was the leader of a paramilitary group which was active in the wars in Croatia and Bosnia. There are numerous and substantive allegations that paramilitaries under his command committed atrocities during brutal ethnic cleansing campaigns conducted by Serbian and Bosnian Serb forces. Seselj was named to the new managing board of the university and to the boards of two faculties. Faculty deans, previously elected by teaching staff, are now appointed directly by the government. Of sixteen new deans appointed at the University of Belgrade, fifteen are members of the ruling parties.

The new law also abrogated the contracts of all professors and teaching staff by requiring them, regardless of the terms of existing contracts and guarantees of tenure, to sign new contracts within sixty days of enactment of the law. Many professors saw the new contract requirement as, in effect, a mandatory oath of loyalty to the regime. Despite the obvious risks to their careers, roughly 150 professors refused to sign. As of January 5, 1999, fifteen professors had been fired, forty-six more had been suspended or otherwise sanctioned, and the minister of education had warned that all who have not signed the new contracts face dismissal.

In some faculties, the newly appointed deans have used the broad powers given them under the new law not only to root out dissident faculty but to fundamentally alter the curriculum. Some of the most far-reaching changes have taken place at the Faculty of Philology (home to over twenty departments in the areas of foreign languages, literatures, and linguistics) at the University of Belgrade. There, the government-appointed dean, a member of Seselj's ultra-nationalist party, unilaterally decided that Croatian literature does not exist (it is now to be called "Catholic Serb literature"), dismantled the Department of World Literature, and has declared repeatedly that Serbian scholarship has been invaded by a "fifth column" of Western-inspired traitors.

In at least three faculties, the new deans have hired private security guards to prevent the ousted professors from returning to their offices and classrooms. Members of a new student movement called Otpor ("Resistance") have been arrested or arbitrarily detained and, in separate incidents in December 1998, Otpor members were beaten by police and by unidentified assailants believed to be acting at the request of Serbian authorities.

Unless the law is repealed and university autonomy is reestablished, this is the climate in which Serbia's future leaders will receive their training. Academics and students interviewed by Human Rights Watch in November

emphasized that the predictable consequences will be further brain drain, erosion of academic standards, and a chill on free expression in Serbia.

Government officials and university administrators close to the government have justified the law by stating that they are merely asserting the state's rights as "founder" of the universities and that the changes were necessary to prevent the campuses from again becoming a center of political protests. To the extent the law has been used by government-appointed university administrators to remove, sanction, or otherwise harass faculty members who have been critical of the government or active in the opposition, it violates internationally recognized human rights law. Such actions, when in response to legitimate and peaceful exercise by professors of their rights to free expression, association, and assembly, violate the International Covenant on Civil and Political Rights, of which Yugoslavia is a signatory.

Some officials have also made vague assertions that professors had been using their classrooms for partisan political purposes. Although it is true that professors have an obligation not to use the classroom for such purposes, professors no less than other individuals have the right, as citizens, to state their views and participate in public affairs without fear of losing their jobs. Rather than using established disciplinary proceedings against alleged wrongdoers, Milosevic and his allies have chosen to launch an assault on the foundations of academic freedom and intellectual autonomy.

The crackdown on universities is significant, moreover, not only for the damage it is doing to higher education in Serbia, but also because it is undermining the establishment of strong and autonomous institutions of civil society, a precondition to any long-term resolution of the conflicts in the region. In principle, the university should be an institution open to all on the basis of merit, serving as an important resource not only to the state but also to individuals and interests independent of the ruling parties of the day. In practice, however, the new law appears to be turning universities into institutions that exclusively serve the interests of the present leaders of the Serbian government.

Shortly before this report went to press, government-appointed deans at the philology and electrical engineering faculties at the University of Belgrade softened their stance somewhat and invited suspended professors to return to their jobs. At both faculties, the deans had been under pressure from faculty members and students, many of whom were boycotting classes and exams, as well as from international observers and overseas colleagues. As described below, however, the actions of the two deans did not reestablish academic life as usual at the respective faculties, and hundreds of students and dozens of professors were continuing to boycott classes and exams. So long as the 1998 university law remains in effect, moreover, giving the government power to hire and fire deans and other administrators at will, academic freedom in Serbia will not be secure no matter what decisions are made in individual cases.

This report documents the state's politically motivated takeover of Serbia's academic institutions. It does not, however, address the grave abuses the government is committing in Kosovo against ethnic Albanians who have been denied access to Albanian-language education for close to a decade. Past Human Rights Watch reports have addressed discrimination in Kosovo and the government's attack on minority rights and academic freedom there.¹

RECOMMENDATIONS

Human Rights Watch calls on the Serbian (republican) and Yugoslav (federal) governments to:

- repeal the May 1998 "University Act" and institute safeguards for university autonomy and academic freedom in Serbia;

¹See Human Rights Watch/Helsinki, *Open Wounds: Human Rights Abuses in Kosovo* (New York: Human Rights Watch, 1993), pp. 112-125; Human Rights Watch/Helsinki, "Persecution Persists: Human Rights Violations in Kosovo," *A Human Rights Watch Report*, vol. 8, no. 18(D), December 1996. 4 January 1999, Vol. 11, No. 2 (D)

- reinstate faculty members who have been fired, suspended, forcibly retired, or otherwise removed from their positions solely for legitimate and peaceful exercise of their rights to free expression, association, and assembly;
- restore the academic standing of students suspended for peacefully protesting the law;
- respect internationally recognized guarantees of free expression, assembly, and association, including the exercise by professors and students of their rights as citizens to hold opinions without interference and to express their views without fear of expulsion, dismissal, or other forms of retaliation or intimidation;
- in any disciplinary proceedings against teaching staff, ensure that the right to free expression is respected by proceeding only on a case-by-case basis according to the terms of existing employment contracts and, where applicable, existing guarantees of tenure. Such proceedings should be adjudicated by an impartial arbiter, giving the individual professor or teacher involved every opportunity to defend himself or herself according to recognized principles of contract law and due process;
- respect the rights of academics and students to communicate their views freely to the public via the media; prepare new media laws and regulations in full consultation with the independent media in Yugoslavia that guarantee freedom of expression; and
- cease retaliatory arrests and beatings of student activists and adhere at all times to international standards governing the policing of civilian protest.

Human Rights Watch calls on the United Nations to:

- urge the special rapporteur on the former Yugoslavia to make a priority of regularly monitoring laws and regulations governing the universities, the media, and free expression in Serbia and the Federal Republic of Yugoslavia, report publicly on his findings, develop specific recommendations for reform, and raise this issue in the context of discussions regarding the former Yugoslavia at the upcoming Commission on Human Rights; and
- urge the recently expanded mission in the Federal Republic of Yugoslavia (FRY) of the high commissioner for human rights, in cooperation with the special rapporteur, to exert and maintain pressure on the government to repeal the 1998 university law and other legislation that violates freedom of expression.

Human Rights Watch calls on the international community, including the European Union and the United States, to:

- discuss the issues and recommendations raised in this report in bilateral and multilateral meetings with Yugoslav government officials, and emphasize the importance of Yugoslavia respecting its international human rights obligations, including the right to free expression and assembly;
- provide assistance to Yugoslavia's civil society, especially local nongovernmental organizations and the independent media; and
- fund international academic exchanges and facilitate continued access for Serbian academics to professional materials and publications.

Human Rights Watch calls on the Council of Europe to:

- make any future consideration of FRY's pending membership application contingent on establishment of guarantees for academic freedom and free expression; and
- insist that the Parliamentary Assembly direct the relevant committee specifically to assess restrictions on academic freedom in Serbia.

Human Rights Watch calls on the Organization for Security and Cooperation in Europe (OSCE) to:

- make the readmission of the long-term observer mission a precondition to FRY readmission to the OSCE, and ensure that the duties of the mission include regular monitoring of laws and regulations governing universities, the media, and free expression in Serbia.

Human Rights Watch calls on members of the international academic community to:

- continue to send individual letters and institutional declarations of protest to Yugoslav President Milosevic, Serbian Education Minister Todorovic, Serbian President Milutinovic, and Rector Jagos Puric of the University of Belgrade;
- provide moral and material support to academic colleagues in Belgrade affected by the crackdown, and to students arrested and beaten for expressing their views;
- donate textbooks, subscriptions to scientific journals, and other teaching and research materials to independent academic organizations such as the Alternative Academic Educational Network (AAEN), a nonprofit organization formed by professors in response to the assault on university autonomy;
- support the activities of the AAEN in academic programs as visiting professors, or as temporary lecturers;
- invite fired or suspended professors for semester- or year-long sabbaticals at universities outside of Yugoslavia; and
- mobilize professional academic organizations worldwide to lobby the Yugoslav and Serbian governments to repeal the university law and reestablish academic freedom in the country.

BACKGROUND

In 1998, Yugoslav President Milosevic instituted far-reaching controls on both the independent media and the university community. Although the subject of this report is the law on universities and its consequences for academic freedom and free expression in Serbia, the crackdown on the campuses should be understood as part of a larger campaign by the government to rein in independent inquiry and silence independent voices. This section begins with an overview of the government's crackdown on the media in 1998, and then discusses the genesis of the campus controls.

The Milosevic government has long implemented a variety of restrictions on Yugoslavia's independent newspapers, magazines, and television and radio stations.² Censorship is not always blatant, but often is applied through financial controls, legal manipulation, and police harassment. The complex and contradictory set of media laws in Serbia and Yugoslavia has made it difficult for most independent radio and television stations to obtain frequency licenses. At the same time, stations that are either blatantly pro-Milosevic or, at least, wholly uncritical have regularly obtained licenses. Despite numerous promises, the government consistently has failed to introduce legislation that would allow private stations to obtain broadcast licenses in a fair and apolitical manner.

In March 1998, five independent newspaper editors were charged with disseminating misinformation because they referred to Albanians who had died in Kosovo as "people" rather than "terrorists." The charges were later dropped, but the state's action had a chilling effect on the press. On May 16, 1998, the results of a public tender to obtain temporary broadcast licenses were announced: the vast majority of independent radio and television stations that had applied for licenses were denied them, while numerous stations with close business or political ties to the ruling elite were granted permission to broadcast, including a radio station owned by Milosevic's son, Marko, and a television station for his daughter, Marija. In July, Mira Markovic, the head of the Yugoslav Left (JUL) party and Milosevic's influential wife, accused Yugoslavia's independent press of treason, a theme echoed the same month by Milosevic coalition partner Seselj, who asserted: "All you journalists working in outlets which you know for sure get money from abroad should be aware that you are working for Serbia's enemies and against Yugoslavia, [that] you are working for the foreign intelligence services."³

The government crackdown on independent media intensified when NATO forces were threatening intervention in Kosovo in late September and early October. In a Serbian parliament session on September 29, Seselj said: "If we cannot grab all their [NATO] planes, we can grab those within our reach, like various Helsinki committees, and Quisling groups." In a press conference in Belgrade on October 1, he proclaimed: "To those who we prove have participated in the service of foreign propaganda and those are the Voice of America, Deutsche Welle, Radio Free Europe, Radio France International, and the BBC radio service et cetera. If we find them in the moment of aggression they shouldn't expect anything good." The heightened rhetoric culminated with an emergency decree setting forth vague new restrictions on the media announced in early October. Many of the provisions of the decree were embodied later the same month in a new law, the Public Information Act.

Under the new law, the government gave itself broad powers to ban foreign radio and television broadcasts that it deemed to be "of a political-propaganda nature," and provided for exorbitantly high fines for domestic media that violated the law. On October 23, the owner of *Dnevni Telegraph* and *Evropljanin* magazine, Slavko Curuvija, was charged with publicizing information "jeopardizing the territorial integrity and independence of the Republic of Serbia and Federal Republic of Yugoslavia" for, among other things, publishing an open letter to Milosevic strongly criticizing the government. He and the magazines' editor and publisher were found guilty and fined 2,400,000 dinars

²For an overview of the crackdown on the media in 1998, see Free 2000 (The International Committee to Protect the Independent Media in Yugoslavia), "Restrictions on the Broadcast Media in FR Yugoslavia," September 1998. The report, together with other material on media restrictions in Yugoslavia, can be found at: www.free2000.opennet.org. See also Human Rights Watch/Helsinki, "Discouraging Democracy: Elections and Human Rights in Serbia," *A Human Rights Watch Short Report*, vol. 9, no. 11(D), September 1997.

³Human Rights Watch, "Restrictions on the Broadcast Media," p. 21.7

(U.S.\$230,000), an enormous sum in Yugoslavia even for a major publisher. In November and December, a number of other publications were fined similarly devastating sums.

Throughout 1998, the government also maintained direct control of state radio and television, which provided news for the majority of the population. State programs continued to glorify the government's accomplishments, conceal its failures and, most importantly, manipulate the fears of the population and spread disinformation about Kosovo. The government's control of the media also limited the public's access to information about violations of civil and political rights in parts of Serbia outside Kosovo, including the government's politically motivated takeover of the universities which is the subject of this report.

Serbia's campuses were a center of protest during Tito's rule and have continued to be centers of dissent under Milosevic. Although, as elsewhere, universities in Serbia are home to a spectrum of political views, significant anti-Milosevic rallies have taken place on the campuses since the early 1990s. Today, there are six public universities in Serbia—two in Belgrade, and one each in Nis, Kragujevac, Novi Sad, and Prishtina—enrolling roughly 100,000 students. Private universities are few, with the largest, Brothers Karic University in Belgrade, enrolling only about one hundred students. The center of academic life in Serbia is the University of Belgrade. It is the largest university, with roughly 60,000 students at thirty faculties and over 4,000 professors, researchers, and lecturers. It is also where protest activity has been strongest and where the government crackdown has been most pronounced.

In response to major protests in 1991 and 1992, the Milosevic government enacted legislation increasing government representation on faculty councils at public universities. Although there had been some government representation on such councils prior to 1992, the new legislation expanded the membership of the councils so that the government controlled one-half of the seats. At the University of Belgrade, the membership was expanded to seventy-six: thirty-eight seats for the government to match the thirty-eight seats already held by representatives of the teaching staff (one representative for each of the thirty faculties at the university and one for each of the eight research institutes that at the time were affiliated with the university). The new legislation thus gave Milosevic effective veto power over major decisions at the university.

In late 1996, notwithstanding increasingly direct government involvement in academic affairs, the University of Belgrade emerged as a nationally prominent center of anti-government protest. For 119 consecutive days at the University of Belgrade, tens of thousands of protesters took to the streets after the government annulled the results of local elections that were won by the opposition coalition. The coalition, called Zajedno, consisted of three parties: the Serbian Renewal Movement, the Democratic Party, and the Civic Alliance. On some days, crowds at the rallies in support of the coalition reached 150,000 people.

Student leaders at the University of Belgrade demanded recognition of the local election results and removal of the rector (who had supported police actions against the protesters). 3,450 professors, assistants, and researchers, some two-thirds of the staff at the university, signed a petition supporting the students' demands.⁴ Protesters from diverse political backgrounds, from nationalist critics of Milosevic to anti-war groups, united in the opposition.

In February 1997, the government finally acknowledged the opposition's electoral victories and in March the University of Belgrade rector stepped down. A major split emerged between two of the parties that had formed Zajedno and the coalition disintegrated. Likewise, the creative and spontaneous student movement gradually fell apart. The Democratic Party, the Civic Alliance, and ten other opposition parties then boycotted several rounds of Serbian state elections in 1997 due to what they saw as state control of the media, discriminatory election laws, and gerrymandering of election districts. In April 1998, Milosevic entered into an alliance with Vojislav Seselj, leader of the ultra-nationalist Serbian Radical Party. This was significant because, in the second round of the 1996 local elections, Seselj's backers had supported the Zajedno coalition rather than Milosevic's SPS party, and, as swing voters, had provided the margin of victory for the opposition coalition.

⁴Human Rights Watch/Helsinki. "Discouraging Democracy: Elections and Human Rights in Serbia." *A Human Rights Watch Human Rights Watch*. 11(D), September 1997.

As a result of these developments, Milosevic and his ultra-nationalist allies emerged in firm control of the government. At the time the new law on universities was enacted in May 1998, the opposition was in disarray and the campuses were quiet. With international attention in the region focused on Kosovo, Milosevic took the opportunity to crack down both on the independent press and on the universities, particularly the University of Belgrade, that had served as centers of the 1996-97 protests.

Institutionally, the universities had already fallen on hard times prior to the new law, the effect of years of war, international sanctions, and slashed budgets. Faculty interviewed by Human Rights Watch stated that the war and sanctions had slowed the flow of goods and information into the country, including textbooks and scientific journals, to a trickle. Many of the best and brightest students and graduates left the country. Milan Kurepa, a retired Yugoslav physicist, said that at the physics research institute that he had once headed, eleven of fourteen researchers who hold doctorates have left the country in recent years, most for the United States and Canada, and that laboratory equipment has stopped working, or is antiquated and deteriorating.⁵ Nikola Tucic, a geneticist, said that of the last ten graduating classes in biology, only a handful of students have remained in the country.⁶

Early in 1998, there had been some hope at the universities. Although government officials had threatened to enact stringent new legislation to control the campuses after the 1996-97 protests, no such action had been taken. Even though the government had reserved for itself 50 percent of the places on university councils, faculty members had managed to use quorum requirements and the 50 percent of the votes still in faculty hands to defeat government efforts to punish professors who had been politically active. Milan Milutinovic, president of Serbia, had promised that new legislation on the universities would be drafted in consultation with faculty leaders. On May 9, 1998, however, without prior warning, the government announced that it had drafted a new law on the universities for consideration in parliament later the same month.

THE UNIVERSITY ACT OF 1998

On May 26, 1998, the Serbian parliament passed the University Act, giving the Serbian government broad new powers over public universities in Serbia. The law was published in the official gazette of the Republic of Serbia and signed into law on May 28, 1998. The University Act abolished the autonomy of the universities through the following measures:

- The law ended faculty self-governance by mandating that university rectors and faculty deans be appointed directly by the government (Article 108; Article 123, para. 2). The law then strengthened the power of the government-appointed rectors and faculty deans through provisions giving each “the rights and duties of a company director, unless otherwise determined by this Law” (Articles 109, 122).
- The law created new university and faculty-level managing and supervisory boards, the membership of which is to be determined by the government, giving such boards many of the powers formerly exercised by elected faculty councils (Articles 128, 131). Although such boards include places reserved for professors and students, such individuals are appointed by the government, and can be removed by the government and there is no provision for input or proposal of candidates by teaching staff.
- The law authorizes the government to shut down public universities at its discretion (Article 18, para. 2).

The University Act also abrogates existing contracts of teaching staff, including the contracts of tenured faculty members:

⁵Human Rights Watch interview, Belgrade, November 11, 1998.

⁶Human Rights Watch interview, Belgrade, November 12, 1998.

- The law requires that all professors and other teaching staff sign new employment contracts. Article 165 of the law states: “Employees of the University who have begun employment up to the date of entry into force of this law are obliged to conclude a labor contract within 60 days of the entry into force of this Law.”

“Depoliticizing” the Campuses

As described below, the ruling coalition has used the powers conferred by the new law to place its own people in university leadership positions and to dismiss, suspend, or otherwise sanction dissident professors. Since the law was enacted, administrators deemed unsuitable by the government have been replaced at universities across Serbia. Roughly 150 professors refused to sign the new “contracts,” viewing them as unconstitutional and as akin to loyalty oaths. Fifteen of those professors have been fired, forty-six have been suspended or otherwise sanctioned, and the status of the rest remains uncertain. All who have not signed have been threatened with dismissal.

Government officials and university administrators close to the government have justified their actions by saying that they are merely asserting the state’s rights as “founder” of the universities, that the faculty members who were targeted were more interested in opposition politics than in teaching, and that the changes were necessary to prevent the campuses from again becoming a center of political protests. The Serbian government’s academic justification for its assault on the universities is pernicious. Experience has repeatedly demonstrated that academic freedom—and the spirit of critical inquiry it embodies—cannot flourish where members of the academic community must fear censorship and politically motivated reprisals for the expression of their views. Although it is true that professors have an obligation not to use the classroom for partisan political purposes, professors no less than other citizens have the right to state their views and participate in public affairs without fear of losing their jobs. The government’s actions have thoroughly politicized the campuses, violating the rights of those professors who were fired or suspended to express political views and chilling inquiry and expression on campus.

If university officials believe that professors or other teaching staff are not fulfilling their responsibilities they should proceed against such individuals on a case-by-case basis according to the terms of existing employment contracts and, where applicable, existing guarantees of tenure. Such proceedings should be adjudicated by an impartial arbiter, giving the individual professor or teacher involved every opportunity to defend himself or herself according to recognized principles of contract law and due process. Finally, whatever the motives of the government in passing the University Act, the new law removes existing safeguards for academic autonomy and thus opens the door to political meddling in academic affairs by both present and future governments of Serbia.

Faculty and Student Response

As soon as the law was announced on May 9, 1998 faculty members organized to oppose it, seeing it as politically motivated retribution for the role played by the campuses in the 1996-97 protests and as a way to bring the entire academic community to its knees. Prior to the May 26, 1998 parliamentary session, academic councils at twenty-four of thirty faculties at the University of Belgrade issued resolutions declaring the law unacceptable, as did a majority of academic councils at universities nationwide. None of the councils endorsed the law.

Faculty groups also issued statements condemning the law and put forward an alternative draft law providing protections for university autonomy. Outside the Faculty of Philosophy in downtown Belgrade, a group called the Coordinating Committee for the Defense of Universities in Serbia (CCDUS) held daily protests for three weeks. The group obtained more than 15,000 signatures on a petition in opposition to the draft law and more than 10,000 on a petition calling for enactment of the alternative law drafted by faculty members. Faculty efforts to oppose the new law, however, were hampered by the fact that although faculty members were able to get summaries and eventually a copy of the text of the proposed law, the full text was not made public until the law had been passed in parliament.

On May 26, the parliament met to consider the draft law. One faculty member described the atmosphere in parliament as follows: “Ordinarily parliamentary hearings are not televised. This time they were. Government officials used the opportunity to demonize faculty members and portray the 1996-97 protests as the work of a small band of traitorous academics who had never done a hard day’s work in their entire lives. The entire presentation was anti-

intellectual and anti-academic.”⁷ On the floor of parliament, Ratko Markovic, vice-president of the Serbian government, reportedly asserted that the government, as “founder” of the universities, was merely taking back its ownership rights of the university from faculty who had abused the public trust.⁸

On the day the law was passed, anti-riot police in Belgrade moved in on approximately 1,500 protesting students, professors, and residents. At least ten students and professors required medical attention after the confrontation. Another student demonstration protesting the law was violently dispersed on June 2, 1998. Both demonstrations reportedly had been nonviolent. The government claimed that the protesters lacked proper permits for the rallies. In the weeks following passage of the law, there was a strike by philosophy faculty in Belgrade and, at the University of Nis, 700 students occupied the philosophy faculty building for three days.

On June 11, 350 professors at Belgrade and Nis issued a declaration condemning the law. Other professors brought a court case challenging the constitutionality of the law. By the end of the summer break, opposition to the law centered on the 150 or so faculty members who were continuing to refuse to sign the contracts, and student groups, particularly students in those faculties most directly affected by the law. Many of those who signed the contracts, however, also strongly opposed the terms of the law, but determined that defiance would be futile given the stance of the government. In this sense, the law had a divisive impact. Nikola Tucic, a geneticist who is one of only a small handful of professors in the biology faculty who refused to sign the contract, explained his predicament: “I have been pressured by my peers. Everyone says that they’re opposed to the law, why should I stand out? I end up having to apologize for my refusal to sign. I understand their positions but I have sons who are college age. I could not face them if I allow the principles I believe in to be compromised in this way.”⁹

Since the law was enacted in May 1998, more than fifty academics and several professional academic associations in Europe and North America have protested the new law. Within Serbia, many nongovernmental organizations (NGOs) as well as faculty and student associations have also spoken out, including CCDUS (see above), the University Committee for the Defense of Democracy, the Belgrade Center for Human Rights, the Helsinki Committee for Human Rights in Serbia, and the Belgrade Circle. The analyses and reports of many of these groups are now available online.¹⁰

THE GOVERNMENT TAKEOVER OF THE UNIVERSITIES

On June 25, the government announced the names of new deans at the University of Belgrade. Of thirty deans, sixteen were replaced even though the terms for which they had been elected had not expired. Four of the sixteen themselves resigned in protest against the new law (Marija Bogdanovic, Fedor Zdanski, Ivan Juranic, Zoran Kadelburg). All four had participated in the 1996-97 protests. Of the twelve deans who were removed by the government, at least half had taken part in the 1996-97 protests. None of the replaced deans, however, were members of political parties. By contrast, fifteen of the sixteen newly appointed deans are members of the ruling parties. In addition, Mr. Jagos Puric, the newly appointed rector of the university, was formerly a prominent member of the communist party and is now a member of Mira Markovic’s Yugoslav Left (JUL).

Prior to the new law, important academic decisions were in the hands of university- and faculty-level councils, at least one-half of the membership of which consisted of professors elected by the staff. Under the new law, most of the power of the councils has passed directly to the deans or to the newly configured university- and faculty-level governing boards. On June 29, the government announced the names of the members of the new managing and supervisory

⁷Human Rights Watch interview with Zoran Milutinovic, Belgrade, November 11, 1998.

⁸Ibid.

⁹Human Rights Watch interview with Nikola Tucic, Belgrade, November 12, 1998.

boards of the University of Belgrade and its component faculties. Nearly all of the appointees were members of one of the three ruling parties.

At the University of Belgrade, the university-level managing board has fifteen members: six faculty members, six members from outside the university, and three students, all chosen by the government. The following list of individuals named to the board in June shows the extent to which the university administration is now in the hands of members of the ruling coalition parties and, in many cases, of high-ranking party officials themselves:

- Vojislav Seselj, Serbia's deputy prime minister, leader of the SRS;
- Aleksandar Vucic, Serbia's information minister, member of the SRS;
- Goran Matic, Yugoslav information minister, member of JUL;
- Leposava Milicevic, Serbia's health minister, member of JUL;
- Borislav Milacic, Serbia's finance minister, member of the SPS;
- Momcilo Babic, director of a state hospital in Belgrade, member of the SPS;
- Jovo Todorovic, Yugoslav education minister, member of the SPS;
- Branislav Ivkovic, Serbia's housing minister, member of the SPS;
- Milovan Bojic, Serbia's vice-president and a leader of JUL;
- Milivoje Simonovic, a deputy minister of education, close to SPS leaders;
- Tomislav Dragovic, former pro-rector, ties to SPS;
- Ivan Radosavljevic, political science professor, believed to be affiliated with JUL;
- Anja Babic, Drasko Gostiljac, and Igor Obradovic, students, all reportedly linked to JUL or the SPS.¹¹

At the individual faculties, the government has pursued a similar strategy. Each faculty managing board is composed of nine members: four faculty members, two students, and three people from outside the faculty. As with the university-level board, all of the members are appointed by the government. At the Faculty of Philosophy at the University of Belgrade, for example, the membership of the managing board includes: Aleksandar Vucic, Yugoslav information minister and a member of the SRS; Vladimir Stanbuk, dean of the Faculty of Political Science, vice-president of the Yugoslav parliament, and a member of JUL; Milos Aleksic, professor of sociology in the Faculty of Pharmacy and a close friend of Mira Markovic, head of JUL; and Milenko Govedarica, a member of the SPS.¹²

In all, thirty-nine politicians influential in Serbia's ruling coalition were named to the managing and supervisory boards of the university and its component faculties, many holding multiple positions. Vojislav Seselj, president of the ultra-nationalist SRS, now sits on the governing boards of the Faculty of Law and the Faculty of Economics as well as the governing board of the university. Another SRS leader, Aleksandar Vucic, now sits on the managing board of the Faculty of Philosophy as well as the university-level board. Goran Percevic, vice-president of the SPS, was named to the governing board of the university. Other influential members of the ruling parties named to one or more governing boards include: Ivan Markovic, Radoman Bozovic, Srdjan Smiljkovic, Goran Trivan, Milos Aleksic, and Zivorad Djordjevic.

¹¹This list is based on information in Helsinki Committee for Human Rights in Serbia, "Implications of the New University Act," July 1998 (copy on file at Human Rights Watch), p. 2, supplemented by telephone interviews with University of Belgrade faculty members.

Faculty interviewed by Human Rights Watch emphasized that, with few exceptions, the students appointed to the boards by the government are fierce ruling party loyalists. In many cases, the students chosen by the government are students who have remained undergraduates into their late twenties and early thirties.¹³ At the Faculty of Law, for example, students appointed to the managing board included Miljkan Karlicic, a deputy minister of information, and Vladan Draskovic, appointed by the government in 1998 as head of the formerly independent campus radio station Radio Index. Both Karlicic and Draskovic are over thirty years old and both took part in sealing the premises of radio and magazine publishers that the government had ordered closed in October 1998.

DISMISSALS AND SUSPENSIONS OF FACULTY AT THE UNIVERSITY OF BELGRADE

Since enactment of the law, fifteen professors have been fired and at least forty-six have been suspended or otherwise sanctioned at the University of Belgrade. In addition, faculty members interviewed by Human Rights Watch estimate that at least eighteen professors at the university quit in protest or retired prematurely. Many other professors resigned as heads of departments and committee chairs. On November 27, the rector announced that he had received a letter from the minister of education, dated November 24, ordering him to inform all faculty members who had failed to sign the new contracts that they had fifteen days to sign new contracts. The letter further indicated that the positions of all non-signatories who failed to use this "final opportunity" would be advertised as vacancies. As this report was prepared, this order had not yet been implemented and the status of all who had not signed remained in doubt. A list of professors fired, suspended, or who quit in protest is set forth in Appendix A.

The precise implications of the new contract requirement have never been clear. The contract requirement is contrary to the express dictates of Serbian labor relations law. According to a law enacted in 1995, "Employees who have begun employment up to the day of entry into force of [this law] are not obliged to conclude labor contracts. Employees who up to this day have concluded a labor contract are not obliged to conclude a new labor contract."¹⁴ The new requirement clearly violated the latter provision. As indicated above, moreover, the provision of the law on universities setting forth the new contract requirement, Article 165, provides little guidance. The provision simply states: "Employees of the University who have begun employment up to the date of entry into force of this law are obliged to conclude a labor contract within 60 days of the entry into force of this Law." The law does not expressly declare existing contracts null and void, provide for penalties for those who refuse to sign new contracts, or state what terms are to be included in the new contracts.

¹³A detailed analysis of student appointees to university and faculty boards is set forth at: <http://www.ups.opennet.org/english/misc.htm>

¹⁴Quoted in Vesna Rakic-Vodinelic, "Legal Consequences of the Application of the Law on Universities on its Legal Position" *Human Rights Watch and Associates*, June 1998 (copy on file at Human Rights Watch) January 1999, Vol. 11, No. 2 (D)

The first weeks after the university law passed were accordingly somewhat chaotic, with different deans imposing different requirements on staff. Eventually, however, a standard "contract" was developed which professors at nearly all faculties were asked to sign. Notably, the new contracts do not alter salary, duration of employment, or other key provisions of existing contracts. The contracts are largely devoid of substantive provisions, consisting principally of a statement that the professor agrees to abide by the terms of the new law. The contracts do, however, include provisions that professors agree to be transferred should the dean determine that transfer is appropriate and that either side may cancel the contract at will. Many of the professors who ultimately agreed to sign the contracts as well as those who refused to do so agreed that the contract requirement was essentially a loyalty oath. As one professor put it: "The reason for the contract is simple. [The government wants] to know: are you with us or against us?"¹⁵

Dismissals and suspensions under the new law have been concentrated in three of the faculties in which protest activity in 1996-97 had been particularly strong: philology, electrical engineering, and law. The impact of the law in those three faculties is described in detail in separate sections below. In the Faculty of Philosophy, which had been the center of protests (and in which several major social science departments, as well as history and philosophy are located), however, there have not yet been any firings or suspensions. Faculty members speculate that this is so because over seventy professors, nearly one-third the staff, refused to sign contracts and the government fears that if they were all fired or suspended, the entire teaching schedule would be thrown into chaos and the students could grow restless. Government officials, however, have stated that they intend to disband the faculty and move its component departments to other faculties. Depending on how the government perceives its strength, the philosophy faculty could be the government's next target.

THE IMPACT OF THE LAW AT THE PHILOLOGY (LANGUAGES AND LITERATURES) FACULTY

At the Faculty of Philology, Prof. Radmilo Marojevic, a member of the ultra-nationalist Serbian Radical Party and a professor of Russian, was appointed as the new dean. Marojevic himself reportedly stated publicly that he was appointed through the efforts of Seselj.¹⁶ Marojevic, who spent much of the last five years in Moscow, is also a self-proclaimed admirer of Zhirinovskiy, the Russian nationalist, whom Marojevic claims to have personally introduced to Seselj.

Marojevic has brought his pan-Slavic and Serb nationalist views to his new job. As described below, he has moved aggressively to dismiss dissident faculty and to reformulate the curriculum. Because only the government has the power to remove him, he is not obliged to take into consideration the views of independent faculty, 104 of whom in November 1998 signed a petition calling for his removal.¹⁷

¹⁵Human Rights Watch interview with Dragoljub Popovic, Belgrade, November 9, 1998.

¹⁶Human Rights Watch interview with Goran Milicevic, Belgrade, November 13, 1998.

¹⁷Belgrade Center for Human Rights, "Bulletin No. 17 (universities): New Dismissals of Professors and Threats to Students," *Human Rights Watch* (copy on file at Human Rights Watch), p14.

In an interview on July 2, 1998, shortly after he was appointed dean, Marojevic criticized some of his colleagues among the new government appointees. Although pleased with the overall composition of the new university leaders, he said: "I still see some persons [among the new deans] who cannot truly be deans at a really creative Serbian university, because they still favor positions of anti-Serb Yugoslavness. I noticed that, when we were signing, some deans did not know how to sign their names in Cyrillic, or did not want to, and they teach at a Serbian university."¹⁸ In the same interview, stating that "foreign intelligence services" were behind the campus protests in 1996-97, Marojevic praised the new law for giving new administrators power to eliminate purported foreign agents.¹⁹ Asserting that "our country and our culture are somehow under occupation from within," and that the country is facing "a fifth column in scholarship, in culture, everywhere," Marojevic called the changes to the universities introduced by the government "a good attempt to return a Serbian character, a national, cultural, and authentic character, to this university."²⁰

In subsequent weeks, Marojevic announced that professors could not leave Belgrade or take their holiday leave until after August 5, the deadline under the University Act for all professors to sign new employment contracts.²¹ Marojevic also interpreted the requirement that professors sign new employment contracts broadly, stating: "It is not only a question of whether a professor or associate wants to sign the contract, but whether I, as the dean of the faculty, who defends the interests of the Republic of Serbia and its scholarship and education in this case, shall want to sign it."²²

Suspension of Nineteen Professors; Dismissal of Six

On September 30, Marojevic announced that all of the professors at the faculty who had refused to sign new contracts were being relieved of their teaching duties. This group, numbering nineteen, was not fired outright but was transferred to a previously non-existent "Center for Scientific Research Work and Publications." Among them were thirteen of the fourteen professors at the Department of World Literature (see below).

On November 12, six of the professors who had been transferred to the new "center" were fired. Under Serbian labor law, employees may be fired for failure to show up for work five days in succession. The professors, refusing to comply with what they saw as an unlawful transfer, had not shown up at the room that the dean had specified as the new "center." The six professors who were fired are: Vladeta Jankovic (World Literature; Classics); Djordje Trifunovic (Yugoslav Literature), Zoran Milutinovic (Comparative Literature), Aleksandar Ilic, (World Literature), Slobodan Vukobrat (English Language and Literature) and Branka Nikolic (Hebraic Language). All six had been active in the 1996-97 anti-government protests, and two, Jankovic and Ilic, are well-known opposition figures.

Changes to the Curriculum

Soon after his appointment, Marojevic announced his intention to disband the Department of World Literature. As noted above, thirteen of the fourteen members of the teaching staff in the department had refused to sign contracts, and several of them were well known members of opposition parties. The chairman of the department, Professor Vladeta Jankovic, is chairman of an opposition party (the Democratic Party of Serbia), and had engaged in heated public polemics with Seselj. On September 30, Marojevic carried out his threat. The sole professor in the World Literature Department who had signed a contract was transferred to the University of Novi Sad and the department formally ceased to exist at the University of Belgrade.

¹⁸Transcript of interview with Dr. Radmilo Marojevic, B92 radio broadcast hosted by Aleksandar Timofejev, 2 p.m. to 3 p.m., July 2, 1998 (copy on file at Human Rights Watch).

¹⁹Ibid.

²⁰Ibid.

²¹CCDUS, "Chronology of Events, July 1998 - August 1998, (Implementation of the New Law)," entry dated July 1, <http://www.ups.opennet.org/english/chronology.html> (copy on file at Human Right Watch).

²²Transcript of interview with Dr. Radmilo Marojevic, B92 radio broadcast July 2, 1998 (copy on file at Human Rights Watch)

Over the opposition of the faculty, Marojevic made several other changes to the curriculum, including the following:

- he renamed Croatian literature the “literature of Catholic Serbs”;
- he reorganized fourteen departments into five to consolidate his authority;
- Marojevic, a professor of Russian grammar, introduced Russian as the obligatory first foreign language for all post-graduate students. Students must choose between Polish and Czech as a second language and can elect English, French, or German, previously the languages of choice, only as a third language.²³

Ranko Bugarski, a leading Serbian linguist whose case is described below, said of Marojevic in this regard:

He’s really not aware of how his actions appear to his colleagues. . . . He knows he is strong politically, so he’s confident, not careful about the moves he makes. As a Slavicist, he sees a chance to bolster Russian studies and Serbian studies even without the approval of the faculty. First he attacks world literature, then he makes Russian mandatory for all graduate students, and then he takes his pet theory — Croats had only dialectal language and what everyone calls Croatian is not in fact Croatian — and makes it university policy. So there is to be no mention of Croatian language or literature. He had expressed these ideas before and no one took them seriously. Now, with government backing, his private fantasies are made into the new truth about these things. Slavicists will think this is the official Serbian view. It is madness, but it is now state madness.²⁴

Case of Ranko Bugarski

One of Marojevic’s first acts as dean was to attempt to dismiss Professor Ranko Bugarski. Bugarski brought suit against Marojevic and eventually won an injunction temporarily allowing him to remain on the faculty. His case, however, shows the extent to which the university law has given rein to personal animosity and political criteria as a basis for academic decision making.

Ranko Bugarski, on the faculty for thirty-seven years, is one of the most respected language scholars in the country and has taught overseas on several occasions, including as a Fulbright lecturer in linguistics at the University of Chicago in the 1970s. Prior to the new law, Bugarski and Marojevic had clashed publicly on a number of politically charged linguistic matters, including the proper name of the language (Marojevic favored “Serbian” and Bugarski “Serbo-Croatian”) and the use of the Cyrillic alphabet (Marojevic favored exclusive use of Cyrillic and Bugarski argued for continued use of both Cyrillic and Roman alphabets).

Soon after he was appointed, Marojevic asserted that Bugarski was no longer eligible to work at the university because he had reached the mandatory retirement age of sixty-five. Professor Bugarski, however, had signed a new two-year contract under the former dean in May 1998 and the Serbian Labor Relations Act expressly authorizes such an extension. Using the broad powers given him under the new law, however, Marojevic declared a new policy: no extensions would be given to those who reach the age of sixty-five and all of the extensions given by his predecessors would be vacated. Bugarski was the only professor affected by the new policy.

In a long interview with the Serbian newspaper *Danas* in July 1998, Bugarski discussed the situation in detail. The interview is excerpted below:

²³Human Rights Watch interview with Zoran Milutinovic, Belgrade, November 11, 1998.

²⁴Human Rights Watch interview with Ranko Bugarski, Belgrade, November 11, 1998. *Human Rights Watch*, January 1999, Vol. 11, No. 2 (D)

At the first meeting of the Faculty Board, which was led by the recently appointed dean, Radmilo Marojevic, I resigned from all of the functions that I had formerly been responsible for. At the time, I announced my resignation from my post as the head of the General Linguistics Department, as the director of the Center for Graduate Studies and as a member of the Planning Committee. I also said at that time that I would remain in my teaching post, that is, so long as I was not removed by the effects of the newly imposed university "autonomy."²⁵ My resignation of the administrative posts was a clear declaration of protest against the new university law, which, among other things, enables the government to appoint deans who are no longer to be elected by their colleagues. I simply did not want to hold any (administrative) functions under the new Law, but I wanted to stay at the Faculty, in my teaching position, as I felt needed by my students and younger colleagues.

At the press conference that he held at the Faculty [after my resignation from the administrative posts], the new dean said that "those resignations were probably coerced [by his colleagues], as professor Bugarski is, according to law, supposed to retire on the first of October." This explanation makes no sense. The resignations were not coerced, and I had already obtained, by the decision of the former dean, a two-year extension delaying my mandatory retirement. . . .

What Marojevic is doing is essentially what he was brought in to do, what he was appointed to do, but he is doing more than that. He is working for the highest grade—"stands above the rest." [But] he is brought here just like all the other deans under the new law, to pacify the university, to prevent future student protests, to, as they say, "bring the University back to learning," and that really means of course that there is "no political turbulence." To bring the university under absolute political control—that is the only reason for this law, and [it is done] under the guise of depoliticization. This dean says that there will be no political activities. What more political activity do you want than the imposition by the government of a dean, selected right out of the ranks of one of the governing parties? . . . In order to be a dean or a rector, one has to belong to the ruling party and to carry out its orders.²⁶

In mid-December, under pressure from striking students and faculty, Marojevic invited suspended professors to return to their jobs, for the first time softening his stance. Marojevic stated that, in suspending the professors, he had followed what he thought was the directive of the minister of education, but that since other deans had not suspended staff who had not signed contracts, he would allow them to return to work. Marojevic also stated, however, that it would be for courts to decide the status of professors who had been dismissed. At the time this report went to press, students at the faculty backed by dozens of faculty members continued to demand that the dean resign.

THE IMPACT OF THE LAW AT THE ELECTRICAL ENGINEERING FACULTY

At the Faculty of Electrical Engineering, the government appointed Vlada Teodosic as dean. Teodosic was not popular among his colleagues, was not a leading scientist, and had much less administrative experience than many other staff members. He was known, however, as a strong nationalist. Although faculty members told Human Rights Watch that Teodosic at the time was not identified with any particular political party, the new dean of the philology faculty Marojevic (see above) reportedly publicly stated that both he and Teodosic had been appointed by Seselj, head of the Serbian Radical Party.

At the same time that Teodosic was appointed as dean, Milos Laban was appointed by the government to the new managing board of the faculty. Laban, an unsuccessful candidate of Milosevic's SPS party in parliamentary elections in 1990 and 1992, had been refused an appointment as an associate professor in the faculty in 1991 when such decisions were made by a vote of the professors. In a futile effort, Laban had gone to court to force the faculty members to reverse their decision. Soon after being appointed dean, Teodosic named Laban as an associate professor. Although

²⁵Although it does not come through well in the translation, Bugarski is referring ironically to the "autonomy" of the universities from faculty members under the new law.

²⁶Human Rights Watch, Ranko Bugarski, *Danas*, July 18-19, 1998, p. 11.

Teodosic's decision was challenged and ultimately overturned by the minister of education, Laban retained his position on the managing board and has continued to be a powerful presence on the faculty and a vocal defender of Teodosic (see below).

Case of Slavoljub Marjanovic

On July 8, 1998, one week after he took over as dean, Teodosic issued a decision stripping engineering Professor Slavoljub Marjanovic of "all rights and obligations . . . for the subjects of Electronics I and II." Marjanovic, a highly respected professor with a doctorate from Birmingham University and twenty-eight years on the faculty, had long been a political enemy of Teodosic. The action against Prof. Marjanovic appears to have been taken in retaliation for his opposition to the changes taking place under the new law. At the beginning of July, Marjanovic, who already had been threatened with suspension by the new dean, stated on the acknowledgments page of his newly released textbook on electronics that he was omitting the names of his colleagues to save them from potential harassment by the new faculty authorities. He was relieved of teaching duties shortly thereafter.

Suspension of twelve professors

In all, twelve professors at the faculty refused to sign new contracts, one of whom was Marjanovic, whose case is described above, and another of whom voluntarily retired shortly after the new law was enacted. The fate of the remaining ten was not made clear until the teaching schedule was posted on October 22, one week before classes were to begin. None of the ten appeared on the schedule. Subsequently, in a letter dated November 3, 1998, Teodosic transferred the professors, as their counterparts in the Faculty of Philology had been transferred, to a previously nonexistent "research institute." The ten professors who were suspended are: Branko Popovic, Dejan Zivkovic, Dusan Velasevic, Jovan Radunovic, Borivoj Lazic, Srbijanka Turajlic, Milenko Cvetinovic, Vladana Likar-Smiljanic, Milan Ponjavic, and Tepavcevic Predrag. Slavoljub Marjanovic was also assigned to the "institute."

Human Rights Watch visited the premises of the "research institute" on November 10. It consists of a single, dusty office in a building about one block from the main faculty building. The room is furnished with only five or six small desks, and has no telephone, computers, or typewriters.

Shortly after suspending the professors, the dean hired private security guards to prohibit the professors from entering the classrooms where they had formerly taught. When one of the suspended professors, Dejan Zukovic, tried to enter the classroom where he had taught for twelve years, he was physically carried out of the building by the guards. Another professor physically removed from the building was Branko Popovic, a scientist of international standing, the author of several text books and nearly 150 articles, and a recipient of awards from several international scientific societies. When Popovic was denied entry to his former classroom, he continued his lecture on the street outside the faculty building using a megaphone to address the students.²⁷

Laban, the faculty administrator described above, who had accompanied the security guards as they ejected the suspended professors from the faculty building, subsequently defended the policy as follows: "according to the new law on universities, the dean, as a director of a firm, has the right to hire [security guards] if he estimates that the normal functioning of the firm is in question." Popovic told Human Rights Watch that the suspended professors were thereafter barred from the main faculty building and that he was refused entrance even to process his health insurance renewal.²⁸

Suspension of students Veljko Janjic and Stevan Koprivica

On November 27, 1998, Veljko Janjic, a fourth year student at the faculty, and Stevan Koprivica, a third year student, were suspended. Both had been active in student politics. Koprivica is the president of the student union at the faculty and had taken a leading role in organizing student protests against the new law. The student demands had included replacement of the dean, removal of Milos Laban from the managing board of the faculty, removal of the private security guards from the faculty building, reinstatement of the professors who had been expelled from the

²⁷Human Rights Watch interview with Branko Popovic, Belgrade, November 13, 1998.

²⁸Human Rights Watch interview, Belgrade, November 13, 1998.

faculty because they had refused to sign the new contracts, and an end to all pending disciplinary actions against professors and students.

As Janjic told Human Rights Watch:

Every day at noon we would have a student demonstration in front of the building, and I usually gave a speech. Then, on November 27, I received a telegram sent to my home address signed by Teodosic. It said that I was not allowed to enter the faculty building until the Disciplinary Committee decides on my punishment. The dean picks the members of the Disciplinary Committee.

The telegram said I was being punished because I had been the organizer of students who had interfered with lessons and called a strike. The same message was sent to Stevan Koprivica.²⁹

Janjic told Human Rights Watch that the policy had been strictly enforced. Both he and Koprivica have been physically denied access to the faculty premises and have been prevented from resuming their studies. Janjic also said that the dean had indicated that he would seek to have the two students suspended for two years.

Internet Censorship

On December 10, Teodosic ordered "filters" to prevent users of the Yugoslav academic Internet network from accessing the OpenNet website, a major source of independent news and information. OpenNet was created by the Internet department of Belgrade's independent Radio B92. The measure affected thousands of students, professors, and researchers in Serbia who use the internet on campus and also limited access to dozens of other user groups on the network, including independent media organizations and most nongovernmental organizations in the country.

Teodosic ordered the blockage of the OpenNet site using his authority over the computing center at the University of Belgrade. The immediate motive for blocking OpenNet access appears to have been a link on the website to a political cartoon that showed Teodosic in a Nazi uniform giving a Nazi salute. The cartoon also portrayed the administrator Milos Laban as a monkey.³⁰

In mid-December, Teodosic, like Dean Marojevic of the Faculty of Philology, also publicly softened his stance somewhat and invited suspended professors to return to work. As in the Faculty of Philology, the development came as students and faculty were boycotting classes and exams. Eight of the suspended professors agreed to return to their posts, but, at the time this report was prepared, security guards continued to be stationed at the entrance to the faculty and students continued on strike, demanding that Laban be removed from his administrative position and that the guards be removed from the faculty entrance.

THE IMPACT OF THE LAW AT THE LAW FACULTY

²⁹Human Rights Watch interview with Veljko Janjic, Belgrade, December 7, 1998.

³⁰Human Rights Watch interview with Drazen Pantich, New York, December 14, 1998. *Human Rights Watch*, Vol. 11, No. 2 (D)

Oliver Antic, a long-time Milosevic associate, was appointed the new dean of the law faculty. The decision appointing Antic reportedly came directly from the office of the prime minister of Serbia.³¹ While still a student, Antic had been active in communist youth organizations and had become a prominent member of the League of Communists. He is now a self-declared nationalist and a member of Milosevic's Socialist Party of Serbia (SPS). He is remembered by many of his colleagues on the law faculty for his role as a communist student leader in a purge of faculty members carried out in the mid-70s, the last major purge at the faculty.³² Antic did not require that professors in the Faculty of Law sign new contracts, but he has not hesitated to move against political opponents of Milosevic and against those who publicly opposed the new law.

In a public statement in November, Antic stated that he would "bring order to the Faculty of Law, which is a breeding ground of the Civic Alliance."³³ As noted above, the Civic Alliance is one of the three opposition parties that had formed the opposition Zajedno coalition that won local elections in 1996. It is a small party known for its public commitment to the defense of civil rights and opposition to the war in Bosnia. Antic's remarks made explicit the political motivations for several of the actions described below. Four members of the law faculty were members of the party, three of whom were fired.

Case of Vladimir Vodinelic

The first victim of the new law at the Faculty of Law was Vladimir Vodinelic, recognized by colleagues and former students alike as an outstanding professor and as the leading Yugoslav authority on civil law. Vodinelic had taught at the faculty for twenty-seven years and is the author of many articles and texts, including model legislation on the media and other subjects.

At the time of the new law, Vodinelic was awaiting appointment as a tenured professor. He had been recommended in glowing terms by his peers and was awaiting final university decision by the university council, which had been scheduled to meet on June 22. Prior to that meeting, however, the new law came into force and the minister of education directed that all faculty appointments were to be made by the new deans. Procedures initiated under the old act were to be suspended. Antic used the lapse of Vodinelic's previous five-year appointment as an excuse not merely to oppose his promotion but to fire him.

Vodinelic's position was formally terminated on August 31, 1998. According to one report, the dean gave inconsistent statements of the reasons for the dismissal: "To some he said that Vodinelic was a security risk and had a file in the secret police and to others that he was disliked by colleagues. . . . In later statements Antic accused Vodinelic of being intolerant and, in a return to 'communes,' said that Vodinelic had allegedly been given an 'opportunity to improve,' which he had refused. The dean probably was referring to hints that Vodinelic would be moved to the library or some other non-teaching job, a 'pedagogical' measure used by communists 25 years ago; allusions were also made to Vodinelic's Croat origins and thus his opportunity to find work abroad."³⁴ Although Vodinelic is not a member of any political party, his wife (later fired, see below) is a member of the Civic Alliance and Vodinelic has described himself as "opposition minded."³⁵ Vodinelic believes that the real reason he was fired is "the revival of the old Communist category of the politically correct person."³⁶

Case of Dragoljub Popovic, Dragor Hiber, and Mirjana Stefanovski

Immediately after Vodinelic was fired, fifteen of his colleagues announced a strike effective September 7. All sixteen had previously announced their opposition to the new law in a public declaration. The strike came as exams

³¹Human Rights Watch interview with Dragoljub Popovic, Belgrade, November 9, 1998.

³²Ibid.

³³Coordinating Committee for the Defense of Universities in Serbia, "Chronology of Events, 1 November 1998 - 27 November 1998 (Resistance)," entry dated November 9, 1998, <http://www.ups.opennet.org/english/chronology.html> (copy on file at Human Rights Watch).

³⁴Belgrade Center for Human Rights, "Information Bulletin No. 11," September 1998 (copy on file at Human Rights Watch); <http://ups.opennet.org/english/belcentre/first.htm>.

³⁵Jane Perlez, "Yugoslav Wields Ax in 'Pacification' of Academia," *New York Times*, Sunday, November 1, 1998.

were beginning. On September 14, three of the striking professors received written notice that they had been fired. The three were Dragoljub Popovic, former MP from the Democratic Party of Serbia, Mirjana Stefanovski, a supporter of the party, and Dragor Hiber, active in the Civic Alliance Party and a vocal critic of Milosevic. As in the Faculty of Philology, the dismissals had been based on a provision in Serbian law allowing an employer to fire employees who fail to appear at work for more than five consecutive days without excuse.

Suspension of Ten Professors

On September 29, Antic suspended ten of the remaining twelve professors who had signed the public declaration against the new law, stating that, in lieu of firing them, he was offering them time to come to their senses. The ten were Kosta Cavoski, Jovica Trkulja, Vesna Rakic-Vodinelic, Radmila Vasic, Mirjana Todorovic, Gaso Knezevic, Slobodanka Nedovic, Dragica Vujadinovic, Aleksandra Jovanovic, and Vojin Dimitrijevic. The two professors among the original sixteen who were not suspended—Danilo Basta and Mirosljub Labus—announced that they would not enter the faculty building until the prior decisions of Antic had been annulled. Another professor, Olga Popovic-Obradovic, and several lecturers stated that they were joining the strike.

Over the next two months, professors who had been suspended but not yet fired were called in for disciplinary hearings, with the dean as prosecutor and the deputy dean as judge. The most common disciplinary measure was a 20 percent salary cut.

Case of Vojin Dimitrijevic

The new dean also forced Vojin Dimitrijevic into early retirement. Dimitrijevic had long been a internationally prominent member of the faculty and has been visiting professor at universities in the United States, Norway, and Sweden. He served from 1982 to 1994 on the prestigious U.N. Human Rights Committee, which is composed of eighteen independent members and meets in Geneva and New York (he was elected rapporteur and later vice-chairman). He was also active in the Civic Alliance party and, in 1993, founded the Belgrade Center for Human Rights. Although Dimitrijevic had reached retirement age, he had been granted a two-year extension by vote of the faculty in 1997 along with four other professors who had reached retirement age. That extension had been upheld in court when challenged by the Serbian minister of education; the court then issued a temporary injunction against the then dean, which the new dean has refused to respect

Shortly after Popovic, Hiber, and Stefanovski were fired, Deputy Prime Minister Vojislav Seselj told reporters that Dimitrijevic had been “spared” in order to give him a chance to “reform.” A few days later, however, Dimitrijevic was fired. Ignoring the 1997 court decision as well as Dimitrijevic’s pending challenge to Antic’s suspension order, Dimitrijevic was ordered to clean out his office within twenty-four hours. The other four senior professors who had been given two-year extensions were not retired. Under the terms of the decision in 1997 and the provisions of the Labor Act Dimitrijevic’s retirement before the end of the academic year 1998-1999 was not legally possible. The matter is under appeal; the Municipal Court in Belgrade confirmed the 1997 injunction but refused to act against the new dean.

Case of Vesna Rakic-Vodinelic

On November 12, Vesna Rakic-Vodinelic, an expert in civil procedure, was dismissed after twenty years on the faculty. Rakic-Vodinelic is the author of various legal reform proposals and a critique of the university law, and she is active in the Civic Alliance. She is also the wife of Vladimir Vodinelic, whose case is discussed above. Rakic-Vodinelic was among the sixteen professors who refused to sign new contracts and among the ten professors suspended for going on strike, but she is the only professor to have been fired after a disciplinary hearing.

Rakic-Vodinelic, who had been given a day’s notice of her disciplinary hearing (eight days is required under Serbian labor law), did not attend the hearing but she sent her lawyer to find out the status of her case. The hearing proceeded in her absence. She was accused of missing work like the others who had been suspended but, in addition, she was accused of having slandered the faculty in public statements. Rakic-Vodinelic told Human Rights Watch that her lawyer had challenged the slander charge on grounds that the allegation was so vague that it was impossible to

defend against, and that the dean had then withdrawn the accusation.³⁷ Although the charges against her thus ended up being identical to those against the other suspended professors who had received fines, she was dismissed.

Suspension of Marija Rudic

In late October, law students arranged a seminar in which two of the suspended law professors, Kosta Cavoski and Jovica Trkulja, were to discuss the purge of faculty members in the mid-1970s. The dean refused to allow the seminar to proceed, locking the room where the seminar was to be held. He also brought disciplinary proceedings against Marija Rudic, a student alleged to have organized the seminar. Rudic, an excellent student in her last year at the faculty, was a member of an autonomous student parliament created after the 1996-97 protests. On November 10, the dean temporarily suspended Rudic, issuing an order barring her from examinations and prohibiting her from obtaining her school records (necessary for transfer to another faculty). After faculty and student protests, however, Rudic was given a warning and was allowed to resume classes.

FACULTY AND STUDENT RESPONSE

In addition to the faculty and student reactions described in the above sections, two new organizations emerged in Belgrade in response to the law. Soon after the law was enacted, professors from several faculties (including both sciences and humanities specialists) formed the Alternative Academic Educational Network (AAEN). The stated intention of the group is to keep independent teaching and scholarship alive in Serbia. The organization does not have the authority to grant degrees but so far has been tolerated by the government and is planning five programs of study to start in January 1999. The AAEN mission statement, which sets forth the objectives of the new organization, and a letter of appeal from AAEN to the international academic community, released in December 1998, are attached to this report as appendices B and C, respectively.

In October, students from several faculties formed a new organization called Otpor ("Resistance"). Based on their experience in 1996-97, the students have insisted that the organization be strictly independent of ties to any political party, although its members include students active in established opposition parties. The Otpor symbol, a black fist against a white background, is now visible on fliers, stickers, and walls in many parts of Belgrade. The group has organized rallies at the University of Belgrade against the university law. On December 18, Otpor organized a march to Novi Sad. Some fifty members made the march to commemorate the second anniversary of a 1996 march by 150 Novi Sad students to Belgrade in support of the protests then centered there. Otpor organizers said that the 1998 march was held to draw attention to the fact that the crackdowns on the universities and the press were Serbia-wide problems.³⁸

Otpor attracted the attention of government authorities soon after it was formed. On November 4, 1998, University of Belgrade students and Otpor members Nikola Vasiljevic (nineteen), Dragana Milinkovic (twenty-two), Marina Glisic (twenty-two), and Teodora Tabacki (twenty-two) were sentenced to ten days imprisonment. The students had been convicted of spray-painting the Otpor symbol on walls of buildings in downtown Belgrade and writing slogans against the new university and press laws. Comparable first-time offenders, such as football hooligans, routinely are fined, not imprisoned, for graffiti.

The close link between the crackdown on the media and the universities was demonstrated in November when the owner and editor-in-chief of the *Devni Telegraf* (Daily Telegraph), one of Belgrade's leading dailies, was fined 1,200,000 dinars (about U.S.\$110,000) for carrying the Otpor manifesto as a paid advertisement. Charges against the newspaper were brought by Bratislava Morina, a member of the Yugoslav Left. Morina claimed she had been offended by the advertisement which read in full: "Resistance is the answer! There is no other way. It will be too late when someone close to you starves to death, when they start killing people on streets, when they turn off all the lights, and poison the last spring. It will be too late. This is not a system, This is a disease. Bite the system! Get Hold Of Yourself, Live The Resistance."

³⁷Human Rights Watch interview with Vesna Rakic-Vodinelic, Belgrade, November 13, 1998.

³⁸Human Rights Watch, "Protest March to Novi Sad," *Beta Online*, December 18, 1998. January 1999, Vol. 11, No. 2 (D)

Violence against Students

Prior Human Rights Watch reports have documented government violence against political protesters and student activists.³⁹ In separate incidents in December 1998, members of Otpor were beaten by police and attacked by unknown assailants believed to be acting at the request of Serbian authorities.

On December 14, 1998, at a campus ceremony commemorating the sixty-first anniversary of the Faculty of Economics, an event attended by high-ranking representatives of the ruling coalition parties including figures such as Vojislav Seselj and Ratko Markovic, Otpor students greeted the national anthem with protest whistles (a trademark of student protests in 1996-97) and then surreptitiously unfurled a flag carrying the Otpor symbol from the second floor of the faculty building. Although no one was caught, the following day police in Belgrade arrested twenty-five-year-old student and Otpor leader Srdja Popovic. In a press statement after his release, Popovic described his experience as follows:

I was arrested at Kolarceva Street by a group of policemen who jumped out of a jeep. The arrest was conducted in a rather spectacular manner, sort of like in American movies. During the arrest and search, I was not told why they were arresting me...

When we arrived at the police station in Majke Jevrosime Street, the policemen beat me. They were hitting my legs and my chest for about twenty minutes. The officer with badge number 101559 was the most eager to beat me. He also told me that he would like to be in Iraq, because he could put a bullet in my head and no one would care. They handcuffed me, we left the police station, got into the vehicles, and [I was transferred to another] police station at 29 November Street.

Three friends that came to ask about me were also arrested at this police station, and one of them was beaten up. At this station, they harassed me again. They made me take my clothes off and on several times. The officer with badge number 101559 told me that he would tear my head off if he ever saw me again.

Popovic's attorney subsequently said that Popovic had been arrested by a special police unit and was then turned over to a regular unit. He also said that neither of the units could explain why he had been arrested, suggesting a political motive.⁴⁰

The second incident occurred on the night of December 29, 1998. Boris Karajcic, a member of Otpor who had traveled to the United States and had testified before the U.S. Congress in November 1998, was returning to his apartment after a late night Otpor meeting when he was attacked by two unknown assailants. After being treated in a local hospital, Karajcic, a senior in the Department of German Language in the Faculty of Philology, described his experience as follows:

³⁹Human Rights Watch/Helsinki, "Discouraging Democracy: Elections and Human Rights in Serbia," *A Human Rights Watch Short Report*, vol. 9, no. 11(D), September 1997, pp. 6-15.

⁴⁰Human Rights Watch of Sinisa Nikolic, Belgrade, December 23, 1998.

Just after a friend of mine drove me to my apartment building, I started walking toward the entrance. All of the sudden out from the dark, a bat "shined" while flying toward me and hit me so hard that I fell down on the ground. I was laying down for some 15 minutes and got some punches in the kidney area. When they started to run away, I noticed two silhouettes. [Before leaving,] the attackers told me to say hello to my friends in Otpor.⁴¹

APPENDIX A

University of Belgrade Faculty Members Who Have Been Dismissed or Suspended, or Who Have Left the Faculty in Protest⁴²

Dismissals:

At the Faculty of Law:

Assoc. Prof. Vladimir Vodinelic
Prof. Dragoljub Popovic
Assoc. Prof. Dragor Hiber
Asst. Prof. Mirjana Stefanovski
Assoc. Prof. Vesna Rakic-Vodinelic
Asst.⁴³ Goran Svilanovic
Prof. Vojin Dimitrijevic (forced to retire despite contract extension)

At the Faculty of Philology:

Prof. Vladeta Jankovic
Prof. Slobodan Vukobrat
Prof. Djordje Trifunovic
Assoc. Prof. Aleksandar Ilic
Asst. Prof. Zoran Milutinovic
Asst. Branka Nikolic
Lecturer Srdjan Vujica
Lecturer Predrag Stanojevic⁴⁴

Suspensions:

At the Faculty of Law:

Prof. Kosta Cavoski
Prof. Gaso Knezevic
Assoc. Prof. Mirjana Todorovic
Assoc. Prof. Jovica Trkulja
Assoc. Prof. Aleksandra Jovanovic
Assoc. Prof. Radmila Vasic
Asst.. Prof. Slobodanka Nedovic
Asst.. Prof. Dragica Vujadinovic
Asst.. Prof. Olga Popovic

⁴²This appendix is based on information supplied by Goran Milicevic of the Coordinating Committee for the Defense of Universities in Serbia. The information is current as of December 20, 1998.

⁴³As used in this Appendix, the title "Asst." or "Assistant" refers to teaching staff, often graduate students, who typically teach eight hours per week but do not examine students. They are hired for four-year terms.

⁴⁴Human Rights Watch/Belgrade is not included on this list. His case is described at pp. 15-16 in *Human Rights Watch/Belgrade*, January 1999, Vol. 11, No. 2 (D)

At the Faculty of Philology:

Prof. Dragan Stojanovic
Prof. Ljubisa Jeremic
Assoc. Prof. Ljubomir Ziropadja
Assoc. Prof. Mirka Zogovic
Asst. Prof. Miodrag Loma
Lector⁴⁵ Aleksandra Bajazetov-Vucen
Asst. Kornelija Icin
Asst. Adrijana Marcetic
Asst. Jasmina Moskovljevic
Asst. Djordjije Vukovic
Asst. Zorica Nedeljkovic-Vitic
Asst. Zorica Becanovic-Nikolic
Asst. Predrag Brebanovic

At the Faculty of Electrical Engineering:

Prof. Branko Popovic
Prof. Dragan Vasiljevic
Prof. Slavoljub Marjanovic
Prof. Dejan Zivkovic
Prof. Dusan Velasevic
Prof. Jovan Radunovic
Assoc. Prof. Borivoje Lazic
Assoc. Prof. Srbijanka Turajlic
Assoc. Prof. Milenko Cvetinovic
Assoc. Prof. Vladana Likar-Smiljanic
Asst. Milan Ponjavic
Lecturer Predrag Tepavcevic

At the Faculty of Special Education:

Prof. Zarko Trebjesanin
Assoc. Prof. Jelena Djordjevic

Temporary Measures Taken against Professors at Other Faculties:

At the Faculty of Transportation (transferred to a "Research Center"):

Prof. Vera Mijuskovic

At the Faculty of Biology (taken off the teaching list):

Prof. Nikola Tucic
Prof. Gordana Cvijic
Asst. Prof. Danka Savic

At the Faculty of Mathematics (taken of the teaching list):

Assoc. Prof. Desanka Radunovic
Assoc. Prof. Zoran Lucic

⁴⁵Human Rights Watch to teaching staff hired to assist in foreign language instruction.

At the Faculty of Economics (first taken off the payroll, than put back with a reduction in salary of about 40 percent):

Assoc. Prof. Refik Secibovic
Assoc. Prof. Goran Milicevic

At the Faculty of Defense and Protection (taken of the teaching list):

Assoc. Prof. Tomislav Smrecnik

At the Faculty of Veterinarian Medicine:

Prof. Gordana Djuric

Faculty Who Left the University in Protest:

At the Faculty of Philology:

a) prematurely retired:

Prof. Zoran Ziletic
Prof. Miodrag Sibinovic
Prof. Darinka Gortan-Premk
Lector Ajsa Djulizarevic-Simic

b) left the faculty:

Asst.. Prof. Zeljko Djuric
Lector Aleksandra Mancic-Milic
Lector Marina Ljubic
Lector Tijana Stojkovic
Asst. Vladimir Ignjatovic

At the Faculty of Political Science:

Prof. Mijat Damjanovic (quit in protest)
Prof. Dobrosav Mitrovic (prematurely retired)

At the Faculty of Biology:

Prof. Ana Savic (quit in protest)
Prof. Miloje Krunic (prematurely retired)
Asst. Jelena Brkljadic

At the Sports Academy:

Assoc. Prof. Slobodan Jaric

At the Faculty of Agriculture:

Prof. Malisa Totic (quit in protest)

At the Faculty of Forrestry:

Asst. Sladjana Markovic (quit in protest)

At the Faculty of Philosophy:

Asst. Ivana Radovanovic (quit in protest)

At the Faculty of Mining and Geology:

Prof. Radmila Nastic

APPENDIX B

Mission Statement of the Alternative Academic Educational Network (AAEN)⁴⁶

The Alternative Academic Educational Network is a non-governmental, non-profit, educational and research association committed to quality protection and improvement of academic education in Yugoslavia. AAEN answers the challenge in an academic education by effectively gathering non-governmental academic organizations, projects and persons involved in education of undergraduate and graduate students in Serbia and Montenegro. The Association organizes integrated and interdisciplinary programmes in academic disciplines that are neglected or do not exist at the Universities in Yugoslavia. The programmes reflect the evolving character of the generation and uses of knowledge within research communities and within society.

Establishment

The AAEN was established as an answer of the part of academic community to the restrictive new University Bill, introduced in May 1998. According to this new law, the 160-year-old tradition of University autonomy was abolished. Possible degradation of University education made professors and people from non-governmental organizations found this Association.

Objectives and Tasks

- Analysis of the existing academic programmes and creation of the alternative programmes in accordance with the highest academic standards.
- Offering support to programmes and faculty members who are affected by this law.
- Making contacts with other academic networks, universities and colleges in the world.
- Creating alternative academic multidisciplinary programmes and offering them to smaller communities throughout Yugoslavia.
- Intensive work with the gifted students who will become future experts in their respective fields in Yugoslavia.
- More efficient use of the existing alternative programmes.
- Creation of data library of the alternative academic programmes and of the achieved results in academic education.
- Organization of experimental education. - Publishing of scientific papers.

Activities

AAEN will autonomously or in cooperation with similar institutions organize and support the following activities:

- Modular and experimental education during school year · Summer universities
- Tutorial education - supervised study · Creation of invisible colleges
- Internet education
- Lectures and seminars by visiting professors
- Practical training at scientific and commercial institutions · Scholarships for foreign universities
- Sabbaticals for AAEN professors
- Organization of professional meetings committed to academic education and its problems and challenges

Founders

Prof. Zagorka Golubovic, Ph.D.
Prof. Milan Podunavac, Ph.D.
Prof. Marija Bogdanovic, Ph.D
Prof. Vukasin Pavlovic, Ph.D
Prof. Cedomir Cupic, Ph.D.
Prof. Mladen Lazic, Ph.D.
Prof. Srbijanka Turajlic, Ph.D.
Aleksandra Jovanovic, Ph.D.
Prof. Sreten Vujovic, Ph.D.
Prof. Vesna Rakic-Vodinelic, Ph.D.

Mihail Arandarenko, Ph.D.
Prof. Nikola Tucic, Ph.D.
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APPENDIX C

International Appeal—Alternative Academic Educational Network (AAEN)⁴⁷

December 14, 1998

Dear Madame/Sir,

The Republic of Serbia passed a new repressive law on University in May, 1998. This law abolished the autonomy of the University, which has a 160-year tradition. In implementation of the law, the Serbian government made it impossible for university professors to influence the managing and election of academic staff. Since the passing of the new university law, a fierce repression of the university professors who do not want to give up their right to free academic thought has been going on. These professors refused to sign illegal and superfluous employment contracts, which were supposed to be an expression of acceptance of this unconstitutional and repressive law, as well as support for the politics of the Serbian regime. Up until now around fifty professors have been fired from the University, and it's been estimated that the number of fired professors will increase to a hundred by the year's end.

Facing the further degradation of the higher education, university professors in Serbia and activists of NGO academic projects decided to establish Alternative Academic Educational Network (AAEN). AAEN is a non-government, non-profit, educational and research association committed to the organization of alternative, parallel multidisciplinary programs, primarily in the disciplines which have been neglected or removed from the university curricula for political reasons. In the education of students, as well as in scientific work and research, professors and associates of the AAEN are fighting to preserve critical thinking and the independence of free academic thought. That is why we address you with a plea to support the work of AAEN and the professors who lost their positions, and who are repressed by the regime on daily basis. You can support our association in several ways by:

1. Writing references and appealing to different foundations and grant agencies to support our program.
2. Sending copies of your books and textbooks, which are unavailable to our professors due to their difficult financial situation.
3. Making a donation for subscription to scientific journals.
4. Taking part as a visiting professor in our programs.
5. Inviting professors from Yugoslavia for sabbaticals at your universities.
6. Notifying your professional organizations about difficult position of the Belgrade University professors due to enforcement of the new law on universities.

We believe that we can develop a close cooperation that will result in mutual satisfaction. For all questions, please do not hesitate to contact us. Our e-mail address is aaen@opennet.org, attn: Prof. Marija Bogdanovic, Ph.D.

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*Human Rights Watch
Europe and Central Asia Division*

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