

EXTERNAL

AI Index: EUR 70/30/95

17 November 1995

Further information (2) on UA 350/94 (EUR 70/22/94, 22 September 1994) and follow-up EUR 70/15/95, 30 August 1995 - Fear of Torture/Ill-treatment/Fear of Unfair Trial

YUGOSLAVIA (Kosovo Province)GANIMET PODVORICA

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On 10 November 1995, the Priština District Public Prosecutor withdrew charges of terrorism against Ganimet Podvorica, an ethnic Albanian. He had been accused of having shot dead two police officers and of having wounded five others on the outskirts of the town of Glogovac in May 1993. It appears that at a court session on 30 August 1995 his lawyer had pointed to inconsistencies in the findings of ballistic experts from Priština, and the court therefore sought a second opinion from experts in Belgrade. These reportedly concluded that the bullets found at the site of the crime could not have been shot from Ganimet Podvorica's gun.

The court found Ganimet Podvorica guilty of illegally possessing a gun and sentenced him to six months' imprisonment. He had already spent 14 months in detention since his arrest in September 1994 and he was therefore released immediately. He is eligible for compensation for the eight months in excess of his sentence which he spent in detention.

**FURTHER RECOMMENDED ACTION: Please send a letter in English, French, German or in your own language:**

- welcoming the recent decision of the district public prosecutor of Priština to withdraw charges of terrorism against Ganimet Podvorica;
- urging that allegations that he was tortured following his arrest in September 1994 be investigated and that, if it is established that these allegations are founded, the police officers responsible be brought to justice;
- urging that he be granted fair and adequate compensation for any torture or ill-treatment he may have suffered and for the eight months he spent in detention in excess of the six-month prison sentence imposed by the court for illegal possession of a gun.

**APPEALS TO:**

1) President of the Republic of Serbia

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

**Salutation: Dear President**

2) Federal Minister of Justice

Uroš Klikovac  
Ministar za pravosudje  
Savezno ministarstvo za pravosudje Bulevar AVNOJ-a 104  
11070 Beograd, Yugoslavia

**Salutation: Dear Minister**

3) Minister of Justice of Serbia

Arandjel Markićević  
Ministar pravde

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Republi\_ko Ministarstvo za pravosudje i opštu upravu  
Nemanjina 26

**Salutation: Dear Minister**

**COPIES TO:**

1) Committee for the Defence of Human Rights and Freedoms, Priština:  
Xhavit Mitrovica 15  
38000 Priština, Yugoslavia.

2) Humanitarian Law Fund  
Terazije 6/III  
11000 Belgrade, Yugoslavia

3) Helsinki Committee for Human Rights in Serbia  
Obili\_ev Venac 27/IV  
Belgrade, Yugoslavia

and to diplomatic representatives of the Federal Republic of Yugoslavia  
accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Cease action on this case after you have written  
once to each of the above three officials.