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Federal Republic of Yugoslavia (FRY): Mass trial of Kosovar Albanians makes a mockery of justice

The unprecedented mass trial of 143 ethnic Albanian men in the court of Niš, southern Serbia, can hardly escape being unfair, Amnesty International said today.

“The decision on the part of the authorities to try the men in a group of such a size not only risks infringing their right to a fair trial as individuals but also to the presumption of innocence,” the organization said.

The men were arrested in May 1999 in the town of Djakovica (Gjakovë), Kosovo, during the period of NATO’s airstrikes. They are charged with “*association for the purpose of hostile activity in connection with terrorism*”, and accused of membership in the Kosovo Liberation Army (KLA). They are also accused of involvement in a series of attacks on Yugoslav Army and Serbian police units in which two soldiers and one police officer were killed and others wounded. The majority of those accused are reported to have refused to make statements; those that have done so have asserted their innocence.

“What is clear is that the evidence against them appears to be weak -- consisting of the results of paraffin glove tests intended to show that they had recently fired or handled weapons,” Amnesty International maintained. “The results of such tests are widely considered to be unreliable.”

On Wednesday, 30 defendants were due to appear. Ten of these, who denied the charges, were heard in the period before midday. The cursory nature of the proceedings raises concerns about the fairness of the procedure.

Of around 2,000 ethnic Albanians detained in Kosovo who were transferred to Serbian prisons in June 1998 a number have been released, some have already been sentenced in unfair trials after allegedly having statements extracted from them under torture and more than 1,200 remain awaiting trial.

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