U.S. DEPARTMENT of STATE

Serbia (includes Kosovo)

Country Reports on Human Rights Practices - 2007
Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

The Republic of Serbia is a parliamentary democracy with approximately 7.5 million inhabitants.* Prime Minister Vojislav Kostunica has led Serbia's coalition government since 2004. Boris T time limits. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens and continued efforts to address human rights concerns; however, numerous problems persisted. The following human rights problems were speech and religion; societal intolerance and discrimination against ethnic and religious minorities, particularly Roma; large numbers of internally displaced persons; violence against women and children; and tra

During the year the government assisted in the arrests of Zdravko Tolimir and Vlastimir Djordjevic, two of the remaining six indictees sought by the ICTY for war crimes.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

On May 23, the Belgrade special court for organized crime concluded the trial of 12 suspects, including former secret police special unit (JSO) commander Milorad Ulemek and his deputy Zvezdan Jovanovic-Zv years in prison. The other defendants received sentences ranging from the minimum of eight years to 35 years in prison. Special Prosecutor Slobodan Radovanovic stated that he would appeal the lower senten

In June the Supreme Court upheld its 2006 confirmation of the conviction of Ulemek and others for the 2000 killing of former Serbian president Ivan Stambolic. This ruling exhausted the defendents' appeal proc

Investigation continued into the deaths of Dragan Jakovljevic and Drazen Milovanovic, two guards from Belgrade's Topcider military facility. On October 31, the chief state attorney, Slobodan Radovanovic, assig filed in 2005 against the military prosecutor, Vuk Tufegzdic. The judge issued a warning to Tufegzdic, now a judge, and fined him for "dissemination of information on personal and family life."

The government continued its investigation into the disappearance and subsequent killing of Yili, Mehmet, and Agron Bytyqi in 1999. The bodies of the three US citizen brothers were discovered in 2001 in a ma Stojanovic. On February 26, police arrested four additional suspects in the Bytyqi case and charged them with war crimes against prisoners of war: Milenko Arsenijevic, deputy head of gendarmerie, Milisav Vuc

In September the acting prosecutor general announced that he would soon make a decision whether to file indictments in the case of the 1999 killing of journalist Slavko Curuvija, owner of the *Dnevni Telegraf* n

In January the trial of eight police officers for the 1999 killing of 48 ethnic Albanians in Suva Reka in Kosovo resumed. The trial continued at year's end.

Domestic courts and the ICTY continued to try cases arising from crimes committed during the 1991-99 conflicts in Croatia, Bosnia and Herzegovina, and Kosovo.

On September 19, the Novi Pazar District Court found Estan Gegic, Ismet Derdemet, and Sead Papic guilty of the 2006 killing of Ruzdija Djurovic, a city council candidate from the List for Sandzak party. The co

There was no new information available on the trial of Kikinda policeman Sasa Misin for the 2005 fatal beating of a civilian.

b. Disappearance

There were no reports of politically motivated disappearances.

The government made modest progress in cooperating with neighboring countries and Kosovo, the International Commission on Missing Persons, and other international organizations to identify missing person bodies uncovered to date in Serbia had been returned to Kosovo. On June 5, the War Crimes Court and the Serbian government's Committee for Missing Persons began an investigation into a report of alleged

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, police at times beat detainees and harassed persons, usually during arrest or initial detention for petty crimes.

On June 28, the Youth Initiative for Human Rights (YIHR) reported that it won a lawsuit against four police officers from Doljevac for the 2003 torture and interrogation of an 11-year-old girl in the village of Sarlin

There was no further information available in the following 2006 cases: the March beating of Kikinda resident Mihalj Koloncaj by police; the series of incidents between May and September in which police inspec

There was no information available on developments in the following 2005 cases: the abuse of a 17-year-old girl at a Belgrade police station; the harassment and beating of a family by traffic police near Nis; the

Prison and Detention Center Conditions

Prison conditions varied greatly among facilities, and there were reports that some guards abused prisoners.

The media reported prison overcrowding, with 8,500 prisoners incarcerated in the prison system, exceeding the official capacity of 6,000 established by the Department for the Treatment of Prisoners. In some p out hunger strikes to protest delays in passing a draft law on amnesty.

Unlike in previous years, there were no reports of juveniles held in the same cells with adult prisoners.

The government permitted the ICRC and local independent human rights monitors, including the Helsinki Committee for Human Rights in Serbia (HCS), to visit prisons and to speak with prisoners without the pr procedures to deal with prisoner allegations of mistreatment.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions. Unlike in previous years, there were no reports that police detained and interrogated h

Role of the Police and Security Apparatus

The approximately 43,000 police officers in Serbia fall under the authority of the Ministry of the Interior. The police are divided into 33 regional secretariats that report to the national government.

The effectiveness of the police was uneven. While most officers were Serbs, the force included Bosniaks (Slavic Muslims), ethnic Hungarians, a small number of ethnic Albanians, and other ethnic minorities. Th

There were reports of corruption and impunity in the police force, and the government took measures to address them during the year. The interior ministry inspector general's office, subsequently renamed Inter against interior ministry employees, it had no means of following up on proceedings, and some offices completely ignored its recommendations. In October, as a result of Internal Control's investigation, prosecu

The inspector general's office initiated disciplinary measures against approximately 100 officers, primarily traffic police in Novi Pazar, and prosecutors brought charges in all cases.

During the year the government, together with the Organization for Security and Cooperation in Europe (OSCE) and foreign governments, trained police, security, and border officials on combating terrorism, cor Medvedja.

Arrest and Detention

Arrests were generally based on warrants, although police were authorized to make arrests without a warrant in limited circumstances, including well-founded suspicion of a capital crime. The law requires an inv

The law provides that police must inform arrested persons immediately of their rights, and authorities respected this requirement in practice.

The law provides access for detainees to counsel, at government expense if necessary, and authorities generally respected this right in practice. Family members were normally allowed to visit detainees. Suspe

The law prohibits police use of force, threats, deception, and coercion to obtain evidence, as well as use in court of evidence acquired by such means; however, police sometimes used these means to obtain sta

Unlike in previous years, there were no reports that authorities used arbitrary arrest and selective enforcement of the law for political purposes.

The law limits the length of pretrial detention from indictment to the conclusion of a trial to two years for most cases, but allows detention for up to four years for crimes that carry up to the maximum penalty (40 y courts, cases often took an excessively long time to come to trial; once started, trials often took an excessively long time to complete.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, the courts remained susceptible to corruption and political influence, and corruption in the judiciary remained a problem. Observers believed that judicial r prosecutions, including by applying pressure on prosecutors and judges.

On July 20, the Special Prosecutor's Office for Organized Crime began an investigation into the 2001 release from detention of Dusan Spasojevic and others suspected of planning the 2003 assassination of Prir

In June the Supreme Court upheld the 2006 conviction of former Supreme Court justice Slavoljub Vuckovic for bribe-taking in the Jotka organized crime case. Although the court reduced Vuckovic's sentence to

There was no new information in the case of former deputy public prosecutor Milan Sarajlic, whom the court convicted in 2006 for accepting payments from the Zemun organized crime clan in 2004.

The private sector considered corruption in the commercial courts to be widespread. Land transfers often were difficult to conclude, leading many in the private sector to allege administrative corruption. It was ur

The courts were inefficient, and cases could take years to be resolved. The number of judges at the main courts was inadequate to meet the increasing caseload. A lack of professional court administration and t

The judicial system consists of municipal courts, district courts, commercial courts, a Supreme Court, and a Constitutional Court. The law also provides for special courts within the Belgrade district court for war constitution.

During this year, the Military Department of the Belgrade District Court assumed responsibility for military cases.

Trial Procedures

Trials are generally public, but they are closed during testimony of a state-protected witness. There are no juries. The law stipulates that defendants are presumed innocent; have the right to have an attorney rep

The criminal procedure code, adopted in June 2006, introduced prosecutor-led investigation, plea bargaining, and use of special investigative techniques, such as wiretaps and undercover operations, but parliar

The special war crimes chamber continued trying war crimes cases. According to the law, evidence gathered by special investigative techniques is admissible. In 2006 the government established a victim/witne

On October 15, the OSCE released a statement expressing concern that members of the parliament were verbally attacking war crimes prosecutor Vladimir Vukcevic. In the statement, the OSCE criticized these

On October 19, police arrested four members of the Scorpions paramilitary unit for participation in the 1999 killing of 14 ethnic Albanians in the Kosovo town of Podujevo. War crimes prosecutor Vukcevic stated

On November 29, the war crimes chamber reported the indictment of 14 former volunteers and members of paramilitary units and members of the Army for complicity in the killing of at least 20 civilians and the a

There were developments in the Ovcara case (also known as the Vukovar massacre). On March 1, media reported that the Supreme Court upheld the conviction of Milan Bulic for beating and abusing Croatian p community criticized the ruling as politically motivated, noting that every major war crimes conviction (e.g., Podujevo, Sjeverin, Ovcara) in a first-instance court had been overturned by the Supreme Court upon f

On April 12, the Belgrade special war crimes chamber convicted four of five Scorpions members indicted for involvement in the 1995 execution of six Bosnian Muslim civilians from Srebrenica. The fifth defendar

The Zvornik trial, involving the 1992 killing of 21 Bosnian Muslims and expulsion of 1,822 others, continued in the special war crimes chamber. In a related case, the special war crimes chamber continued to inv

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The country has an independent and impartial judiciary in civil matters where citizens can bring lawsuits seeking damages for or cessation of a human rights violation. The remedies generally involved monetary

Property Restitution

During the year a government commission continued to register claims for private property seized since 1945 but made no progress on enacting a private property restitution law or returning property. The gover

The Union of Jewish Communities noted that Serbia has not ensured the restitution of private Jewish property that was expropriated, mainly between 1941 and 1944.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions; however, the government interfered with privacy and correspondence. While the law requires the Ministry of Interior to obtain a court order before monitoring poten

Most observers believed that authorities selectively monitored communications, eavesdropped on conversations, read mail and e-mail, and tapped telephones. Human rights leaders frequently reported that thei

Media reported that the Security Information Agency placed journalist Dejan Anastasijevic under surveillance and tapped his phone for 10 days before a bomb exploded outside of his home.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and the Press

The law provides for freedom of speech and of the press; however, there were reports that the government interfered with these freedoms and carried out reprisals against persons who criticized the governmen tabloid journalism. Many reporters lacked professionalism in citing sources and achieving accuracy.

Serbian media were mostly independent and privately owned, although most municipally-owned media had not been privatized. The oldest nationwide daily, *Politika*, was co-owned by a German company and th

The law grants the parliament the power to approve the budget of the independent broadcast council, which has broad authority to strip radio and television stations of their licenses without right of appeal; howe

Radio-Television Serbia (RTS), a public media outlet funded by mandatory subscription, was a major presence, operating two television channels as well as Radio Belgrade. RTS's coverage was generally objec

In 2006, the government-controlled Republic Broadcasting Agency awarded national television licenses to private operators B92, TV Pink, Fox TV, TV Avala, and Kosava-Happy and radio licenses to B92, Radic lacked transparency. The Broadcasting Agency rejected the ruling, and the agency's president called for the Supreme Court president's resignation. On July 16, members of the agency's broadcasting council ur

In April 2006, police shut down the country's first private television station, BK (Karic Brothers) Television, for operating without a license, when the station criticized the process of granting licenses. BK Televisic

Media organizations, particularly the radio station B92, were victims of vandalism, bomb threats, and intimidation for coverage and portrayal of views unpopular with the government and right-wing elements of s Sad correspondent of news agency Beta and chairman of the Independent Journalists' Association of Vojvodina, appeared on a neo-Nazi Web site. Gruhonjic had reported extensively on National Formation, a Stefan Cvetkovic, editor-in-chief of independent radio and television station TNT in Bela Crkva, received death threats; according to SEEMO, the threats were made to stop TNT's reports of criminal activities. In

On December 3, producers of the popular B92 radio show Pescanik (Hourglass), which offers political commentary often critical of government policy, attempted to host the show in the central-Serbian town of A

The Independent Journalists' Association of Serbia criticized delays in investigating attacks on journalists, stating that they contributed to the belief that perpetrators could act with impunity.

In April a bomb exploded outside the Belgrade apartment of Dejan Anastasijevic, journalist for the weekly *Vreme*. The attack followed Anastasijevic's criticism of sentences handed down to the Scorpions for war

Journalists and media NGOs reported that the local government in the city of Novi Pazar restricted media access to municipal proceedings and events. According to Reporters Without Borders, authorities made

Journalists sometimes practiced self-censorship due to possible libel suits and fear of offending the public, particularly on subjects relating to wars in the former Yugoslavia and to the UN-led negotiations on the

Libel is a criminal offense; those convicted of libel face imprisonment or fines of $720 to $18,000 (40,000 to 1 million dinars).

In April Zeljko Bodrozic avoided an 80-day prison sentence for his 2002 defamation conviction after his publisher and humanitarian agencies paid his $185 (10,000 dinar) fine. In 2002 Bodrozic wrote an article c

In September the Belgrade District Court ordered tabloid *Kurir* to pay damages to Economy Minister Mladjan Dinkic for publishing "untrue information" in 2005 when Dinkic was finance minister. According to the

Internet Freedom

There were no government restrictions on access to the Internet. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. However, NGOs and the media re

Academic Freedom and Cultural Events

The government generally respected academic freedom. Unlike in previous years, there were no reports of censorship of cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected it in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice; however, the government maintained a discriminatory law on religion and a discriminatory property tax, an

While there is no state religion, the majority Serbian Orthodox Church received some preferential treatment. For example, there were complaints that the government continued to fund construction of a large Se

The 2006 law on religion recognizes seven "traditional" religious communities: the Serbian Orthodox Church, the Roman Catholic Church, the Slovak Evangelical Church, the Reformed Christian Church, the Ev religions in Serbia for over 50 years and were present in the republic for as long as 150 years.

The registration requirements for nontraditional groups include submitting names, identity numbers, and signatures of members; showing proof that the group meets the threshold of 0.001 percent of adult citizer

While the law states that unregistered communities can continue to practice under prior law, unregistered communities were denied tax numbers and therefore could not pay taxes, hold bank accounts, or emplo

Many minority religious groups, attempting to register with the Ministry of Religion, reported confusing and irregular procedures. NGO Forum 18 reported during the year that the government was arbitrarily denyi groups.

During the year the Ministry of Religion re-registered all seven traditional religious groups and registered 10 "nontraditional" religious groups: the Seventh-day Adventist Church, the Evangelical Methodist Churc

In February, following two failed attempts to register, the Jehovah's Witnesses filed a suit in the Supreme Court. The Religion Ministry claimed the application was not filed properly. The case was pending at yea

The 2006 law stipulates that no religious group may be registered if its name contains part of the name of an existing group, and the government continued to refuse recognition of the Greek and Macedonian Or distinct from the names of other registered churches.

Tax law exempts property owned by the seven recognized traditional religious groups, although a challenge to the law was pending in the Constitutional Court at the end of the year. The complaint was filed July

Non-Serbian Orthodox religious organizations continued to report difficulty obtaining permission from local authorities to build new worship facilities. The Belgrade Islamic community reported continued difficultie

Serbian law requires students in primary and secondary schools either to attend classes of one of the seven traditional religious communities or, alternatively, to take a class in civic education. Leaders of religiou

Small religious groups continued to report official bias. Some government officials made public statements equating Protestant communities with satanic cults. During a lecture series in September, the senior pc

After a July attack on an Adventist church in Sombor, police asked church officials if they were registered under the new law before investigating the incident.

On August 27, Marija Arsenijevic lost custody of her infant based on the accusation of the baby's father that she was a member of Jehovah's Witnesses. Observers criticized the ruling, accusing the court of basi

The government, in accordance with a 2006 law on restitution of communal property in Serbia, including religious sites seized since 1945, established a Directorate of Restitution of Communal and Religious Pro 1945 as a baseline, since their properties were largely confiscated between 1941 and 1944.

Societal Abuses and Discrimination

During the year there were a few cases of physical and verbal attacks against religious minorities.

On March 28, Jehovah's Witnesses missionaries were attacked and held at gunpoint for nearly an hour in Stari Banovci. Police arrested and questioned a suspect, but released him. Prosecutors held a hearing

On June 29, Zivota Milanovic, a Hare Krishna devotee in Jagodina, was stabbed several times after opening his door to an individual who identified himself as a police officer. Milanovic was also attacked in Jun

Religious communities, especially minority religious communities, reported continuing problems with vandalism of buildings, cemeteries, and other religious sites. The police and prosecutors' responses were oft

On July 9, following attacks earlier in the year that damaged Adventist Churches in Sombor, Stapari, Kikinda, and Ruma, youth plastered the Adventist church in Belgrade with stickers that read: "Sects are deat

On September 17, unknown perpetrators sprayed "stop sects" on the walls of the Evangelical Church in Kraljevo.

On December 25, unknown perpetrators pulled out several crosses at the Orthodox cemetery in Subotica in Vojvodina. Police continued to investigate the incident at year's end.

The press continued to label smaller, multiethnic Christian churches, including Baptists, Adventists, Jehovah's Witnesses, and other smaller religious groups as dangerous "sects." RTS broadcast a program on

The Jewish community comprised an estimated 3,000 persons. Jewish leaders in Serbia reported continued incidents of anti-Semitism, including anti-Semitic graffiti, vandalism, small circulation anti-Semitic boo members, the release of such publications often led to an increase in hate mail and other expressions of anti-Semitism. Several nationalist, far-right organizations identified themselves with anti-Semitic rhetoric,

On October 7, participants in an unauthorized neo-Nazi rally in Novi Sad clashed with counterdemonstrators. Police arrested 56 neo-Nazis, including rally organizer Goran Davidovic. Davidovic had announced t The cases of the remaining individuals were pending at year's end.

Holocaust education was incorporated into the school curriculum, and the role of the government in the Holocaust was also discussed. There was a tendency among some commentators to minimize and reinter

While government leaders publicly condemned incidents of anti-Semitism, there was no significant government effort to prevent such intolerance and hate speech.

During the year the Islamic community significantly split along political lines. One group aligned itself with a newly-established local Riyaset in Belgrade, and the other retained its traditional ties to the Riyaset in followers of one group attacked followers of the other group when they attempted to enter a religious building where the latter were to distribute presents to children for the Eid holiday.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the C

The law prohibits forced exile, and the government did not employ it.

Internally Displaced Persons (IDPs)

According to UNHCR figures, approximately 206,500 IDPs resided in Serbia, mainly Serbs, Roma, Ashkali (an Albanian-speaking ethnic group considered by outsiders as similar to Roma but self-identifying as a temporary accommodations, rather than for long-term occupancy.

The Ministry of Labor and Social Welfare established a Department for Population Policy to address the needs of vulnerable populations in Serbia, including IDPs. Some of these responsibilities were previously

The government continued to pay salaries to IDPs who were in the Kosovar government and state-owned enterprises before June 1999.

The law requires residents to register changes of residency, deregistering from the old address in person. Those IDPs from Kosovo who lacked personal or residency documents from Kosovo were unable to de

There were 23,164 officially registered Romani IDPs in the country. However, the UNHCR estimated that there were a total of 40,000 to 45,000 internally displaced Roma living in Serbia proper, many of whom p accommodate them. If Roma did stay, they often lived in unauthorized encampments near major cities or towns. In at least one instance, when a local community did offer to relocate Roma from substandard co

Unlike in previous years, there were no reports that IDPs were targeted for attacks. There were reports that the government sometimes failed to recognize IDPs, often due to a lack of communication with official

The government allowed IDPs access to assistance from NGOs and international organizations.

While government officials continued to make public statements that IDPs should return to Kosovo, senior government officials also claimed that it was unsafe for many to return.

Protection of Refugees

During the year, the law did not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. However, on November at borders during the year.

The UNHCR maintained an office at the airport to receive third-country asylum seekers, including those who entered the country via other ports of entry. The UNHCR conducted refugee status determinations in status during the year and were waiting to be resettled. At year's end, a total of 44 individuals remained under UNHCR protection as mandate refugees, 11 as asylum seekers, and 33 persons of concern. Two a

UNHCR, with the cooperation of the Ministry of Interior, in October opened an asylum center for receiving and sheltering asylum seekers.

The government cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. Under the 1992 Decree on Refugees, the government provided temporary protecti may not qualify as refugees under the 1951 convention and its 1967 protocol, and provided it to 33 persons during the year.

There were no reported cases of abuse or discrimination of refugees during the year.

Stateless Persons

The basis for citizenship is jus sanguinis. The UNHCR estimated that there were up to 18,000 stateless persons in the country, mostly due to a cumbersome and lengthy citizenship registration process. Lack of living in isolated areas.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

The country held parliamentary elections on January 21, which the OSCE and other election observers judged free and fair. Ethnic Albanian parties also participated in the election, ending 15 years of boycotts.

Political parties generally operated without restrictions or outside interference. However, in a report released at midyear, YIHR detailed 119 instances of politically motivated violence between October 2006 and

There were 50 women in the 250-seat parliament, and one of six parliamentary vice presidents and the secretary of the Parliament were women. There were four women in the 23-member cabinet. In 2006 the g

The constitution and law exempt ethnically based parties from the five percent threshold required for a political party to enter parliament. In the January election, minority parties and lists received a combined 3.5 parties won one seat each. An ethnic Albanian party also won a seat for the first time in 15 years. One of the six parliamentary vice presidents was a member of an ethnic minority. Rasim Ljajic, a Bosnian Muslir

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There was a widespr

Public officials are subject to financial disclosure under the conflict of interest law; however, the Committee for Financial Disclosure may only recommend dismissal for failure to file reports, and not for the substa

During the year authorities made some new arrests for corruption and continued the prosecution of high-profile cases from previous years. While the government's Anticorruption Council frequently made public

On January 22, the trial of the "bankruptcy mafia" commenced. A total of 36 defendants, including Goran Kljajevic, former president of the Belgrade Commercial Court and commercial court judge Delinka Djurdj

In April Dejan Simic, former vice governor of the National Bank of Serbia, and Socialist Party of Serbia director Vladimir Zagradjanin were indicted for bribery. Simic allegedly accepted a suitcase containing the e

In May the trial of 53 persons charged in the "highway mafia" case began. Prosecutors accused the defendants of using false payment cards and illegal software on two major tollgates between 2004 and 2006,

In July police charged a former general manager of the power utility Elektroprivreda Srbije, Ljubomir Geric, and three other former executives of the company in connection with agreements between the utility ar

In September the fraud and embezzlement trial of Mihalj Kertes, the former Head of the Customs Service during the Milosevic era, began. The case was part of the ongoing "Cyprus money laundering" investiga

The leader of the Power of Serbia Movement, Bogoljub Karic, remained outside the country at year's end. Shortly after Karic formed a new parliamentary caucus in 2006, police issued a warrant for his arrest on

The trial of deputy public prosecutor Milorad Cvijovic was underway at year's end. Cvijovic was charged with the unauthorized appropriation of a court document from the archives of the state prosecutor's office

There was no new information in the trial of former minister of defense Prvoslav Davinic, charged with facilitating apartment leases for his bodyguards. On July 2, prosecutors indicted Davinic, Major General Mil

Government implementation of the 2004 access to information law continued to be slow, and the government generally did not provide access in practice. The law provides for public access to information of "leg report by Transparency International, 81 percent of local institutions, 67 percent of public enterprises, and 35 percent of ministries were failing to fulfill their obligations under the access to information law, even a

On March 30, the government signed a contract to build a highway from Horgos to Pozega through Vojvodina. The Anticorruption Council, local Vojvodina officials, journalists, and NGOs following corruption pub ministry posted most of the contract on its Web site. At year's end, the government was in the process of implementing the contract.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of independent domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. However, these gro for Human Rights.

In July YIHR activist Maja Stojanovic avoided imprisonment when a group of NGOs paid a fine on her behalf. A Nis municipal magistrate had ordered the fine or a 10-day prison sentence if she did not pay the fi

During the year media campaigns aimed at demonizing human rights activists led to threats, harassment, and attacks against NGO workers. Media sometimes published NGO workers' personal information, suc Biljana Kovacevic-Vuco.

During the year there were several physical attacks and threats against NGO workers. NGOs reported that officials were often slow to investigate or prosecute these cases. On January 22 in Belgrade, a group o However, the suspect claimed an alibi for the time of the attack, and police took no further action.

On January 24 in Nis, YIHR activist Radojica Buncic was punched in the face and verbally abused by unknown assailants. Police took a statement from Buncic but did not identify the perpetrators. There was no

On July 11 in Nis, youth members of My Initiative were hanging posters calling for the arrest of ICTY indictee Mladic when six men attacked them. Police detained one assailant, but subsequently released the a

In March 2006, HCS issued a report on the targeting of human rights defenders in Serbia. While praising some positive legal developments, the report criticized the government's failure to denounce more forcef

In July the government selected Sasa Jankovic to serve as ombudsman for the country, a position established in 2005 but previously unfilled. Vojvodina province had its own ombudsman, who operated indepen

During the year the government assisted in the arrests of Zdravko Tolimir and Vlastimir Djordjevic, two of the remaining six indictees sought by the ICTY. Two of ICTY's most wanted war crimes suspects with lin

While the constitution prohibits the extradition of any person with Serbian citizenship, the law allows for an exception in cases of extradition of citizens to the ICTY.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status; however, discrimination against women and ethnic minorities, trafficking in persons, and violence aga

Women

Rape, including spousal rape, is punishable by one to 40 years for a simple case, a minimum of three years for an aggravated case, and a minimum of five years if death results or the victim is a minor. Advocate

Violence against women was a problem, and high levels of domestic violence persisted. Domestic violence is a crime punishable by a prison sentence of six months to 10 years, depending on the seriousness o few official agencies dedicated to coping with family violence had inadequate resources.

A report by several Romani NGOs released in April found that, of the half of the respondents who would discuss domestic violence, over 75 percent reported experiencing verbal or physical abuse. The respond

The Serbian Victimology Society reported in July 2006 that one-third of women have been victims of physical violence and half of women have been victims of psychological violence. In 2004 there were approxi arrangements were common), and the lack of support from extended family were prevalent.

During the year the MAS participated in a series of seminars and training sessions for magistrates to adjudicate domestic violence cases. The Center for Autonomous Women's Rights in Belgrade offered a rape funds for a shelter to be built in cooperation with the City of Belgrade.

Prostitution is illegal, although being a client of a prostitute is not a criminal offense.

Sexual harassment was a common problem, but public awareness remained low and few complaints were filed during the year. The law provides that sexual harassment is a crime punishable by up to six month

Women have the same legal rights as men, including under family law, property law, and in the judicial system, and these rights were generally enforced in practice. The government has a council for gender equ

Traditional views of gender roles, particularly in rural areas, resulted in discrimination against women. In remote rural areas, particularly among some minority communities, women could not effectively exercise

The social status of women was generally considered inferior to that of men, and women were not well represented in commerce. Women were legally entitled to equal pay for equal work; however, according to

Children

The government was committed to the rights and welfare of children.

Romani families experienced some difficulties registering the births of children, mostly due to a lack of permanent address or documentation of parents' identity.

The educational system provided nine years of free, mandatory schooling, including a year before elementary school. However, ethnic prejudice, cultural norms, and economic distress discouraged some childre including Roma and poor populations. Only 14.4 percent of children in rural areas attended preschool.

Romani education remained a problem. Many Romani children, especially girls, did not attend primary school, reportedly either for family reasons, because they lacked identity documents, because they were ju for children with emotional disabilities because the Romani language and cultural norms made it difficult for them to succeed on standardized tests in Serbian. According to a 2005 report on racism in eastern Se

The law provides that government clinics offer free medical care, including free medicines from a limited list of covered drugs. There were reports, however, that corruption resulted in restricted access to medica

Child abuse was a problem. According to the Poverty Reduction Strategy Report, reported cases of family violence rose in 2006. While teachers were instructed to report suspected child abuse cases, they ofter

Child marriage was a problem in some communities, particularly among Roma and in rural areas of southern and eastern Serbia. In the Romani community, boys and girls generally married between the ages of

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked through, to, and from the country for commercial sexual exploitation, labor, and begging.

Serbia was a transit point and a point of origin and destination for trafficking in women and children for the purpose of sexual exploitation. Domestic trafficking increased compared to previous years, and the nun been a result of increased monitoring and improved identification of victims.

In 2006 the Ministry of Labor, Employment, and Social Policy and the NGO Children's Rights Center released results of a survey that showed Romani children and children from poor, rural communities and fost

Traffickers tended to be part of small crime groups with international links. Unlike in previous years, there were no identified cases with ties to large organized crime groups. In some cases, friends or family mem

Traffickers recruited victims through enticements including advertisements for escorts, marriage offers, and offers of employment. Some women went to work as prostitutes knowingly and only later became traff

The government increased funding for its antitrafficking programs. The criminal code differentiates between trafficking and smuggling. The penalty for trafficking in persons is two to 10 years in prison; for traffick

During the year authorities filed 26 criminal charges against 57 persons for trafficking. Government officials estimated that the number of unidentified cases was increasing. Antitrafficking groups worked with 185

The government cooperated in combating trafficking with neighboring countries, including Bosnia and Herzegovina, Croatia, Hungary, Slovenia, Bulgaria, Romania, Greece, and Ukraine. However, the constituti

On November 17, acting public prosecutor in Novi Pazar, Slobodan Radovanovic, announced the arrest of deputy public prosecutor Nenad Palamar, who allegedly failed to investigate or report victims of traffick

The government's antitrafficking team, headed by an antitrafficking coordinator who was the chief of the border police, incorporated government agencies, NGOs, and international organizations and led governn

The government offered temporary resident visas and shelter to victims who agreed to testify against their traffickers, provided victim and witness protection, and did not prosecute victims.

The government's agency for coordination of protection to victims worked to ensure that trafficking victims were correctly identified and referred to assistance providers. Every police station had a focal point for t of sexual exploitation.

Unlike in previous years, the International Organization for Migration (IOM) did not have funds for repatriation of foreign victims, and it no longer ran a regional clearing center for information on trafficking victims

The IOM and the OSCE funded numerous training programs, including training for hot line volunteers, shelters, social welfare officers, and police.

Government and NGO public awareness efforts to combat trafficking included conferences on trafficking, documentary films and public service announcements shown across the country, and school outreach pı

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, and the government generally enforce for persons with disabilities to obtain employment. While there were no reports of overt discrimination against persons with mental or physical disabilities, CIL reported that it was difficult to determine if there was

The law mandates access for persons with disabilities to new public buildings, and the government generally enforced this provision in practice.

Unemployment remained a serious problem for persons with disabilities. A study released by the Center for Development of Inclusion and the Center for Study of Alternatives in 2006 found that 87 percent of pe

In a report released in February, the HCS found that psychiatric hospitals in the country often provided inadequate living conditions and that staff lacked training to deal with these cases. Most institutions were la immobilization, could occur.

On November 21, Mental Disability Rights International (MDRI) released a report on government facilities for the mentally disabled. The report, titled "Torment, Not Treatment," criticized the facilities for inadequa facilities.

National/Racial/Ethnic Minorities

Minorities constituted 25 to 30 percent of Serbia's population and included ethnic Hungarians, Bosniaks, Roma, Slovaks, Romanians, Vlachs, Bulgarians, Croats, Albanians, and others.

Roma, who constituted 1.4 percent of the population, continued to be targets of numerous incidents of police violence, verbal and physical harassment from ordinary citizens, and societal discrimination.

In January in the village of Medja in Leskovac municipality, 30 Romani homes were spray-painted with swastikas and anti-Roma graffiti. Police took statements but took no further action during the year.

On February 6, a group of Serbs attacked the president and several members of the Democratic Association of Roma in Belgrade. The HCS reported that traffic police witnessed the event without intervening ar

In August there was a series of attacks on Roma in Belgrade, including destruction of homes, assaults, and hate speech graffiti. Police responded that they were investigating but had not made any arrests by ye

The July 2006 UN Development Program's social vulnerability report found that the Romani population continued to live in conditions of extreme poverty with limited access to education and healthcare. The rep

Many Roma, including IDPs from Kosovo, lived illegally in squatter settlements that lacked basic services such as schools, medical care, water, and sewage facilities. Some settlements were located on valuable

Although not widespread, there continued to be incidents of vandalism and some physical attacks against minorities in Vojvodina. The number of incidents against ethnic Hungarians in Vojvodina remained low,

Political leaders in Vojvodina continued to object to certain provisions in the 2006 constitution. While the constitution ostensibly gives Vojvodina a larger portion of its tax revenue than the province previously rec

The law stipulates official use of any native language and alphabet of a national minority with 15 percent of the population in a given area. However, in June YIHR reported that place and street names were only

Ethnic Albanian leaders in the southern municipalities of Presevo, Bujanovac, and Medvedja continued to complain about under-representation of ethnic Albanians in government structures, and lobbied for grea

In September the government announced a reorganization of the Coordinating Body for Southern Serbia, which coordinates policy and assistance to the region. Ethnic Albanian leaders complained that the gove

The government operated a hot line for minorities and others concerned about human rights problems. The government also provided students with an optional civic education class, which included information

Other Societal Abuses and Discrimination

Violence and discrimination against homosexuals was a problem. Some NGOs reported that homosexuals were denied equal opportunities in education and employment. A 2006 survey by YIHR indicated that l

Although the broadcasting law prohibits discrimination on the grounds of sexual orientation, the media carried slurs against homosexuals.

Human rights organizations were sometimes targeted for their vocal support of gay rights, sometimes leading to harassment. For example, on February 28 in Nis, two YIHR members were followed and harasse

In a 2006 poll conducted by lesbian rights organization Labris, 65 percent of homosexual respondents claimed they had experienced violence due to their sexual orientation. Only ten percent of respondents had

NGOs reported acts of discrimination against persons with HIV/AIDS, including job loss and harassment from neighbors. The NGO Sunce stated that fear of discrimination prevented many persons from seeking

Section 6 Worker Rights

a. The Right of Association

The law and constitution provide the right for workers, except military and police personnel, to join or form unions of their choosing. This right was subject to restrictions, including approval by the Ministry of Labo competed with the government-affiliated federation. In the state-owned sector, 61 percent of workers belonged to unions, down from last year due to privatization. In the private sector, 13 percent were unionizec

The law does not prohibit antiunion discrimination. According to the trade union Nezavisnost, during the year there were cases of dismissal and suspension for union activity. One employer forced workers to rel

b. The Right to Organize and Bargain Collectively

The law and constitution allow unions to conduct their activities without interference, and the government protected this right in practice. The law protects the right to organize and bargain collectively, and it was reported to be substantial and widespread. Approximately 40 percent of employed workers were covered by collective bargaining agreements.

The law and constitution provide for the right to strike except by persons providing essential services such as education, electric power, and postal service. These employees constitute approximately 50 percent

Serbia continued to lack a general collective agreement since the previous agreement expired in 2005. Following unsuccessful negotiations in 2006, there were no new talks during the year. In the absence of a

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law and constitution prohibit forced and compulsory labor, including by children; however, women and children were trafficked for commercial sexual exploitation, labor, and begging.

d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively enforced laws protecting children from exploitation in the workforce; however, there were reports that children were trafficked for commercial sexual exploitation, labor, and begging.

In villages and farming communities, younger children commonly worked in family businesses. Children, particularly Roma, also worked in a variety of unofficial retail jobs, typically washing car windows or sellin

The minimum age for employment is 15, and youth under 18 require written parental or guardian permission for employment. The labor law stipulates very specific working conditions for youth, and limits their w

The Labor Inspectorate of the Ministry of Labor, Employment, and Social Issues checked for child labor during its inspections; however, the ministry stated it found no violations during the year. The absence of s

e. Acceptable Conditions of Work

The minimum wage for the period July-December was set by the Social Economic Council at approximately $205 (11,094 dinars) per month. The minimum wage did not provide a decent standard of living for a

According to figures released at year's end, the average salary in November was approximately $524 (29,373 dinars) or $26 (1,468 dinars) per day or $3 (183 dinars) per hour. The average salary was not adeq

The standard workweek of 40 hours was generally observed in state-owned enterprises but not in private companies. The law provides that an employee may not work overtime for more than four hours a day o

Collective agreements were the primary means of providing premium pay for overtime. However, the labor law requires that the premium for overtime work should be at least 26 percent of the salary base, as de

It is mandatory for companies to establish a safety and security unit to implement safety and security regulations; however, in practice these units often focused on rudimentary aspects of safety, such as purcha

KOSOVO

Kosovo has a population of approximately 2.2 million and is administered by the UN Interim Administrative Mission in Kosovo (UNMIK) pursuant to UN Security Council (UNSC) Resolution 1244 of 1999. UNMIK of self-government (PISG). Multiparty elections in November for the Kosovo Assembly generally reflected the will of the voters. During the year negotiations aimed at settling Kosovo's status were held under the

UNMIK and the PISG generally respected the human rights of residents; however, there were problems in some areas, particularly relating to minority populations. The most serious of these were cases of politi discrimination against women; trafficking in persons, particularly girls and women for sexual exploitation; societal violence, abuse, and discrimination against minority communities; societal discrimination against

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, UNMIK forces killed two persons during demonstrations.

During a February 10 demonstration by the Self-Determination Movement in which protestors turned violent, UNMIK security forces killed two civilians with rubber bullets and seriously wounded two others. Subs Department of Justice also concluded that insufficient evidence existed for charges to be lodged against any particular officers. The investigation, which was ongoing at year's end, found that the security forces His trial was ongoing at year's end. Several international human rights organizations voiced concerns at the length of Kurti's pretrial detention and UNMIK's conduct of the trial.

There were no developments in the December 2006 case of Hetem Sadri Rexhaj, who was killed in police custody in Pec/Peja.

Unlike in 2006, there were no reports of deaths from landmines or unexploded ordnance from the 1998-1999 conflict.

There were no developments in the investigations of the following killings that may have been politically motivated: the May 2006 killing of Mark Oroshi, who was suspected of killing attorney and Istok/Istog Dem

Unlike in previous years, there were no apparently politically motivated killings of police officers. However, two Kosovo Police Service (KPS) officers were killed during the year. On January 3, officer Avni Kosum

On August 30, KPS officer Triumf Riza was shot in a Pristina parking lot while off duty and died at the hospital shortly thereafter. On September 1, Arben Berisha confessed to the murder and surrendered to poli

In 2006 the murder trial of Shkumbin Mehmeti, Florim Ejupi, Nazim Kadriu, Arben Ahmeti and Arsim Rashiti began before international judges. The suspects were charged in 2005 with the killing of a KPS officer Ejupi, Nazim Kadriu, Arben Ahmeti, and Arsim Rashiti were acquitted of all charges. A separate ruling was issued extending Mehmeti's detention until the verdict becomes final.

Florim Ejupi was also indicted earlier on charges that he and accomplices planned and executed the 2001 Merdare bus bombing near Podujevo/Podujeve that killed 11 Kosovo Serbs and injured 40. On August trial was ongoing at year's end.

On September 19, the Pec/Peja regional court sentenced Bedri Krasniqi to 27 years imprisonment for the 2003 shooting of KPS officers Sebahate Tolaj and Isuf Haklaj.

There were developments in some alleged war crimes cases from previous years. On January 17, the Prizren District Court closed the investigation of two former Kosovo Serb policemen, Goran Janjusevic and

On February 8, prosecutors indicted Idriz Gashi, who was brought to Kosovo from Sweden to face war crimes charges for crimes committed in 1998 in the Pec/Peja region. In June Gashi was convicted of murd

There were developments in the case of Kosovo Albanian Kosovo Protection Corps (KPC) officers (Selim Krasniqi, Bedri Zyberaj, Xhavit Elshani, Isuf Gashi, and Islam Gashi), arrested for alleged involvement i ongoing war crimes trial against Krasniqi. On July 17, an international prosecutor indicted Zyberi and another suspect, Shyqeri Shala.

On August 22, the Supreme Court acquitted Sali Veseli of the murder of a former KLA leader from Prizren and ordered his immediate release. This decision by international judges overturned the District Court c

There were no developments in the investigation into the 2005 killing of UNMIK police officer Omar Ali, who died when a bomb was detonated under his official vehicle.

There were no developments in the possibly politically motivated 2005 killing of ethnic Turk and Turk Democratic Party of Kosovo member Ibish Cakalli. Investigations were ongoing at year's end.

There were no developments in the following apparently politically motivated killings of Kosovo Albanians in 2005: the killing of Sadik Musaj, a witness at the "Dukagjini group" trial; the killing of Muhamet Sallaj, brother Jeton.

There were no developments in the case of Faton Hajrizi, arrested in 2006 for the alleged killing a Russian KFOR soldier in Klina in 2002. On August 18, he escaped from the Dubrava prison; police apprehende

b. Disappearance

There were no reports of politically motivated disappearances; however, there were still thousands of persons missing from the 1998-99 conflict, whose remains had not been identified or whereabouts determin

According to the International Committee of the Red Cross (ICRC), at the end of June, there were 2,047 persons still listed as unaccounted for since the conflict, of whom 70 percent were Kosovo Albanians and

During the year the UNMIK Office of Missing Persons and Forensics (OMPF) continued to identify the remains of missing persons in Kosovo. Since 2002 the office performed 571 field operations and exhumatio

By the end of the year, 455 unidentified bodies were under OMPF custody (397 bodies were exhumed in Kosovo and 58 were transferred from Serbia proper). Between January and August the OMPF received of remains were returned during the year; identification of the remaining bodies was in process.

During the year OMPF also continued exhumations; it recovered and autopsied 73 bodies from 66 sites. Exhumations were ongoing at year's end.

In June 2006 the Serbian government transferred the last sets of identified remains of Kosovo Albanian victims of the 1998-99 conflict found in mass graves in Serbia. These remains were returned to families fo

Four times during the year, officials from Kosovo and Serbia met in a working group on missing persons, chaired by the ICRC and under the auspices of the SRSG. Although a sub-working group on forensic iss

According to the ICRC, during the period between January and August, 155 identified sets of human remains were handed over to families. Forty-one were transferred from Serbia to Kosovo (through the OMPF

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitutional framework and criminal procedure code prohibit such practices; however, there were reports that the PISG engaged in such practices. There were no reports that UNMIK, which is the sovereig

According to media reports, the KPS used force to disperse violent demonstrations and beat demonstrators while making arrests during the demonstration on February 10. The Ombudsperson Institution began

The KPS Professional Standards Unit initiated three investigations, one of which was dismissed as unfounded. The other two investigations resulted in disciplinary action against the officers involved, each of wh

Prison and Detention Center Conditions

Prisons and detention centers reportedly met international standards; however, there were allegations of abuse and mistreatment of prisoners during the year.

On August 18, seven prisoners incarcerated for terrorism, murder, attempted murder, and robbery escaped from Dubrava prison. One inmate allegedly fired two shots inside the prison, and unknown suspects fi subsequently arrested one escapee in a Pristina cafe on October 5 and another outside Pristina soon afterwards. One escapee was killed in fighting near Tetovo, Macedonia, on November 1, and two others die

UNMIK reported bringing disciplinary proceedings against members of the 1,650-strong KCS during the year. Behavior resulting in discipline included administrative violations such as repeated tardiness and fra

Dubrava prision held 1,161 inmates as of July 1, above its total capacity of 1,100. The Dubrava prison and five detention centers operated during the year, and the construction of a new prison facility continued

During the year UNMIK police corrections officers continued to transfer responsibility for administering Kosovo's prisons to the KCS, under the authority of the PISG. The KCS managed daily operations at the D

UNMIK permitted ICRC visits and monitoring by the ombudsperson of Kosovo's prisons and detention centers. In February the Ministry of Justice granted the Council for Defense of Human Rights and Freedom a NATO/KFOR base. During the year the ICRC visited some of Kosovo's prisons, but issued no public findings.

d. Arbitrary Arrest or Detention

The constitutional framework and criminal procedure code prohibit arbitrary arrest and detention, and UNMIK, KFOR, and the PISG generally observed these prohibitions in practice.

Role of the Police and Security Apparatus

Local security forces included the KPC, a civilian emergency response organization, and the KPS, a local police force that functions under the authority of the SRSG and supervision of UNMIK police. A Decemb

An international commissioner of police directed both UNMIK police and the KPS. A Kosovar deputy commissioner and four Kosovar assistant commissioners reported to the international police commissioner. M

Executive authority over the KPS is a reserved power of the SRSG. Day-to-day police operations were transferred to the KPS in all regions except Mitrovica region. In those regions, the KPS is responsible for a intervene in any particular criminal matter. As a practical matter, most policing duties and responsibilities were in the hands of KPS.

Corruption and government influence remained problems in the security forces.

In 2006 the PISG Ministry of Internal Affairs and the Organization for Security and Cooperation in Europe (OSCE) Mission in Kosovo inaugurated the Police Inspectorate of Kosovo, a body designed to promote

An UNMIK office of oversight investigated corruption in UNMIK and the criminal justice system. The judicial system generally held the security forces to the same level of accountability as it held the general pop

During the year the KPS professional standards unit, run by UNMIK police, opened 460 cases involving 678 KPS employees; most were related to unjustified absences from work, misuse of sick leave, use of fo investigation; in cases involving violations of the criminal code, many of the employees were suspended temporarily pending a court decision.

In April a KPS-led raid in the Serb-majority municipality of Strpce/Shterpce, conducted solely by ethnic Albanian police officers, resulted in injuries to several Kosovo Serb suspects and credible allegations of ex

Arrest and Detention

Police generally made arrests openly using a warrant issued by a judge or prosecutor; however, in some cases, persons were arrested secretly by masked or undercover police officers. By law, arrests must be remain silent and not answer any questions except those concerning their identity; to obtain free assistance of an interpreter; to obtain defense counsel and to have defense counsel provided if they cannot affor

Under extraordinary circumstances, KFOR can arrest and detain individuals without a warrant. The KFOR commander can extend the detention of individuals in 30-day increments without charging them with a

UNMIK police and the KPS may hold individuals for up to 72 hours without a court order. The court may hold individuals in pretrial detention for 30 days from the day of arrest but this can be extended by the cou

Lengthy detentions, both before and during judicial proceedings, remained a problem, although some improvements were reported during the year. The law provides that the judge may impose this extraordinar

e. Denial of Fair Public Trial

The constitutional framework provides for an independent judiciary; however, the local judiciary was at times biased and subject to outside influence and did not always provide due process. There were credible

Legal authority is held by UNMIK under UNSC Resolution 1244. UNMIK police and justice authorities held executive responsibility for the judicial system but worked with local judges and prosecutors; UNMIK co

The court system includes a Supreme Court, five district courts including a commercial court, 25 municipal courts, 25 minor offense courts, and an appellate court for minor offenses. As of October there were 17 prosecutor was responsible for prosecuting human trafficking, while another was responsible for counterterrorism and serious interethnic crime.

The PISG included a central public prosecutor's office, five district prosecutors, and seven municipal prosecutors.

While the law provides that a panel of two professional and three lay judges try serious cases, an UNMIK regulation authorizes international prosecutors to try cases of a sensitive ethnic or political nature, includ

In 2006 UNMIK and the Kosovo Judicial Council launched a recruitment campaign for judges and prosecutors targeting members of underrepresented communities. In June a Kosovo Serb judge was sworn into

UNMIK's Judicial Inspection Unit monitored judicial performance and made recommendations on discipline and training. The unit has a mandate to audit and evaluate the Kosovo justice system, make recomme 351, the unit rejected 179 cases and completed 71 of 150 investigations. In the majority of investigations (64), the unit found no misconduct. The unit referred seven cases to the Judicial Council, which suspend

Trial Procedures

Trials are public, and the law provides for the right of defendants to be present at their trials, to confront witnesses, to see evidence, and to have legal representation, at public expense if necessary; however, th

As of January the Kosovo Judicial Council increased monthly payments to court-appointed attorneys from approximately $365 (250 euros) to approximately $730 (500 euros) per month.

During the year the PISG established a Legal Aid Commission. The prime minister appointed a head of the commission, and UNMIK Department of Justice conducted background checks of eight nominees slate encourage minority participation.

The UNMIK-established judicial integration section continued to address judicial system problems that affected minorities. In addition, the Ministry of Justice operated 11 court liaison offices, two of which were c involving ethnic minorities, international judges and prosecutors--rather than Kosovo Albanians--tried and prosecuted cases involving Kosovo Serbs.

Kosovo's justice system and the International Criminal Tribunal for the former Yugoslavia (ICTY) continued to identify and punish perpetrators of war crimes from the 1999 conflict; however, many cases remaine

Political Prisoners and Detainees

There were no reports that KFOR, UNMIK, the KPS, or the PISG held political prisoners or detainees during the year.

Civil Judicial Procedures and Remedies

According to a 2006 OSCE report, interference by municipal authorities and UNMIK Department of Justice hampered judicial independence in civil matters. The OSCE cited instances in which municipal authorit reported some progress in this area but not enough to reduce the backlog. UNMIK Department of Justice claimed that it did not pursue such compensation claims because the logistical challenges of such claim judicial independence in the proposed sale of property in the Roma settlement in Mitrovica region.

There were no reports of difficulty in enforcing court orders resulting from civil litigation. However, according to a 2006 survey, only 14 percent of the pending cases to affect a civil order resulted from civil litigatic

Property Restitution

The Kosovo Property Agency (KPA) was created in March 2006 under the PISG as the successor to the UNMIK Housing and Property Directorate. While the directorate handled only claims to residential proper Kosovo Albanians in the southern part occupied and denied Kosovo Serbs access to their property.

The Housing and Property Claims Commission held its final session in June, where it considered 53 requests pending for reconsideration. Some 98.8 percent of all commission decisions had been implemented unaffected.

At year's end the property agency had 4,665 properties under administration; 3,350 upon the request of a successful claimant, and 1,315 based on ex officio intervention by the Housing and Property Claims Co

The KPA's mandate includes supervising the rental of certain abandoned property in Kosovo. To this end, the agency managed a rental scheme for properties under its administration, enabling property holders

The backlog of property-related claims in municipal courts remained high, with some 21,000 at year's end, representing almost exclusively monetary claims by Kosovo Serbs for war-related damage.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

UNMIK regulations and the constitutional framework prohibit such actions, and UNMIK, KFOR, and the PISG generally respected these prohibitions in practice. KFOR forces assisted UNMIK civilian police and t

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

UNMIK regulations and the constitutional framework provide for freedom of speech and of the press, and UNMIK and the PISG generally respected these rights in practice. However, there were reports of intimic regulatory body to deal with complaints related to newspaper articles.

Individuals generally could criticize authorities publicly or privately without reprisal.

According to the Association of Professional Journalists of Kosovo, media outlets' financial difficulties left their editorial independence and journalistic professionalism vulnerable to outside influence and pressure UNMIK pressured or influenced the independent print media.

Print media were self-regulated by a press code of conduct adopted by the Press Council of Kosovo, an organization composed of print editors and publishers. The council's complaint board may impose fines fo

During the year Kosovo had 114 licensed broadcasters (45 of which broadcast in minority languages), and these broadcasters expressed a wide variety of views.

International media were allowed to operate freely.

Journalists reported that pressure from politicians and organized crime resulted in indirect forms of censorship; some refrained from critical investigative reporting out of fear for their personal security. Journalists

Since January 2006 Kosovo's popular public broadcasting company, Radio Television Kosovo (RTK), has been directly overseen by the Kosovo Assembly, and its budget was controlled by the Ministry of Finan

In August 2006 the Independent Media Commission replaced UNMIK's temporary media commissioner. The commission is a permanent body overseen by a seven-member governing council that includes two i

In previous years public naming of Kosovo Serbs as war criminals resulted in vigilante killings and other violence. Beginning in March the newspaper *Infopress* regularly published lists of Kosovo Serbs drafted ir a void left by the weakness of the judiciary.

Unlike in 2006 there were no cases of police violence against the press. However, the Association of Professional Journalists of Kosovo reported 24 instances of press freedom abuses during the year. Those in

During the year there were several incidents of violence or harassment directed at the media.

On March 6, *Lajm* reporter Enis Veliu claimed that he was assaulted by security personnel of the WDG Security Company at the Kosovo Electric Corporation's (KEK) headquarters in Pristina after asking the cor

On September 21, the home of journalist Milaim Zekawas burned, resulting in damage estimated at approximately $146,000 (100,000 euros). Zeka said that his house had been looted twice before this incident.

On August 2, the Association of Professional Journalists of Kosovo received a complaint from *Lajm* reporter Alban Selimi claiming that the Ministry of Health denied him physical access to the ministry and acces

In July reporters from daily *Koha Ditore* complained publicly that the Ministry of Environment had banned their access to the ministry, allegedly for contesting a statement by the minister.

Unlike in previous years, there were no altercations reported between journalists and members of the KPS.

There were no developments in the investigation of the 2005 killing of *Bota Sot* editor Bardhyl Ajeti. A KPS investigation continued at year's end.

According to election regulations, during political campaigns media must ensure fair and equitable news coverage and access to discussion and debate for all parties; campaign-related reporting must be fair an pending payment of the fine. No developments were reported in this case, and the bank account remained frozen. *Bota Sot* resumed publication in March after the paper reached an agreement with the Tax Adm

Internet Freedom

There were no UNMIK, KFOR, or PISG restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful express

Academic Freedom and Cultural Events

There were no UNMIK, KFOR, or PISG restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

UNMIK regulations and the constitutional framework provide for freedom of assembly, and UNMIK, KFOR, and the PISG generally respected this right in practice. An UNMIK regulation required that demonstrati

According to media reports, the KPS used force to disperse demonstrations and beat demonstrators while making arrests on at least four occasions during the year.

Freedom of Association

UNMIK regulations and the constitutional framework provide for freedom of association, and UNMIK, KFOR, and the PISG generally respected this right in practice.

The OSCE Mission in Kosovo routinely registered political parties under UNMIK auspices, and the Ministry of Public Services registered NGOs.

c. Freedom of Religion

UNMIK regulations and the constitutional framework provide for freedom of religion, and UNMIK and the PISG generally respected this right in practice.

There are no specific licensing regulations for religious groups; however, religious organizations must register as NGOs with UNMIK and the Ministry of Public Services in order to purchase property or receive fu

Pursuant to a 2002 law requiring public education institutions to refrain from religious instruction or other activities promoting any specific religion, the Ministry of Education prohibited the wearing of headscarves because they were wearing headscarves; eventually, they were allowed to resume attendance.

Protestant groups continued to report that they experienced discrimination in media access, particularly by public television station RTK. The Protestant Evangelical Church in Kosovo, known as the Fellowship c

The Islamic community continued to assert that UNMIK's denial of a radio frequency for an Islamic radio station and the national library's closure of its prayer room constituted violations of religious freedom.

Societal Abuses and Discrimination

There were reports of attacks against Serbian Orthodox clergy and parishioners, along with numerous cases of vandalism of Serbian Orthodox Churches and church property.

There were no developments in a May 2006 case in which unknown attackers shot at a car driven by Serbian Orthodox priest Srjdan Stankovic in Zvecan municipality. UNMIK charged a Kosovo Serb KPS office

There were reported incidents of rock-throwing and other assaults against Serb buses and Serbian Orthodox clergy as they traveled outside their monasteries, and monks and nuns at some monasteries reporte

Security concerns continued to affect the Serb community and its freedom to worship. Some Kosovo Serbs asserted that they were not able to travel freely to practice their faith.

On March 29, an assailant identified by the KPS as Kosovo Albanian Jusuf Mulaj of Istinic/Isniq village launched a rocket grenade at Decani monastery. Prime Minister Agim Ceku and other senior Kosovo Albar

On July 29, in Boljotin village in Zvecan municipality, a Kosovo Albanian threatened a Serbian Orthodox nun from the Sokolica monastery. The assailant made derogatory remarks against her and also threatene

During the year there were numerous cases of vandalism and theft directed against Serbian Orthodox Church property. Many cases involved theft of objects made of precious metals, while others involved vand

On January 16, Bishop Teodosije of Lipljan/Lipjan and members of the Council of Europe's Committee for Renewal of Churches in Kosovo visited the newly restored church of St. Nicholas in Pristina after the cc

On February 10, unknown perpetrators damaged the interior of the Orthodox church in Lepi village, Lipljan/Lipjan municipality, and stole approximately $560 (30,000 Serbian dinars). A KPS investigation continu

On May 30, five teenagers were arrested as they removed the lead roof of the St. Kyriaki church in Prizren. The teenagers were released soon thereafter.

On August 18, unknown individuals spray-painted graffiti inside a Serbian Orthodox Church in Gnjilane/Gjilan, which read, among other things: "I'm proud to be Albanian" and "Death to all Serbs." A KPS investig

On October 26, the Council of Europe's Reconstruction Implementation Commission, which oversees the reconstruction of Serbian Orthodox churches destroyed during the March 2004 riots, reported that thieve sites.

A Protestant group in Mitrovica reported regular, methodical incidents of vandalism and theft at its church. The group reported that the KPS failed to take any action, despite the existence of video evidence of th

Despite some improvement, Protestants continued to report harassment and discrimination, including verbal attacks, a lack of Protestant programming on RTK, and incidents of school officials calling in parents

Approximately 40 individuals from two families in Prizren had some Jewish roots, but there were no synagogues or Jewish institutions in Kosovo other than a small cemetery in Pristina. On August 16, 14 graves

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons,

Protection of Refugees, and Stateless Persons

UNMIK regulations and the constitutional framework provide for freedom of movement within Kosovo, foreign travel, emigration, and repatriation, and UNMIK and the PISG generally respected these rights; how assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The police continued to assess the security situation as stable but fragile. No freedom of movement related crimes were reported to police. Nevertheless, members of all ethnic communities continued to remain

Sporadic incidents of violence and intimidation targeting minorities continued to limit freedom of movement for Kosovo Albanians in northern Kosovo. The PISG and UNMIK enhanced efforts to facilitate minority

On June 27, KPS in Serb-majority Leposavic/Leposaviq municipality were alerted to an explosion on the road leading to the Albanian villages of Koshtova, Bistrica, and Ceraja. A minibus operated by the munici

There were attacks during the year on buses carrying Serbs and other ethnic minorities. For example, on October 14, a bus transporting a group of Serbs who visited the Serbian Orthodox Patriarchate in Pec/P

To reduce the risk of attack by making Kosovo Serb and Kosovo Albanian vehicles indistinguishable, UNMIK continued to offer Kosovo license plates at no fee to Kosovo Serbs who had already registered their

There were also incidents targeting infrastructure used by minorities. On March 10, hunters found an unexploded grenade near a transmitter in Matica village in Mitrovica. On April 17, an explosive device was fo

There were no developments in the following cases from 2006: the June discovery of explosives under a bridge connecting two Kosovo Serb returnee villages in Klina municipality, and the December explosion

On January 1, UNMIK transferred responsibility for humanitarian and special transportation services for minority communities in Kosovo to the Ministry of Transport and Communications and the Ministry of Com

UNMIK regulated movement in and out of Kosovo. UNMIK regulations provide that the central civil registry may issue travel documents to any person registered as a habitual resident of Kosovo, and the registry

The law prohibits forced exile, and authorities did not use it.

Internally Displaced Persons (IDPs)

According to the UNHCR, 207,000 persons from Kosovo remained displaced in Serbia and 16,500 in Montenegro as a consequence of the 1998-99 conflict. Of the 4,100 persons displaced by riots in 2004, som supported returns, obstacles remained for Serb returnees in Kosovo.

During the year the number of minority returns remained low overall, although there was an increase in the return of Kosovo Roma, Ashkali, and so-called Egyptians. Kosovo Serb returns remained low. Accordi

During the year UNMIK continued to transfer responsibilities to the Ministry of Communities and Returns. Transferred competencies included the coordination of municipal fair-share financing and of the work of

Overall minority returns since 2000 stood at 17,149 by September. Kosovo Serbs comprised approximately 38 percent of returnees during the year, compared with 31 percent in 2006. Roma (including Ashkali a

As of September, the government had reconstructed over 98 percent (881 of 897) of the houses damaged or destroyed in the 2004 riots. According to the Ministry of Culture, of the 26 houses not yet reconstruct

As of September, 37 Roma families (144 persons) remained at the lead-polluted Cesmin Lug camp for IDPs. Osterode, a medical treatment facility also in northern Mitrovica, housed 98 families (395 persons) w

In 2005 UNMIK began a donor funding campaign to rebuild the original Roma settlement in southern Mitrovica, destroyed in 1999 by Kosovo Albanians. Limited funding slowed the return project, but reconstruct government-supported health clinic was opened in May.

Protection of Refugees

The laws does not provide for the granting of asylum or refugee status in accordance with the 1951 Convention relating to the Status of Refugees or its 1967 protocol. However, Kosovo provides asylum and refu

In practice UNMIK provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution.

Section 3 Respect for Political Rights: the Right of Citizens to Change Their Government

UNMIK regulations and the constitutional framework provide residents with the right to change their government peacefully, and they exercised this right in practice through periodic elections on the basis of univ

Kosovo continued to be administered under the civil authority of UNMIK. UNMIK and its chief administrator, the SRSG, established an international civil administration in 1999 following the NATO military campa competencies under UNSCR 1244, including security and relations with foreign governments. In 2005 a UN report noted that without clarity on future political status, the PISG was unable to take further steps to

Elections and Political Participation

International and domestic observers determined that the November 17 Kosovo Assembly elections generally reflected the will of the voters, although few Kosovo Serbs participated, largely due to Serbian gove

Under UNMIK regulations, individuals may nominate themselves as candidates to their parties, which must hold open and transparent internal elections to select candidate lists. Party affiliation played an importa

There were reports of politically motivated attacks and threats against Kosovo Albanian political and institutional figures during the year.

In February, following a decision on Kosovo's second mobile telephone tender, two unknown suspects shot at Anton Berisha, the head of the Telecommunications Regulation Authority, as he traveled along the to shoot Berisha. He also admitted that the weapons used in the attack and weapons found during the police investigations were his and that he illegally used them. The four other suspects pleaded not guilty.

There were no developments in the following cases from 2006: the January assault of Urosevac/Ferizaj LDK branch presidency member Ismajl Nazifi by an unknown assailant, the July publication by a Kosovo c

There were 38 women in the 120-seat Kosovo Assembly. Women must occupy every third spot on each political party's candidate list. There were no women on the eight-member assembly presidency and only

After the November 17 elections, there were 24 ethnic minority members in the 120-seat Kosovo Assembly, including 10 Kosovo Serbs and 14 members of other groups, including ethnic Turks, Bosniaks, Goran Kosovo Serb parties left empty the eight seats set aside for Kosovo Serbs. Kosovo Serbs from several political parties won the set-aside ten Assembly seats in the November 17 election. Before that election, th the municipal level where no such provisions govern.

Government Corruption and Transparency

There was a widespread public perception of corruption in both the PISG and UNMIK. The World Bank's Worldwide Governance Indicators reflected that corruption was a serious problem. A lack of effective judi

The Office of the Auditor General, an independent body, reviewed financial management and accountability in the PISG, along with all municipalities and publicly owned enterprises. During the year the office iss

During the year prosecutors continued to review audit reports from 2006, which led to the resignation of then minister for returns Slavisa Petkovic.

In 2006 Kosovo Assembly President Kole Berisha ordered an audit on Assembly management under his predecessor, Nexhat Daci. The audit uncovered numerous wrongdoings and mismanagement by the Ass that highlighted malfeasance in the Assembly under Daci's leadership.

In June 2006 the KPS Financial and Corruption Crime Investigation Unit arrested Ahmet Alishani, Daci's senior advisor, on suspicion of fraud and bribery. Alishani was released, then rearrested in November 20

The PISG took other steps to combat corruption. In February the newly formed Anticorruption Agency began operations. On June 7, agency head Hasan Preteni stated that government institutions were not prop

There were no developments in the investigation of the February 2006 assault on the independent international auditor general, which took place after a critical audit of Pristina municipality. A KPS investigation

In November 2006 an international prosecutor indicted former Director of the Post and Telecommunications of Kosovo (PTK), Leme Xhema; former divisional manager at Kosovo Trust Agency, Roger Reynolds; fraudulent transfer of these funds from PTK to a phantom company headquartered in Norway. Johansen remained in custody at year's end, and his criminal case remained pending.

On May 4, Pec/Peja prosecutor Gezim Kollcaku confirmed the investigation of 11 international and eight local employees of Radoniqi Hydro-System, a company that had had dealings with KEK. Former KEK ma

On May 14, a mixed panel of two international judges and one local judge convicted Teuta Vranica, a municipal court judge in Gjakova/Dakovica, of extortion and destroying official documents. Vranica had dem

In November 2006 two finance officers at Dubrava Prison were arrested on charges of abusing their official position and falsifying documents. Chief of finance Sabajdin Llonqari and procurement assistant Fitim

During July and August, trial commenced in the case of Sanije Gashi, accused of misappropriating $70,000 (48,000 euros) in her capacity as the budget and finance manager of the Pristina Tax Administration.

No law provides for access to official UNMIK documents. The law provides for access to official PISG documents but does not include penalties for failure to comply; in practice PISG institutions rarely granted a within the required 15-day window, journalists complained that allowing 15 days effectively meant they could never obtain official documents in time to meet their own publishing deadlines.

During the year the media complained regularly about lack of access to official documents, even though such access was required by law. At the end of August, the Association of Professional Journalists of Kos

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. UNMIK, KFOR, and the PIS

An Ombudsperson Institution was responsible for investigating allegations of government abuses of international human rights laws. While the ombudsperson office actively issued intervention letters, reports, a employment-related disputes, and impunity. Former Deputy Ombudsperson Hilmi Jashari continued to serve as acting head of the Ombudsperson Institution during the year, following the end of the international

UNMIK, KFOR, and the PISG generally cooperated with the ICTY. In 2005 the ICTY indicted then-prime minister Ramush Haradinaj and codefendants Idriz Balaj and Lahi Brahimaj for war crimes committed in 1

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

UNMIK and PISG regulations specifically prohibit discrimination on the basis of race, gender, ethnic origin, disability, or language; however, violence and discrimination against women, persons with disabilities,

Women

UNMIK regulations criminalize rape; however, spousal rape is not specifically addressed. Under the provisional criminal code, rape is punishable by one to 10 years in prison; statutory rape (sexual intercourse v

Rape was significantly underreported due to the cultural stigma attached to victims and their families. According to the Ministry of Justice, victim advocates provided services to victims in approximately 82 cases

Domestic violence against women, including spousal abuse, remained a serious and persistent problem. UNMIK regulations prohibit domestic violence, and convictions carry prison terms of

As with rape, domestic violence remained a significant problem that was underreported. In July the OSCE issued a report on domestic violence. The report emphasized problems in the adju

The KPS reported that 53 victims of domestic violence were housed in shelters during the year. The Center for Protection of Women and Children provided assistance to 43 victims of domestic and sexual violer abuse and low number of reported cases.

There were no governmental agencies dedicated solely to dealing with family violence. The Ministry of Labor and Social Welfare provided some financial support to NGOs running shelters for victims of domestic during the year. Several domestic and international NGOs pursued activities to assist women; however, they were constrained by a tradition of silence concerning domestic violence, sexual abuse, and rape.

During the year a 24-hour anonymous hot line for reporting domestic abuse operated in Pristina, Gnjilane/Gjilan, Pec/Peja, Prizren, and Mitrovica. Victims of domestic violence accounted for 70 percent of the ca

The KPS training school offered special courses on domestic violence and rape in its curriculum. There were no reports that KPS responded inappropriately to rape or domestic abuse allegations.

The law prohibits prostitution, but prostitution remained prevalent. The UNMIK police prostitution investigation unit investigated cases of prostitution.

There was no specific law against sexual harassment, which was a common problem. Social awareness of sexual harassment remained low, and few cases were reported.

Women have the same legal rights as men but traditionally have a lower social status, which affected their treatment within the legal system. Despite a lack of legal impediments, relatively few women obtained u

Traditional social attitudes toward women resulted in discrimination. In some rural areas, women often had little ability to make decisions involving their children or to exercise control over property. While women

Children

UNMIK and the PISG were generally committed to the welfare and rights of children.

UNMIK regulations require children between the ages of six and 15 to enroll in compulsory education. Compulsory education, consisting of nine grades, is free of charge. According to 2005 statistics, 97.5 perce

The UN Children's Fund (UNICEF) reported that the lack of facilities for minority education in parts of Kosovo made it difficult for some IDPs to return to their homes.

UNICEF estimated that less than 75 percent of children who completed compulsory basic education enrolled in secondary school and the continuation rate for Kosovo-Albanian girls was less than 55 percent. Ar

According to UNICEF, an estimated 40 percent of the population was under the age of 18, with 33 percent under 15. Less than 10 percent of children aged two to five attended preschool.

UNMIK regulations require equal conditions for school children and provide the right to native-language public education through secondary level for minority students. Schools teaching in Serbian, Bosnian, and

Romani, Ashkali, and Egyptian children attended mixed schools with Kosovo Albanian children but reportedly faced intimidation and bullying in some majority Albanian areas. Romani children tended to be disad language, but those outside such areas received instruction in the Albanian language.

A 2006 study by UNICEF and the Ministry of Education on the prevalence of violence in schools found that violence against children was condoned. Corporal punishment was an accepted practice in homes anc percent said the school was the scene of violent events, and 12 percent mentioned the home. Thirty-seven percent of older children considered violence against children in schools to be a widespread phenome

Children without parents were housed in various residential placements including extended family care, foster care, and community-based homes. However, because domestic adoptions and foster family progra

During the year the Ministry of Labor and Social Welfare operated 31 social welfare centers that assisted 1,253 orphans and 913 delinquent children. The ministry also managed foster homes and coordinated w

Child marriage was reported to occur, particularly in the ethnic Romani, Ashkali, Egyptian, and Albanian communities. UNMIK did not compile statistics, so the extent of the problem was unclear.

Trafficking in Persons

UNMIK regulations and the provisional criminal and criminal procedure codes criminalize trafficking in persons; however, trafficking of women and children remained a serious problem.

Kosovo was a source, transit, and destination point for trafficked persons, and internal trafficking was a growing problem. Victims were women and children trafficked internally or from Eastern Europe, the Balka the year were returned to their countries of origin on a voluntary basis.

According to the KPS and the IOM, trafficking in persons was an increasing problem. IOM records indicated that roughly 73 percent of trafficking victims were Kosovars, followed by women and girls from Moldov report the crimes to the police. Cultural taboos and the threat of social discrimination caused most internally trafficked victims to remain silent about their experiences. Another difficulty was the inability of the KP

Trafficking victims were exploited primarily in the sex industry, mostly in brothels and nightclubs but increasingly in private residences and through call girl services. None reported that they were aware they wou

UNMIK reported that traffickers often worked as part of a coordinated effort between Kosovo Serb and Kosovo Albanian organized crime elements, and some women were trafficked from or through Serbia into I

Methods of trafficking continued to increase in sophistication. In reaction to an aggressive eradication campaign by local and international authorities, traffickers shifted the commercial sex trade out of public bar

The IOM reported that of the 569 mainly international victims it assisted since 1999, 74 percent fell prey to traffickers after accepting a bogus job offer abroad, 4 percent claimed to have been kidnapped, and 4 p

Under the provisional criminal code, trafficking is punishable by a maximum of 20 years' imprisonment. Engaging in trafficking is punishable by two to 12 years' imprisonment, or up to 15 years if the victim is a m sex with a minor known to be a trafficking victim carries penalties of two to 10 years' imprisonment. Facilitating prostitution is punished by a fine or imprisonment up to three years, and up to five years if it occurs grounds for deportation unless the "prostitute" is a victim of trafficking.

In May 2006 responsibility for counter-trafficking activities was transferred from UNMIK to the KPS; during the year the KPS maintained primary responsibility for combating human trafficking and conducted 120 accommodation, counseling, and professional training for return and social reintegration. At least one shelter provided medical care pursuant to its agreements with health care providers. The prosecutor's office

Factors that contributed to a low number of prosecutions included the increasing sophistication of organized crime to avoid direct links between the victims and senior crime figures, the lack of a witness protectic

UNMIK regulations provide a defense for trafficking victims against criminal charges of prostitution, illegal entry, presence, or work in Kosovo. In the past local judges sometimes incorrectly sentenced trafficking

The IOM and the KPS reported that trafficked persons often had work contracts that enabled them to enter Kosovo legally and obtain residence permits. This made it difficult to detect and prove trafficking in per

The KPS shared responsibility for combating trafficking with UNMIK, border police, the OSCE, the Office of Good Governance, prosecutors, judges, and the ministries of health, education, public services, and la awareness of the problem, a competition for the best reporting on trafficking, and producing the antitrafficking film *Recruitment*, which premiered in Pristina and later aired on television throughout Kosovo. Howe

The IOM assisted 31 victims of trafficking during the year, 23 of whom were from Kosovo. More than half of the victims from Kosovo were minors (12 cases), and all but one (who was trafficked to Montenegro) v the ages of 18 and 25. IOM figures indicated that nearly 82 percent of Kosovo victims were internally trafficked, while approximately 8 percent were trafficked to Macedonia, and 4.5 percent each to Albania and

The overall number of trafficking cases involving minors increased from 2006. While one of the foreign victims of trafficking the IOM assisted during the year was a minor, approximately 55 percent of local victim grade); 45 percent had finished elementary school (ninth grade); 8 percent had completed secondary education (high school); and less than 1 percent had gone to university.

There was anecdotal evidence during the year that a complex set of financial relationships and kinship ties existed between political leaders and organized crime networks that had financial interests in trafficking

There were a number of arrests and police actions against traffickers during the year. For example, in January, KPS arrested two Kosovo Albanian men who ran the Suka and Suka 1 cafes in Prizren after recei shelter. Suka and Suka 1 were closed.

In March five Kosovo Albanian men were arrested for trafficking women out of a private residence in Gnjilane/Gjilan, and one 45-year-old victim was rescued. One of the traffickers, a 74-year-old man, died in jai

On June 22, the KPS conducted a covert operation at a cafe in Kosovo Polje/Fushe Kosova, which resulted in the arrest of one Albanian man and the rescue of two Albanian women. The suspected trafficker wa

International and local NGOs funded by foreign donors were the main source of assistance to trafficking victims. Local NGOs, such as the Center for Protection of Victims and Prevention of Trafficking in Human ran a semi-independent group housing unit for minors who were victims of trafficking and domestic violence. Some domestic violence shelters, such as Liria in Gnjilane/Gjilan, offered short-term shelter and refe

Persons with Disabilities

Several UNMIK regulations prohibit discrimination against persons with disabilities in employment, education, access to health care, and in the provision of other state services; however, there was considerable services. According to the Ministry of Education, Science and Technology, there were 14,000-15,000 children with disabilities in Kosovo. There were seven special residential schools for children with disabilities

There were no special legal protections for children with disabilities, as the Council on Economy and Finances claimed that it did not have sufficient funding to support such programs. There was no law defining however, it was not enforced and rarely available in practice.

According to the NGO Mental Disability Rights International (MDRI), patients with mental disabilities continued to be detained in isolated conditions with no legal basis, since there is no law to regulate the proce reported an estimated 50,000 people with mental disabilities living outside institutions. According to MDRI, such persons lived isolated and stigmatized lives.

In April 2006 the prime minister established the National Council on Disabled People as an advisory organization to government authorities and the Kosovo Assembly. In May the council determined its priorities

By year's end neither UNMIK nor the PISG had filed criminal charges or taken other legal action in response to a 2002 report by MDRI that found extensive evidence of physical abuse, sexual assault, neglect, a Stimlje/Shtimje were Serbs and other minorities. MDRI also reported that new patients were being admitted to the facility despite a 2001 "nonadmission" policy.

The ministries of education, health, social welfare, and public services were responsible for protecting the rights of persons with disabilities.

A 2004 MDRI report stated that institutional care of persons with mental disabilities left them isolated, arbitrarily detained, and vulnerable to physical violence and sexual abuse. In 2005 the PISG expanded optic for persons with mental disabilities and employment opportunities for persons with mental disabilities were limited. The Council for Defense of Human Rights and Freedoms reported that prisoners with mental di

National/Racial/Ethnic Minorities

Official and societal discrimination persisted against ethnic Serb, Roma, Ashkali, and Egyptian communities with respect to employment, social services, language use, freedom of movement, the right to return, levels of the government; members of minorities occupied 10.4 percent of government jobs despite a PISG target of more than 16 percent.

On July 20, the human rights ombudsperson issued a report that concluded ethnic discrimination was a prevalent and constant problem, particularly in the areas of health care and employment. The report also

Through September, UNMIK police reported 457 cases of interethnic crime; 342 involved Serbs as victims or suspects. According to UNMIK, incidents targeting minorities were generally underreported due to di

There were multiple reports of violence against Kosovo Serbs during the year, which was usually investigated by the international police unit, a unit composed of UN international police officers within the KPS th

On February 2, a Kosovo Serb woman was found behind a cafe in Mitrovica with a stab wound to her stomach. Police questioned a Kosovo Albanian man and two Kosovo Bosniaks; A police investigation contin

On June 12, a Kosovo Albanian teen assaulted an elderly Kosovo Serb woman in the hallway of their dwelling in Pristina. The teen was arrested and sentenced for the attack; his appeal was refused, and his se

On September 4, an elderly Serb woman, Vucica Mikic, was attacked by three stone-throwing Albanian teenagers in her home in Klina. Her neighbor reported the incident to police; Mikic declined to press charg

There were developments in previously reported cases involving attacks on Kosovo Serbs.

On June 25, the presiding juvenile judge ordered a psychological evaluation of the 16-year-old Kosovo Albanian male, "AD," who reportedly threw an explosive device at the entrance of a cafe in northern Mitrov Mitrovica District Court found that AD suffers from a permanent mental disorder and was therefore incompetent to stand trial. Accordingly, the charges were dismissed.

On June 7, an international judge began considering the indictment of Sabri Haziri, accused of assisting in planting a bomb on a railway bridge connecting predominantly Albanian and Serbian areas in April 200

During the year there were no developments in the following 2006 cases: the March stabbing of a Kosovo Serb youth by two Kosovo Albanian youths near the main bridge in northern Mitrovica; the June case in

There were no developments in the following 2005 cases: the bombing of Kosovo Serb leader Oliver Ivanovic's official vehicle; the throwing a hand grenade into the Zubin Potok offices of Slavisa Petkovic's Serl

During the year there were regular reports of Kosovo Albanians destroying private property belonging to Kosovo Serbs; some violence against Serbs may have been attempts to force them to sell their property. in their favor from the Kosovo Property Agency were not able to access their property in Klina without assistance from the international community and political pressure from senior PISG politicians.

In some cases Kosovo Serb property was reportedly sold by persons falsely claiming to be their attorneys and presenting forged documents in court; in situations where the rightful owners did not live in Kosovo,

The northern municipalities of Zvecan, Mitrovica, Zubin Potok, and Leposavic/Leposaviq unanimously decided to suspend their relations with the PISG in June 2006, claiming that it was in response to several u

There were numerous reports of stone throwing directed at vehicles carrying Serbs during the year. KPS assumed responsibility from UNMIK for escorting Serb vehicles.

There were new developments in the cases of several persons detained on suspicion of organizing or leading the 2004 riots. On February 20, an international prosecutor filed an indictment in the Pristina District Skender Islami, Mustafa Islami, and Ramadan Islami, who remained in detention on remand. Proceedings against the remaining two defendants were delayed pending confirmation of their ages at the time the c

On June 15, a mixed panel of the Prizren District Court, composed of two international judges and one local judge, convicted Esmin Hamza and a juvenile defendant of one count of inciting national, racial, religi March 2004 her house was attacked and later burned, with estimated damages of $248,000 (170,000 euros). A relative of the witness who refused to leave the house was beaten.

In December 2006 police arrested Zlyhaje Avdullahu for crimes committed in March 2004 in Kosovo Polje/Fushe Kosova. Avdullahu was allegedly part of a Kosovo Albanian mob that broke into, looted, and burr

On August 21, a March 2004-related trial began in the Pristina district court before a panel composed of three international judges. Defendants Mirsad Kurteshi and Kadri Sylejmani pleaded not guilty to charges

There were reports of politically motivated violence against non-Serb minorities during the year.

On January 8, two Kosovo Albanian males assaulted a Kosovo Egyptian male in Pec/Peja; the victim was hospitalized with serious injuries. A KPS investigation continued at year's end.

On May 15, a Kosovo Bosniak reported being assaulted by a Kosovo Albanian in Prizren. He was hospitalized with serious injuries, and the police apprehended the suspect. A KPS investigation continued at ye

There were no updates in the following cases from 2006: the August assault of Kosovo Montenegrin IDP Vuko Danilovic by a group of Kosovo Albanians, and the October bomb attack against the home of a Go

Roma were subject to pervasive social and economic discrimination; often lacked access to basic hygiene, medical care, and education; and were heavily dependent on humanitarian aid for survival. Although th

Kosovo Bosniak leaders complained that thousands of their community members left Kosovo because of discrimination and lack of economic opportunities.

On May 21, the government announced the formation of the Commission of Languages, composed of representatives from government ministries and the Kosovo Assembly, to supervise implementation of the l

Other Societal Abuses and Discrimination

The law prohibits discrimination based on sexual orientation; however, there were reports of violence and discrimination directed against gays and lesbians.

Traditional societal attitudes about homosexuality intimidated most gays and lesbians into concealing their sexual orientation. Gays and lesbians generally felt insecure, with many reporting threats to their perso

On May 18, following a celebration of the International Day Against Homophobia outside Pristina, four males, three wearing dresses, were driving home when they were stopped by the police and forced out of tl

The Center for Social Emancipation, a local NGO promoting lesbian, gay, bisexual, and transgender rights, stated that there were a number of other cases of discrimination against homosexuals during the year

There were no updates in the March 2006 assault case involving unknown assailants who severely beat two men they observed engaging in homosexual sex. One of the victims later died of his injuries.

There were no reports of discrimination against persons with HIV/AIDS.

Section 6 Worker Rights

a. Right of Association

UNMIK regulations allow workers to form and join unions of their choice without previous authorization or excessive requirements, but this right was sometimes impeded.

The only significant unions were the Association of Independent Trade Unions of Kosovo (BSPK), and the Confederation of Free Unions (CFU). UNMIK regulations prohibit antiunion discrimination; however, so

b. The Right to Organize and Bargain Collectively

UNMIK regulations allow unions to conduct their activities without interference, and UNMIK protected this right in practice. UNMIK regulations also provide for the right to organize and bargain collectively withou

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

UNMIK regulations prohibit forced or compulsory labor, including by children; however, there were reports that women and children were trafficked for sexual exploitation, domestic servitude and forced labor in

d. Prohibition of Child Labor and Minimum Age for Employment

UNMIK regulations and policies prohibit exploitation of children in the workplace, including a prohibition of forced or compulsory labor; however, with the exception of trafficking, UNMIK and the PISG rarely chall

UNMIK regulations set the minimum age for employment at age 16 and at age 18 for any work likely to jeopardize the health, safety, or morals of a young person, but they permit children to work at age 15, prov

In rural areas younger children typically worked to assist their families. Urban children often worked in a variety of unofficial retail jobs, such as selling newspapers, cigarettes, and phone cards on the street. The violations during the year, including child labor.

The Ministry for Labor and Social Welfare, in cooperation with UNMIK, coordinated child protection policies, and the ministry's department of social welfare had responsibility for ensuring the protection of childre

e. Acceptable Work Conditions

Although UNMIK regulations provide for a minimum wage, one has not been adopted. While many international agencies and NGOs paid adequate wages, the average full-time monthly public sector wage of $3

UNMIK regulations provide for a standard 40-hour workweek; require rest periods; limit the number of regular hours worked to 12 hours per day, overtime to 20 hours per week and 40 hours per month; require

BSPK reported serious labor violations during the year, including lack of a standard work week and compulsory and unpaid overtime; employees did not report such violations due to fear of reprisals. According and/or physical retaliation. According to union officials, workers in the public sector commonly faced similar mistreatment, including the loss of employment due to political party affiliation.

A labor inspectorate within the Ministry of Labor and Social Welfare is responsible for enforcing labor standards. However, the inspectorate primarily advised employers, and although 511 fines were issued durir

---

*The report on Serbia is divided into two sections; the first addresses the human rights situations in Serbia and the second addresses the situation in Kosovo. For purposes of this report, Kosovo's population of

BACK TO TOP

Published by the U.S. Department of State Website at http://www.state.gov maintained by the Bureau of Public Affairs.