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Federal Republic of Yugoslavia: Amnesty International fears that further trial of ethnic Albanians will be grossly unfair

Nait Hasani and 18 other ethnic Albanians whose trial is due to start in Priština, Kosovo province, on Monday risk a grossly unfair trial. Nait Hasani himself was held for a month unacknowledged detention earlier this year. He was reportedly tortured with electric shocks as his interrogators tried to force him to sign self-incriminating statements.

The charges against these 19 men include “terrorism” and “murder” for acts which include the killing of the (Serbian) Rector of Priština University in 1996. They are alleged to be members of the ethnic Albanian terrorist organization the “Liberation Army of Kosovo”. While not denying the need for prosecutions for such acts, Amnesty International calls on the authorities to ensure that the trial conforms with international standards for fair trials.

“Similar trials which concluded in May and July this year were seriously flawed; the defendants stated in court that confessions had been extracted from them under torture”, Amnesty International said.

“The defendants right to fair trial were also violated in other ways. Defence lawyers were denied access to documents and access to their clients”, the organization added.

The present series of trials follows violent attacks against Serbian civilians, police officers and Albanians who were seen as “loyal” to the Serbian authorities. Most of these have taken place in 1996 and 1997. The clandestine organization the “Liberation Army of Kosovo” has claimed responsibility for many of these attacks, in which at least 12 people have been killed.

Waves of arrests were carried out by police in late 1996 and early 1997 in which more than 100 ethnic Albanians were detained. Accounts of torture and ill-treatment of the detainees are numerous: 11 of the 20 people who were convicted in May alleged in court that they “confessed” after being tortured or ill-treated. Nait Hasani, the first accused in the new trial, was arrested on 28 January, and within 48 hours he was taken to hospital by police to treat injuries received in custody. On 31 January he “disappeared”, the authorities denying knowledge of him until he “reappeared” on 28 February. That day an investigating magistrate formally questioned him in the presence of his lawyer. Nait Hasani alleged that he had been taken by police from the hospital and was held at an unknown location where he was tied to a bed. He claimed that he was tortured with electric shocks with the aim of making him sign self-incriminating statements.

More recently on 17 October, Jonuz Zeneli, who had been indicted for trial on Monday in addition to the 19, died in custody in a prison hospital Belgrade. His family contend that he died as a result of ill-treatment. Another man, Adrian Krasniqi, who was also originally indicted with them, was shot by police on October 16. He allegedly took part in an armed attack on a police station in a village near Peć.

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Two of the 19 accused are to be tried *in absentia*.

Background

Since 1989, when the province's previous autonomy within the Republic of Serbia was effectively abolished, most ethnic Albanians -- who account for almost 90 per cent of the population of Kosovo -- have refused to recognize Serbian authority in the province. The majority have supported the main ethnic Albanian political party, the Democratic League of Kosovo, which, while calling for Kosovo to be recognized as an independent state, has consistently advocated the use of peaceful means.

The deplorable record of human rights abuses in Kosovo, in which over the years thousands of ethnic Albanians have been beaten and otherwise ill-treated by police, and hundreds imprisoned in unfair trials, has accumulated a dangerous legacy of bitterness amongst many ethnic Albanians. Ethnic Albanian leaders and others have warned that unless urgent steps are taken to resolve Kosovo's problems by peaceful negotiation, popular support may grow for those who resort to violence.

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