

EXTERNAL

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Arbitrary detentions / Torture

26 April 1996

FEDERAL REPUBLIC OF YUGOSLAVIA, KOSOVO PROVINCE Nazmi Kabashi, Shaqir

Kryeziu, Ramush

Ahmeti, Ramush

Sylaj and others

On 22 April 1996 five Serbs, one of them a police officer, were shot dead and four others (two of them police officers) were wounded in four separate incidents in the predominantly Albanian-inhabited province of Kosovo. Since then, there have been reports that police have arrested, in some cases apparently arbitrarily, many ethnic Albanians; most have been released within 24 hours; some have reported that they were tortured or otherwise ill-treated in custody, heightening concern as arrests continue.

In one of the incidents, a Serbian police officer was killed in the town of Štimlje. On the same day and the following day (23 April), some 60 ethnic Albanians were reportedly detained and questioned before being released. They included Nazmi Kabashi, who together with six other men, was taken off a bus from Priština as it passed through Štimlje. He was reportedly so severely beaten by police that he had to be admitted to hospital in Prizren suffering from internal stomach injuries. Another passenger, Shaqir Kryeziu, was beaten in front of his fellow-passengers by police. Others said to have been ill-treated in Štimlje included Ramush Ahmeti, who apparently was beaten at the police station until he lost consciousness, and Ramush Sylaj. Some 25 further arrests are reported to have taken place in Štimlje on 25 April; 15 of those arrested, including three women, are alleged to have been handcuffed to railings outside the police station.

Shortly after the incident in Štimlje, a police patrol was shot at near Kosovska Mitrovica. A young Serb woman prisoner died and the driver of the police vehicle was wounded. Several ethnic Albanians have been arrested and then released.

Two of them, Yzer Gashi and Besnik Gjelošhi, are reported to have been physically ill-treated by police.

Arrests are also reported to have taken place in De_ane, where three Serb civilians were shot dead in a cafe, and in Pe_, where two police officers were shot and wounded.

BACKGROUND INFORMATION

The previous day, on 21 April, an ethnic Albanian student from De_ane was shot dead by a Serb civilian in Priština. The student, Armend Daci, was returning home in the early hours of the morning from a birthday party at the time he was shot. The Serb has reportedly been arrested. A number of reports have suggested that the shootings of the Serbs were reprisals for the killing of Armend Daci and for another incident in January 1996 when some Serbian refugees from Albania settled in De_ane stabbed and killed two ethnic Albanian brothers. However, ethnic Albanian leaders, while condemning the killings on both sides, have warned that it should not be immediately assumed that Albanians were responsible for the shootings of the Serbs. According to the local Albanian press, witnesses to the incident in De_ane claimed that the men who carried out the shooting at the cafe left the scene while firing shots into nearby Albanian shops and swearing in Serbian.

Kosovo province is part of the Republic of Serbia, but since 1989 when Serbia effectively abolished the province's autonomy, ethnic Albanians, who constitute over 85 per cent of the population, have largely refused to recognize Serbian authority in the province. Most ethnic Albanians in the province support the demand for the province's secession from the Federal Republic of Yugoslavia and its recognition as an independent state. Relations between ethnic Albanians and the Serbian/Montenegrin communities in the province are generally characterized by mutual distrust. Many observers have expressed the fear that incidents such as those described above might contribute to the outbreak of violent ethnic conflict as seen elsewhere in the former Yugoslavia.

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

- noting recent incidents in Priština, De_ane, Pe_, Štimlje and Kosovska Mitrovica, in which five Serbs and one ethnic Albanian were shot dead and four Serbs wounded;
- acknowledging the duty of the authorities to arrest and prosecute the perpetrators of these crimes;
- expressing concern, however, about reports that police have in some cases apparently carried out arbitrary detentions and in some cases tortured or otherwise ill-treated detainees (refer to the cases mentioned above);
- urging the authorities to issue explicit instructions to members of police forces to act in accordance with international standards for law-enforcement, in particular the *United Nations Code of Conduct for Law Enforcement Officials*, which states in Article 5: "No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment..."
- urging the authorities to investigate the above reports of torture and ill-treatment and to bring any police officer responsible to justice.

APPEALS TO:

1. **President of the Republic of Serbia**

Slobodan Milošević
Predsednik Republike Srbije
Andrijev venac 1
11000 Beograd, Yugoslavia

Faxes: +381 11 682 167

Telegrams: President Milosevic, Beograd, Yugoslavia

Salutation: Dear President

Minister of Internal Affairs of the Republic of Serbia

Zoran Sokolovic
Ministar Unutrasnjih Poslova Republike Srbije
Kneza Milosa 101, 11000 Beograd, Republic of Yugoslavia

Faxes: +381 11 683 041 or 685 937

Telegrams: MUP Srbije, Beograd, Yugoslavia

Salutation: Dear Minister

Minister of Justice of the Republic of Serbia

Arandjel Markićević
Ministar pravde
Nemanjina 26,
11000 Beograd, Federal Republic of Yugoslavia

Faxes: +381 11 659 147 (if voice, ask for fax)

Telegrams: Ministar pravde, Beograd, Yugoslavia

Salutation: Dear Minister

COPIES TO:

Humanitarian Law Centre
Terazije 14
11000 Belgrade, Yugoslavia

Committee for the Defence of Human Rights and Freedoms, Pristina
Xhavit Mitrovica 15, 38000 Pristina, Yugoslavia

and to diplomatic representatives of 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 13 June 1996.