

Federal Republic of Yugoslavia

Torture and ill-treatment in the Federal Republic of Yugoslavia: Daily evidence contradicts government's rosy reports

Practice in the Federal Republic of Yugoslavia is vastly different from the rosy picture portrayed by government reports, Amnesty International said today, as the United Nations Committee against Torture (CAT) begins its hearing on the Republic.

The government has already submitted a report to the Committee in which it presents a very positive picture of legislation which is supposed to conform to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Torture and ill-treatment are frequent in the Federal Republic of Yugoslavia (FRY); almost everyday there are allegations from Kosovo province of Serbia. Detainees, most frequently, ethnic Albanians, are routinely beaten with truncheons or kicked on the hands, backs, loins or soles of the feet. Sometimes electric shocks are applied.

"The FRY authorities should use the CAT hearing to make a serious start towards ending torture and ill-treatment, both by amending legislation and improving practice," Amnesty International said.

"Experience over the last few years has shown that the detainees in Kosovo are tortured or ill-treated in custody during the initial days of police custody, a period in which detainees have no access to lawyers, family or doctors of their choice", Amnesty International stated.

"Moreover, the three-day limit on police custody, after which detainees are supposed to be handed over to the custody of the investigating magistrates, is frequently ignored. Both law and practice must be changed to ensure that detainees are not, in effect, held incommunicado," the organization added.

Defence lawyers complain that even when their clients are in the custody of the investigating magistrates they are unable to communicate freely with them, and that detainees are scared to complain to them about ill-treatment because of the presence of guards at their meetings.

Although legislation exists outlawing torture and ill-treatment by law enforcement officers, prosecutions are the exception rather than the rule. Not only are the state prosecutors reluctant to act, but courts have delayed unreasonably attempts to pursue private prosecutions or thrown them out altogether.

"The FRY authorities should make the prosecution of offending police officers a serious business, and pursue the offenders with the same vigour with which they pursue other cases," Amnesty International stressed. "They should release detailed statistics of the numbers of prosecutions, the charges, verdicts and sentences. The workings of disciplinary procedures and non-judicial investigations should also be made public."

Illustrative cases

- In January last year Nait Hasani, a Kosovo Albanian, was detained by police in Pristina. He was transferred to hospital a day later, reportedly in a state of coma as a result of beatings received from the police. After two days in hospital he "disappeared", only to reappear at the end of February -- when he was brought before an investigating magistrate. His lawyer, who was able to meet his client only at this point, reported that Nait Hasani had been taken by police to an unknown location where he was ill-treated, tied to a bed and tortured with electric shocks with the aim of forcing him to sign incriminating "confessions". In December 1997 Nait Hasani and 16 other ethnic Albanians were convicted of acts of terrorism, and sentenced to up to 20 years' imprisonment in a trial in which these "confessions" were accepted as evidence. More recently, in July 1998,

Nait Hasani's father alleged that his son had been ill-treated further by guards in prison in Kosovska Mitrovica.

- In recent months hundreds of Kosovo Albanians have been detained and interrogated in connection with charges of terrorism or armed rebellion. Many of these have suffered torture and ill-treatment like that of Nait Hasani. For instance, three men -- including Cen Dugolli and Rexhep Bislimi -- have died in custody in recent months as an alleged consequence of torture or ill-treatment. Some of the victims of torture and ill-treatment during interrogation have been women, as in the case of Besa Arllati, a woman activist in the main Kosovo Albanian political party, the Democratic League of Kosovo. She was detained and beaten in her home town of Djakovica in May. According to her account, she was held for several days in a cell fouled with faeces and urine, and police beat her, made her stand for long periods, verbally abused her and -- during interrogation sessions -- accused her of having information about two police officers who had been abducted by the armed ethnic Albanian opposition, the Kosovo Liberation Army.

- Ill-treatment or torture is certainly not confined to those accused of using or plotting force. The beating of Kosovo Albanians during house searches or while in brief detention in police stations has been almost routine in Kosovo province for years. More recently, peaceful demonstrators have also been the target of ill-treatment and torture in Kosovo and elsewhere in Serbia. Hundreds of citizens demonstrating against the annulment of election results were beaten in Belgrade and other towns in late 1996 and early 1997. Among the victims was Dejan Bulatovic who was badly beaten by police after he carried a caricature effigy of the then Serbian President Slobodan Milosevic in one demonstration. He stated that police forced a rubber truncheon up his rectum and put a gun barrel in his mouth. In May 1998, 18 months after the incident, a Belgrade public prosecutor announced that he was seeking additional information about Dejan Bulatovic's injuries in connection with the investigation of a number of police officers.