

EXTERNAL (for general distribution)

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EXTRA 21/94 Torture and ill-treatment / Trial concern 12 March 1994

YUGOSLAVIA Ismet MAHMUTI, Faik AJETI, Shemsi VESELI, Salih MUSTAFA, Ismet VELIQUI, Avdi BEHRAMI, Azem GASHI (held in Kosovska Mitrovica prison);

Fehmi LESTRANI, Shkëlzen BAJRAMI, Nexhmedin SADRIU, Luan HETA, Beqir MULECI and Hysni FRANCI (held in Priština district prison).

- ethnic Albanians from Kosovo province in southern Serbia

Amnesty International is concerned by allegations that the ethnic Albanians named above have been subjected to torture and ill-treatment and that, as a result, some may have made statements incriminating themselves or others. The organization fears they may be subjected to more torture or ill-treatment in order to extract further "confessions", or to attempt to stop them retracting statements they have already made. The men are detained pending trial or following conviction on charges of conspiring to undermine, by violent means, Yugoslavia's territorial integrity under Articles 116 and 136 of the Yugoslav Criminal Code.

Ismet Mahmuti, Faik Ajeti, Shemsi Veseli and Salih Mustafa were detained in August 1993 and convicted on 27 February 1994, together with 13 others by the district court of Priština [see EXTRA 73/94 (EUR 70/18/93, 25 August 1993) and follow-ups (EUR 70/24/93, 9 December; and EUR 70/04/94, 3 March 1994)].

At the end of March 1994 it was reported that Ismet Mahmuti and Faik Ajeti were among another group of defendants under investigation - again on charges under Articles 116 and 136. Lawyers for the four have alleged that, since transfer from Priština to Kosovska Mitrovica prison in late March, they have been severely tortured, apparently with the aim of forcing them to make further statements incriminating themselves or others.

Ismet Veliqi, Avdi Behrami and Azem Gashi, former officers of the Yugoslav National Army, were arrested at the end of February 1994 and held for investigation in Kosovska Mitrovica prison. It is alleged that they have been beaten and tortured with electric batons.

Fehmi Lestrani, Shkëlzen Bajrami, Nexhmedin Sadriu, Luan Heta, Beqir Muleci and Hysni Franci were arrested in February 1994 and have been charged with undergoing military training in neighbouring Albania in preparation for carrying out terrorist acts in Yugoslavia. On 7 April it was reported that their lawyers had alleged that they had made statements under torture confessing to the charges against them. However, a lawyer for Shkëlzen Bajrami denied that his client had engaged in military training in Albania. He said that Shkëlzen Bajrami had fled to Albania at the end of 1992 in order to avoid conscription into the Yugoslav Army, spending only a few months there before going on to work on a farm in Greece.

BACKGROUND INFORMATION

In the last six months over 60 ethnic Albanians in Kosovo province have been convicted and sentenced to up to 10 years' imprisonment on charges of making preparations for armed uprising in order to achieve the province's secession from the Federal Republic of Yugoslavia. Amnesty International believes that some of these are prisoners of conscience convicted for the non-violent exercise

of their human rights. The organization is particularly concerned by repeated allegations it has received that the defendants, following arrest, were tortured and otherwise ill-treated in order to obtain self-incriminating statements from them. The organization documented these concerns in a report published in February 1994: Yugoslavia - Ethnic Albanians - Trial by Truncheon (EUR 70/01/94).

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in either English, French or German or your own language:

- expressing concern about allegations that the above defendants, held in Kosovska Mitrovica and Priština prisons, have been tortured or otherwise ill-treated;
- urging that the allegations be thoroughly and impartially investigated and that any police officer found to be responsible be brought to justice;
- expressing concern that as a result of ill-treatment some defendants may have made statements incriminating themselves or others which could be used against them at trial.

APPEALS TO:

1. Minister of Justice of the Republic of Serbia

Arandjel Marki_evi_

Ministar pravde

Republi_ko Ministarstvo za pravosudje i opštu upravu

Nemanjina 26

11000 Beograd, Yugoslavia

Faxes: +381 11 683 041

Telegrams: Ministar Pravde, Ministarstvo za pravosudje, Belgrade, Yugoslavia

Salutation: Dear Minister

2. Director of Kosovska Mitrovica prison

Upravnik zatvora

38220 Kosovska Mitrovica

Yugoslavia

Telegrams: Upravnik zatvora, Kosovska Mitrovica, Yugoslavia

Salutation: Dear Sir

3. Director of Priština district prison

Upravnik okru_nog zatvora

38000 Priština

Yugoslavia

Telegrams: Upravnik okru_nog zatvora, Priština, Yugoslavia

Salutation: Dear Sir

COPIES OF YOUR APPEALS TO:

1. President of the Republic of Serbia

Mr Slobodan Miloševi_

Predsednik Republike Srbije

Andri_ev venac 1

11000 Beograd, Yugoslavia

Faxes: +381 11 682 167

2. Committee for the Defence of Human Rights and Freedoms, Priština:

Xhavit Mitrovica 15

38000 Priština, Yugoslavia.

3. Federal Minister for Human Rights and Minority Affairs

Ms Margit Savovi_

Bulevar Lenjina 2

11070 Beograd

Yugoslavia

Faxes: +281 11 636 775

and to diplomatic representatives of the FEDERAL REPUBLIC OF YUGOSLAVIA
accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 10 May 1994.