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Continuing failure by the Macedonian authorities to confront police ill-treatment and torture

Summary

AI Index: EUR 65/008/2003

National elections of 15 September 2002 led to a change of government in Macedonia. On 8 November 2002 Amnesty International wrote to the then newly appointed Minister of the Interior, Hari Kostov, expressing its concern about 11 cases of alleged police torture or ill-treatment by security officials in the period from January 2000 to October 2002 involving 93 people – one of whom allegedly died in custody. On 28 November 2002 the Director of the Bureau for Public Security at the Ministry of the Interior replied to Amnesty International referring to the substantive cases raised which, the letter stated, “will be investigated in maximal objectivity and the results of the concluded investigations will be submitted to you in an additional report.” However, at the time of writing, Amnesty International has still not received any further information from the authorities on the cases raised.

Amnesty International welcomed the Macedonian authorities’ decision on 16 January 2003 to authorize the publication of the reports drawn up by the Council of Europe’s Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT after the *ad hoc* visits in October 2001 and July 2002. At that time (January 2003) the government’s response to the July 2002 CPT visit was still under preparation and it was not published until 16 April 2003. Amnesty International welcomes the publication of the CPT’s reports, and the compliance of the authorities to CPT recommendations in undertaking training seminars and informing all members of the Ministry of the Interior of the importance of adhering to internationally accepted human rights standards. However, Amnesty International remains concerned at the lack of thorough and impartial investigations into the serious allegations contained within the reports. The organization believes that serious omissions in the responses to the CPT reports point to a continuance of an apparent lack of will by the Macedonian authorities to adequately investigate serious human rights abuses including torture and deaths in custody.

Amnesty International is calling on the Macedonian authorities to: thoroughly and impartially investigate the allegations raised of police torture and ill-treatment and make public the method and findings of such investigations; bring suspected perpetrators to justice;

and provide reparation, including adequate compensation for all victims of police ill-treatment and torture.

This report summarizes a 11 page document (4,693 words),: *Former Yugoslav Republic of Macedonia: Continuing failure by the Macedonian authorities to confront police ill-treatment and torture* (AI Index: EUR 65/008/2003) issued by Amnesty International in June 2003. Anyone wishing further details or to take action on this issue should consult the full document. An extensive range of our materials on this and other subjects is available at <http://www.amnesty.org> and Amnesty International news releases can be received by email: <http://web.amnesty.org/ai.nsf/news>

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amnesty international

**Former Yugoslav
Republic of Macedonia**



**Continuing failure by the
Macedonian authorities to
confront police ill-treatment
and torture**

AI Index: EUR 65/008/2003

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 0DW, UNITED KINGDOM

Former Yugoslav Republic of Macedonia

Continuing failure by the Macedonian authorities to confront police ill-treatment and torture

1. Introduction

Amnesty International has for several years expressed its concerns about continued allegations of police ill-treatment and torture in Macedonia. Macedonia has ratified the UN Convention against Torture or other Cruel, Inhuman or Degrading Treatment, which prohibits torture or cruel, inhuman or degrading treatment in all cases and circumstances. Furthermore, Article 11 of the Macedonian Constitution forbids torture, or "inhuman or humiliating conduct or punishment". The use of torture to extract statements is forbidden under Article 142 of the Macedonian Criminal Code, while ill-treatment, including insults to dignity, in the course of official duties is forbidden under Article 143 of the same law.

National elections of 15 September 2002 led to a change of government in Macedonia. On 8 November 2002 Amnesty International wrote to the, then newly appointed Minister of the Interior, Hari Kostov, expressing its concern about 11 cases of alleged police torture or ill-treatment by security officials in the period from January 2000 to October 2002 involving 93 people – one of whom allegedly died in custody.¹ (A summary of these cases is in section 3 below.)

Amnesty International noted the lack of response by previous administrations in Macedonia to the concerns it raised, and called on the new administration to seriously address the issue of police torture and ill-treatment and impunity. To Amnesty International's knowledge, despite the frequency of allegations of police torture or ill-treatment, the number of prosecutions of police officers for such offences is so low as to be almost negligible. Amnesty International is further informed that, in the past, most if not all of the cases raised

¹ Many of these cases occurred within the context of the armed insurrection by the 'National Liberation Army', an ethnic Albanian armed group claiming to be pursuing greater rights for the ethnic Albanian minority population (estimated to make up between 22 and 30 percent of the total population), which began in January 2001. After extensive displacement of people from their homes and considerable physical destruction in the conflict areas in the north and west of Macedonia where ethnic Albanians predominate, but fortunately before any very great loss of life, the Framework Agreement negotiated in Ohrid in August 2001 laid the basis for a hesitant and gradual end to the fighting and hesitant implementation of a series of reforms designed to meet ethnic Albanian demands, while preserving the integrity of Macedonia and its future as a multi-ethnic state.

with the Ministry of the Interior by the office of the People's Defender (Ombudsperson) have been dismissed as unfounded despite at times compelling evidence to the contrary. Amnesty International believes that this compounds the current climate of impunity. The organization called on the new administration in Macedonia to seriously address the issue of police ill-treatment and impunity.

Amnesty International also called on the new government to allow prompt publication of the findings of the visits in October 2001 and July 2002 by the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

On 28 November 2002 the Director of the Bureau for Public Security at the Ministry of the Interior replied to Amnesty International stating that the Ministry of Internal affairs was preparing a plan for the training of all police officers and implementing European standards governing the conduct of law enforcement officials which would be in operation by the end of 2002. The letter also referred to the substantive cases raised which, the letter stated, "will be investigated in maximal objectivity and the results of the concluded investigations will be submitted to you in an additional report." However, at the time of writing, Amnesty International has still not received any further information from the authorities on the cases raised.

2. CPT reports published

Amnesty International welcomed the Macedonian authorities' decision on 16 January 2003 to authorize the publication of the reports drawn up by the CPT after the *ad hoc* visits in October 2001 and July 2002. At that time (January 2003) the government's response to the July 2002 CPT visit was still under preparation and it was not published until 16 April 2003. Amnesty International welcomes the compliance of the authorities to CPT recommendations in undertaking training seminars and informing all members of the Ministry of the Interior of the importance of adhering to internationally accepted human rights standards. However, Amnesty International remains concerned at the lack of thorough and impartial investigations into the serious allegations contained within the reports. The organization believes that serious omissions in the responses to the CPT reports point to a continuance of an apparent lack of will by the Macedonian authorities to adequately investigate serious human rights abuses including torture.

The organization noted that the CPT report on its July 2002 visit stated:

"On the basis of all information obtained by the CPT before and during the July 2002 visit, the Committee can only conclude that the physical ill-treatment of person(s) deprived of their liberty by the law enforcement agencies in 'the former Yugoslav Republic of Macedonia' continues to be a serious problem in 2002, four years after the first periodic visit when similar conclusions were reached... It should be added

that after the July 2002 visit, the CPT has continued to receive allegations of ill-treatment by law enforcement officials.”²

2.1 Glaring omissions in the government's responses

On 16 April 2003 the Macedonian Government's reply to the 15-19 July 2002 CPT visit was published. However, there were serious defects in this reply which failed to adequately address the substantive issues and cases raised by the CPT. The reply did not refer to any of the specific cases raised by the CPT except the Vinica case concerning a violent brawl involving 14 members of a special police unit - the Tigers - where a number of officers were charged with “taking part in a fight” under Article 132 (1) of the Criminal Code, and the case of V. Q. who alleged that he had been held *incommunicado* for 11 days by the UBK [Directorate for Security and Counter-Intelligence]. In this latter case the government's reply only says: “The Minister of the Interior cannot provide full information because the UBK documentation contains only two official records, prepared by UBK officers who were engaged in this case. The court proceedings are under way.”

The government's reply makes no reference to cases 1 and 2 (paras 10 and 11) of the CPT's report³ which contains detailed serious allegations of torture by police officers which are alleged to have occurred on 11 February 2002 and 28 June 2002, allegations which appear to have been substantiated by forensic medical examinations of the victims. The CPT report also reiterates the committee's dissatisfaction at the lack of follow-up on cases raised in its 2001 visit.⁴ In particular it expressed dissatisfaction at the government's reply to: allegations of ill-treatment of 27 people from Ljuboten⁵ by security forces in August 2001; the CPT's

² “Response of the Government of ‘the former Yugoslav Republic of Macedonia’ to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to ‘the former Yugoslav Republic of Macedonia’ from 15 to 19 July 2002”, CPT/Inf (2003) 24, Strasbourg, 16 April 2003.

³ “Report to the Government of ‘the former Yugoslav Republic of Macedonia’ on the visit to ‘the former Yugoslav Republic of Macedonia’ carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 15 to 19 July 2002”, CPT/Inf (2003) 5, Strasbourg, 16 January 2003

⁴ “Report to the Government of ‘the former Yugoslav Republic of Macedonia’ on the visit to ‘the former Yugoslav Republic of Macedonia’ carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 to 26 October 2001”, CPT/Inf (2003) 3, Strasbourg, 16 January 2003

⁵ Ljuboten is an ethnic Albanian village near Skopje which was the scene for an operation by security forces on 10 to 12 August 2001. On 12 August, following the deaths of eight Macedonian soldiers in an anti-tank mine explosion, Macedonian special police forces entered Ljuboten. According to journalists and a representative of Human Rights Watch who visited the site shortly afterwards, the special police summarily executed six civilians and ill-treated more than 100 others whom they arrested. The Ministry of the Interior claimed that the dead were armed and had been killed during exchanges of fire. The International Criminal Tribunal for the former Yugoslavia announced an investigation which, at the time of writing, was still ongoing.

concerns regarding the deaths in custody of A. Q. and N. A. on 13 and 14 August 2001 respectively; and the alleged torture of M. S. by police officers on 8 February 2001.⁶

2.1.1 The case of alleged ill-treatment of 27 residents of Ljuboten

In its report of the October 2001 visit the CPT referred to the statement from Skopje Basic Court II of 14 February 2002 concerning the detention of the Ljuboten residents "that there has been no decision in respect of instituting court proceedings against maltreatment by the law enforcement organs" in respect to this case. In connection with this decision not to instigate court proceedings the CPT stated:

"Given that the information set out in the preceding sub-paragraph [which detailed eye-witness accounts of ill-treatment as well as court records that one detainee had a 'bruise-swelling under the right eye and bruises on the legs and back'] can be said to amount to *prima facie* evidence that ill-treatment may have occurred, the CPT would like to be informed of the reasons for the absence of a decision to institute a court procedure 'against maltreatment,' as well as to receive the views of the relevant public prosecutor on this matter." [emphasis as in the original].

In connection with this case, the government's reply to the October 2001 CPT visit did not address the allegations of ill-treatment at all. As the CPT stated in its report of the July 2002 visit:

"The Committee's question regarding the reasons for the absence of a decision to institute a court procedure 'against maltreatment' by law enforcement officials of the persons arrested following the Ljuboten operation was not answered; instead, it was indicated that the persons concerned were amnestied and released."

There was no further reference to this case in the April 2003 government reply.

2.1.2 The case of N. A., allegedly beaten to death by police

The October 2001 CPT report detailed the case of N. A. who was arrested at approximately 5.15pm along with three others on 13 August 2001. The four were allegedly beaten by a number of police officers both at the site of arrest and following arrest at the central police station. The CPT's report stated:

"Some hours later (2.45 am on 14 August 2001), N. A. was admitted to the Trauma Ward of City Hospital in Skopje with the following injuries: 'Cerebral concussion. Thoracic contusion. Fractured ribs (6-8) right thorax. Haematoma of the nose and left periorbital area. Bruises on both arms, lumbar, gluteal and femoral areas. Lacerated wound (1.5.cm) on scalp'. The hospital record indicated that he died at 7.20 am that day."

⁶ The names of all three men, A. Q., N. A. and M. S., are known to Amnesty International.

A 12-page autopsy report prepared by the Institute of Forensic Medicine was examined by the CPT delegation's doctors. It contained a detailed description of his injuries. The CPT delegation doctors concluded that

"the injuries were caused by a multitude of blows inflicted with blunt and hard objects (e.g. rods or batons), punches, and/or kicks/trampling. In other words, the deceased would appear to have been beaten to death, most probably by a number of different persons."

The CPT called for the Macedonian authorities to carry out a thorough criminal inquiry into the death of N. A.

However, the government's reply to this report of October 2001 was woefully inadequate and merely referred to a communication from the First-Instance Office of the Public Prosecutor for Skopje. This stated that:

"This Office has no data whatsoever on the N. A. case, or any other information that relates directly to the death of this person.

"The Ministry of Interior has been collecting information on the circumstances of his death and whether, by what persons, and by what action it had been caused.

"Post mortem forensic examination was conducted. However, the findings and opinions on his death until now have not been delivered to the competent court or to the competent office of public prosecution."

The government reply also added that "The First-Instance Court Skopje II - Skopje has informed us that no criminal case had been brought against said N. A."

The inadequacy of this reply prompted the CPT in the report of its July 2002 visit to state that it "was astonished to learn that the autopsy report has not yet been furnished to the Public Prosecutor", and the CPT reiterated its concern that such inadequate replies "can only cast doubt on the integrity of the system of accountability for law enforcement officials" in Macedonia. The fact that the government's reply to this report made no reference at all to the case can only confirm such doubts.

2.1.3 The case of A. Q., beaten to death

Similar concerns were raised by the CPT in the report of its October 2001 visit over the case of A. Q., a resident of Ljuboten who was reportedly taken into police custody in mid-August 2001. The CPT recorded that:

"[a]ccording to the information provided to the delegation's doctors by the relevant medical and administrative staff, A. Q. had been found on a street and brought to City Hospital in Skopje, where he was admitted to the Trauma Ward at 5 am on 13 August 2001. His hospital file indicated inter alia that, on arrival, he was in a '[s]uperficial coma (awake but sluggish response to stimuli)' and that he 'died suddenly at 1.30 pm by cardiac arrest (recorded on ECG)'".

“The notes of the relevant autopsy dated 15 August 2001 from the Institute of Forensic Medicine recorded extremely numerous external injuries (excoriations, bruises, haematomas on forearms, thighs and calves, posterior thorax and lumbar region) of a shape and topography which indicate their cause to be repeated blows with hard objects. The autopsy revealed a number of internal injuries... The forensic pathologist concluded that the case of A. Q.’s death was ‘traumatic shock’.

“In the view of the delegation’s doctors, the deceased would appear to have been beaten to death.”

The government reply to the report of the CPT’s October 2001 visit referred to a communication from the Skopje Public Prosecutor which stated that the Prosecutor’s office

“was given information on the A. Q. case on 13 August 2001 while processing the criminal charges against several persons, all inhabitants of village Ljuboten near Skopje, for the criminal offence: ‘Association for enemy activity’, as provided for under Article 342, paragraph 1 of the Criminal Code of the Republic of Macedonia. The said A. Q. was among the suspects. This person was not brought before the investigative judge, because at that time he was in a hospital, where he later died.”

This would seem to confirm that A.Q. had indeed been arrested as he would not have been brought before the investigative judge to sanction his detention on 13 August – the day he was admitted to hospital and died – without already being detained. As under Article 3 of the Code of Criminal Procedure all arrested people must be brought before a court within 24 hours of arrest to decide on the legality of arrest, it is likely that he was arrested on 12 August which was when the Ministry of the Interior confirmed that 73 residents of Ljuboten had been apprehended by security forces (see above).

The government’s response to the CPT report of its October 2001 visit went on to state:

“By order of the investigative judge, a post mortem forensic examination was conducted.

“The Dissection Protocol of this procedure was not obtained, because the competent court failed to pay for the conducted post mortem.

“A. Q. is one of the persons, inhabitants of the said village of Ljuboten, near Skopje, who were buried together, as a group, on 14 August 2001. Upon order of the investigative judge of the First-Instance Court Skopje II – Skopje, exhumation was conducted in April 2002.

“The reasons of death will be disclosed upon receipt of the results of the said exhumation that also involved the participation of a forensic expert.”

This would appear to be inconsistent with the CPT’s report which reviewed autopsy notes dated 15 August, a day after the authorities claim he was buried along with other victims of the fighting. Moreover this reply implies that he was not one of those arrested and

detained, but rather one of those who, so the Ministry of Interior claimed, had been killed in exchanges of fire on 12 August. The government's reply, while stating that an autopsy had been performed, makes no reference to its findings (which were detailed by the CPT) claiming unconvincingly that these were unobtainable due to some form of bureaucratic non-payment. The inadequacy of this reply was similar to the case of Nazmi Aliu above, referred to by the CPT in the report of its July 2002 visit. However, the authorities made no further reference to this case in their reply to the July 2002 CPT visit.

2.1.4 The alleged torture of M. S.

Regarding the alleged torture of M. S. on 8 February 2001, the CPT's report of its July 2002 visit referred to a document of 19 July 2002 from the Basic Public Prosecutor in Skopje which indicated that criminal charges had been filed against five police officers in connection with the alleged torture. However, the CPT report went on

“due to ‘missing data’, ‘verification is being carried out via the Ministry of the Interior and the Hospital where [M.S.] was treated [...] Several reminders were made following the requests for information, but a report containing the required data has yet to be received.’”

Thus, in July 2002, over 17 months since the alleged incident basic documentation from the Ministry of the Interior and the city hospital was still not forthcoming. As the government's reply to the July 2002 visit, published in April 2003, makes no reference to this case despite the CPT request, Amnesty International believes that this apparent lack of adequate investigation illustrates a lack of will by the authorities to seriously address the legacy of police torture and ill-treatment and thus help perpetuate a climate of impunity for those police officers who torture or ill-treat detainees.

3. Cases raised by Amnesty International in November 2002

The following are summaries of 11 cases of alleged police torture and ill-treatment, to which the authorities promised to supply detailed information but which has not been forthcoming, were raised by Amnesty International in its letter to the authorities of 8 November 2002.

1. The death of Sabri Asani and the alleged torture or ill-treatment of 11 other ethnic Albanians from Arachinovo following the killing of three police officers on the night of 11 January 2000 at a checkpoint at Arachinovo village near Skopje. Following the killing, dozens of people appeared to have been tortured or ill-treated, including Lirim Dinarica, Rafiz Emmini, Sadik Emmini, Nehat Emmini, Ibrahim Jahija, Avdulla Jaja, Zejnulla Jaja, Emrush Jaja, Tasim Nebija, Jakup Nebija and Qenan Rexha. They were allegedly beaten in their own homes, in those of their neighbours or in police stations.

2. The case of Vebi Zimeri and Basri Aliu who alleged that police officers beat them with truncheons and, in the case of Vebi Zimeri, a baseball bat in Tetovo Police Station on 13 September 2000.

3. The case of Orhan Aliov, Selajdin Mustafiov and his son, Shehri Mustafiov, Memet Redzhepov and Ferat Skenderovski who are all members of the Romani community from Shtip. On 26 May 2000 they went near the village of Shashavarlija, near Shtip, to gather illegally some firewood in the forest. After having loaded their horse-carts with wood they started on their way back to Shtip when they were stopped by five police officers and villagers from Shashavarlija. According to the statements they gave to Amnesty International and the Association for the Protection of Roma Rights in Shtip (ARRP) all the men were beaten on the spot by the police and villagers. They were later taken to the police station in Shtip where Orhan Aliov, Selajdin and Shehri Mustafiov and Memet Redzhepov were allegedly subjected to further beatings which appeared to be confirmed by hospital medical reports and photographic evidence taken by the ARRP. On 2 June 2000 the ARRP made an official complaint to the Prosecutor's Office in Shtip against the police officers allegedly involved in the ill-treatment of Orhan Aliov, Selajdin Mustafiov, Shehri Mustafiov, and Memet Redzhepov on behalf of the victims. On 28 November 2000 the ARRP received a reply from the Prosecutor stating that on 13 November 2000 he had forwarded the request to the Minister of Internal Affairs in Skopje in which he asked for more information about the case in order to open an investigation into the allegations. In September 2001 the Prosecutor's Office replied that the complaint had been rejected and that no further procedure would be considered by the Macedonian authorities in this case.

4. The case of two Roma women, Hanife Kurteva and Elvira Aguseva, who alleged that police officers beat and sexually assaulted them in Strumitsa police station on 6 November 2000. On 8 November 2000 the ARRP, on behalf of the victims, made an official complaint to the Prosecutor's Office in Shtip against the police officers allegedly involved. On 9 November the ARRP wrote to the Ministry of Internal Affairs about the allegations of ill-treatment.

5. The case of two Muslim Macedonians, Cano Canoski and Vebija Saloski, who on 3 April 2002 were allegedly severely beaten and threatened with guns and knives while they were gathering wood near Struga by six to eight members of the special mono-ethnic paramilitary police units, the "Lions", who been involved in a number of incidents of alleged violence against citizens.

6. The case of 34 ethnic Albanians who were arrested on 6 April 2001 in Poroj outside of Tetovo. All 34 men were from Poroj except Ali Nuhija and Xhemil Asani who are from the neighboring village of Germo, but were arrested in Poroj with the others. All were allegedly beaten during arrest. All were transported from Poroj to the Tetovo police station in a lorry except for one man, Muhamet Saliu, an invalid who had previously suffered from three heart attacks, who was transported by jeep. On the way to Tetovo police station, those in the lorry were allegedly subjected to severe beatings by police (some of whom were wearing face masks) with wooden sticks and metal pipes, as well as by repeated kicks and blows. On arrival at the police station the detainees, including Muhamet Saliu, were allegedly forced to walk from the lorry to the entrance of the station through a cordon of police officers who

continued beating them. All 34 men were interrogated on suspicion of supporting the ethnic Albanian insurgents, the National Liberation Army (NLA). After a few hours about half of them were released without charge, and some of them sought medical treatment in Tetovo hospital. The remainder which included Abdiselam Arslani, Gazmend Arslani, Latif Ameti, Isen Asani, Nevzat Asani, Kasam Asani, Qenan Asani, Muhamet Saliu, Nadi Vejseli, Beqir Vejseli, Muhamet Beadini, Ziba Ziberi, Mevaip Ibrahimi, Efrahim Ramadani and Nexhat Aliu, were taken back to the lorry at about 1 or 2pm the same day. In the lorry were two policemen, one of whom allegedly hit and kicked them without interruption until they arrived at the Avtokomanda police station in Skopje, a journey of some 40 kilometres which took more than one hour. In the police station the men were threatened with summary execution, searched, and paraffin tests were taken on their hands to try and ascertain whether they had been handling weapons or explosives. They were again allegedly assaulted by police with fists and baseball bats, all the while suffering racial abuse for being Albanians. Abdiselam Arslani and Latif Ameti were each subsequently charged with possessing two hand grenades – a charge they denied – while the remainder were released the next day without charge.

7. The case of some 30 Albanian citizens allegedly beaten by police in Skopje. On 22 June 2001 a group of some 30 Albanian citizens who had entered Macedonia in transit on their way to other countries, primarily Greece, to look for work, were expelled back to Albania at the Tushemisht border crossing at Sveti Naum. Nearly all of the group (reports state that 27 of the 30) alleged that they had been severely ill-treated in detention in the previous two days after being arrested in Skopje ostensibly on suspicion of aiding the NLA. Among them were: Gezim Koleci, Shkelqim Buci, Aleksander Milani, Mirdosh Gjoka, Ismail Mema, Afim Haspepa, Gentain Kasmi, Masim Shterni, Blerim Pula, Gjelosh Vata, Kujtim Gjika, Klan Lloga, Ilmi Lico. Gjeke Petroshi, Hajri Enver, Liram Sula, Gazmir Murrja, Mersin Stermilla, and Mevlut Derti. At the border crossing the men informed the Albanian police that they had been severely beaten during their detention, and at least five of them were reportedly sent for medical treatment to Pogradec hospital. Hajri Enver was diagnosed on 22 June as suffering from bodily contusions. In signed statements which several (Hajri Enver Zebi, Lirim Sula and Mevlut Derti) subsequently made to the Albanian Ombudsman's Office, they stated that Macedonian police officers had kicked and beaten them with truncheons, metal bars and rifle butts, and had seized money and valuables from them. Similar allegations made by 16 other men in the group were reported in the Albanian press on 24 June 2001.

8. The case of Nasir Jonuzi, aged 41, from Djepchiste who alleged that when police searched the house on 25 May 2001, he was ordered outside with his 68-year-old father and 17-year-old son, and made to lie down while officers allegedly kicked and beat them with fists and a hammer. Nasir Jonuzi was arrested and taken to police stations in Tetovo and then Skopje and the town of Veles. He alleged that after his arrest he was interrogated in Veles about buying arms in Kosovo, which he denied; and that he was bound to a table with a sack over his head and ill-treated and tortured until the next morning. Nasir Jonuzi was convicted of possessing two hand grenades, sentenced to six months' imprisonment but released temporarily,

according to him to allow him to recover from his injuries. Following his release, an X-ray at a private clinic on 20 June confirmed that he had four fractured ribs.

9. The case of Salajdin Ramadani and Qenan Ramadani, brothers and neighbours in Poroj, arrested on 24 May 2001, and allegedly severely beaten by the police at their homes. Officers allegedly cut Qenan Ramadani across the jaw with a hunting knife and beat him so severely that they broke two of his ribs and his cheekbone. Salajdin Ramadani said the police knocked out four of his teeth and broke his nose and two ribs. They also alleged that gold jewellery, a considerable amount of money, a mobile phone and an allegedly authorized firearm were taken by officers, none of which has been returned. They said that, after being taken to an unknown location in Skopje, they were again beaten by the police, asked for the names of NLA commanders and fighters, and forced to sign statements admitting to having unauthorized guns. They were subsequently charged with unauthorized possession of firearms.

10. The case of Sheref Ademi, a Romani taxi driver from Tetovo, who was stopped on 19 July 2001 at a police checkpoint in Saraj while on his way to Skopje and reportedly severely beaten by police. Of Albanian and Rom mixed parentage, he considers himself a Rom, but thinks he was beaten by the police because they thought he was of ethnic Albanian origin.

11. The case of Arben Ismaili, who suffers from cerebral palsy and is confined to a wheelchair. According to a statement by Arben Ismaili, he left his home in Nerezi near Skopje on 9 October 2002 at about 9.30pm along with a neighbour, also an ethnic Albanian. They were then stopped by two uniformed police officers who asked them for their identification papers. Arben Ismaili did not have his identification papers with him. The police officers told them to go but, as they were leaving, they were told to come back by the police officers who by then had been joined by a third plainclothes police officer. The three police officers, so Arben Ismaili alleges, proceeded to insult them with racial slurs, and then punched him repeatedly in the face despite his pleas that he was disabled and had done no wrong. Following this beating, the police officers allowed the two to return to their homes. Amnesty International is informed that Arben Ismaili's uncle Reshat Ismaili went to the Skopje Karposh police station to make a complaint. When the desk officer reportedly refused to take action, Reshat Ismaili demanded to see the police station chief who reportedly told him that one of the police officers involved in the incident was from the police station in Gjorgje Petrov, Skopje.

Amnesty International's concerns and recommendations

Amnesty International is concerned at the apparent lack of will by the authorities to thoroughly and impartially investigate allegations of police ill-treatment and torture, and to bring suspected perpetrators to justice. The organization calls on the government to:

- thoroughly and impartially investigate the cases raised by the CPT in its reports including those of N. A. and A. Q., both of whom were beaten to death, and M. S.,

allegedly tortured by police, and make public the method and findings of such investigations;

- fulfil its promise to Amnesty International of 28 November 2002 and thoroughly and impartially investigate the 11 cases referred to by the organization in its letter of 8 November 2002, and inform Amnesty International of the outcome of its investigations;
- ensure that any law enforcement officials found to have used torture or serious ill-treatment be subjected to appropriate criminal sanctions, as well as immediate dismissal from the police force;
- ensure that any law enforcement official found to be responsible for ill-treatment face disciplinary action, and criminal charges where appropriate;
- provide reparation, including adequate compensation for all victims of police ill-treatment and torture.

