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Conscientious objectors can return to Yugoslavia

Amnesty International today welcomed the provisions of the Amnesty bill - approved yesterday by the parliament of the Federal Republic of Yugoslavia - which include an amnesty for conscientious objectors to military service in the Yugoslav Army.

The main provisions of the law apply to an estimated 24,000 men, including conscientious objectors and deserters who refused to take part in the conflicts in former Yugoslavia. The bill covers those who refused to take up arms, those who avoided military service or registration for service and those who deserted from the Yugoslav Army.

"Over the last decade we have supported the rights of the many young men who chose to conscientiously object to military service," said an Amnesty International spokesperson. "We know of many conscientious objectors who were forced to flee abroad and who will now be able to return to their country without fear of persecution."

However, the organization remains concerned the Yugoslav government has not announced that it will provide for a genuine civilian alternative to military service which meets international standards, and urges the government to make this issue a priority. The organization also remains concerned as to whether reservists and others given amnesty under this act will be called up for military service at a future date.

The bill also provides an amnesty to an estimated 1,000 prisoners convicted for "criminal acts" against the Yugoslav military - including those convicted of the offence of "association for hostile activity" under which some of the 800 ethnic Albanians from Kosovo currently held in

Serbian prisons have been sentenced. Some of these prisoners may thus be freed.

Contrary to recent reports in the international media, the scope of the bill does not include the majority of the ethnic Albanian prisoners who have been sentenced to terms of between seven and 12 years' imprisonment on charges of "terrorism". Amnesty International is concerned that the majority of these prisoners have been convicted and sentenced in unfair trials characterized by violations of national and international standards at every stage from pre-trial custody to the trials themselves. The organization has called for a speedy reconsideration of the evidence to establish whether there is case to answer. If not, the prisoners should be immediately released.

Amnesty International therefore welcomes yesterday's statement by Federal Justice Minister Momcilo Grubac acknowledging irregularities in proceedings against the ethnic Albanians - *inter alia* in the definitions of terrorism used. Amnesty International expects that the Supreme Court will deal swiftly with all appeals made by and on behalf of these ethnic Albanian prisoners

Background

Conscientious Objectors to Military Service

No detailed information about conscientious objectors, draft evaders and deserters was ever released by the Yugoslav authorities. Estimates of the numbers involved vary widely. Many individuals against whom proceedings were brought were sentenced *in absentia*, having gone into hiding in the FRY or abroad. From 1994 onwards the right of conscientious objection to military service in Yugoslavia was confined to new conscripts who applied for the status within 15 days of receiving a

summons for mobilization; this right was not available to reservists, men already serving as conscripts or professional military. The majority of imprisoned conscientious objectors, who were identified by Amnesty International as prisoners of conscience, were released from prison in September 2000.

Ethnic Albanian prisoners from Kosovo

Over 2,000 ethnic Albanians were arrested in Kosovo during the NATO "Operation Allied Force", and subsequently transferred to prisons in Serbia following the withdrawal of the Yugoslav army and Serb military and paramilitary forces from Kosovo. An estimated 800 prisoners remain, others having been released following acquittal, or having served relatively short sentences. Others were freed before trial following credible allegations that payments were made by prisoners' families via lawyers to court officials.

The paediatrician and humanitarian Dr Flora Brovina, identified by Amnesty International as a prisoner of conscience was released on 1 November 2000, having served 18 months of a twelve year sentence, following an instruction to the court from newly elected President of Yugoslavia, Vojislav Kostunica.

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