

EXTERNAL

AI Index: EUR 70/21/96

This is a limited action. Please restrict appeals to 20 per Section.

EXTRA 150/96

Ill-treatment / Possible refoulement

25 September 1996

FEDERAL REPUBLIC OF YUGOSLAVIAXhafer Bardiqi

Xhafer Bardiqi, an ethnic Albanian from Kosovo province who returned from Germany on 16 September 1996 after reportedly being denied asylum there, is reported to have been detained and interrogated by police three times since his return. On the most recent occasion, 23 September, he is reported to have been severely ill-treated at a police station in Glogovac, and to have needed medical treatment for the injuries he sustained as a result. He has been ordered to report to the police station again on 26 September.

Xhafer Bardiqi had spent over three years in Germany. According to a local press report, his request for asylum had been turned down by the German authorities. The same report stated that he and four other unsuccessful asylum-seekers of ethnic Albanian origin were sent back by the German authorities and were held and interrogated on their arrival at Priština airport on 16 September (Priština is the capital of Kosovo province). Xhafer Bardiqi and the four others were released the same day, but he was ordered to report to local police in Glogovac on 19 September and then again on 23 September. On the latter occasion he was questioned about the political activities of ethnic Albanians in Germany and was severely ill-treated before being released.

From the information so far available to Amnesty International it appears that Xhafer Bardiqi may have been forcibly returned by the German authorities, though this is not certain. His treatment by the police in Kosovo since his return has heightened Amnesty International's concern about an imminent agreement between the German and Yugoslav authorities on the repatriation from Germany of 120,000 citizens of the Federal Republic of Yugoslavia, the majority of the ethnic Albanians (see below).

BACKGROUND INFORMATION

Since the outbreak of armed conflict in former Yugoslavia in 1991 thousands of people have fled the region and sought asylum abroad. Many of these are ethnic Albanians from Kosovo province who have left as a result of the severe repression exercised against ethnic Albanians in the province, and out of fear that the conflict might spread to Kosovo, where ethnic tensions between ethnic Albanians, the majority population, and local Serbs are high. Many young men have left also to avoid being drafted for military service into the Yugoslav Army.

It is reported that an agreement between the German and Yugoslav authorities on the repatriation of some 120,000 citizens of the Federal Republic of Yugoslavia (the majority of them ethnic Albanians) whose requests for asylum in Germany have been refused, is due shortly to be signed. The details of this agreement have not been published yet, but it appears that it provides for their return over a period of two to three years.

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

- expressing concern about reports that Xhafer Bardiqi was severely ill-treated at Glogovac police station on 23 September;

- urging a prompt and impartial investigation into his reported ill-treatment and that any officer found to be responsible be brought to justice;
- urging that appropriate steps be taken to ensure that he does not suffer further ill-treatment;
- further expressing concern about reports that he and four others who had been refused asylum in Germany were detained for questioning about the political activities of ethnic Albanians in Germany on their arrival at Priština airport on 16 September, and noting that Xhafer Bardiqi has been summoned to the police station for further questioning;
- noting the reported imminent return from Germany of many asylum-seekers, urging the Yugoslav authorities to guarantee all those who return the full enjoyment of their fundamental human rights in conformity with international human rights treaties ratified by the Federal Republic of Yugoslavia, including protection from torture, or any other cruel, inhuman or degrading treatment or punishment.

APPEALS TO:

Glogovac police station
Nacelnik
OUP Glogovac

AP Kosovo i Metohija

Federal Republic of Yugoslavia

Telegrams: Nacelnik, OUP Glogovac, APKM, Yugoslaia

Salutation: Dear Sir

Premier - President of the Serbian Government

Mr Mirko Marjanovi_

Predsednik Vlade Republike Srbije

Nemanjina 11, 11000 Beograd, Yugoslavia

Faxes: + 381 11 659 682

Telegrams: Predsednik Srbije, Beograd, Yugoslavia

Salutation: Dear President

COPIES TO:

Federal Minister of Foreign Affairs

Milan Milutinovi_

Ministar za inostrane poslove

Savezno ministarstvo za inostrane poslove

Kneza Miloša 24

11000 Beograd, Yugoslavia

Fax: + 381 11 682 668

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 30 October 1996.