

30 June 2006

AI Index: EUR 65/002/2006

MACEDONIA:
"Disappearance" of Hajredin Halimi (m), born 1954, ethnic Albanian

Amnesty International is concerned about the "disappearance" of Hajredin Halimi on 7 August 2001, and is seeking information from the Macedonian authorities about a "special committee" investigating the case and urging the Macedonian authorities to bring the perpetrators to justice.

In the early hours of 7 August 2001, members of the "Tigers" commando military unit, the Security and Counter-espionage Service (DBK), and other police officers carried out a raid in Skopje, Macedonia at the home of Musafer Halimi. Musafer Halimi, Hajredin Halimi, his brother Fikri Halimi and his nephew Elam Halimi were taken to the Gazi Baba police station in Skopje, to be interrogated on suspicion of membership in the ethnic Albanian National Liberation Army (NLA).

Musafer Halimi was kept in detention, tried, convicted and sentenced for association with the NLA, but was released following a presidential pardon in autumn 2001.

Fikri and Elam Halimi were released on 9 August 2001. Two hours before his release from the Gazi Baba police station on 9 August 2001, Fikri Halimi alleges that he heard the voice of his brother Hajredin Halimi from another cell. However, the fate of Hajredin Halimi remains unknown.

The European Commission on Kidnapped and Other Missing Persons (CKOMP) was established in November 2001 by the European Union to investigate 20 reported "disappearances" and abductions that occurred in Macedonia between 17 April and 31 August 2001. It was approved by then Macedonian President, Boris Trajkovski. After repeated requests by CKOMP for a meeting, in May 2002 the Ministry of Internal Affairs agreed for representatives of CKOMP to meet with police officers, including with the head of the Counter-espionage Service in Skopje, Ljubche Andonovski, who had reportedly interrogated Hajredin Halimi at Gazi Baba police station in August 2001. During the meeting, police officers claimed that Hajredin Halimi had been released a few days after his arrest, but they were unable to provide any supporting evidence for this, including any official record of his detention or release from police custody. The CKOMP concluded that the authorities, especially the Counter-espionage Service, "should be able to provide more information concerning the disappearance of Hajredin Halimi".

On 24 March 2005, the Macedonian Ministry of Internal Affairs replied to a letter from a Swedish Amnesty International local group on Hajredin Halimi's case. The letter explained that nothing more was known about Hajredin Halimi's case and that Hajredin Halimi was "not officially registered with the Ministry". However, they informed Amnesty International that they had created a "special committee" to investigate the case.

According to the MIA news agency, on 26 May 2006, the Macedonian Minister of the Internal Affairs met with relatives of "disappeared" and abducted people. The Minister allegedly claimed that an investigation on the case of six Albanians (Hajredin Halimi is most certainly one of them) who "disappeared" was underway. A member of one of the families reportedly said: "We have been told that the government will certainly resolve the case, but we do not know when – five, ten years?"

Five years after the "disappearance" of Hajredin Halimi, and with the Minister of the Internal Affairs reiterating his claim that an investigation on the case of Hajredin Halimi is being carried out, Amnesty International is taking action to urge him to bring the perpetrators to justice.

Background

In January 2001, a conflict broke out in Macedonia between the newly formed NLA, claiming to be pursuing increased rights for the ethnic Albanian minority population (about 23 per cent of the population according to a 1994 census), and Macedonian forces. The status and rights of the ethnic Albanian population have been key political issues in Macedonia since its independence in 1991.

For more information about "disappearances" in the Former Yugoslav Republic of Macedonia, please see AI Index: EUR 65/007/2002, 15 August 2002 and EUR 65/004/2003, 1 February 2003.

Please write to the Macedonian Minister of Internal Affairs, and send copies of your letters to the Macedonian Minister of Justice:

- Explain that you are writing about Hajredin Halimi, born in 1954 in Glumovo, Saraj, who "disappeared" on 7 August 2001 and giving details of the case history and European Commission on Kidnapped and Other Missing Persons findings as described above;
- Remind the Minister that in a letter dated 24 March 2005 and addressed to a Swedish Amnesty International group, the Minister claimed that a "special committee" was investigating the case;
- Urge the authorities to make the findings of the "special committee" investigation into Hajredin Halimi's "disappearance" public and to bring those responsible for his "disappearance" to justice;
- Remind them of the European Court of Human Rights decision, which held that failure to investigate cases of missing persons was a violation of Article 3 of the Convention for the protection of Human Rights and Fundamental Freedoms and found that "the silence of the authorities of the respondent State in the face of the real concerns of the relatives of the missing persons attains a level of severity which can only be categorised as inhuman treatment within the meaning of Article 3" (Cyprus v Turkey (10 May 2001), paragraphs 136 and 156-158);
- Remind the authorities that the relatives of victims of "disappearances" should be entitled to obtain fair and adequate reparation from the state, including financial compensation, and that the right to a prompt and impartial investigation and to a remedy including compensation as enshrined in Articles 6 and Article 5.5 of the European Convention on the Protection of Human Rights and Fundamental Freedoms;
- Remind the authorities that the UN Human Rights Committee has consistently held that "disappearances" violate Article 6 (the right to life), Article 7 (the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment), and Article 9 (the right to liberty and security of person) of the International Covenant on Civil and Political Rights;
- Remind the authorities that according to the *Copenhagen Criteria*, membership of the European Union "requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities" and inform the authorities that Amnesty International local groups have written to EU institutions about this case.

Please send appeals in English [or your own language] to:

Minister of Internal Affairs

Ljubomir Mihajlovski

Minister za vnatreshni raboti

Dimche Mirchev bb

1000 Skopje, Macedonia

Tel: + 389 23 117 222

Fax: +389 23 112 468

Salutation: Dear Minister

Please send copies of your letters to:

Minister of Justice

Meri Mladenovska-Gjorgjievska

Minister za Pravda

Dimitrie Chupovski 9

1000 Skopje, Macedonia

Tel: +389 23 117 277

Fax: +389 23 226 975

Salutation: Dear Minister