

EXTERNAL (for general distribution)

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This appeal is being sent out by e-mail/telex/fax only because it is felt that the situation may change rapidly.

Extra 04/92 Legal Concern

14 January 1992

YUGOSLAVIA: Mentor KAÇI

Sokol DOBRUNA

Zenel CADIKU
Delija HAGJOCAJ
Nuhija BYTYQI
Palusha PALUSHAJ

Naim KRASNIQI
Afrim MORINA
Qerkina PEÇI
Sadik MUAL
Sejdi VESILI

Mentor Kaçi and the ten other persons listed above are ethnic Albanians from Kosovo province in the Republic of Serbia. They were arrested in late December 1991 and have been charged with various offences including, "Association with the purpose of carrying out hostile activities" and "Directing and infiltrating armed groups, arms and munitions into the territory of the Socialist Federal Republic of Yugoslavia (SFRY)". Some six of them are former political prisoners.

According to a statement by two of their lawyers, the accused were denied access to their lawyers during questioning by the investigating judge. They state further that they have since been denied access to or communication with their clients and have also been denied access to legal documents and written evidence. Access during questioning was denied to the lawyers on the basis of a decision of 21 December 1991 by the investigating judge of the District Court of Pe_. The lawyers report that this decision cited "national security" as the reason for refusal, but gave no further explanation.

Amnesty International is concerned that the above persons are being denied the legal safeguards contained in Principles 15 and 18 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, which was adopted by the General Assembly of the United Nations in Resolution 43/173 on 9 December 1988.

BACKGROUND INFORMATION:

Ethnic Albanians comprise 85 per cent of the population of Kosovo Province in Serbia. Since 1981 many hundreds of people have been charged with offences related to membership of or formation of groups with the alleged aim of proclaiming Kosovo a Republic within Yugoslavia and/or bringing about the secession of the province from Yugoslavia. Ethnic Albanians suspected of political offences have frequently complained that they are denied legal safeguards during investigation and that they were subject to ill-treatment or torture. In recent years, there has been a drop in the number of major political trials in Kosovo. However, a large number of people continue to be imprisoned for up to 60 days for political offences which do not involve the use or advocacy of violence.

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RECOMMENDED ACTION: Telegrams/faxes/airmail letters:

- expressing concern that Mentor Kaçi and ten others are reported to have been denied access to defence counsel following their arrest;

- urging that the defendants be granted full legal safeguards in accordance with international standards, including access to lawyers of their choice and to members of their family.

APPEALS TO:

1. President of the Republic of Serbia:

Slobodan Milošević
Predsednik Republike Srbije
Maršala Tita 14
11000 Beograd, Yugoslavia

Telegrams: Predsednik Republike Srbije, Belgrade, Yugoslavia

Faxes: + 38 11 682 167

Salutation: Dear President

2. Prime Minister - President of the Serbian Government:

Radoman Bošević
Predsednik vlade Republike Srbije
Nemanjina 11
11000 Beograd, Yugoslavia

Telegrams: Predsednik vlade Republike Srbije, Belgrade, Yugoslavia

Salutation: Dear President

3. Minister of Justice of the Republic of Serbia:

Zoran Đoković
Ministar Pravde
Republiki Ministarstvo za Pravosudje i Opštu Upravu
Nemanjina 26
11000 Beograd, Yugoslavia

Telegrams: Ministar Pravde, Republiki Ministarstvo za Pravosudje, Belgrade, Yugoslavia

Salutation: Dear Minister

COPIES TO:

President of the Committee for the Defence of Human Rights and Freedoms - Priština:

Adem Demaçi
Xhavit Mitrovica 15
38000 Priština
Yugoslavia

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 7 February 1992.