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FEDERAL REPUBLIC OF YUGOSLAVIA: FAILURE TO ENSURE A FAIR TRIAL COULD RISK AGGRAVATING POLITICAL TENSIONS

As six ethnic Albanians go on trial on Monday in Kosovo province, charged with planning terrorism acts, Amnesty International calls on the Yugoslav authorities to ensure that they, and 12 co-defendants, are granted a fair trial in accordance with international standards.

"The gravity of the charges against these defendants makes it all the more essential that justice should be done and be seen to be done," Amnesty International said. "Any failure in this respect risks aggravating political tensions in the province."

Amnesty International does not contest the right of the authorities to prosecute those who plan or commit acts of political violence, but the organization insists this should be done in accordance with national and international law, which explicitly ban torture or other ill-treatment and the use in court of evidence obtained by torture.

The six men -- two of whom are being tried *in absentia* -- are charged with having planned, but failed to carry out, the assassination of police officers on three occasions. They are also accused, together with their 12 co-defendants, of founding and being members of a clandestine organization, the National Movement for the Liberation of Kosovo, which is said to seek the secession of Kosovo province, by violent means, from the Federal Republic of Yugoslavia and the province's eventual unification with neighbouring Albania.

The defendants have been in detention since late January when police arrested some 100 ethnic Albanians in the province. At least 36 other detainees are still under investigation or have been charged in connection with a series of assassinations and attacks directed mainly against members of the largely Serbian police force.

Most of the attacks have taken place since April 1996, following an incident in which an ethnic Albanian student was shot dead by a Serb civilian -- who has been charged and convicted. Since then, at least six police officers (two of them ethnic Albanians), three Serb civilians, and three ethnic Albanian civilians alleged to have "collaborated" with the Serbian authorities, have been killed. Some 15 other police officers and civilians have been wounded.

During the wave of arrests in January three ethnic Albanians were shot dead by police who claimed to have been acting in self-defence. Lawyers have alleged that many of those detained at this time were tortured by police following arrest with the aim of forcing them to make self-incriminating statements. One of those alleged to have been tortured was Besnik Restelica, who in February committed suicide in detention. Another, Nait Hasani, was reportedly brought by police to hospital severely injured two days after his arrest;

subsequently he was held incommunicado by police for almost a month, although under Yugoslav law police may hold a detainee for a maximum of three days. He has since been charged with being a leader of another clandestine group, called the Liberation Army of Kosovo, which has claimed responsibility for the politically-motivated murders of police officers and civilians.

Background

Since 1989, when the province's previous autonomy within the Republic of Serbia was effectively abolished, most ethnic Albanians -- who account for almost 90 per cent of the population of Kosovo -- have refused to recognize Serbian authority in the province. The majority have supported the main ethnic Albanian political party, the Democratic League of Kosovo, which, while calling for Kosovo to be recognized as an independent state, has consistently advocated the use of peaceful means.

The deplorable record of human rights abuses in Kosovo, in which over the years thousands of ethnic Albanians have been beaten and otherwise ill-treated by police, and hundreds imprisoned in unfair trials, has accumulated a dangerous legacy of bitterness amongst many ethnic Albanians. Ethnic Albanian leaders and others have warned that unless urgent steps are taken to resolve Kosovo's problems by peaceful negotiation, popular support may grow for those who resort to violence.

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For further information or to arrange an interview, please call the Amnesty International press office on +44 171 413 5566