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FORMER YUGOSLAV REPUBLIC OF MACEDONIA
HUMAN RIGHTS SINCE 1990

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SUMMARY

At present, the primary groups at risk in the Former Yugoslavian Republic of Macedonia¹ are ethnic minorities. The most serious abuses reported have been against ethnic Albanians, and Bosnians and other refugees fleeing the armed conflict in former Yugoslavia who are in transit through Macedonia. Romas (Gypsies), ethnic Turks and ethnic Serbs also may face difficulties, depending on individual circumstances.

Although ethnic Albanians actively participate in the political process and presently are represented in the National Assembly, they face serious discrimination in their access to political representation (notably dilution and limitation of their voting rights). They also face police brutality and repression by government officials, are under-represented in the civil service, have limited access to education, and are restricted in the right to use their native language. Substantial ethnic prejudice and a growing sense of nationalism among ethnic Macedonians are exacerbating existing problems for ethnic Albanians. So too is the increasing influx of ethnic Albanian refugees from the Serbian province of Kosovo, and Macedonia's fear that if Serbian repression in Kosovo escalates, ethnic Albanian refugees will flood Macedonia. February 1995 clashes between ethnic Albanians and police (with one death and numerous injuries) over the opening of an Albanian-language university, and over the detention of proposed officials of that University, have raised the possibility of rapidly escalating ethnic tensions.

At first, refugees from Bosnia and other parts of the former Yugoslavia were welcomed in Macedonia in substantial numbers. However, the resulting economic and social pressures soon caused the government to place a moratorium on new entries, and to seek resettlement of the refugees to other nations. At least three major public demonstrations against these refugees have taken place, causing many to flee Macedonia and seek asylum elsewhere.

No objective investigation of the problems of Romas in Macedonia has taken place to date, although the level of ethnic tension in Macedonia, and the well-documented situation of Romas in neighboring countries, suggest that substantial repression and discrimination against this population group may be taking place.

Credible allegations of human rights infringements and discrimination against ethnic Serbs and Turks have been made, but have not been documented. The potential for increased violence against ethnic Serbs may be substantial if the war in former Yugoslavia widens to Kosovo or Macedonia, or the threat of Serbian aggression against Macedonia increases.

¹Because Greece strongly objected to recognizing as a sovereign nation a country with the name "Macedonia," a name which Greece considers an integral part of Greece's history and territory, many states, including the United States, have recognized the area which declared its independence from Yugoslavia as the Former Yugoslav Republic of Macedonia. This territory will frequently be referred to in this report and in source documents as Macedonia, simply because the recognized name of the country is unwieldy. This shortened reference should not be taken to have political significance, or to reflect on the debate that has taken place concerning the country's proper name.

In addition to ethnic tensions, Macedonia has experienced political tensions during its transition to independence and greater democratization. The Macedonian government was, until late 1994, comprised of a coalition of parties, including an alliance of former communists and a substantial portion of the ethnic Albanian community, a situation which, whether justified or not, has fueled anti-Albanian sentiment among the nationalist opposition parties, who until the 1994 elections held a plurality in parliament but were unable to form a coalition to govern the country. Those associated with the current political opposition coalition, and most notably those in the VMRO Party, have experienced some denials of free expression rights, notably denial of equal access to the print and television media. After a relatively poor showing in the first round of the 1994 elections, many of the opposition parties boycotted the second (and final) round, claiming that the elections were fraudulent. However, although international observers, including the Council of Europe, conceded that there were many problems in the 1994 elections, they concluded that the results, were, overall, "free and fair."² The opposition coalition, at least initially, enjoyed relatively widespread support among ethnic Macedonians, and since steps have been taken in Macedonia to institute democratic reforms, members of opposition parties have experienced relatively few documented human rights problems.

²Jovan Kovacic, "Macedonia's president faces hard tasks ahead" *Reuters* (London: 31 October 1994) -- as reported in NEXIS database.

SUMMARY OF CURRENT POLITICAL CONDITIONS

On September 17, 1990, following a public referendum which showed overwhelming support (96% of the vote) for independence from the former Socialist Federal Republic of Yugoslavia, Macedonia declared itself a sovereign nation.³ The first multi-party elections since 1934 were subsequently held, and the newly elected National Assembly adopted a new Constitution at the end of 1990, establishing the basic framework of what is described as a "democratic and social state."⁴ One indication of the ethnic divisions continuing to face the new nation was that the 25 ethnic Albanian members of the Assembly abstained from the vote on the new Constitution, in protest against a number of provisions with discriminatory overtones and impact. The new Constitution was endorsed by a popular referendum in 1992.

Under the new Constitution, the government represents a mix of the classic parliamentary and presidential systems, with the Assembly, which has 120 seats, holding primary authority. The President exercises considerably less power than is the case in the United States.

In the 1990 election, the seats in the Assembly were divided with a plurality going to a coalition of opposition parties led by the Internal Macedonian Revolutionary Organization (also referred to as the Democratic Party for Macedonian National Unity -- VMRO [Macedonian acronym] or DPMNU [English acronym]), and the majority of the remaining seats divided among the party of the current president, the Social Democratic Union (SDS),

³Central and East European Law Initiative, *Briefing Book on Macedonia* (Washington, D.C.: American Bar Association, 1993).

⁴Congressional Research Service, "Report for Congress on Macedonia: Recognition and Conflict Prevention" (Washington, D.C.: Library of Congress, 11 January 1993), p. 4.

(successor to the Communist Party), the predominantly ethnic Albanian Party of Democratic Prosperity (PDP), and the Liberal Party of Reform Forces.

The first government organized after the Parliamentary elections was formed in March 1991, and was known as a "non-party government of experts"⁶ under Prime Minister Nikola Kljusev. That government fell to a no-confidence vote in July 1992. VMRO, as the political party with the largest number of parliamentary seats, was given the opportunity to form a government, but did not succeed. The second government was comprised of a coalition of the reformed Communist Party, the SDS, and predominantly ethnic Albanian parties.

In the October 1994 elections, the SDS appeared to have gained a majority of seats in the first round. In the second (and final) round, the ruling Alliance for Macedonia gained at least 95 of the 120 seats in parliament, well over the two-thirds majority needed to make constitutional changes.⁶

Ethnic Albanians, who had been relatively united behind the Albanian Party for Democratic Prosperity (PDP) -- a member party of the ruling coalition up to 1994 -- were more fragmented in the 1994 elections. The PDP gained 10 of the 19 seats won by predominantly ethnic Albanian parties. The remaining 9 seats were split among more radical

⁵United States Department of State, *Country Reports on Human Rights for 1992* (Washington, D.C.: United States Department of State, February 1993), p. 842.

⁶"Macedonia: Post Election Jockeying," *War Report* (London: December 1994/ January 1995), p. 11. Interviews with Ljubica Acevska, Representative of the Republic of Macedonia to the United States (Washington, D.C.: 25 August 1993, 4 February 1994). National Democratic Institute for International Affairs, *Report on Macedonia Mission* (Washington, D.C.: 18 May 1993), p. 12. David Arminas, "First Macedonian Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database. John Pluenneke, "This Ethnic Mélange is in Ferment," *Business Week* (McGraw-Hill, Inc.: 31 October 1994) -- as reported on NEXIS database. Jovan Kovacic, "Macedonia's president faces hard tasks ahead" *Reuters* (London: 31 October 1994) -- as reported in NEXIS database.

ethnic Albanian parties. The PDP agreed to join the governing coalition, and one of its leaders, Abdurrahman Aliti, was appointed a Deputy Speaker of Parliament.⁷ Although there was speculation that the split between the PDP and more radical ethnic Albanian parties would dilute the power of ethnic Albanians in Parliament, events in early 1995 -- Macedonia's refusal to allow an Albanian-language university and its stipulation that identity cards and passports be issued in the Macedonian language -- have demonstrated both a united Albanian front on these issues, and problems with escalating ethnic tension and government violence against the Albanian community (discussed in more detail in the section below on Education and Language Rights).⁸

After a relatively poor showing in the first round of the 1994 elections, many of the opposition parties (led by VRMO) boycotted the second round, claiming that the elections were fraudulent. International observers, including the Council of Europe, conceded that there were many problems in the 1994 elections, but attributed many of them to incompetence and unfamiliar procedures, rather than malicious intent or corruption. Observers concluded that the results were, overall, "free and fair."⁹ The current President of Macedonia, Kiro Gligorov, from the SDS party, received a majority of the popular vote to continue in that

⁷"ID Card Law Adopted by Parliament Without Albanian Deputies," *British Broadcasting Corporation* (London: 11 February 1995) -- as reported in NEXIS database.

⁸"ID Card Law Adopted by Parliament Without Albanian Deputies," *British Broadcasting Corporation* (London: 11 February 1995) -- as reported in NEXIS database.

⁹Carol Williams, "Macedonian's Victory Has a Bitter Taste," *Los Angeles Times* (Los Angeles, California: 1 November 1994) -- as reported in NEXIS database. Jovan Kovacic, "Macedonia's president faces hard tasks ahead" *Reuters* (London: 31 October 1994) -- as reported in NEXIS database. Jovan Kovacic, "Macedonian Opposition Boycotts Elections," *Reuters* (London: 29 October 1994) -- as reported in NEXIS database. Kerin Hope, "Tough test of stamina for Macedonia's president: Re-elected leader must maintain momentum of reform," *Financial Times* (London: 24 October 1994) -- as reported in NEXIS database.

office (the Parliament had given him an interim appointment in 1992, to serve as president until the 1994 elections).¹⁰

Although a number of important democratic reforms, particularly the popularly-elected Parliament, have been implemented in Macedonia, a number of internal and external pressures and problems have made the political and economic situation unstable. These issues include:

- * the presence of large populations of ethnic minorities;
- * growing nationalistic and anti-minority sentiments among ethnic Macedonians;
- * close geographic proximity and strong ethnic ties to the ethnic Albanian-dominated Kosovo region, where there is a serious threat of widening armed conflict;
- * serious economic difficulties tied to the international economic boycott of the region; and
- * problems associated with the process of obtaining international recognition and support from international monetary agencies, the latter compounded by difficulties in obtaining diplomatic recognition.

Among these issues, the growing nationalistic and anti-minority sentiment among ethnic Macedonians has the greatest potential for generating widespread, serious human rights violations. Ethnic tensions and violence are escalating despite the fact that the political party representing the ethnic Albanian community plays a role in the National Assembly and in the current coalition government.

¹⁰Ethnic Albanian leaders in Kosovo pointed out that tens of thousands of ethnic Albanian residents of Macedonia did not qualify as citizens (see discussion on this issue below), and therefore were not able to vote in this election. "Kosovo leader views Geneva process, Macedonia elections, human rights," *British Broadcasting Corporation* (London: 9 November 1994) -- as reported on NEXIS database. Commission on Security and Cooperation in Europe, "Report on CSCE Spillover Monitoring Mission to Skopje" (Macedonia: 16 September 1992), Communication #282, p. 3.

Although Macedonia has declared itself a sovereign nation and has gained independence from former Yugoslavia, it is only beginning to win widespread international recognition. After initial objections from Greece because of its use of a name that Greece considers to be an integral part of Greece's history and territory, the United Nations granted full membership status to Macedonia in April 1993, and shortly thereafter the CSCE granted it observer status. At present, most countries (exceptions include Greece and Serbia/Montenegro) recognize Macedonia as a sovereign country.¹¹ In sympathy with Greece, the United States continued to withhold diplomatic recognition until February 9, 1994, when official recognition was announced. Prior to official recognition, the United States maintained small political liaison and cultural affairs offices in the capital city, Skopje, but is now expected to open a regular embassy. Because of continuing pressures from Greece, the United States had not, as of late 1994, completed formal recognition, including the exchange of ambassadors.¹²

Failure of the United States to implement its decision to formally recognize Macedonia has had repercussions relevant to asylum cases. Because the "Office of Macedonia" presently operating in Washington does not have formal diplomatic status, it is not authorized to

¹¹"UN secretary general holds talks on Macedonia," *Agence France Presse* (Paris: 7 November 1994) -- as reported in NEXIS database. "UN says no progress in Macedonia name talks," *Reuters* (London: 7 November 1994 -- as reported on NEXIS database). "Portugal and Macedonia Establish Diplomatic Ties," *Associated Press* (New York: 15 November 1994) -- as reported on NEXIS database.

¹²"UN secretary general holds talks on Macedonia," *Agence France Presse* (Paris: 7 November 1994) -- as reported in NEXIS database. "UN says no progress in Macedonia name talks," *Reuters* (London: 7 November 1994 -- as reported on NEXIS database). Cord Meyer, "Time For U.S. to Fill Macedonia Vacancy," *Washington Times* (Washington, D.C.: 16 September 1994) -- as reported on NEXIS database. "U.S., Macedonia Sign Military Co-operation Memorandum," *Xinhua News Agency* (Beijing, China: 12 November 1994) -- as reported on NEXIS database.

perform consular services, including dealing with visa and passport requests from citizens of former Yugoslavia. The passports of these citizens expired on November 11, 1994, under the terms of the independence agreements. The Macedonian Office has reported that at least 15 individuals it considers citizens of Macedonia have been notified of impending deportation to Serbia/Montenegro, because their visas, issued by the Federal Republic of Yugoslavia before Macedonian independence, have expired. The Macedonian Office also reports that other individuals in the United States from the Kosovo province of Serbia and from Albania have indicated that they would prefer to obtain Macedonian citizenship, rather than to apply for asylum from their country of origin, but have been unable to process their claims effectively through the Macedonian Office here.¹³

One negative result of the United States' grant of diplomatic recognition to Macedonia has been the reinstatement and tightening, on February 15, 1994, of Greece's blockade of its border with Macedonia. Greece has effectively cut off all trade and passage through its border with Macedonia, exacerbating existing economic difficulties and political instability. This instability is increased by the ethnic tensions that already exist in Macedonia, and by the major economic problems resulting from the international economic boycotts against Serbia and Bosnia, which have hurt Macedonia more than any other country outside of the embargoed states.¹⁴

¹³Interview with the Office of Macedonia in the United States (Washington, D.C.: 19 July 1994).

¹⁴"UN says no progress in Macedonia name talks," *Reuters* (London: 7 November 1994 -- as reported on NEXIS database). "Government [Of Greece] Unhappy With US Response Over FYRM passports," *British Broadcasting Corporation* (London: 3 August 1994) -- as reported on NEXIS database.

A number of additional factors have contributed to "external and internal instability"¹⁵ in Macedonia, including difficulty in obtaining international recognition; the armed conflict taking place in neighboring Bosnia; and the ongoing threat of the war widening into neighboring Kosovo, with its very high (90 per cent) ethnic Albanian population.

Macedonia's full membership in the CSCE initially was blocked by active opposition from Greece and Albania, the latter because of concerns regarding the treatment of ethnic Albanians in Macedonia.¹⁶ Albania has since ended its opposition, but Greece's veto continues in effect.¹⁷

There is a serious concern that any further deterioration in the situation in Kosovo, where Serbia now governs under martial law and police state conditions, could easily spread the conflict into Macedonia, cause a major influx of Albanian refugees, and raise the possibility of intervention by the government of Albania in support of ethnic Albanians in Kosovo and Macedonia.¹⁸

On December 11, 1992, in response to these threats, and in order to prevent the existing conflict from spreading into Macedonia, the United Nations authorized the deployment of a small international peacekeeping force into Macedonia. This peacekeeping

¹⁵Congressional Research Service, "Report for Congress on Macedonia: Recognition and Conflict Prevention" (Washington, D.C.: Library of Congress, 11 January 1993), p. 4.

¹⁶Commission on Security and Cooperation in Europe, *Report on Delegation to Romania, Macedonia, Kosovo and Vienna* (Washington, D.C.: April 1993), p. 11.

¹⁷"UN says no progress in Macedonia name talks," *Reuters* (London: 7 November 1994 -- as reported on NEXIS database). John Palmer, "Hurd Warns U.S. of Split With Europe," *Manchester Guardian Weekly* (Manchester, United Kingdom: 18 September 1994) -- as reported in NEXIS database.

¹⁸Congressional Research Service, "Report for Congress on Macedonia: Recognition and Conflict Prevention" (Washington, D.C.: Library of Congress, 11 January 1993), p. 4.

presence, officially described as a "preventative deployment force," is part of the United Nations Protection Force (UNPROFOR), operating in Bosnia and other regions of the former Yugoslavia. The Macedonian contingent includes roughly 500 American troops, about 500 troops from other countries, and some logistical support staff.¹⁹ This contingent has been stationed primarily along the northern and western borders with Albania and Kosovo/Serbia to provide early warning of events and problems that may be associated with, or lead to, a threat to a wider war in the region. UNPROFOR's mandate in Macedonia is one of "monitoring and reporting developments in the border areas which could undermine confidence and stability in Macedonia or threaten its territory."²⁰

A small portion of the international contingent has been assigned to border crossings in the area to monitor border disputes and assist Macedonian border guards to improve their ability to process crossings and prevent illegal entries. Border difficulties are exacerbated by the fact that, in the past, when Serbia and Macedonia were part of the same country, there was no need to monitor entries and exits. Major conflicts and tensions regarding border crossings between the Kosovo province of Serbia, and Macedonia, have erupted, especially since August, 1993, when the Macedonian government began requiring Serbian/Kosovo residents

¹⁹John Pluenneke, "This Ethnic Mélange is in Ferment," *Business Week* (McGraw-Hill, Inc.: 31 October 1994) -- as reported on NEXIS database. "Security Council Imposes Economic Sanctions On Bosnian-Serbs]..." *Federal Information Systems Corporation* (Washington, D.C.: 26 September 1994) -- as reported on NEXIS database. John F. Harris, "GIs Take to Guard Duty On Macedonian Frontier," *Washington Post* (Washington, D.C.: 20 July 1994) -- as reported on NEXIS database.

²⁰United Nations, "Secretary General of the United Nations Report to the Security Council" (New York: United Nations, 13 July 1993), S.C. 26099, p. 1.

to show passports when seeking entry. Ethnic Albanians have criticized this policy as being directed primarily against members of their group, who previously enjoyed free circulation.²¹

A separate group of ten monitors from the CSCE also is stationed in Macedonia, investigating complaints, and seeking to prevent disputes from escalating into more serious conflicts. These international monitoring efforts, along with the admission of Macedonia into the United Nations, are reported to have alleviated fears of an external security threat to Macedonia, and to have promoted increased stability in the region to a certain extent.²²

POLITICAL AND ECONOMIC BACKGROUND INFORMATION

General Background

There is ample reason why Macedonia has been referred to as "Europe's Lebanon." It is a place where competing territorial claims and the "destructive power of ethnic passions" have repeated themselves, without resolution, throughout recorded history.²³ Macedonia has been described as "a political no-man's land, where Serbian, Albanian, Bulgarian and Greek ambitions" continually "vie with one another and with a nascent Macedonian nationalistic

²¹United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 968. Roger Cohen, "Embargo on Serbia Frays in Macedonia," *International Herald Tribune* (New York: 1 August 1994) -- as reported on NEXIS database.

²²United Nations, "Secretary General of the United Nations Report to the Security Council" (New York: United Nations, 13 July 1993), S.C. 26099, p. 5.

²³Kaplan, Robert, "History's Cauldron," *Atlantic Monthly* (Boston: June 1991), p. 93.

movement."²⁴ It lies in the heart of a region where the full range of ethnic passions, and the conflicts they produce, "can most vividly be glimpsed."²⁵

The original "Macedonia" covered a wide area that included parts of what is now Greece, Bulgaria and Serbia. Philip of Macedonia (382-336 B.C.), and his son Alexander the Great (356-323 B.C.),²⁶ conquered an extensive area throughout the Balkans as part of the Greek empire. The issue of whether the legacy of Philip of Macedonia, and the area he ruled, should be considered part of Greece or part of the original territory of Macedonia continues to generate controversy in the region today. It is at the core of the Greek government's contention that the former Yugoslav Republic of Macedonia should not be entitled to use the Macedonian name, and their fears that the new nation has continuing territorial designs on areas that are now part of Greece and bear the same name.

Conflicts with neighboring Bulgaria, Albania, Turkey and Serbia grow out of similar historical developments and deep-seated ethnic conflicts. At different times in the distant and recent past, the shifting boundaries of each of these countries included all or part of what is now referred to as Macedonia. After a brief occupation by medieval Serbia, Macedonia became part of the vast Turkish Ottoman Empire (as did most of the Balkans) in the 14th Century, remaining under Turkish domination for nearly 500 years, and leaving deep-seated fears and antagonisms against the Turks.

²⁴Kaplan, Robert, "History's Cauldron," *Atlantic Monthly* (Boston: June 1991), p. 94.

²⁵Kaplan, Robert, "History's Cauldron," *Atlantic Monthly* (Boston: June 1991), p. 94.

²⁶"Support of the Pilot Projects for the Conservation of the European Architectural Heritage," *Commission of the European Communities*, Press Release, 6 June 1994 -- as reported on NEXIS database. "It Happened Today," *The Press Association Limited*, 27 May 1994 -- as reported on NEXIS database. "Greece Outlines Terms For Ties," *Washington Times* (Washington, D.C.: 26 April 1994) -- as reported on NEXIS database.

A number of major wars have been fought over the question of which of its Balkan neighbors would gain control over what had been Macedonia. As a result of these international conflicts, portions of Macedonian territory were partitioned to Bulgaria, Greece and Serbia. During World War II, Macedonian nationalists sided with the Allies when they attempted to rid their territory of its Axis-allied rulers. What is now called the Former Yugoslav Republic of Macedonia was created as a result of agreements negotiated by the superpowers after World War II, when Macedonia was made part of former Yugoslavia, with President Tito taking pains to emphasize Macedonia's separate identity, and to cultivate its nationalistic feelings, as a way of solidifying its independence from neighboring countries.

Because of these ongoing jurisdictional disputes and long-standing historical conflicts, Macedonia has been called the crucible "of every great European war."²⁷ Today, similar pressures and nationalistic urges are brewing both from the neighboring states outside of Macedonia, and from internal sources, fed by history and the ethnic conflicts they produced. These ethnic conflicts and nationalistic aspirations are major factors in producing the human rights problems and potential for ethnic persecution that currently exists in Macedonia.

²⁷Reed, John, *The War in Eastern Europe: Travels Through The Balkans in 1915* (London: Phoenix, 1915)

GEOGRAPHY AND POPULATION

Macedonia is a landlocked country, bordering on Greece to the south, Bulgaria to the east, the Kosovo province of Serbia to the north, and Albania to the west.²⁸ The territory covers 26 thousand square kilometers, roughly the size of the state of Maryland. The population, according to the census taken in mid-1994 (and officially released on December 28, 1994) is just under 2 million (down from the previous census in which the population was estimated at just over 2 million), with an ethnic breakdown listed as follows:

*	66.5%	--	Orthodox Christian Macedonians (Slavs)
*	22.9%	--	Ethnic Albanians (mostly Muslim)
*	4%	--	Ethnic Turks (mostly Muslim)
*	2.3%	--	Romas (Gypsies)
*	2%	--	Ethnic Serbs
*	0.4%	--	Vlachs (mostly Catholic)
*	1.8%	--	"Other" ²⁹

Overall, international observers accepted the census as accurate.³⁰ The issue of citizenship and its effect on the census results was, however, a point of contention.³¹ According to one of the European election observers, "The citizenship question caused much confusion during the

²⁸David Arminas, "First Macedonia Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database. Central and East European Law Initiative, *Briefing Book on Macedonia* (Washington, D.C.: American Bar Association, 1993), overview.

²⁹"Macedonia: official census results announced," *British Broadcasting Corporation* (London: 16 November 1994) -- as reported on NEXIS database. David Arminas, "First Macedonia Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database. "FYROM Census Report Issued," *United States Department of State Cable from U.S. Embassy, Skopje, to the Secretary of State, Washington D.C.*, Unclassified, 13 January 1995.

³⁰Mircela Casule, "Albanians Reject Macedonia Census Results," *Reuters* (London: 14 November 1994) -- as reported in NEXIS database.

³¹"First Macedonia Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database.

census, due to the delay in the issue (by the government) of citizen certificates.³² One of the major points of contention between the ethnic groups within Macedonia is the fact that the new Constitution differentiates between ethnic Macedonians, who are declared to be the true historical subjects of the state, and "other nationalities" such as Albanians, Turks, Vlachs and Gypsies, who are described as "inhabiting the Republic" rather than being fully recognized as "true" Macedonians. This ethnic distinction is given further recognition in a newly enacted Citizenship Law limiting citizenship to those residing continuously in Macedonia for the prior 15 years. The lengthy residency requirement for citizenship effectively limits the political power of ethnic Albanians, a large number of whom moved freely between Kosovo and Macedonia when both jurisdictions were part of former Yugoslavia. Many ethnic Albanians only settled permanently in Macedonia after political repression against ethnic Albanians in Kosovo escalated in the last decade, and are therefore not yet eligible for citizenship. Others, as mentioned above, have had difficulty proving their eligibility or obtaining citizenship documents.³³

Albanians who were excluded from citizenship by the residency requirement were not counted as citizens in the census, and were not eligible to vote in the October 1994 elections (discussed in more detail above). The actual proportion of ethnic Albanians and of Serbs living in the territory of Macedonia may therefore be much higher than the census reflects. In

³²David Arminas, "First Macedonian Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database. Mircela Casule, "Albanians Reject Macedonia Census Results," *Reuters* (London: 14 November 1994) -- as reported in NEXIS database.

³³David Arminas, "First Macedonian Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database. Mircela Casule, "Albanians Reject Macedonia Census Results," *Reuters* (London: 14 November 1994) -- as reported in NEXIS database.

addition, some eligible ethnic Albanians boycotted both the 1991 census and the current census.³⁴ The leader of the main ethnic Albanian opposition party, the Albanian People's Democratic Party, claimed that the census was "irregular," and that Albanians constituted at least one-third of the population of Macedonia.³⁵ Ethnic Albanian leaders also claim that there may be as many as four times as many ethnic Serbs as reflected in the census. Some outside observers have stated that Albanians may "account for at least 30 percent" of the total population inhabiting Macedonia.³⁶

THE ECONOMY

Before the current armed conflict in former Yugoslavia, Macedonia was widely believed to be "the poorest of the former Yugoslav republics."³⁷ The country has been experiencing considerably more economic hardships and disruptions as a result of the armed conflict in Bosnia and Croatia, and the resulting international boycott imposed by the United Nations.³⁸ It has been estimated that the economic boycotts imposed on other former

³⁴John Pluenneke, "This Ethnic Mélange is in Ferment," *Business Week* (McGraw-Hill, Inc.: 31 October 1994) -- as reported on NEXIS database.

³⁵Mircela Casule, "Albanians Reject Macedonia Census Results," *Reuters* (London: 14 November 1994) -- as reported in NEXIS database.

³⁶"Macedonia: official census results announced," *British Broadcasting Corporation* (London: 16 November 1994) -- as reported on NEXIS database. David Arminas, "First Macedonia Census Complete," *United Press International* (Washington, D.C.: 14 November 1994) -- as reported on NEXIS database. United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 969.

³⁷World Bank, *Challenge of Economic Recovery and Social Harmony in Macedonia* (Washington, D.C.: August 1992), p. 5.

³⁸World Bank, *Challenge of Economic Recovery and Social Harmony in Macedonia* (Washington, D.C.: August 1992), p. 5.

Yugoslavian states involved in warfare have cost Macedonia \$1.8 billion in lost trade.³⁹ About two-thirds of Macedonia's agricultural exports had been directed towards now-embargoed Serbia. Oil and gasoline supplies have been interrupted because of the embargo. Moreover, because Greece closed its border with Macedonia over its dispute over the country's name, Macedonia has suffered economic losses through lost trade and transport through Greece. The slow process of gaining international recognition has made it difficult to obtain international credit and assistance from the international monetary agencies. The Gulf War with Iraq, formerly an active trading partner, caused additional disruptions and reductions in the oil supply.

As a result of these conditions, economic production has declined by more than 50 per cent, unemployment has risen to 36 per cent of the work force, and the rate of inflation has skyrocketed.⁴⁰ Per capita gross domestic product (in United States dollars) has declined nearly 25 per cent in the past five years,⁴¹ and real wages have declined by 16 per cent in 1991, another 43 per cent in 1992, and continued to drop in 1993 and 1994.⁴²

³⁹United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 969.

⁴⁰United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 965. World Bank, *Challenge of Economic Recovery and Social Harmony in Macedonia* (Washington, D.C.: August 1992), p. 5.

⁴¹*Macedonia Basic Economic Data* (Macedonia: Republic of Macedonia Statistical Office, February 1993), p. 36.

⁴²World Bank, *Challenge of Economic Recovery and Social Harmony in Macedonia* (Washington, D.C.: August 1992), p. 6. John Pluenneke, "This Ethnic Mélange is in Ferment," *Business Week* (McGraw-Hill, Inc.: 31 October 1994) -- as reported on NEXIS database.

The industrial sector, which, along with mining, makes up the largest portion of the economy (40 per cent), has been especially hard hit by the shortages of imports necessary for production, and by the difficulty in obtaining fuel. The main industries are textiles, footwear, food and tobacco, metals and metal products, and chemicals. Agriculture contributes 15 per cent of economic output, with tobacco, grapes and vegetables the main products. Shortages of fuel and fertilizer have adversely affected agricultural production. International trade is another area where substantial reductions have taken place, because of high transport costs, more limited transport access, and major reductions in exchanges with normal trading partners in the region.

In April 1992, a central bank was established and other economic reform and stabilization measures were instituted in an effort to deal with the crisis. These measures included currency reform, a wage and price freeze, and a variety of monetary initiatives, such as readjusting the international exchange rate. The economic difficulties that Macedonia has been experiencing have been identified as major contributors to social and economic unrest, and to increasing antagonisms among the different ethnic groups.⁴³

HUMAN RIGHTS ISSUES

⁴³World Bank, *Challenge of Economic Recovery and Social Harmony in Macedonia* (Washington, D.C.: August 1992), p. 15.

Several international groups have conducted on-site monitoring and evaluation missions of human rights conditions in Macedonia, and have published reports on their findings. These include the U.S. Commission on Security and Cooperation in Europe and the International Human Rights Law Group. In addition, a number of other groups have engaged in more general monitoring efforts that have given some attention to human rights issues and needs, including the National Democratic Institute for International Affairs, the International Republican Institute and the Commission on Security and Cooperation in Europe. Further information on human rights concerns in the region comes from the United Nations Protective Force, from CSCE monitors, and from material obtained from domestic Macedonian human rights groups.

The major issues identified by these sources that are of special concern to those handling refugee and asylum applications from Macedonia include:

- * repressive and discriminatory treatment of minority groups, most notably ethnic Albanians;
- * denial of free and equal access to the media;
- * treatment of refugees from other regions of the former Yugoslavia; and
- * treatment of other at-risk population groups, including ethnic minorities and draft evaders.

Status and Treatment of Ethnic Albanian Minorities

The status and treatment of minorities is the subject area where the most serious and frequent allegations of human rights violations are being made. Problems relating to minority groups are compounded by several factors:

- * The large size of the ethnic Albanian population living in Macedonia (including non-citizens), estimated by the United States Department of State as at least 30 per cent of the total population.

- * Macedonia's history of being under the control of a succession of different empires, and of being comprised of a wide variety of ethnic groups with competing territorial claims and distinct cultural identities.
- * Problems associated with the armed conflict in other regions of former Yugoslavia, and with fears that the war may spread into neighboring Kosovo and Macedonia.
- * The decision of former communists and the ethnic Albanian community to ally themselves politically, thereby excluding a large community of Macedonian nationalists from power, a situation which, whether justified or not, has fueled anti-Albanian sentiment among such nationalists.

The severity of the problems minorities face is exemplified by the discriminatory language embodied in the new Macedonian Constitution, whose preamble attempts to draw a distinction between ethnic minorities such as the Albanians, and "true" Macedonians.⁴⁴ Ethnic groups are guaranteed "civil equality," and a variety of human rights protections, but they are not referred to on equal terms as ethnic Macedonians. This Constitutional language, along with similar disputes concerning the language of the national anthem, and population descriptions used in the census, caused many ethnic Albanians to boycott both the 1990 and 1994 censuses, and the National Assembly vote on adoption of the Constitution.⁴⁵ Minority groups actually are guaranteed equal legal status and rights as those provided to ethnic Macedonians, but the wording of the Constitution reflects the prejudicial sentiments of a large number of ethnic Macedonians. It also influences the way that minorities are treated, both by dominant ethnic groups and by government officials.

⁴⁴*Constitution of the Republic of Macedonia* (Macedonia: 17 November 1991), preamble section.

⁴⁵United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 969.

The fact that ethnic Albanians are reasonably well represented in the Parliament and in the current government does not eliminate this prejudicial thinking, or prevent discriminatory and sometimes repressive government policies from being followed, particularly at the local level. Joining in a coalition with former Communist Party members may even have added to the problem, since ethnic Albanians are blamed for keeping democratic reformers from power. Many members of the opposition coalition, led by the VMRO party, openly express anti-Albanian sentiments. They believe that the current government is continuing many of the repressive and anti-democratic practices of the past totalitarian regime, and see the ethnic Albanians as collaborators in this process.

Below is a list of some specific instances in which ethnic problems and divisions involve serious discrimination, repression or severe violence.

Police Brutality and Excessive Use of Force

Credible reports have been made by human rights monitors of fairly widespread incidents of police brutality and serious violations of due process rights of ethnic Albanians. In Lodorishta, in 1991, large numbers of police are alleged to have "invaded" the ethnic Albanian neighborhood in force, committing large scale violations of due process protections while carrying out an investigation of relatively minor criminal offenses. Similar incidents of this type are reported with some frequency. The most serious confrontation between

Macedonian security forces and the ethnic Albanian community occurred on November 6, 1992, in the capital city, when:

thousands of Albanians demonstrated in an Albanian neighborhood of Skopje after the Macedonian police allegedly beat a teen aged Albanian cigarette vendor. The Ministry of Internal Affairs refused offers by leaders of various Albanian political parties to try to calm the crowds on the grounds of security considerations... [T]hree Albanians and one Macedonian bystander were killed. Over 20 people were injured, including 10 police officers... Conference on Security and Cooperation in Europe (CSCE) monitors in Skopje at the time concluded that the police had used excessive force...⁴⁶

Another major confrontation took place in Debar on April 15, 1992, when the:

wounding of an Albanian by a Macedonian police officer resulted in a major demonstration by Albanians and the subsequent suspension of the two Macedonian police officers involved.⁴⁷

The United States Department of State has indicated that instances of this type, where brutality and unjustified use of force by the police against ethnic Albanians are claimed, are widely reported.⁴⁸

Political Rights

Despite the fact that ethnic Albanians are politically represented and share some political power, they have made credible allegations of systematic discrimination in the

⁴⁶United States Department of State, *Country Reports on Human Rights for 1992* (Washington, D.C.: United States Department of State, February 1993), pp. 839-40.

⁴⁷United States Department of State, *Country Reports on Human Rights for 1992* (Washington, D.C.: United States Department of State, February 1993), p. 840.

⁴⁸United States Department of State, *Country Reports on Human Rights for 1992* (Washington, D.C.: United States Department of State, February 1993), p. 840.

political process resulting in the denial of full citizenship and voting rights. These practices are seen as diluting the representation of ethnic Albanians, and the effectiveness of the political parties representing them.⁴⁹

Discrimination is alleged to begin with provisions in the Constitution and the Citizenship Law that deny full citizenship and voting rights to ethnic Albanians who do not meet the 15 year residency requirement despite long-standing ties with Macedonia. In the past, when both Kosovo (with its 90 per cent ethnic Albanian population) and Macedonia were part of the former Republic of Yugoslavia, many ethnic Albanians circulated freely between the two areas, making it difficult for these "dual" residents to establish continuous residency in Macedonia, as is now required for citizenship and voting purposes.

Alleged problems with the under-counting of ethnic Albanians in the censuses are closely related to alleged discrimination in political representation. Districts with high percentages of Albanians are systematically listed with lower populations than is actually the case, leading to the complaint that representation of Albanians in the Assembly is diluted, since members from Albanian districts represent more voters than those from other regions. Analysts on Albanian television news broadcasts after the 1990 election claimed that a member of Parliament from a heavily Albanian district represents as many as 2 to 3 times the number of people as members from non-minority districts. It was not clear whether this claim

⁴⁹United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 969.

was based on a comparison of two particular districts, or an averaging of all district populations. Nor were specific population statistics provided as a basis for the claim.⁵⁰

In addition, Albanian groups allege that political district lines are heavily gerrymandered to further dilute the voting power of Albanians, and the effectiveness of the political parties representing them. Macedonian human rights groups confirm that considerable confusion exists concerning how the district lines are drawn, in large part because the national and local election commissions have refused to provide accurate district maps and population breakdowns.⁵¹

To a large extent, the validity of these claims depends on the accuracy of estimates of the official census undercount of the ethnic Albanian population. The percentage of ethnic Albanians in the current Parliament is slightly less than the percentage of Albanians in the total population based on the official census estimates, but the disparity would be substantially higher if unofficial estimates that ethnic Albanians may represent 30 per cent or more of Macedonia's population are accepted. Whatever the actual statistics, ethnic Albanians strongly believe that they have been subjected to systematic discrimination in their rights to citizenship and equal representation.

Human rights groups in Macedonia also have criticized administrative practices of the national and local election commissions that have a negative impact on registration and voting rights of Albanians. Domestic groups attempting to monitor the resolution of these disputes at

⁵⁰*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), p. 4.

⁵¹*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4-5.

local election sites, and to monitor balloting more generally, were denied the right to send observers to polling and ballot counting sites.⁵² It also has been reported that an ethnic Albanian political party was denied the right to register by election officials. In addition, Ministry of Interior officials announced, in October 1993, that they would seek the de-registration of two ethnic Albanian political groups on the ground that they were promoting racial conflict.⁵³

Education and Language Rights

The ethnic Albanian minority also considers that serious ethnic discrimination exists in the denial of their right to equal educational opportunities and their ability to use the Albanian language in school. Although the "official status" of ethnic languages "in local self-governing areas inhabited by a significant number of ethnic groups" is recognized in Article 7 of the Constitution, in practice ethnic Albanians have been denied this right in a number of significant respects. For example, teachers in heavily ethnic Albanian schools have been subjected to criminal prosecution for using the Albanian language in lesson plans and other "official" documents in place of Macedonian.⁵⁴

⁵²*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4-5.

⁵³United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 965.

⁵⁴*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), p. 3.

Educational restrictions against Albanians are manifested in limits that are placed on the number of classes (and consequently students) authorized to be taught in the Albanian language after the elementary grades. This policy significantly contributes to a much higher dropout rate for Albanian students, even in areas with a high concentration of ethnic Albanians. Albanian children who do not score well enough to win one of the limited number of places in classes taught in Albanian face the choice of dropping out (as most do), attending classes taught in Macedonian (which is difficult for those not fully bi-lingual), or relocating to Kosovo to receive a post-elementary education (an option no longer as feasible given escalating repression against ethnic Albanians in Kosovo and the fact that ethnic Albanians from Macedonia now have no citizenship rights in Kosovo). At the university level, opportunities for continued education in Albanian are almost non-existent in Macedonia, as no provision is made for teaching in Albanian beyond secondary school grades, except for a limited program to train Albanian teachers. As a result, many students formerly chose to attend university in Kosovo, an option likely to become increasingly difficult, given the political situation in Kosovo and citizenship barriers.⁵⁵

Two major political events in early 1995 -- the Macedonian government's decision to issue identification cards and passports in the Macedonian language only, and an attempt by ethnic Albanians to create an Albanian-language university in the predominantly ethnic Albanian area of Tetovo -- have led to crises in Parliament, to violent clashes between ethnic Albanians and the police, and to arrests of Albanian political and educational leaders. These

⁵⁵*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), p. 3.

issues had not been fully resolved as of late February, 1995, as this paper went to press, and should be monitored closely, as escalating ethnic violence is possible.

In early 1995, ethnic Albanian Parliamentary deputies demanded that application forms for identity cards, the identity cards themselves, and passports, be issued in both the Albanian and Macedonian languages. The majority in Parliament maintained that the demand for the Albanian language to have equal status with the Macedonian language was unconstitutional. When the government refused to compromise, all the 19 ethnic Albanian deputies walked out of parliament, and the ethnic Albanian PDP deputy chairman, Abdurrahman Aliti, resigned from his chairmanship in protest. The remaining ethnic Macedonian delegates then voted against the use of the Albanian language (except the holder's name) in applications, identification cards and passports. The long-term implications of the protest by ethnic Albanian delegates is not yet clear.⁵⁶

A more violent, and still unresolved, conflict arose over attempts by ethnic Albanians to create an Albanian-language university in Tetovo, a predominantly ethnic-Albanian city in northwestern Macedonia. At present, ethnic Albanians may receive elementary and secondary education in Albanian, but opportunities for higher education are limited: the proportion of ethnic Albanians at Macedonia's universities is estimated at 2 to 3%, although ethnic Albanians comprise at least 20% of Albania's population. As mentioned above, with

⁵⁶"Ethnic Albanian deputy Speaker Resigns," *British Broadcasting Corporation* (London: 13 February 1995) - as reported in NEXIS database. "ID Card Law Adopted by Parliament Without Albanian Deputies," *British Broadcasting Corporation* (London: 11 February 1995) -- as reported in NEXIS database.

the breakup of Yugoslavia into separate countries, ethnic Albanians can no longer reasonably obtain education in the predominantly ethnic Albanian Serbian province of Kosovo.⁵⁷

In late 1994, ethnic Albanians, with the support of all of the ethnic Albanian parties represented in Parliament, declared their intention to open an Albanian-language university. The Macedonian government declared the university illegal, destroyed the building designated for the university, confiscated funds which had been collected in various places, and raided the office of an ethnic Albanian party led by Arben Xhaferi (a party which had broken away from the PDP, and is also called the PDP). In the process of these actions, an ethnic Albanian was killed in Skopje, supposedly after failing to obey police orders.⁵⁸

Ethnic Albanian leaders decided to defy government orders, and announced that the University would be opened with a ceremony at noon on December 17, 1994. The actual ceremony was held 12 hours earlier, at the headquarters of the largest and most moderate Albanian party in parliament, the PDP. Several hours later three members of the University's founding board were arrested by police. In the following month, police frequently requested "interviews" with involved ethnic Albanian academics and officials.⁵⁹

On February 15, 1995, a crowd of ethnic Albanians gathered to celebrate the opening of the University, even though the university was still illegal and its premises had been demolished. Although that demonstration was peaceful, tensions escalated on February 17,

⁵⁷"Ethnic Albanians Open First University," *United Press International* (Washington, D.C.: 15 February 1995) -- as reported on NEXIS database.

⁵⁸"Forbidden" PDP Condemns Police Intervention Against Tetovo University," *British Broadcasting Corporation* (London: 15 December 1994) -- as reported in NEXIS database

⁵⁹"Ethnic Albanians Proclaim Their University Open, Police Arrest Leaders," *Associated Press* (New York: 17 December 1994) -- as reported in NEXIS database.

1995, when one man was killed and 28 others -- including nine police -- wounded in clashes between police and demonstrators over the opening of the university. On February 18, 1995, the rector of the University, Fadil Sulejmani, and five other ethnic Albanians were arrested. Dr. Fadil Sulejmani remains jailed as of the date this paper was completed. In addition, seven ethnic Albanians were sentenced to 30-day jail terms. Two of the three ethnic Albanian parties in parliament announced that they would boycott sessions of the parliament until the university issue was resolved and the rector released.⁶⁰

For several days following the clashes and arrests, armed police remained on the premises, to prevent the university from holding classes. After negotiations with the major ethnic Albanian political parties, the government agreed to withdraw the police from the premises of the intended university. All ethnic Albanian political parties, and the Albanian Women's Organization continue to support the university and to demand that the rector and an estimated ten other members of the rectorate and university senate who are imprisoned be released. Although the situation in Tetovo was calm as of late February, 1995, none of the major issues had been resolved: the university is still considered illegal by the Macedonian government, and university officials are still in jail. The possibility of escalating ethnic

⁶⁰"Ethnic Albanians Open First University," *United Press International* (Washington, D.C.: 15 February 1995) -- as reported on NEXIS database. "Albanians Defy Macedonian Rule," *The Guardian* (London: 20 February 1995) -- as reported in NEXIS database. "Seven Albanians Sentenced to 30 Days in Prison," *Associated Press* (New York: 20 February 1995) -- as reported in NEXIS database. "Albanian Party Leader Mendu Thaci Calls for Boycott, Civil Disobedience," *British Broadcasting Corporation* (London: 21 February 1995) -- as reported in NEXIS database.

violence, police brutality or additional arrests, or the permanent withdrawal of the ethnic Albanian political parties from parliament must be closely monitored.⁶¹

Government Employment

Under-representation of ethnic Albanians is endemic in government employment. They hold "far fewer than 10 percent of positions in government employment and are particularly under-represented at senior levels ... in local administration ... and in both the military and police forces."⁶²

Restrictions on Free Access to the Media

Although the Constitution prohibits censorship and guarantees freedom of expression and open access to the media, serious, well-documented allegations are made by both the Albanian minority community and opposition political reform groups led by the VMRO that these standards are not being met.⁶³

⁶¹"Party Leader Says University Will Continue Work," *British Broadcasting Corporation* (London: 21 February 1995) -- as reported in NEXIS database. "Albanian Parties Demand Release of Detainees," *British Broadcasting Corporation* (London: 21 February 1995) -- as reported in NEXIS database. "Democratic Prosperity Leader Speaks of Settlement to Tetovo Situation," *British Broadcasting Corporation* (London: 23 February 1995) -- as reported in NEXIS database. "Prosperity Party Warns of 'Direct Clashes' Between Police, Albanians," *British Broadcasting Corporation* (London: 22 February 1995) -- as reported in NEXIS database.

⁶²United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), pp. 965, 969.

⁶³*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4, 6-7.

National television broadcast facilities and channels, and the major methods of publication and distribution of newspapers remain under government control and supervision. Albanian language television programming is limited to only one hour a day, and the Albanian language newspaper is distributed only three days a week.⁶⁴

A number of writers and human rights groups have registered complaints about denial of newspaper and television access for those associated with opposition political parties and views. They allege that the Socialists (formerly the Communist Party) continue to exercise strict control over the media to prevent criticism and a free exchange of ideas. They note, for example, that a number of opposition journals have attempted to publish and compete with the two state controlled daily newspapers and the one weekly journal, but with little success. In each instance, long-term publication became impossible as a practical matter because the only viable printing and distribution mechanisms are controlled by the government, and state-sponsored newspapers receive preferential treatment and financial subsidies significantly greater than those provided to opposition journals.⁶⁵

Government officials also are reported to have taken police action against one of the opposition journals (*Republika 7*), entering the paper's offices, examining files and padlocking the facilities after publication of a series of articles (entitled "Macedonia Gate") alleging

⁶⁴*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4, 6-7.

⁶⁵*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4, 6-7.

government use of banned eavesdropping and surveillance equipment, and nepotism in government hiring practices.⁶⁶

Although a number of objective factors, such as limited circulation and high production costs, contribute to the difficulties that alternative publications face, the government's control over printing and distribution facilities, together with discriminatory subsidization policies, have played major roles in limiting free access to the print media. Similar governmental restrictions exist for the television media, where all three national television channels are state controlled. Parliament has been considering legislation that would expand access to outside groups, including the political opposition and minorities, but no final action has been taken. Radio and television stations at the local level operate on a fairly independent basis in many areas, but they tend to restrict broadcasting to entertainment and local matters, and are not considered to be alternative sources of news or political commentary.⁶⁷

Status and Treatment of Refugees from Other Regions of Former Yugoslavia

A large number of refugees fleeing the armed conflict in former Yugoslavia have entered Macedonia seeking political asylum. Approximately 100,000 Bosnian and Croatian

⁶⁶*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4, 6-7.

⁶⁷*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 4, 6-7. *Basic Statistical Data for Macedonia* (Macedonia: Statistical Office of Macedonia, December 1992), pp. 40-44.

refugees were initially accepted by Macedonia and warmly welcomed when the major armed conflicts in former Yugoslavia first erupted. But resulting economic and social strains on Macedonia caused by an influx equivalent to approximately three to five per cent of the total Macedonian population (roughly comparable to a refugee population of four million entering the United States within a brief period) quickly began to take its toll.⁶⁸ Concerns about increasing crime and unemployment, and the economic drain of providing shelter and other basic necessities to so large a refugee population, resulted in a government moratorium on the acceptance of new arrivals, and the initiation of a determined effort to resettle many of the refugees in other countries. Resettlement agreements were entered into with other governments that have helped, along with the "forced departures" discussed below, to reduce the current refugee population to between 15,000 and 25,000.⁶⁹

One unfortunate side effect of this process has been that Bosnian and other former Yugoslavian refugees have become a population at risk of discrimination, repression, and societal violence in Macedonia, despite the good will initially displayed on their arrival. Many refugees who fled Bosnia, Croatia, or Serbia and lived for a year or longer in Macedonia are now traveling to other countries, including the United States, because of increasing instances of ill-treatment or hostility in Macedonia. At least three major anti-refugee demonstrations have taken place in Macedonia, one of them in the town of Prelev, involving protests against the social and economic problems felt to be caused, at least in part,

⁶⁸World Bank, *Challenge of Economic Recovery and Social Harmony in Macedonia* (Washington, D.C.: August 1992), summary, p. i.

⁶⁹*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 8-9.

by refugees. One such demonstration protested government plans to use buildings and funds to construct new refugee housing facilities. The most recent clash of this type took place in Skopje in February 1993, between Bosnian Muslim refugees and Macedonians protesting plans to construct refugee facilities in their neighborhood.⁷⁰ Many refugees have fled Macedonia as a result of these incidents, and will have no legal right to re-enter Macedonia if they are denied refugee status elsewhere.⁷¹

Other Population Groups At-Risk: Romas, Turks and Serbs

The United States Department of State has described as "credible" various allegations made by minority groups, including Turks and Serbs as well as Albanians (discussed in more detail above), that they have suffered "human rights infringements and discrimination at the hands of the ethnic Macedonian population."⁷²

The Roma (Gypsy) population in Macedonia is officially estimated to be approximately 52,000, or between 2 and 3 per cent of the total population, although this figure is probably a low estimate because of difficulties in locating and obtaining accurate information from members of this population group. As is true throughout the Balkan region, the Roma population in Macedonia has been a frequent target for ethnic and religious

⁷⁰United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 965.

⁷¹*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 8-9.

⁷²United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 965.

discrimination, denial of economic and political rights, and mistreatment by the police. Adequate investigation and documentation of the problems and issues facing the Roma population in Macedonia have not taken place, although analyses of Roma problems in neighboring countries in the region are beginning to be compiled by groups such as Human Rights Watch. At this point, no concrete information can be cited to verify allegations of persecution against Romas in Macedonia, although the likelihood of such difficulties must be taken seriously given experiences elsewhere in the region.⁷³

One particular issue relating to discrimination against the Romas that has been identified (but not documented) by Macedonian human rights groups is that the government is alleged to have misused money received from Germany that was earmarked for the resettlement of Romas from that nation into Macedonia. Allegedly, these funds were used to deal with refugee problems more generally, notably the building of shelters for Bosnian refugees. These allegations have not been properly investigated or confirmed.⁷⁴

Ethnic Turks and Serbs (at 3.8 per cent and 2.2 per cent of the population, respectively) make up the largest remaining minority groups. Both of these minorities have been targets of ethnic animosity and discrimination in the past because of historical conflicts involving their home nations, notably the 500-year military occupation of the Balkans by the Ottoman Empire that did not end until the beginning of the 20th Century. However, very

⁷³Central and East European Law Initiative, *Briefing Book on Macedonia*, (Washington, D.C.: American Bar Association, 1993).

⁷⁴*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 8-9.

little information is available on concrete cases of discrimination or repression affecting these groups.

It should be noted that the ethnic Serbs and Turks face the same problem under the terminology of the new Constitution as Albanians, in being referred to as "residents" as opposed to "true" Macedonians. In the case of ethnic Serbs the problem is even more acute, since, unlike the Albanians, Turks and other minorities, they have not been specifically listed among the groups guaranteed equal treatment.⁷⁵ The justification that has been given for this oversight is that the ethnic Serbs do not meet the numerical cut-off that was used to define a "substantial" minority group.⁷⁶ Ethnic Serbs have demanded an amendment to the Constitution to correct the omission, and negotiations have been taking place with the government to this end.

At least one incident of police brutality against an ethnic Serbian community has been reported, with police claiming that Serbians provoked the incident by throwing rocks at officers. There also has been a dispute brewing involving the Serbian Orthodox Church, which does not recognize the independence of Macedonia from "Yugoslavia," and objects to the independent status of the Macedonian Orthodox Church. The Macedonian government has attempted to deal with these problems by negotiating an agreement that would guarantee

⁷⁵ United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 970.

⁷⁶ United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 970.

the Serbian Orthodox Church equal treatment, but it has not been finalized due to objections voiced by Serbia and ethnic Serbian leaders in Macedonia.⁷⁷

With respect to the ethnic Turkish population, "their main complaints concern insufficient Turkish-language education, exclusion from Macedonian political life, inadequate media access, and incommensurate representation in the state bureaucracy."⁷⁸

It should be noted that independent evidence of concrete, government-sponsored discrimination and repression against the Serb and Turkish minorities is not as available as in the case of the ethnic Albanians. Based on currently available information, it is unlikely that these groups face the same potential for becoming victims of ethnic violence or severe discrimination in Macedonia as the ethnic Albanian and Roma population groups. However, individual cases of severe harm suffered by ethnic Turks and Serbs in Macedonia are certainly possible. Moreover, the situation for ethnic Serbs may change dramatically if there is a further expansion of the war that has a direct affect on Macedonia, with Serbia perceived as an enemy aggressor. Macedonians are particularly concerned about the fear of Serbian intervention in their territory if the armed conflict in former Yugoslavia spreads beyond Bosnia into Kosovo, or into Macedonia itself.⁷⁹

⁷⁷United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), p. 967.

⁷⁸United States Department of State, *Country Reports on Human Rights for 1993* (Washington, D.C.: United States Department of State, February 1994), pp. 969-70.

⁷⁹*Overview of Current Human Rights Issues, Needs and Activities in Macedonia* (Washington, D.C.: International Human Rights Law Group, 12 April 1993), pp. 8-9.

Status and Treatment of Draft Evaders

There are several issues related to draft desertion and evasion, stemming from the wars in neighboring states of the former Yugoslavia, which affect Macedonia. In the early months following the breakup of Yugoslavia, before Macedonia declared its independence, Serbia/Montenegro attempted to induct young men from Macedonia into the Yugoslavian armed forces to fight in Slovenia, Croatia and Bosnia. Some young Macedonian males may have fled the region at that time to avoid being drafted into Serbia's army. At present, however, Serbia is not attempting to draft any males from within the territory of Macedonia, or any males in Serbia who can establish Macedonian citizenship.⁸⁰

Macedonia maintains its own small armed forces, and military service is mandatory for all men between the ages of 18 and 27. They are required to serve between 12 and 15 months on active duty. They continue to be subject to recall in cases of emergency as part of the reserves up till the age of 50. The current level of the military is approximately 20,000. It is estimated by the Macedonian Office in the United States that there may be as many as 2,000 to 3,000 individuals who are evading their military obligations in the Macedonian army for a variety of reasons.

Some individuals who are now citizens of Macedonia may have evaded the draft or deserted from the former federal Yugoslavian military before Macedonia became independent. Many refused to serve or deserted in protest against the war in Croatia or Bosnia. Prior to Macedonia's independence, the government of Yugoslavia (now Serbia/

⁸⁰Interviews with the Macedonian Association for Fair Elections and Human Rights (Macedonia: International Human Rights Law Group, 19-21 March 1993).

Montenegro) had the legal option of prosecuting such individuals for desertion or evasion. Macedonia takes the position that these individuals are not to be considered deserters or evaders, and will not return them to Serbia for prosecution or military service. However, if they completed none, or only a portion of their military service in the Yugoslavian army, they are required to serve in the Macedonian military until they have completed a cumulative total of 15 months of military service. Since Macedonia is not prosecuting deserters from the Yugoslav army, and Macedonia's army is not cited by the United Nations or other international bodies as having committed egregious abuses (as have the Croatian, Serbian, and Bosnian armies), most deserters and evaders from Macedonia can return without fear of unreasonable treatment by the Macedonian government. Provision is made in the military law of independent Macedonia for conscientious objectors, but they are required to serve in the military in a non-fighting capacity, and must take part along with all other recruits in basic military training.⁸¹

One group of potential evaders/deserters whose status is less clear is ethnic Albanians who are refusing to carry out their obligations as a form of protest against the status of ethnic Albanians in Macedonia. According to the Macedonian Office in the United States, there also are a number of ethnic Albanians who are working to convince young men not to serve on the grounds that "it is not your army." The Macedonian government has attempted to work with the Albanian community to assure that all eligible men will serve. They maintain (although it has not been corroborated) that several high positions in the military are held by ethnic Albanians, and that there is no distinction made between the types of service required of

⁸¹Interview with the Office of Macedonia in the United States (Washington, D.C.: 19 July 1994).

ethnic Albanian and Macedonian recruits. In some neighboring nations, such as Bulgaria, ethnic minorities receive very discriminatory treatment in military service, being segregated into special "work corps" doing manual labor such as road repair, and substantially denied opportunity for advancement into officer ranks. No evidence is available as to whether or not this was the case in Macedonia. The existence of discriminatory treatment has been denied by government representatives, but detailed, credible testimony by ethnic Albanians and other minorities while in the military that such discrimination does exist should be carefully evaluated in light of evidence of discrimination in civilian situations.⁸²

Unlike, for instance, Serbia, which has at times drafted male refugees into the Serbian military, the Macedonian government does not draft refugees. Citizens of Serbia, Croatia and Bosnia who fled their homeland and deserted their military stations during the war are treated by Macedonian authorities as potential refugees, and their refugee status is determined without regard to their status as deserters or evaders. There is, therefore, little possibility that refugees would be either recruited or punished as draft deserters or evaders by the Macedonian government.

A final category of deserters and evaders reported by the Macedonian government are those who are refusing to serve in the military on the grounds that their government is still controlled by former communists, to whom they refuse to give their allegiance. Although there is a political basis for the views of this group, they do not fall under either of the two categories generally considered under international law as exceptions to the rights of states to recruit a military force, i.e., conscientious objectors (those who oppose all wars), or those who

⁸²Interview with the Office of Macedonia in the United States (Washington, D.C.: 19 July 1994).

refuse to join a military with an internationally recognized record of egregious human rights abuses.

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