

Please limit appeals to 10 per section.

UA 109/96

Torture / Unfair Trial

22 April 1996

FEDERAL REPUBLIC OF
YUGOSLAVIA (KOSOVO Province)

Enver Grajçevci, student

Enver Grajçevci is an ethnic Albanian from Kosovo province in the Federal Republic of Yugoslavia. He was arrested on 2 April 1996 in Priština, the capital of the province. According to his lawyer, following arrest Enver Grajçevci has been subjected to torture by electric shocks to his hands, feet and genital organs.

It appears that at the time of his arrest, Enver Grajçevci was carrying a bag containing some 200 copies of a magazine *Çlirimi* (Liberation), apparently issued by a clandestine organization, the National Movement for the Liberation of Kosovo (*Levizja Kombetare per Çlirimin e Kosovës* - LKÇK). This organization reportedly advocates the unification, by force of arms, of Albanian-inhabited areas of the Federal Republic of Yugoslavia with neighbouring Albania. Enver Grajçevci is currently under investigation on charges of "calling for the violent change of the constitutional order" under Article 133, paragraph 4, of the Criminal Code of Yugoslavia. This is an offence punishable by up to three years' imprisonment.

Amnesty International is concerned about reports that Enver Grajçevci has been tortured and otherwise ill-treated following his arrest and is calling for a full and impartial investigation into these reports. Both Yugoslav law and international human rights treaties which the Federal Republic of Yugoslavia recognizes as legally binding (in particular, the 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. Amnesty International also has fears that Enver Grajçevci may not be given a fair trial (see background information below).

BACKGROUND INFORMATION

The majority of ethnic Albanians in Kosovo province (where they constitute over 85 per cent of the population) support the main ethnic Albanian political party, the Democratic League of Kosovo (LDK), which since the break-up of the former Socialist Federal Republic of Yugoslavia has consistently called for Kosovo to be recognized as an independent, neutral state and advocated the use of peaceful means in achieving this aim. To date, acts of political violence by ethnic Albanians in Kosovo have been rare. The LKÇK appears to be based abroad and has had little impact on political life in the province. However, in 1993 some 90 ethnic Albanians were arrested on charges of making preparations for armed uprising (none of them were accused of having used violence) and in 1994 most of these were convicted and sentenced to up to ten years' imprisonment. Four of those convicted were accused of being members of the LKÇK. These trials were characterized by repeated allegations that the defendants had been tortured and by violations of the right to fair trial. In February 1996 explosive devices were thrown at five centres for Serbian refugees (from Croatia and Bosnia-Herzegovina) in Kosovo; a spokesperson for

the LKÇK abroad issued a statement denying that the organization was behind the explosions.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English, French, German or your own language:

- expressing concern about reports that Enver Grajčevci has been tortured and otherwise ill-treated since his arrest on 2 April 1996 in Priština on charges of possessing written materials allegedly advocating the use of violence;
- urging the authorities to initiate a prompt, independent and impartial inquiry into these reports;
- urging that any persons found to be responsible for ill-treatment be brought to justice;

- urging that police officers be informed of, and required to uphold, international standards for law enforcement;
- urging that Enver Grajčevci be granted a fair trial in accordance with international standards and in particular that any statements he may have made as a result of torture not be admitted as evidence against him.

APPEALS TO:

The District Public Prosecutor

Okružni javni tuzilac

38000 Priština

AP Kosovo i Metohija, Federal Republic of Yugoslavia

Telegrams: Okružni javni tuzilac, Priština, Yugoslavia.

Salutation: Dear Prosecutor

Minister of Internal Affairs of the Republic of Serbia

Zoran Sokolovic

Ministar Unutrasnjih Poslova Republike Srbije

Kneza Milosa 101, 11000 Beograd, Republic of Yugoslavia

Faxes: +381 11 683 041 or 685 937

Telegrams: MUP Srbije, Beograd, Yugoslavia.

Salutation: Dear Minister

Minister of Justice of the Republic of Serbia

Arandjel Marki_evi_

Ministar pravde

Nemanjina 26,

11000 Beograd, Federal Republic of Yugoslavia

Faxes: +381 11 659 147

Telegrams: Ministar pravde, Beograd Yugoslavia.

Salutation: Dear Minister

COPIES TO:

Committee for the Defence of Human Rights and Freedoms, Pristina

Xhavit Mitrovica 15, 38000 Pristina, Yugoslavia

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 June 1996.