



Legal Aid Project Brings Justice to Ethnic Albanians

Challenge

The Presevo Valley is a remote part of Serbia. With a large ethnic Albanian population, it was particularly affected by the Kosovo crisis and the ethnic, political and economic instability of the 1990's. During the Milosevic regime, courts did not offer protection in cases when victims of human rights violations were Albanians. Conflicts in this area have discouraged Albanians from seeking protection before domestic courts.



Photo: ABA/CEELI

Local coordinators during case review meeting at Bujanovac legal aid office.

“In 2003, a total of fifteen cases have been heard in court. The Commission for Human Rights is planning to bring ten more to court by the end of March 2004.

- Rob Lochary, ABA/CELLI County

Results

Cases brought and successfully pursued by residents demonstrate that justice can indeed be served, and has encouraged other Albanian victims to step forward to report violations. Arifi Gani, an Albanian from the village of Buhic, filed a claim requesting that damages be paid for property destroyed in 1999. The court decided that the Union of Serbia and Montenegro, the Ministry of Justice, and the Republic of Serbia have an obligation to pay 604,800.00 dinars (approx. \$10,600) in damages to Arifi Gani.

On the basis of a claim submitted in 2002, the Municipal Court in Presevo found the Union of Serbia and Montenegro guilty of trespassing on land owned by Rashiti Cazim, an ethnic Albanian plaintiff from Presevo. The decision obligated the Army to move from the premises within 15 days and to pay court expenses. New cases are being investigated daily and helping to reestablish trust in the rule of law and legal institutions in Serbia.

Initiative

Recognizing the importance of reestablishing citizens' trust in the judiciary and the rule of law, USAID supported a targeted legal aid project called “Legal Aid for Victims of Human Rights Violations in Bujanovac, Presevo and Medvedja.” The project, developed with ABA/CEELI, provides legal representation primarily to ethnic Albanians for human right cases involving police harassment and property confiscation by the Yugoslav Army.

As part of the project, sixteen lawyers – eight Serbs and eight Albanians – were trained in specialized areas of law. Two offices were opened where trained lawyers began receiving and investigating complaints which included cases of army occupation of land without compensation, vandalism, and police brutality.

