# HUMAN RIGHT ABUSES,

# ETHNIC DISCRIMINATION

# AND ETHNIC CLEANSING IN PRESHEVA WALLEY

INTRODUCTION

The Presheva ​​Valley[[1]](#footnote-1) is an informal name used to denote a region that mainly includes the territories of the municipalities of Preshevo ​​and Bujanovac, and often includes the municipality of Medvegja as well. The Presheva ​​Valley covers a territory of 1,250 square kilometers, along the border with Kosovo and Macedonia. The geostrategic position of this region is of exceptional importance. The Presheva ​​Valley is located in the central part of the Balnak Peninsula and the south of the Republic of Serbia, or more precisely between the valley of the Morava River in the north and the valley of the Vardar River in the south. These river valleys form the most important natural corridor connecting Europe with Southeast Europe, the Middle East and North Africa[[2]](#footnote-2). This region is also the main connection of the Republic of Serbia with North Macedonia and Greece[[3]](#footnote-3).

In this region, before and after the armed conflict, Albanians made up and still make up the majority of the population. The population census conducted in 1991, in addition to Albanians from Kosovo, was also boycotted by Albanians from the Presheva ​​Valley, estimates of the number of Albanians in the municipalities of Preshevo, Medvegja and Bujanovac before the armed conflict, were based on the 1981 population census. According to those estimates, 90% of Albanians, 8% of Serbs and 1.29% of Roma lived in Preshevo. When it comes to the municipality of Bujanovac, it was estimated that Albanians make up 60% of the total population, Serbs make up around 30% and Roma make up just under 9%. The Federal Bureau of Statistics did not publish estimates when it comes to the municipality of Medvegja, but only data that 9,205 Serbs and Montenegrins and 3,832 Albanians live in that municipality. After the end of the armed conflict, in the 2002 population census, out of a total of 10,760 inhabitants in Medvegja, there were 7,163 Serbs and 2,816 Albanians[[4]](#footnote-4). When it comes to the municipality of Preshevo, out of a total of 34,904 inhabitants, there were 31,098 Albanians and 2,984 Serbs. In the municipality of Bujanovac, out of a total of 43,302 inhabitants, there were 23,681 Albanians, 14,782 Serbs and 3,867 Roma[[5]](#footnote-5).

According to preliminary results of the 2022 census, 123.852 citizens were registered in municipalities of Presheva, Bujanoc dhe Medvegja. In Presheva 60.568 citizens, in Bujanoc 54.624 citizens and in Medvegja 8.600 citizens. The final results of the census have not yet been published, but the first preliminary results indicate that the number of Albanians in Presheva is over 90%, in Bujanovac 60% and in Medvegja around 15 %.

**THE POSITION OF THE ALBANIANS BEFORE THE ARMED CONFLICT**

The position of the Albanians in the Preshevo ​​Valley corresponded with the position of the Albanians in Kosovo regarding the relationship of the Serbian state towards them. "The attitude of the Serbian authorities towards the Albanians in the three mentioned municipalities worsened after the abolition of the autonomy of Kosovo in 1989."[[6]](#footnote-6) The Humanitarian Law Fund has documented examples of violations of human and minority rights in the Preshevo ​​Valley, as well as dismissals, murders, kidnappings, torture, destruction of mosques and private property, searches and other forms of repression and violence for which members of the Yugoslav Army are responsible. State security and police forces of the Republic of Serbia, before, during and after the end of the armed conflict[[7]](#footnote-7).

The roots of constant tensions in the area of ​​the Presheva ​​Valley can be found in the past, more precisely in the crimes committed against Albanians after the Serbian occupation of Kosovo and Macedonia after the First and Second Balkan Wars (1912-1913). The fact that the municipalities of the Presheva ​​Valley were separated from the composition of Kosovo in 1947 had an additional effect on inter-ethnic relations and cemented the mistrust of Albanians in Serbia and state authorities in general[[8]](#footnote-8).

The Albanians of the Presheva ​​Valley have always sought to tie the resolution of their political position and the status of the region in which they live to Kosovo. Precisely for these reasons, and especially motivated by the extremely difficult position in which the Albanians of the Presheva ​​Valley were, they organized the Referendum on political and territorial autonomy in 1992.

A referendum in the municipalities of Preshevo, Medvegja and Bujanovac was held on March 1 and 2, 1992, with the referendum question: "Are you in favor of the territorial political autonomy of the Albanians in Presheva, Bujanovac and Medvegja with the right to join Kosovo". More than 41,000 Albanians, i.e. 97 percent of the almost 42,000 voters (45,000 registered in the electoral roll in total), declared for the political and territorial autonomy of this region with the right to join Kosovo. The referendum was organized by all Albanian political and social factors, especially the Party for Democratic Action and the Party for the Democratic Unification of Albanians (now the Democratic Party of Albanians - ed.)[[9]](#footnote-9). Although the will of the Albanians expressed in the referendum has not been implemented so far, the referendum itself and its outcome represent the basis for resolving the political status of the Presheva ​​Valley and the Albanians in it. The armed conflict, i.e. the formation of the Liberation Army of Preshevo, Medvegja and Bujanovac in the second half of 1999 and its demand for the internationalization of solving the issues of this region and the intention to end organized state violence against Albanians by armed means confirms this thesis, as well as the initiation of the initiative to form a community of Albanians municipality[[10]](#footnote-10) from 2015.

Although, unlike the Albanians from Kosovo, the political representatives of the Albanians of the Presheva ​​Valley participated in all elections since the introduction of multi-party system and were represented in the local self-governments and parliament, they did not have the opportunity to influence the improvement of the position of the Albanians and even less the state policy towards the Albanians in this region. The politics and open hostility of the then regime of Slobodan Milošević towards Albanians in general imposed the view that the answer to a way out of that situation should not be sought in dialogue through institutions and participation in the political life of Serbia. By the end of November 2000, such an organization grew into an organized armed rebellion against police repression, and then the Liberation Army for Presheva, Medvegja and Bujanovac (OVPMB) publicly entered the scene, whose goal was to fight against police repression, discrimination and apartheid and for the rights of Albanians[[11]](#footnote-11). The Helsinki Committee for Human Rights in Serbia in its publication "Albanian Minority on hold - Presheva, Medvegja and Bujanovac Hostages of Serbia-Kosovo Relations", states that the armed rebellion in the Presheva ​​Valley is the result of the policy, relations and discriminatory intentions of official Belgrade towards Albanians of the Presevo Valley[[12]](#footnote-12).

**EVENTS IMMEDIATELY BEFORE THE START OF THE CONFLICT**

The war events in Kosovo during 1998 and 1999, and especially during the NATO intervention, gradually spilled over into the area of ​​the Presheva ​​Valley. The large concentration of military, police and paramilitary forces in this region and their attitude towards the Albanian population (especially during and after the NATO intervention) complicated the already difficult security situation and "pushed" this region into conflict.

The Humanitarian Law Fund states that during the NATO intervention in the territory of Presheva ​​municipality, 11 Albanians were killed and that 243 statements were taken regarding violations of human rights, including the right to property. In its Report "Albanians in Serbia - Presheva, Medvegja and Bujanovac", the Fund for Humanitarian Law states that, according to the data of the SO Presheva, material damage of 6 million euros[[13]](#footnote-13) was committed in the territory of the municipality of Presheva ​​during that period. In the period 1999-March 2000, under unclarified circumstances, in territory in absolute control of Serbian security forces, 11 Albanians were killed, while 2 were kidnaping. None of these cases have been bleached[[14]](#footnote-14).

According to the data of the United Nations Interagency Mission for the Assessment of the Situation in Southern Serbia, almost a third of the Albanians of this region fled during 1999, due to armed conflicts and fear for personal safety[[15]](#footnote-15). In the Report of the UN High Commissioner for Human Rights, dated September 7, 1999, regarding the state of human rights in Kosovo, it is stated that in Gnjilan (Kosovo) from the municipalities of the Presheva ​​Valley, 320 families or 3227 persons were forcibly displaced by of the Yugoslav Army and the Serbian Police[[16]](#footnote-16). Contrary to the claims of relevant international and domestic organizations about the serious threat to the personal and property security of the Albanian population in the border zone with Kosovo, the state leadership of the Federal Republic of Yugoslavia and the Republic of Serbia behaved as if nothing was actually happening, which clearly implies that the campaign of violence that was being carried out in the Presheva Valley during and immediately after the NATO intervention was part of the official state policy.

As it has already been pointed out, in the context of disturbed security and an objective feeling of fear, the Albanian population of this region organizes and establishes the Liberation Army of Presheva, Medvegja and Bujanovac (OVPMB). The OVPMB was founded in the second half of 1999 in Dobrosin, on the territory of the municipality of Bujanovac[[17]](#footnote-17), "where 35 citizens of Albanian nationality gathered in the house of Ajdari Vehbi and started an organized fight against the units of the VJ and the MUP of Serbia"[[18]](#footnote-18). Although this armed formation first appeared in public at the beginning of 2000[[19]](#footnote-19), the Serbian security services consider it responsible for the armed attacks that were carried out during 1999 on members of the Serbian police in the territory of the municipalities of Presheva, Medvegja and Bujanovac. Opposing the OVPMB were the Army of Yugoslavia and the police of the Republic of Serbia. When it comes to the Serbian security forces (the Army of Yugoslavia and the police of the Republic of Serbia), the Pristina Corps of the VJ (after the withdrawal from Kosovo) and regular police forces and special units that were specially engaged during this armed conflict were stationed in the area of ​​the Presheva ​​Valley[[20]](#footnote-20).

**THE START OF THE ARMED CONFLICT, THE PARTIES IN THE CONFLICT AND THE COURSE OF THE CONFLICT**

The armed conflict in the Presheva ​​Valley, according to its characteristics, met all four necessary conditions, 1 ratified the Geneva Conventions and Additional Protocols, could be characterized as an internal armed conflict.

The internal armed conflict on the territory of the municipalities of Presheva, Bujanovac and Medvegja took place in the period January 2000 - May 2001 between Serbian security forces (army and police) and the Liberation Army of Presheva, Medvegja and Bujanovac.

The Liberation Army of Presheva, Medvegja and Bujanovac, as we mentioned, appeared in public for the first time on January 30, 2000, at the funeral of the Šaćipi brothers, residents of the village of Dobrosin in the municipality of Bujanovac, who were killed by the Serbian police.

The Yugoslav Army, the Serbian police and its special units were professional armed formations that possessed all types of infantry weapons, tanks and other armored vehicles as well as artillery. The units of the Yugoslav Army participated in the armed conflict in the Presheva ​​Valley, the units of the Third Army, i.e. the PriShtina and Niš Corps (whose commander, General Lazarevic, was later convicted before the Hague Tribunal for war crimes committed against the Kosovo Albanians), and the 63rd Parachute Brigade participated in the armed conflict in the Presheva ​​Valley. and the 72nd Special Operations Brigade, as far as the police forces are concerned, in addition to the regular police forces, special units participated: the Special Police Units (PJP) is also the Special Operations Unit (JSO (whose commander, Milorad Luković - Legion, was legally convicted for the assassination of the president Government of the Republic of Serbia Zoran Đinđić)). It is estimated that over 3,500 members of the armed forces of the FRY and the Republic of Serbia were engaged in these conflicts[[21]](#footnote-21).

After the end of the war in Kosovo[[22]](#footnote-22) and the humanitarian intervention of the NATO alliance in the Federal Republic of Yugoslavia, the Military-Technical Agreement (MTA) was signed on June 9, 1999 in the Macedonian city of Kumanovo between the UN International Security Forces (KFOR) on the one hand, and the Federal Republic of Yugoslavia and the Republic of Serbia on the other hand.

Article 1 of the said Agreement, more precisely point the established the Ground safety zone, which is defined as a 5-kilometer zone that extends beyond the borders of Kosovo and includes a 5-kilometer area within the territory of the FRY. Point 4 of the same article of the VTS defines that the military forces of the FRY and special units of the police of the Republic of Serbia will not, among other things, have the right to be stationed in the Land Security Zone, while the local police have the right to be in the Land Security Zone. The VTS also prohibited airplanes and other combat aircraft from flying up to 25 km from the border with Kosovo. The land security zone along the border of Kosovo with Serbia and Montenegro (then members of the federation - the Federal Republic of Yugoslavia) is defined in a length of 472 kilometers, of which 141 km belong to the territories of the municipalities of Presheva, Bujanovac and Medvegja.

After the escalation of the conflict, the Government of the Federal Republic of Yugoslavia and the Government of the Republic of Serbia formed a Coordination Body for the municipalities of Presheva, Bujanovac and Medvegja on December 16, 2000. The coordinating body was formed with the task of contributing to the municipalities of this region in order to develop them "as politically, security and economically stable areas with developed standards and quality of life of citizens, with respect for human, minority, religious, political and other rights and freedoms."[[23]](#footnote-23) The Secretary General of NATO appointed Peter Feith as his envoy for the Presheva ​​Valley. Representatives of the UN and the EU have also been active in trying to stop further escalation of violence in this region. [[24]](#footnote-24).

The Committee for Human Rights from Bujanovac has repeatedly informed the public about physical attacks by the army and police on the local Albanian population and their property. In its report on human rights for 2001, the Belgrade Center for Human Rights cites the statement of Nebojsa Čović, Deputy Prime Minister of the Government of Serbia, that 250 members of the Joint Security Forces of the FRY and Serbia were punished for violence against the local population[[25]](#footnote-25). However, it is not possible to find official documents that would support these claims of representatives of the Serbian authorities, but they can be seen as confirmation of the inhumane and illegal treatment of members of the armed forces of the FRY and Serbia towards civilians of Albanian nationality.

During the conflict between 2000 and 2001, around 100 people lost their lives. The Fund for Humanitarian Law cites information from the Serbian police that during the war in the Presheva ​​Valley area, 10 civilians were killed, 25 were wounded (including two representatives of the UN Mission), and 43 were missing, one of whom was kidnapped and killed, four are still missing. two managed to escape while 36 of them were released[[26]](#footnote-26). The names, biographies and photos of 27 killed OVPMB fighters were published on the website of the "Humanitarian Association - "Shoqata humanitariane - Lugina e Preshevës", which can be taken as relevant information about the number of killed members of this Albanian armed formation. during the conflict in the Presevo Valley.

According to information from the UN High Commissioner for Refugees (UNHCR) from November 2001, over 15,000 civilians fled from the municipalities of Presheva, Bujanovac and Medvegja during the armed conflict, the same report estimates that around 5,500 Albanians returned to their places of residence after the cessation of armed conflicts and that UNHCR provided assistance to 1,000 returnees[[27]](#footnote-27).

The Humanitarian Law Fund recorded all human rights violations committed by the parties to the conflict against civilians and their property, however there was no prosecution nor did the state authorities during and after the conflict show the intention that all documented crimes committed against civilians would receive a judicial epilogue. The international community also showed no interest in starting the process of transitional justice immediately after the end of the conflict, and showed a high degree of tolerance towards the crimes committed against civilians in the Presheva ​​Valley, thus "amnestying" the new democratic authorities, which after the overthrow of Milošević, managed the country, probably in the desire to help them consolidate their position.

**ENDING THE CONFLICT AND THE PEACE PROCESS**

The complete cessation of hostilities in the Presheva ​​Valley was preceded by the first Agreement on the cessation of hostilities, which was reached on March 12, 2001, with the mediation of NATO, EU and OSCE representatives. The conflicting parties had their first direct meeting on "23. March 2001 in the British military base in the village of Livadice near Podujevo (Kosovo).[[28]](#footnote-28)" Through the meeting with the representatives of the OVPMB, the previously reached agreement on a cease-fire and the subsequent adoption of the Law on Amnesty, the Federal Republic of Yugoslavia and the Republic of Serbia recognized the existence of an internal armed conflict on their territory. The agreement on the demilitarization of the villages of Luçan and Turija, which was signed on May 4, 2001, and where the conflicting parties agreed to "unconditionally withdraw their forces from these two villages, leave all occupied private facilities, enable the return of the displaced and complete freedom of movement along the Bujanovac-Gnjilan road[[29]](#footnote-29).

The armed conflicts ended on May 21, 2001, with the Declaration on the Demilitarization of the Presheva ​​Liberation Army Medvegja and Bujanovac - Končul Agreement, which was signed on May 20, 2001 by the Commander of the Main Staff of the OVPMB Shefqet Musliu. The agreement was also signed as a witness by the head of the NATO office in the FRY, Shawn Sullivan.

With the statement on demilitarization, better known as the Končul Agreement, the OVPMB points out:

1. that the Albanians of the Presheva ​​Valley were exposed to discrimination and persecution for years by the previous authorities (Milošević's regime) of Serbia and the FRY,
2. that mistreatment by the previous Yugoslav authorities, removal of Albanians from state institutions, and marginalization from social life in the Presheva ​​Valley, are a deprivation of basic human rights, including cultural, national, social, political and economic rights,
3. to ask the Serbian and Yugoslav governments to correct the policies of the Milosevic regime and to integrate members of Albanian and other non-Serbian nationalities into state, civil and economic structures,
4. to ensure freedom of movement for Albanians in order to maintain family relations with Albanians in Kosovo, as well as for the Serbian armed forces to treat Albanians with respect and dignity, and to refrain from confiscating houses and personal property,
5. to call on the international community and state authorities to fulfill all obligations towards the people of Albanian in the Presheva ​​Valley as determined by the Serbian Program for solving the crisis in southern Serbia,
6. to seek amnesty for all members of the OVPMB who stop their actions and lay down their arms,
7. to request the formation of a multi-ethnic police force,

In the process of peaceful resolution of the conflict in the Presheva ​​Valley, the Governments of the FRY and the Republic of Serbia adopted a Plan and Program for resolving the crisis in the municipalities of Bujanovac, Presheva ​​and Medvegja. The following points are defined as the goals of the program:

1. Integration of Albanians in public institutions and political system of the country and the full respect for human and national minority rights.
2. Establishment of peace in the region and protection of wealth and properties of the citizens,
3. Economic development of Presheva, Bujanovac and Medvegja.[[30]](#footnote-30)"

The obligation to withdraw extraordinarily engaged armed forces (military and police) and the establishment of a multi-ethnic police force in order to assume responsibility in the field of security in the area of ​​the Presheva ​​Valley was defined. "The socio-economic revival of municipalities meant: a) the development of agriculture, b) the development of the wood industry, c) the construction and rehabilitation of roads, electrical infrastructure, water supply and telephone lines, d) the registration and rehabilitation of Albanian houses." The aforementioned plan envisages that its implementation will be fully completed within 36 months, that is, by 2004 at the latest.

Although amnesty for members of the OVPMB is defined as one of the priority obligations in the process of establishing permanent and sustainable peace in the area of ​​the Presheva ​​Valley, it is determined by the Law on Amnesty adopted by the Federal Assembly of the FRY.

Nonetheless, many youngsters, former members of UÇPMB, were obliged to flee the region and leave to Kosovo or EU countries due to staged processes and legal prosecution for “terrorism” and arbitrary arrests (2003 and 2012).[[31]](#footnote-31)

**INSTEAD OF CONCLUSION**

The armed conflict in the Presheva ​​Valley was started as a last resort with the intention of ending the violence and discrimination to which the Albanians of the Presheva ​​Valley were exposed during the reign of Slobodan Milošević, and to internationalize and resolve the political status of this region and the Albanian people in it. Although it ended with the assumption of certain obligations by the conflicting parties, from this distance of time, we cannot say that the state authorities in the Republic of Serbia did enough to fulfill their obligations regarding the improvement of the overall position of the Albanians in the Presheva ​​Valley. The absence of interest from "foreign factors" in today's attitude of the Republic of Serbia towards the Albanian community and the minority issue in general in Serbia cannot be seen as a contribution to stability and sustainable peace.

When the peace agreement was signed, the Albanians of Presheva, Medvegja, and Bujanoc were led to believe that genuine political dialogue and reforms would substantially ameliorate the overall situation of Albanians and engaged into negotiations with Belgrade authorities in good faith. Repeated delays in fulfilling these pledges led to two additional agreements on the affirmation of the rights of Albanians (2009 and 2013) which, unfortunately, remain largely unimplemented by the Belgrade authorities.

As in the time immediately before the start of the conflict, so now, the stability of this region will depend on the state's attitude towards the Albanians and its ability to take into account the needs of the Albanian community in a fair, adequate and satisfactory way, precisely for the sake of the state's interests, because the state is safe only there where citizens are satisfied.

To reduce as much as possible the number of Albanians living in the Presheva Valley, Serbian authorities are conducting the so-called passivization of residential addresses belonging to Albanians, a practice which the Helsinki Committee of Serbia has called as *“a form of ethnic cleansing through administrative means.”[[32]](#footnote-32)* Adding to these long-standing grievances, a rising Albanophobia expressed through incendiary and offensive statements against Albanians made by highest state officials of the ruling coalition in Serbia is being normalized in political and media discourse. The combined effects of repression of national identity, discrimination, mistreatment, and intimidation are forcing the youth to leave Presheva Valley in search of better opportunities in the EU member states.

**Underrepresentation**: The Article 77 of the Serbian Constitution, the Article 20 of the Law on protection of the rights and freedoms of national minorities, provisions of the Framework Convention for the Protection of National Minorities and recommendations from Lund and Ljubljana of the OSCE High Commissioner on National Minorities[[33]](#footnote-33) guarantee the rights of national minorities for a full and proportional integration in state structures and institutions with public authorizations.

By refusing to respect its obligations from the Agreements in 2001, 2009 and 2013, Republic of Serbia is blocking the integration of Albanians in judiciary, police, republican inspectorates and all public companies with public authorizations. The basic rights of Albanians to have a fair, equal and proportional representation in these institutions are being violated by policies and refusals of Belgrade authorities.

Here are some examples to illustrate this:

1. In the justice system (Court of Offences in Presheva, Basic Court in Bujanoc, and the Court of Appeal in Vranje), the total number of employees is 310 out of whom only 41 or 12.9% are Albanian.
2. In the Basic Prosecutor’s Office in Bujanoc and the District Prosecutor’s Office in Vranje, there is no Albanian employee.
3. In the Customs Service at the border crossing with Macedonia, out of 91 employees, only 13 or 14.3% are Albanian.
4. In the Cadastral Service in Presheve and Bujanoc, out of 15 employees, only 1 is Albanian (or 6.7%).
5. Out of 13 Republican-level Inspectorates that have offices in Presheva and Bujanoc, only 1 employee is Albanian.
* **Lack of recognition of diplomas:** After the declaration of Kosovo’s independence in 2008, Republic of Serbia does not recognize the diplomas of the graduates from Presheva Valley ëho get their education in Kosovo. In 2023, it is the fifteenth generation of young graduates whose diplomas are not being recognized. The largest part of these graduates have left Presheva Valley for EU countries because of lack of any hope for employment in Serbia.

On the issue of “diploma recognition,” there are two agreements signed between Kosovo and Serbia: one in 2013 in Brussels, and another one in 2020 in Washington, DC.

* **Passivization:** Passivization of addresses is another administrative measure that Serbia is using, based on the Law on Residence, in order to delete Albanian citizens from Presheva, Bujanovac and Medvegja, who are either temporarily working in Kosovo or have fled their homes during conflicts in 2000-2002, from the civil records. These measures aim at artificially changing the ethnic structure of population and decreasing the number of ethnic Albanians in municipalities of Presheva, Bujanovac and Medvegja.

In 2017-2019, 1750 Albanian residents were passivized only in the municipality of Medvedja. After passivization of addresses, citizens lose their civic rights, including the right to vote because they are deleted from the voters’ registry. Data for the period 2012-2017 and 2020-2022 are missing.

* **Lack of possibility to use the national symbols:** The official use of national symbols by national minority representatives represents an identity right based on the Article 9 of the Framework Convention for the protection of national minorities. However, Republic of Serbia, through its Law on protection of the rights and freedoms of national minorities in 2002[[34]](#footnote-34), is making it impossible to Albanians to use their national symbol (the red flag with a black eagle) because “it is identical with a symbol of another state (Albania)”. In this way, Albanians are being denied with one of their fundamental identity rights. In other countries of the region (Croatia, Montenegro and e Kosovo) these obstacles do not exist.

Position of Albanians was not improved despite the signing of the Agreement in 2001, which was later reconfirmed with a new agreement on “reorganization of Coordination Body and affirmation of the principles of the agreement in 2001”, and in 2013 the same principles were reaffirmed in the third agreement „Seven-Point Plan “, which was approved by the Serbian government on 4 June 2013.

The Albanian community in Presheva Valley remains the most discriminated minority in the Republic of Serbia. No action has been taken to end economic discrimination against Albanians, address the very low representation of Albanians into the state institutions and government-controlled enterprises[[35]](#footnote-35), and reduce the presence of military forces in the region. Since 2008, the hostile stance of Serbia towards Kosovo’s independence adversely affected Albanians in Presheva as Serbia refuses to recognize university diplomas from Kosovo universities thus disqualifying 15 generations of Albanian with Kosovo diplomas from employment in state institutions. Albanians in Presheva Valley are currently denied the right to use the national symbols and flag, a crucial element of the Albanian national identity. Militarization is consistently used as an intimidation strategy against the local Albanian communities.

Resolving the question of the Presheva Valley is not only a an issue of security, but in the first place, is a question of the individual and collective rights of Albanians, as well as being a key criteria for Serbia’s European integration, and as security issue as well.

In the Helsinki Final Act from 1975, the OSCE participating states emphasize the essential relationship between the respect of the legitimate interests of persons belonging to national minorities and the preservation of peace and security. This relationship was later reconfirmed through adopted documents: *the Madrid Concluding Document* 1983, *the Vienna Concluding Document* 1989, *the Charter of Paris for a New Europe* 1990, *the Lisbon Document* 1996, and the *UN Declaration on the rights of persons belonging to national minorities*. After the adoption of the *Charter of Paris for a New Europe,* all the participating states of the OSCE opted for *democratic governance.*

**In Paragraph 26 of the Helsinki Document, the OSCE participating states have committed to** *"raise the issues of national minorities in a constructive manner, by peaceful means and dialogue of all sides, on the basis of the principles and commitments of the CSCE".*

Since the political and institutional discrimination of Albanians of Presheva Valley is often a consequence of the tensions between Kosovo and Serbia, we believe that the inclusion of the Albanian community in Presheva in the dialogue will help the EU and US mediators to work out symmetrical and balanced arrangements for the protection and promotion of minority rights for the Albanian community in Serbia and the Serb community in Kosova in accordance with European values and international acts.

The symmetry of treatment of respective national minorities must be a crucial element of the comprehensive, legally binding normalisation agreement so that Serbia and Kosovo can advance on their respective European paths. This will prevent Presheva Valley from relapsing into another conflict and remove and ongoing source of instability between Kosovo and Serbia with broader implication in the Western Balkans.

Presheva Walley, Februar 2023. **Shaip Kamberi**

**Member of Parlament in Serbia**

1. The term Presevo Valley has been used since the time of armed conflicts in this area and was first used in 2001 by US diplomats as a form of balanced compromise between the name "Eastern Kosovo" used by Albanians and the name "Southern Serbia or Pcinj District" used by the Serbian authorities. This term was adopted by the Albanians and their political representatives who still use it today.

2 “*EXTERNAL MIGRATION IN THE PRESHEVA VALLEY: CAUSES, BENEFITS AND CONSEQUENCES”*, Insitute of Geography and spatial organization Polish academy of sciences, Arsim Ejupi, Geographia Polonica, Volume 90, Issue 3, 2017, pp. 351-360 (dostupno na: <https://www.geographiapolonica.pl/article/item/11050.html> , pristupljeno\_ 03.01.2023.godine)

3 “*Peace in Presevo: Quick fix or long term solution?”* ICG Balkans Report N° 116 Pristina/Belgrade/Brussels, 2001. str. 1. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)
4. Maja Žilić, Anđela Savić i Marko Milosavljević, "*War in Serbia (1991–2001): It did happen,"*  the Youth Initiative for Human Rights, Beograd, 2020, str. 82. (<https://www.yihr.rs/wp-content/uploads/2020/09/Rat-u-Srbiji_YIHR_web.pdf> pristupljeno: 04.01.2023.godine)

 5 *"Census of Population, Households and Dwellings, in 2002: Population – National or Ethnicity: Data by Settlements"*, Republic of Serbia – Statistical Office of the Republic of Serbia, Beograd, 2003, str. 192, 196, 197, 204 i 205 (: <https://publikacije.stat.gov.rs/G2002/Pdf/G20024001.pdf> pristupljeno: 05.01.2023.godine)

6 FHP Report:*"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Beograd, 2003, str. 12, (<https://www.hlc-rdc.org/images/stories/pdf/Prava_manjina_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf> pristupljeno: 05.01.2023.godine)

7. op.cit. HLC Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Beograd, 2003, str. 12 - 36

(<https://www.hlc-rdc.org/images/stories/pdf/Prava_manjina_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf> pristupljeno: 05.01.2023.godine) [↑](#footnote-ref-4)
5. [↑](#footnote-ref-5)
6. [↑](#footnote-ref-6)
7. [↑](#footnote-ref-7)
8. “*Peace in Presevo: Quick fix or long term solution?”* ICG Balkans Report N° 116 Pristina/Belgrade/Brussels, 2001. str. 2 [↑](#footnote-ref-8)
9. *Feljton „Jedna srpsko – albanska priča“,* Radovan Irić, 2021, str. 18, (<https://media.vom.rs/2021/08/JEDNA-SRPSKO-ALBANSKA-PRICA.pdf> , pristupljeno: 06.01.2023.godine [↑](#footnote-ref-9)
10. *„Šta je cilj formiranja zajednice Albanskih opština na jugu”,* Branka Trivić – Slobodna evropa, 14. septembar 2015.(<https://www.slobodnaevropa.org/a/hoce-li-se-formirati-zajednica-albanskih-opstina-na-jugu/27247746.html> - pristupljeno 06.01.2023.godine) [↑](#footnote-ref-10)
11. Interview (in writing) author of work with the former president of the Party for Democratic Action. [↑](#footnote-ref-11)
12. Publication *"Albanian minority on hold – Presheva, Medvedja and Bujanovac hostages of Relations between Serbia and Kosovo"*, Helsinki Committee for Human Rights in Serbia, Belgrade, 2021, p. 11

<https://www.helsinki.org.rs/serbian/doc/izvestaj%20presevo%20srb.pdf> pristupljeno: 07.01.2023. [↑](#footnote-ref-12)
13. HLC Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Belgrade, 2003, p. 15

(<https://www.hlc-rdc.org/images/stories/pdf/Prava_manjina_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf> pristupljeno: 05.01.2023.godine) [↑](#footnote-ref-13)
14. NGO report, Council for human rights-Bujanovac for 2000. [↑](#footnote-ref-14)
15. HLC Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Belgrade, 2003, p. 15(<https://www.hlc-rdc.org/images/stories/pdf/Prava_manjina_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf> pristupljeno: 05.01.2023.godine) [↑](#footnote-ref-15)
16. Report of the High Commissioner for Human Rights on the Situation of Human Rights in Kosovo, 1999,

(<https://reliefweb.int/report/serbia/report-high-commissioner-human-rights-situation-human-rights-kosovo>, pristupljeno: 06.01.2023.godine) [↑](#footnote-ref-16)
17. HLC Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Belgrade, 2003, p. 15*, (*[*https://media.vom.rs/2021/08/JEDNA-SRPSKO-ALBANSKA-PRICA.pdf*](https://media.vom.rs/2021/08/JEDNA-SRPSKO-ALBANSKA-PRICA.pdf)*, pristupljeno: 06.01.2023.godine*)

 HLC Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Belgrade, 2003, p. 15 Beograd, 2020, str. 84. (<https://www.yihr.rs/wp-content/uploads/2020/09/Rat-u-Srbiji_YIHR_web.pdf> pristupljeno: 04.01.2023.godine) [↑](#footnote-ref-17)
18. Maja Žilić, Anđela Savić and Marko Milosavljević, "*War in Serbia (1991 – 2001): It Did Happen",*  Youth Initiative for Human Rights, Beograd, 2020, str. 84. (<https://www.yihr.rs/wp-content/uploads/2020/09/Rat-u-Srbiji_YIHR_web.pdf> pristupljeno: 04.01.2023.godine). [↑](#footnote-ref-18)
19. FHP Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvedja",* Humanitarian Law Center, Beograd, 2003, str.4

(<https://www.hlc-rdc.org/images/stories/pdf/Prava_manjina_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf> pristupljeno: 05.01.2023.godine) [↑](#footnote-ref-19)
20. “Peace in Presevo: Quick fix or long term solution?” ICG Balkans Report N° 116 Pristina/Belgrade/Brussels, 2001. str. 2. [↑](#footnote-ref-20)
21. Interview (in writing) the author of the work with the President of the Albanian National Council Ragmi Mustafa. [↑](#footnote-ref-21)
22. Oružani sukobi između Oslobodilačke vojske Kosova sa jedne strane i Vojske Jugoslavije, policije Srbije i srpskih paravojnih formacija (1998-1999. godina). [↑](#footnote-ref-22)
23. Coordination body of the Government of the Republic of Serbia for the municipalities of Presheva, Bujanovac and Medvedja, official website – About us – History and mission (<http://www.kt.gov.rs/cr/articles/o-nama/> pristupljeno 09.01.2023.godine) [↑](#footnote-ref-23)
24. Ilir Zylfiu, Dukagjin Leka, Valbona Ahmeti Zylfiu, *“Albanian Minority in Serbia”,* Danubis University: Relationes Internationales, Journal Volume & Issue, Vol 10, No 2, Romania, 2017, pp *60 – 75*, [↑](#footnote-ref-24)
25. Human rights in Yugoslavia in 2001. – Law, bang and legal awareness in the Federal Republic of Yugoslavia and international human rights institutions, Belgrade Centre for Human Rights, Beograd, 2002, str 194.

(<https://bgcentar.org.rs/bgcentar/wp-content/uploads/2013/04/ljudska-prava-u-jugoslaviji-2001.pdf>) pristupljeno: 10.01.2023.godine) [↑](#footnote-ref-25)
26. Maja Žilić, Anđela Savić i Marko Milosavljević, “*Rat u Srbiji (1991 – 2001): Did It Happen",*  Youth Initiative for Human Rights, Belgrade, 2020, p. 84 and 85. (<https://www.yihr.rs/wp-content/uploads/2020/09/Rat-u-Srbiji_YIHR_web.pdf> pristupljeno: 04.01.2023.godine) [↑](#footnote-ref-26)
27. UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, “*UNHCR FRY Information Bulletin - November 2001*, Belgrade”, 2001. str. 11 (<https://www.unhcr.org/news/updates/2001/11/3c6250aaa/unhcr-fry-information-bulletin.html?query=presevo%20valley> pristupljeno: 10.01.2023.godine) [↑](#footnote-ref-27)
28. Maja Žilić, Anđela Savić i Marko Milosavljević, “*Rat u Srbiji (1991 – 2001): Jeste se desilo",*  Youth Initiative for Human Rights, Beograd, 2020, str. 90. (<https://www.yihr.rs/wp-content/uploads/2020/09/Rat-u-Srbiji_YIHR_web.pdf> pristupljeno: 04.01.2023.godine) [↑](#footnote-ref-28)
29. HLC Report: *"Albanians in Serbia – Presheva, Bujanovac and Medvegja",* Humanitarian Law Center, Beograd, 2003, str. 37

([https://www.hlc-rdc.org/images/stories/pdf/minority rights\_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf](https://www.hlc-rdc.org/images/stories/pdf/minority%20rights_Srbije/cac030e723e8da5932a6da283ffd99bb.pdf) pristupljeno: 05.01.2023.godine) [↑](#footnote-ref-29)
30. *"(NON)Implementation of government agreements regarding South Serbia"*,Odbor za ljudksa prava – Bujanovac, Bujanovac, 2016, str. 16 i 17 (<https://chris-network.org/wp-content/uploads/2016/07/Neimplementacija-vladinih-sporazuma-u-vezi-sa-jugom-Srbije.pdf> - pristupljeno 11.01.2023.godine) [↑](#footnote-ref-30)
31. op. cit. *Order on Amnestiji”* (“Službeni list SRJ”, broj 37/02), član 1.

[http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/slsrj/skupstina/zakon/2002/37/2/reg - pristupljeno 11.01.2023.godine](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/slsrj/skupstina/zakon/2002/37/2/reg%20-%20pristupljeno%2011.01.2023.godine). The action of arresting 7 persons from Presheva in 2012 for the charge of "killing 200 Serbs in Gnjilane, Kosovo, during 1999. All, after four years in prison, have been released "in the absence of evidence". [↑](#footnote-ref-31)
32. Helsinki Committee for Human Rights in Serbia o(2021) “Albanian Minority on Hold: Presevo, Bujanoc, and Medvegja as hostages of Kosovo-Serbia relations” at (<https://www.helsinki.org.rs/doc/izvestaj%20presevo%20eng.pdf> [↑](#footnote-ref-32)
33. Constitution of Sebia, Law of protection minority rights and freedoms , Framework Convenction for the Protection of National Minorities of CE, HCHR of OSCE Recomandation from Lund and Ljubljana. [↑](#footnote-ref-33)
34. Alinea 2, Section 14 of Serbia's Law for the Protection of Minority Rights and Freedoms („Službeni list SRJ“, br. 11/2002, „Službeni list SCG“, br. 1/2003 – Ustavna povelja i „Službeni glasnik RS“, br. 72/2009 – dr. Zakon, 97/2013 – odluka US i 47/2018) [↑](#footnote-ref-34)
35. Integration should be done under Article 77, al. 1 and 2 of the R.Serbia Constitution, and article 4-13 të Framework Convenction for the Protection of National Minorities. [↑](#footnote-ref-35)