

EXTERNAL

AI Index: EUR 70/23/97

14 July 1997

Further information on UA 38/97 (EUR 70/04/97, 3 February 1997) and follow-ups (EUR 70/05/97, 6 February; EUR 70/06/97, 7 February; EUR 70/08/97, 24 February and EUR 70/10/97, 3 March 1997) - "Disappearance" / Fear of torture / Torture / Fear of unfair trial

FEDERAL REPUBLIC OF YUGOSLAVIA (Kosovo province)

Ethnic Albanians - Avni Klinaku, Mujë Prekupi, Liburn Aliu, Fatmir Humolli, Agim Kuleta, Dylber Beka, Gani Baliu, Nebi Tahiri, Shaban Beka, Hajzer Bejtullahu, Enver Dugolli, Emin Sallahu, Shukrie Rexha (f), Naser Tahiri, Dulah Sallahu, Ragip Berisha, Burhan Hasani, Majlinda Sinani (f), Arsim Retkoceri and Beton Retkoceri

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On 30 May 1997, the 20 people named above were convicted and sentenced to between two and 10 years' imprisonment (Fatmir Humolli and Agim Kuleta were sentenced *in absentia*). Nine of the defendants who were sentenced to less than five years' imprisonment were released pending appeal; the others remain in detention.

Avni Klinaku and co-defendants were found guilty of having founded a clandestine organization called the National Movement for the Liberation of Kosovo (*Lëvizja Kombëtare për çlirimin e Kosovës*), which allegedly aimed to achieve the secession of Kosovo province from the Federal Republic of Yugoslavia and its unification with neighbouring Albania by means of armed uprising. They were also found guilty of having distributed the organization's newspaper entitled "Liberation" (*Çlirimi*) and of having planned terrorist acts.

Amnesty International is concerned that the defendants were denied a fair trial; the court's verdict was largely based on self-incriminatory statements that the defendants had made during investigation proceedings and there was very little other evidence to support the charges. Several defendants alleged that they had given such statements as a result of ill-treatment and in at least one case there was medical evidence to support allegations of ill-treatment. During investigation proceedings restrictions were placed on their access to their lawyers and on their lawyers' access to the full court documentation.

**No further action by the UA Network is requested. This case will now be taken up by other AI networks. Many thanks to all who worked on this case.**