

EXTERNAL

**AI Index: EUR 70/33/95
December 1995**

Fejzullah Fejzullahu - Kosovo province, the Federal Republic of Yugoslavia

Fejzullah Fejzullahu is an ethnic Albanian from Gnjilane town in Kosovo province. He is a secondary school teacher and chairman of the local branch of the Democratic League of Kosovo (LDK), the main party representing ethnic Albanians in Kosovo.

According to a report issued by the LDK on 13 November 1995, at about 5pm on 8 November 1995 Fejzullah Fejzullahu was on his way to a meeting when he was arrested on the street in Gnjilane town by two [named] state security police officers, who forced him into their car. They told him that they were taking him to the police station for brief questioning. They drove to the car park of the police station in Gnjilane where they held him for about 10 minutes. After this, they drove off with him towards the town of Bujanovac to the east, apparently without telling him where they were going or giving him any explanation for his arrest. Close to the village of Kmetovce, some 7 kilometres from Gnjilane, they stopped the car, pointed a gun at his head and threatened to kill him unless he told them who was the commander of an ethnic Albanian paramilitary unit which they claimed had been set up in the quarter of the town where he lived. They allegedly told him: "There's no law to protect you; we're the mafia, do you know what that is?". They then blindfolded him and drove on, before stopping in a wood where they took him out of the car, punched him and swore at him. They next forced him to lie on the ground in the snow and again threatened to kill him unless he gave them the information they wanted.

They then threw a blanket over his head, made him get back into the car and drove off in an unknown direction to a police station. According to the report, Fejzullah Fejzullahu suspects that the police station was in the town of Bujanovac or in nearby Kamenica. There he was again beaten by several police officers until 2am the next morning, when he was returned to Gnjilane police station and further beaten. He was released at about 1pm on the same day (9 November 1995).

Amnesty International's concern: Amnesty International is concerned that Fejzullah Fejzullahu was arbitrarily arrested and beaten and otherwise ill-treated at Gnjilane police station and at another police station on 8/9 November 1995 by police officers and is calling for a full and impartial investigation into the incident. The organization is further calling for those responsible to be brought to justice. 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.

Background

Amnesty International continues to receive frequent reports of the arrest, questioning, and ill-treatment of ethnic Albanian political activists in Kosovo province which is predominantly inhabited by ethnic Albanians, the majority of whom refuse to recognize Serbian authority in the province and call for its secession. In another similar case, on 18 October 1995 Zaim Zejnullahu, an LDK activist and member of a "parallel" Financial Council in the town of Vitina some 25 kilometres from Gnjilane, was arrested and ill-treated by police officers in circumstances very similar to those experienced by Fejzullah Fejzullahu.

In 1990 and 1991 the Serbian authorities introduced uniform curricula throughout the whole of the Republic of Serbia and abolished Kosovo province's educational authority. The total number of enrolments in secondary Albanian-language schools was drastically reduced and a considerable number of educational institutions were closed. Many subjects at Priština University were no longer taught in the Albanian language but only in Serbian. More than 18,000 ethnic Albanian teachers and other staff in Albanian-language schools and the university who refused to recognize these changes and follow the new curricula were dismissed. Instead they created a "parallel" educational system, using the old curricula, and ethnic Albanian secondary school pupils began to be taught in private homes.

The issue of education has thus become one of the key points of confrontation in Kosovo. The Serbian authorities have systematically harassed those involved in the educational process, including members of the teachers' trade union, teachers, university lecturers, private citizens who have made their homes available for teaching and even pupils themselves. Schools have been broken into and raided, teachers arrested and/or beaten and lessons repeatedly interrupted.

In August 1993, the Humanitarian Law Fund, a human rights organization based in Belgrade, published a report on human rights violations in Kosovo province and concluded: "The investigation conducted by the Humanitarian Law Fund in the latter half of June 1993 indicates that the authorities of the Republic of Serbia, since the suspension and abolition of the Kosovo educational system, apply different forms of pressure and coercion against all those taking part in, or supporting, the autonomous Albanian schooling system". Other independent observers have come to similar conclusions.

Between July and September 1993 over 90 ethnic Albanians in Kosovo province were arrested on charges of making preparations to set up paramilitary forces with the aim of engaging in armed uprising to achieve Kosovo's secession from the Federal Republic of Yugoslavia. Almost all were subsequently found guilty and sentenced to terms of imprisonment of up to 10 years. At their trials the defendants denied the charges against them, although some reportedly stated that after armed conflict broke out in former Yugoslavia in 1991 and 1992 they had discussed or made preparations for the self-defence of the ethnic Albanian population in case the conflict should also spread to Kosovo. Later, between April and September 1995 some 140 men, almost all of them ethnic Albanian former police employees, were convicted on similar charges and sentenced to up to eight years' imprisonment. They too denied the charges against them and argued that their activities had consisted of trade union work. At all these trials, many of the defendants alleged that police officers had tortured or otherwise ill-treated them following arrest in order to obtain from them false "confessions".