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Federal Republic of Yugoslavia: Albanians face injustice

Six ethnic Albanians in Serbia have been sentenced to terms of imprisonment totalling 46 years following an unfair trial and allegations of torture, Amnesty International said today.

The trial, held in Belgrade, was marked by legal irregularities which violated both Yugoslav and international fair trial standards, disputed material evidence, and the use of statements that had allegedly been extracted by torture, the organization said. Amnesty International called for a retrial in accordance with international standards for fair trial and an immediate investigation into reports that the defendants had been tortured while in custody.

Five of the six men, university students living in Belgrade, were arrested between 3 May and 12 May 1999; the sixth, a jeweller, was tried in absentia. All were accused of having founded a group intended to provide financial and material support to the Kosovo Liberation Army. They were also accused of planning to carry out terrorist actions in the city.

Petrit Berisha, sentenced to 12 years' imprisonment and labelled one of the co-leaders of the group, was also found guilty of having been involved in an armed clash in Kosovo in July 1998 during which two policemen were killed. The others received sentences of between six and eight years.

All had denied the charges in court, and repudiated their previous confessions, saying that these had been obtained under torture, including

beatings, with electro-shock batons and mock executions. The court failed to investigate the allegations of torture. However, it accepted in evidence a filmed confession made by the accused while they were in police custody, which had previously been broadcast on Serbian state television on 30 May. This was in contravention of the Code of Criminal Procedure.

According to evidence given by police officers, during a search of a flat where the Serbian girlfriend of one of the accused lived, they found four hand grenades, some propaganda material and an exercise book containing details of weapons and the names of two of the accused. However, defence witnesses cast doubt on the description of the circumstances in which they were found, the origin of the handwriting in the exercise book, and questioned whether ethnic Albanians would have written their own names in Serbian script.

Amnesty International has raised similar concerns about the admissibility of evidence, the manner of obtaining confessions and political pressures on the judiciary in connection with a number of other trials with an ethnic aspect or political connotations that have recently been concluded or are continuing. These include the group trial of 143 ethnic Albanians in Nis, the arrest and trial of Vladislav Nikolic, a former member of the state security service, and trials of a number of members of the student opposition movement Otpor.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>