

**EXTERNAL**

**AI Index: EUR 70/28/95**

**December 1995**

**Shefki Mursel LATIFI - Kosovo province, the Federal Republic of Yugoslavia**

Shefki Mursel Latifi, aged 56, an ethnic Albanian from Podujevo town in Kosovo province, was arrested on 4 July 1995. At the time he was working as a cashier for a local "financial council", one of the "parallel" organizations, outside official state structures, created by ethnic Albanians in the province. The tasks of these councils include distributing funds collected from ethnic Albanians for the purposes of administration, schooling and humanitarian aid.

According to a report issued by a local ethnic Albanian human rights organization, the *Council for the Defence of Human Rights and Freedoms*, at about 9am on 4 July 1995 three police officers came to Shefki Latifi's home in Podujevo to arrest him. They did not find him at home, but arrested him shortly afterwards in the town. They returned with him to his home, where they locked six members of his family, including his wife Xhezide and his brother-in-law Ramadan Salihu, in one room. They then searched the house while detaining Shefki Latifi in another room and beating him. When they had finished the search they took Shefki Latifi and Ramadan Salihu to the police station. There they left Ramadan Salihu in the corridor and took Shefki Latifi into a room where six police officers beat him, while demanding that he hand over the financial council's records of receipts and a revolver which they claimed he possessed. Afterwards they took Shefki Latifi into the corridor and left him there for an hour before returning him to the room and continuing to beat him. It appears that when he came out of the room afterwards he was visibly injured, but was conscious.

The police officers then told Ramadan Salihu, whose car was nearby, to take Shefki Latifi home and ordered them both to report back to the police station the following day at 7am. Shefki Latifi reportedly asked his brother-in-law to take him to a doctor. As they entered the courtyard of a local medical clinic, a police car drove up, stopped in front of them, and officers pulled Ramadan Salihu out of his car, arrested him and began to beat him. They then drove Ramadan Salihu to the police station, beating him on the way, and threatening him: "Now who will send you to the clinic?" After a further beating, they confiscated his identity card and released him, telling him to report back to them in half an hour.

At the medical clinic Shefki Latifi was given first aid and at about 11.10am he was sent home. He died shortly afterwards, at about 11.40am.

Relatives of Shefki Latifi reportedly immediately drove to Priština and asked for an autopsy to be carried out by forensic experts at Priština hospital. According to one report, their request was refused, apparently on the grounds that Podujevo lies within the territory of Toplica district (which has its seat in the town of Prokuplje) and that therefore it was the responsibility of the investigating judge in Prokuplje to order an autopsy to be carried out.

However, on 7 July a Belgrade newspaper *Naša Borba* reported that the Director of the Institute for Forensic Medicine in Priština, Dr Slaviša Dobrić, had stated that at the request of Shefki Latifi's family he had carried out the autopsy, but that the results would not be available until September as he was shortly going on holiday and detailed laboratory tests would have to be carried out. He reportedly told the newspaper that preliminary observations did not indicate that Shefki Latifi had died as a result of violence. *Naša Borba* also reported that the chief of police in Podujevo claimed to be unaware of the case; that the chief of police in Priština had promised that in an hour he would be able to give some information but was subsequently out when *Naša Borba's* reporter called back, and that the district prosecutor's office in Prokuplje was not able to provide any information concerning the cause of Shefki Latifi's death.

On 10 July a 1995 medical certificate was issued in Priština which reportedly stated that Shefki Latifi died a natural death from a heart attack due to a coronary embolism caused by dislodged fatty matter. To Amnesty International's knowledge, the full report of the results of the autopsy has not yet been issued.

Amnesty International accepts that the immediate cause of Shefki Latifi's death may have been a heart attack. However, a photograph of his body shows clear marks of bruising and laceration on his back and buttocks consistent with allegations that he was severely beaten by police officers at Podujevo police station. The organization believes the beating and other ill-treatment he suffered may have contributed to his death.

Amnesty International is calling for a full and impartial investigation into Shefki Latifi's ill-treatment and death. The organization is further calling for those responsible for his ill-treatment to be brought to justice and for fair and adequate compensation for the victim's family if it is established that the ill-treatment he suffered may have contributed to his death.

Shefki Latifi's arrest took place at a time when many apparently arbitrary arrests of ethnic Albanians were taking place in Podujevo, following an incident on 26 June 1995 when an ethnic Albanian police officer working for the largely Serbian state security police was shot in Podujevo. He subsequently died. Police reportedly briefly arrested and questioned many ethnic Albanian political and human rights activists, including members of local organizations which operate outside official state structures. Many of those arrested were reportedly ill-treated.

To Amnesty International's knowledge, Shefki Latifi was the third ethnic Albanian in Kosovo province to have died after arrest and alleged ill-treatment in custody during 1995. On the night of 12/13 April Abedin Ahmeti died in police custody in Kosovska Mitrovica. Two police officers were reportedly being investigated in connection with his death. On 9 April Ismail Salihu was reportedly arrested by police and severely ill-treated; as a result he was admitted to hospital from 10 to 14 April. He returned home but died on 1 May, apparently as a result of ill-treatment.

### **Background:**

Amnesty International has long been concerned about police abuses - specifically, daily incidents of beatings and other forms of ill-treatment - against ethnic Albanians in the predominantly Albanian-populated province of Kosovo in the Republic of Serbia. These have taken place in the context of a continued confrontation between the Serbian authorities and ethnic Albanians, the majority of whom refuse to recognize Serbian authority in the province and support the demand

of the Democratic League of Kosovo (LDK), Kosovo's main party representing ethnic Albanians, for the secession, by peaceful means, of the province from the Federal Republic of Yugoslavia (FRY).

Amnesty International has no position on the question of Kosovo's status; the organization is concerned solely with the protection of the human rights of individuals. One of these rights is the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Both Yugoslav law and international human rights treaties which the Federal Republic of Yugoslavia recognizes as legally binding (in particular the *United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* ratified by the Socialist Federal Republic of Yugoslavia in 1991) prohibit torture and other cruel, inhuman or degrading treatment.