

£ALBANIA

@Failure to end police ill-treatment and deaths in custody

INTRODUCTION

Amnesty International's concerns

In October 1993 Amnesty International published a report¹ in which it set out its concerns about increased reports of torture and other ill-treatment by police in Albania, many of which had taken place in the context of demonstrations by the country's main opposition party, the Socialist Party (the renamed communist party). Since then, these reports have not decreased; on the contrary - throughout 1994 they were frequent and in at least five cases it appears that the victims died as the result of ill-treatment by police. There have been further reports of police ill-treatment in 1995. Many, but by no means all, of these incidents occurred in a political context and the victims were often Socialist Party members. However, other victims also included protesting former political prisoners, villagers, workers, members of the Greek minority and homosexuals. Furthermore, there have also been frequent allegations that police have tortured or otherwise ill-treated detainees in the course of routine law-enforcement duties. Although Albania is bound under international human rights treaties to conduct prompt and impartial investigations of reports of torture and ill-treatment, bring to justice those responsible and compensate victims, it has only rarely done so.

In this report Amnesty International has selected a limited number of what it considers to be illustrative cases of police ill-treatment, including three in which the victim died, apparently as a result of police beating. Amnesty International's information is based on press reports, written statements by victims and local human rights activists, as well as interviews with victims and witnesses which Amnesty International delegates carried out in Albania in September 1994. While acknowledging that such statements may sometimes contain errors, omissions or distortions, the widespread and persistent reports of ill-treatment from a variety of sources point to a pattern of police ill-treatment that all too often enjoys official toleration.

¹ Albania - Human rights abuses by police (AI Index: EUR 11/05/93)

On the basis of what the organization has learned, Amnesty International renews its appeal to the authorities to create and publicize an effective mechanism to allow people who consider they have been ill-treated by the police to bring complaints; to ensure that these complaints are promptly, thoroughly and impartially investigated, and that officers responsible for abuses are promptly brought to justice. Amnesty International is concerned that few, if any, such investigations take place. Amnesty International also urges the authorities to take steps to ensure that police officers are informed of international standards for law enforcement and given adequate training and supervision to ensure that they uphold these standards.

Lastly, Amnesty International emphasizes that in Albania, as elsewhere, it is concerned solely with the protection of the human rights of individuals. The organization does not support or oppose any government or political system, nor does it support or oppose the views of the victims whose rights it seeks to protect.

BACKGROUND

Since 1991, and the end of one-party communist rule, Albania has experienced a radical upheaval in many aspects of its political, economic and social life. Such major change, in a country which is the poorest in Europe, has inevitably given rise to conflict. Grievances have been embittered by memories of past injustices, by present hardship and by sometimes unrealistic promises of what the new order could offer.

In March 1992 the Democratic Party (DP) won elections under its leader, Dr Sali Berisha, who was elected state President by parliament in April 1992. Since then, political life has been marked by the strong antagonism between the ruling party and the Socialist Party (SP), which was greatly exacerbated by the arrest, in July 1993, of the SP leader, Fatos Nano, and his conviction, in 1994, on charges of embezzlement of state property and falsification of documents.

Apart from heated polemic, this antagonism has also been manifested in attempts by the government, through the Ministry of the Interior, to restrict the political activity of the SP (an article in *Zëri i Popullit*, the newspaper of the SP, claimed in December 1994 that more than 85 per cent of its requests to hold meetings had been turned down by the police). The SP has also complained that police have beaten SP activists (for instance, during the November 1994 referendum on a draft constitution) and that police connived in the beating of SP activists by gangs of thugs linked to local DP officials during local elections in Libofsha commune in June 1994.

The police

As one of the instruments of the extreme repression of the communist era, the police and particularly the state security police (Sigurimi) were regarded by many with distrust and fear. With the end of communist rule, and the victory of the DP in 1992, there was a strong move to purge the police forces. However, as in other fields, purges were not easy to effect because of the shortage of suitably trained and educated people to replace those who were dismissed. Moreover, there were objections that the purges were being carried out in an arbitrary and partisan manner.

A considerable number of new recruits to the police came from the ranks of former political prisoners, many of whom had previously been deprived of normal education and careers, by virtue of often prolonged detention and exclusion, on political grounds, from higher education. According to official figures published in March 1995, 80 per cent of the 23,000 employees of the Ministry of the Interior (10,000 of them police officers) had been recruited since 1992, and 10 per cent of these were former political prisoners. (In August 1994 the government, defending itself against charges of neglect made by former political prisoners, stated that 4,500 former political prisoners were employed in Albania's police forces, accounting for 35 per cent of these forces.) Whatever the exact figures, it is clear that the greater part of the police forces has been recruited since the DP came to power, and that in a country suffering from high levels of unemployment, many of these recruits are likely to identify strongly with the present authorities, both on ideological and pragmatic grounds.

These largely newly-recruited forces had little time to gain adequate training to prepare them for the disordered conditions and the sharp rise in crime which followed the end of communist rule. The situation has been aggravated by repressive traditions of policing, official tolerance of police abuses and rapidly changing assumptions about law and order.

Concern about police misconduct

Within Albania there is public concern about human rights violations committed by the police. In October 1994 a local human rights organization, the Albanian Helsinki Committee, commenting on a case of ill-treatment that had been brought to its notice, publicly stated:

"Reports of excesses by police officers are constantly reaching our Committee....[The Committee] is aware of disciplinary and punitive measures which the competent authorities have taken in some cases of this kind. However, we are obliged to note that the response [by the authorities] has been inadequate and absolutely disproportionate to the scale of this phenomenon. We call for this problem to be resolutely tackled and for more effective measures to be taken against those officers who instead of defending the law gravely violate it."

One of the most forthright critics of police abuses has been the President of the Court of Cassation, Judge Zef Brozi. In 1994 and early 1995 he made known to the press his disputes with the Ministry of the Interior and the Procuracy General. In January 1995 he publicly criticized "serious violations" committed by the police, citing unlawful arrests, failure to bring arrested persons before a judge within 24 hours, and violence against detainees in police cells. Previously, in November 1994, the press had published his letter to the Minister of the Interior, Agron Musaraj, in which he complained of police misconduct with regard to the judiciary and procuracy. As an example, he cited an incident in which the Gjirokastër police chief had entered a courtroom where a trial was taking place and had publicly insulted the judges, so that the trial had had to be adjourned to avert further incidents. Judge Brozi also complained that in some instances police officers refused to testify in court, so that trials had to be postponed. There were also cases, he said, in which police officers had failed to carry out arrest warrants although the wanted persons were openly "strolling around the town". He concluded that the impression had been created that the Ministry of the Interior was a "law unto itself" and warned that this was seriously damaging to the creation of a law-governed state. In January 1995 the Procurator General reacted by accusing Judge Brozi of having illegally released a detainee (a Greek citizen), but he did not address the concerns raised by the President of the Court of Cassation; in February parliament voted against lifting Judge Brozi's immunity.

The prosecution of police officers for the torture or other ill-treatment of detainees is rare; in general, investigations are instituted only in the most serious cases, when ill-treatment has resulted in the death of the victim. The available information suggests that these investigations are rarely, if ever, prompt, thorough and impartial.

The prosecution of police officers for ill-treatment which has not resulted in the victim's death is even more unusual. Following one such case, the District Council of Pogradec publicly protested in February 1995 against a recent court judgment which had imposed a suspended sentence on a former police chief in Pogradec who had been charged with abuse of his office, including the beating and ill-treatment of several Councillors and the "mass ill-treatment" on two occasions of the inhabitants of Udenisht village. According to the District Council's statement, the court proceedings were "a farce": there was no hearing on the first day of the trial on the pretext that the key to the courtroom could not be found; the defendant was permitted to carry arms in the courtroom, and none of the witnesses had been officially informed of the trial. The District Council added that despite its requests to the authorities for the dismissal of the police chief, no measures had been taken against him and instead he had been promoted to the position of police chief in Korça.

The prohibition of torture and cruel, inhuman or degrading treatment or punishment - Albania's human rights commitments under national and international law

In October 1991 Albania acceded to the International Covenant on Civil and Political Rights (ICCPR), Article 7 of which prohibits torture or cruel, inhuman or degrading treatment or punishment in all cases and under all circumstances. Article 1 of the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), to which Albania acceded in May 1994, contains a similar absolute prohibition. Article 13 of the Convention against Torture requires the authorities to investigate "promptly and impartially" complaints of torture and ill-treatment while Article 12 requires state parties to conduct a "prompt and impartial investigation" whenever there is reasonable ground to believe that torture or ill-treatment has occurred, even if there has been no complaint. Article 7 (1) of the Convention requires the authorities to bring to justice those responsible for torture or ill-treatment. Article 14 (1) of the Convention requires each State Party to "ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible". Article 2 (3) (a) of the ICCPR recognizes that all persons whose rights under the ICCPR have been violated "shall have an effective remedy" and the Human Rights Committee in its General Comment 22 has made clear that Article 7 of the ICCPR imposes similar obligations to investigate complaints of torture and ill-treatment, to bring those responsible to justice and to compensate the victims. Albania was required

to submit its first report in 1993 to the Human Rights Committee on implementation of the ICCPR; it has so far failed to do so, despite four reminders.

Earlier this year parliament adopted a new Criminal Code and Code of Criminal Procedure, to come into force on 1 June 1995, thus taking two major steps in continuation of the legislative reform started in 1990. The new Criminal Code explicitly bans torture and ill-treatment: Article 86 punishes "torture or any other inhuman or degrading act" with imprisonment from five to 10 years; when this crime results in crippling, disfigurement or any other permanent damage to the health of a person, or his/her death, the penalty is 10 to 20 years' imprisonment (Article 87). Article 314 makes the use of force by a person charged with carrying out an investigation with the purpose of obliging a citizen to make declarations, give evidence or admit his or another's guilt, an offence punishable by imprisonment from three to 10 years. (Previously, under Article 115 of the Criminal Code of 1977, the extraction of confessions by force was an offence punishable by up to eight years' imprisonment.)

Amnesty International believes that the introduction of these two codes in June 1995 opens the way to effective prosecution of torture and ill-treatment by police. Clearly, however, legislative reform alone does not necessarily lead to a break with past abuses. To be successfully implemented, consistent training designed to promote respect for human rights by law enforcement officers and public officials is needed. This requires not only resources, but most importantly, the political will.

Amnesty International's recommendations

Amnesty International calls on the Albanian Government to implement Albania's obligations under international human rights treaties. In particular and with a view to eradicating torture and other ill-treatment by police, the organization makes the following recommendations, which are also consistent with those of the UN Special Rapporteur on Torture in his most recent report:

- to establish an independent commission, empowered to conduct a full and impartial inquiry into all factors which facilitate torture and ill-treatment of detainees by law enforcement officers and to recommend preventive measures. Members of the commission should be chosen on the basis of their known impartiality, independence and competence. As soon as possible after the conclusion of its work the commission should issue a full public report on its methods, findings, conclusions and recommendations. The Albanian Government's response should also be made public. The commission should reconvene within a reasonable period to review steps taken by the authorities to implement measures aimed at eradicating torture and ill-treatment.
- to adopt regulations which would establish police complaint boards at district level. These boards should consist of people of acknowledged independence and probity, from a representative cross section of the community, who are not members of the police force. They should be afforded all necessary power to monitor police activities and conduct investigations into complaints against police officers, including cases where complaints have been filed with the competent procurator, in accordance with international minimum standards for commissions of inquiry. The boards should at a minimum be given the power to: decide whether a case should be concluded or if an apology should be issued; recommend to appropriate authorities that adequate compensation be paid to the victim; and recommend whether criminal or disciplinary proceedings should be brought against the perpetrator.
- to investigate promptly, impartially and thoroughly all reports of police ill-treatment and to make public the findings of such investigations as soon as the reports are completed. These reports should thoroughly describe all the collected evidence and its assessment by the prosecuting authorities. All reports of forensic experts made in the course of the investigation should also be available for public scrutiny.
- to bring to justice those responsible.
- to ensure that procurators exercise their legal competence to initiate investigations whenever a person brought before them alleges torture or ill-treatment and whenever there are reasonable grounds to believe that an act of torture or ill-treatment has occurred, even if no formal complaint has been made.

- to ensure that the complainant and witnesses are protected from all forms of ill-treatment and intimidation as a consequence of his/her complaint or any evidence given.
- to ensure that the court conducts a prompt and thorough investigation of all allegations of ill-treatment and that it does not admit statements made as the result of such alleged ill-treatment unless the prosecution proves beyond a reasonable doubt that the statement was made voluntarily.
- to compensate victims of torture and other ill-treatment or their families.
- to introduce clear guidelines for law-enforcement, based on international standards, such as the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- to organize effective training programs for all police officers aiming to ensure that they are given a thorough understanding of national and international human rights standards.

THE TORTURE OR OTHER ILL-TREATMENT BY POLICE OF PROTESTERS

During 1994 there were a number of incidents in which police were reported to have ill-treated protesters or demonstrators. These incidents tended to follow a pattern whereby a group of citizens engage in non-violent protest, initial negotiations with the authorities break down amid mutual recriminations, police are sent in to end the protest, whereupon clashes break out in which police use excessive force, beating and otherwise ill-treating protesters. Leaders of such protests have routinely been denounced by the authorities in the media as "former communists" and "secret police agents".

Kukës - May 1994

One example of such a conflict occurred at the beginning of May 1994, when some 150 to 200 people from about 24 villages from Kukës and Has districts went on hunger-strike in Kukës city in protest at the government's failure to grant them compensation for the flooding of their villages due to the construction of a hydroelectric dam in the 1970s. On 4 May some 50 of them occupied a meeting room in the Town Hall in Kukës. Four government representatives, including the Minister of the Interior, Agron Musaraj, went to Kukës to negotiate. When about half of the hunger-strikers refused to leave the building until their demands were met and insisted that Prime Minister Aleksandër Meksi come to Kukës to meet them, riot police and police reserve forces from Tirana were sent in to evict them in the early hours of 5 May. Police reportedly beat strikers who refused to leave the building and clashes followed in which it is reported that about 26 people were said to have been injured, including 14 police officers. This led to further demonstrations by villagers and their supporters outside the building, and further clashes with police. The strikers continued to demand that the Prime Minister visit them and at one point blocked the main Tirana-Kukës highway. In a communique broadcast on 5 May on state television, the Ministry of the Interior claimed that "extremist" elements, former communists and secret police collaborators, were behind the villagers' protest, although a number of hunger-strikers made statements stressing that their demands were purely economic and that most of them had voted for the DP, the ruling party, or were apolitical. Three strike leaders were reportedly arrested on 6 or 7 May and held for three days or more. The hunger-strikers continued their protest. Eventually, on 12 May, Prime Minister Meksi and other government representatives visited Kukës and held negotiations with the strike committee, thus bringing the hunger-strike to an end.

The detention and ill-treatment of former political prisoners in connection with their protest hunger-strike in August 1994

Amnesty International's concerns: In August 1994 some 2,500 former political prisoners declared a hunger-strike to support their demands for economic compensation from the government. Amnesty International is concerned that after a court ordered the strike to end, police in several towns beat and otherwise ill-treated hunger-strikers or their supporters while evicting them from the premises they had occupied. A number of hunger-strikers and supporters were detained; most were released within a few days. However, according to official sources, 18 detainees (four in Tirana, seven in Shkodër and a further seven in Vlora) were charged with resisting the court order to end the strike. Among them was **Kurt Kola**, chairman of the National Association of Former Political Prisoners, Internees, and Persecuted Persons; he was held in house arrest until November, when he was released after threatening to renew his hunger-strike. Several detainees were charged with terrorism (according to the authorities, in Shkodër and in Vlora "terrorists" among the hunger-strikers had fired on the police). However, the available information suggests that most, if not all, of those detained were prisoners of conscience who had neither used nor advocated violence and to Amnesty International's knowledge none of those arrested was brought to trial in connection with these events.

Background: With the end of communist rule, a National Association of Former Political Prisoners, Internees, and Persecuted Persons (Association) was founded and was formally registered in August 1991. The Association has branches throughout Albania and constitutes a significant lobby (it estimates that over 500,000 people suffered political persecution in the years of communist rule). With certain exceptions, its members, together with their families, constitute one of the most indigent and disadvantaged groups in the country, although the government has taken certain measures on their behalf, mainly in the field of education and employment. The Association campaigns for financial compensation, housing, education and employment for its members.

On 19 July 1994 the National Council of the Association presented a declaration to the government complaining that "despite government declarations promising to resolve its economic problems, everyday practice shows that approved laws have remained a mere formality, never translated into practice" and listing 10 demands for economic compensation. The National Council stated that unless these demands were approved within 15 days, it would call a nationwide hunger-strike. Negotiations broke down a week later: the government argued that the funds were simply not available to meet the Council's demands. It accused the strikers of being influenced by "right-wing political adventurers", some of them "former collaborators of the Albanian secret police".

On 5 August 1994 some 2,500 former political prisoners in various towns throughout Albania went on hunger-strike. The same day the government filed a suit against the Association demanding that the strike be declared illegal and suspended and the Tirana District court ordered the hunger-strike to end. In several towns, including Pogradec, Durrës and Fier, police are reported to have beaten and ill-treated hunger-strikers and their supporters while evicting them from the premises they had occupied. According to press reports at least two people were seriously injured in Fier and one in Pogradec. Some hunger-strikers abandoned their fast, but many others continued it in private homes. In other towns, as in Korça, hunger-strikers agreed to end their protest and they were not ill-treated by police.

A week later, on 12 August, police broke up the hunger-strike in Tirana, Elbasan, Vlorë and Shkodër. In Tirana, police armed with rubber truncheons entered the headquarters of the Association where some 100 former political prisoners were fasting, stating that they were searching for arms. They then ordered the hunger-strikers to leave the building under threat of force. They did so, without offering violent resistance. Police reportedly beat a number of them as they dispersed to their homes. Again, some continued their strike in private houses. Elsewhere, as in Gjirokastër, the hunger-strike reportedly ended without any violence.

In early September 1994 delegates of Amnesty International interviewed a number of men who had taken part in the hunger-strike, including some who had been beaten by police. Hunger-strikers also complained that in the weeks following the hunger-strike, they were kept under police surveillance and that police came to their homes threatening to arrest them.

A striking feature of this conflict lay in the fact that many former political prisoners, including those who took part in the hunger-strike, were, or had been, DP supporters. They thus found themselves in painful opposition to their own party, to other former political prisoners prominent in that party and to a police force staffed by many former fellow-prisoners. It is clear that some police officers also experienced deeply divided loyalties: in Shkodër, most local police appear to have followed the lead of the local police chief who reportedly refused to take action against fellow former political prisoners, so that police and riot police units had to be brought in from other parts of the country.

Pogradec

In Pogradec, the local Association of Former Political Prisoners duly informed the police and the mayor's office 15 days in advance of their intention to engage in a hunger-strike and arrangements were made for them to make use of the premises of a nursery. However, on 5 August 1994, before the strike had started, the local chief of police visited them and warned them that the authorities regarded the strike as illegal. As the strikers - some 40 of them - entered the nursery, police arrived and when the strikers refused to leave they used force to evict them and beat several who verbally protested. Later, that day, at about 6.30pm, many of the hunger-strikers reassembled at the home of a former political prisoner with the aim of continuing their strike, but police had learned of their plan and warned them that they would again use force to evict them. The strikers agreed to leave, but once more sought alternative premises and were again threatened by police. They eventually continued the hunger-strike in private houses in three different villages. (In a statement to the National Association the Pogradec Association denied a report by state television that they had voluntarily given up the hunger-strike.)

Stavri Ruvina, the Association's secretary and the leader of the hunger-strike, was arrested after he intervened when he saw the police roughly handle one of his colleagues, an elderly man. He has stated that he was taken to the local police station and kicked and beaten. On arrival at the police station he saw police beat a young hunger-striker, **Agron Braçellari**, who had also been arrested. The officer on duty at the police station was unwilling to detain Stavri Ruvina; instead Stavri Ruvina and other former political prisoners were taken to the Association's premises where they insisted that three of their colleagues who had been arrested be released. The authorities agreed and two of them, **Rexhep Cekeçi and Gëzim Dauti Hamiti**, were immediately brought to the Association. The third, Agron Braçellari, reportedly required medical treatment for the injuries he had received at the hands of the police and was taken home.

Agron Braçellari, who took part in the hunger-strike in lieu of his elderly father, a former political prisoner, stated that after Stavri Ruvina was arrested, the police officers who were evicting the hunger-strikers had begun to insult and swear at the strikers. He protested, whereupon:

"[one of the officers] punched me, in front of everybody. I wasn't expecting it, I hadn't insulted anybody...They also hit my friends, Rexhep [Cekeçi] and Gëzim [Dauti Hamiti]. They took us to the police station. When I got out of the car, the first to attack me was the Chief of Crime Detection...and then the Police Chief...in full view of the other officers they kicked and punched me and hit me with truncheons. I had marks of their blows on my back. In the corridor, on the way to the office of the Police Chief they beat me again, shouting and yelling at me. All I could do was tell them that I was ill, that I had a doctor's certificate."

Following the intervention of a local member of parliament, Agron Braçellari was released and sought medical care later that evening.

Rexhep Cekeçi and Gëzim Dauti Hamiti also stated that they had been arrested and beaten by police.

On 9 August 1994 the Pogradec Association filed a complaint with the District Procuracy against the Chief of the police station of Pogradec district and the Chief of Crime Detection on the grounds that they had beaten Stavri Rukina, Agron Braçellari, Rexhep Cekeçi and Gëzim Dauti Hamiti. It appears that by early September 1994 no investigation had been started and to Amnesty International's knowledge this is still the case.

Durrës

The hunger-strike in Durrës appears to have followed a similar course - that is, police beat hunger-strikers while evicting them from the premises in which they were holding their protest. According to **Petro Çela** (aged 63) and **Adem Isuf Allçi**, two former political prisoners, the hunger-strike was due to be held at the premises of the Republican Party in Durrës, but these were blocked by police. Instead, at about 6am on 5 August some 50 hunger-strikers occupied a bar or club made available to them by its owner, also a former political prisoner. At 8am police officers came to the bar and attempted, in vain, to persuade them to call off the hunger-strike. At 8.30am riot police burst into the bar and violently ejected the hunger-strikers, beating them with truncheons and kicking them, and breaking up furniture as they did so. According to Petro Çela, he received at least three blows on his back and as a result suffered some heart disturbance; others were injured and reportedly required medical care. Adem Allçi described being beaten by some 10 riot police, who tore his shirt, kicked him and beat him with truncheons about the back and head and also injured his leg. The hunger-strikers were taken by police car to two police stations. They were not beaten at the stations and were released several hours later. The strike continued in private houses.

Tirana

Some 100 former political prisoners took part in the hunger-strike in Tirana and several dozen of them were allegedly beaten by police after they were evicted from the Association's premises in the early hours of 12 August 1994. Among them were **Besnik Almuça**, **Fiqret Xhuza**, **Pëllumb Kurti** and **Xhaferr Remiri**. According to the latter's account, police and riot police seized him in a street some 150 metres from the Association's headquarters. "I was alarmed, I was separated from my friends, I had no more strength. They grabbed me and punched me. I fell to the ground. They hit me from behind on my head and back. They hit me on the back with a truncheon. There were five or six riot police...They took me by car to District 1 police station. In the car I lost consciousness and came to myself in the police

station. They held me for two days. The third day they released me...They questioned me five or six times. They didn't fine me, they told me they would call me in."

The police also reportedly beat on this occasion a number of supporters of the hunger-strike who were in the vicinity of the Association premises at the time when police evicted the hunger-strikers. Among those beaten were **Bujar Muça** and **Petrit Kolloveria**.

Several former political prisoners who were arrested and held in Tirana said that during their detention they were not beaten but that they and other detainees suffered intensely as a result of being held in cramped conditions, with little water, in the fierce summer heat of the height of the summer. One of them, **Dilaver Noka**, was arrested on 12 August as he was going home after the break-up of the hunger-strike; he was held for three days. According to his account, detainees suffered terribly from lack of water: "I served eight years in prison [under communist rule]...I have known the most inhuman torture, but to put a man in an "oven", to bake him alive, I never saw that before".

Shkodër

In Shkodër, as in Tirana, police took action in the early hours of the morning of 12 August to bring the hunger-strike to an end. However, in Shkodër this action led to significant clashes between police forces and supporters of the hunger-strikers, in which both sides suffered injuries. According to reports received by Amnesty International, police arrested about 40 people, including some who had not used or advocated violence. Police are also reported to have struck and injured the chairman of the Shkodër Association, **Ernest Përdoda**, a man in his 60s.

The clashes occurred after police forces, including riot and plainclothes police, confronted relatives and supporters outside the building where some 70 hunger-strikers were holding their fast. During these clashes a burst of gun-fire was reportedly heard. The source of the gun-fire is disputed: at the time the authorities stated it came from the second floor of the building occupied by the hunger-strikers. The latter reportedly deny this, as do several eye-witnesses. These eye-witnesses claim that the shots came from outside the building. The police did not, however, forcibly enter the building. As dawn rose the square in front of the building filled with supporters of the hunger-strikers, and the heads of the Roman Catholic and Orthodox churches in Shkodër took up positions in front of the building to protect the hunger-strikers. At about 8.30am the police withdrew from the square.

In the next few days, many of the hunger-strikers were forced to end their protest because of deteriorating health. It is alleged that some left the building in ambulances believing that they were being taken to hospital, but instead were taken by police to the police station where they were detained and questioned. On 15 August police entered the building

where the strike was being held and ordered out the remaining 23 hunger-strikers. Some of these continued their fast in two private houses.

Of some 40 people said to have been detained in connection with these events most were released within a few hours. Those who remained detained included **Ded Kasneci**, a former political prisoner who supported the hunger-strikers and was present in the square when Ernest Përdoda was injured (he took him to hospital). Ded Kasneci was accused of shooting at police and state television reportedly described him and others detained as terrorists and former secret police agents. Together with five or six others, he was taken to Tirana for investigation and held there for two and half days. Like Dilaver Noka, he suffered greatly from the suffocating heat of the cell where he was held with 13 other men. On return to Shkodër he was put under house arrest, but all charges against him were dropped and he was released after three weeks. He has claimed that the true reason for his arrest was his earlier denunciation of official corruption in connection with the smuggling of fuel into the Federal Republic of Yugoslavia. Others reportedly detained included **Nikollin Pavaci**, chairman of the hunger-strike commission, **Pjerrin Daberdaku**, **Nikollë Dajani**, **Naim Arifi**, **Ded Petri**, **Asllan Caci** and **Ferdinand Temali**.

Incidents of police ill-treatment in the context of disputes over privatization of property

The process of the privatization of state-owned property has given rise to numerous conflicts and to allegations of official corruption and nepotism. There have been a number of reports of incidents involving conflict between the authorities and employees who have wished to acquire the factories where they work. In certain cases police have intervened and are alleged to have ill-treated protesting workers.

One such incident took place in May 1994 at a knitwear factory in Tirana which the workers had applied to purchase. According to press reports, at about mid-day on 31 May 1994, a group of 12 police officers came to the factory with the aim of enforcing an order signed by the Mayor of Tirana to turn over part of the premises to the Women's Democratic Forum in Tirana. It is alleged that the police broke open the door with a crowbar and entered the room where six women were finishing some work. The women appealed to them to wait until the director, who was absent at the time, returned. The police replied they had come to enforce the Mayor's order. When the women continued to protest the police allegedly pushed them against the wall, swearing at them. They reportedly grabbed **Armanda Bogdani**, who was pregnant at the time, tearing out a handful of her hair. Two other women, **Violeta Gjoka** and **Tatjana Karamani**, were allegedly punched by police after they tried to intervene.

Police are similarly alleged to have been abusive and violent towards women workers at a jam factory in Elbasan. According to an open letter signed by the former director of the

factory, **Arta Garunja**, and four employees, the workers had taken steps to acquire the factory, thus coming into conflict with other, more powerful, would-be purchasers. On 19 October 1994 police officers came to the factory to seal off the warehouse and allegedly beat and kicked the female workers. One of them, **Shpresa Preçi**, reportedly suffered injuries which were confirmed the next day by a medical report, as a result of which she was given six days medical leave from work. After this incident, the police sealed the warehouse. The employees subsequently filed a complaint demanding that the law on privatization be duly observed and protesting about police ill-treatment of them.

In a second open letter published in *Zëri i Popullit* on 17 March 1995 the five women protested that although they had immediately filed a complaint with the local military procurator, the latter had done nothing; instead an investigator had insulted them and turned them out of his office.

Police beatings of members of the Greek minority

On 18 August 1994 three members of the Greek minority, **Edmond Kutulla**, **Vangjel Namiku** and **Grigor Rapo** (or Edmondos Koutoulas, Vangelis Menikos and Grigoris Rapos - the Greek form of their names), all from Himarra, were arrested by state security police on the outskirts of Tirana. They were reportedly in possession of pamphlets calling for the release of five leading members of "Omonia", an organization representing the Greek minority in Albania, who were shortly to go on trial in Tirana on charges of espionage and treason.

According to accounts by Edmond Kutulla and Grigor Rapo, following arrest they were held in Tirana for 32 hours, and during this time were deprived of sleep. They were allegedly beaten with truncheons about the back. They were also made to take off their shoes and then beaten on the soles of their feet. These beatings were accompanied by threats to them and their families.

They were both examined by a doctor eight days later (on 26 August 1994) at the Evangelismos hospital in Athens. Medical certificates issued by the hospital confirm that both men had bruising or swelling on the soles of their feet, and that Edmond Kutulla had a visible injury on the left side of his chest. These injuries are consistent with their accounts. Amnesty International is unaware of any official investigation of this incident.

In another incident, **Jani Magllara**, a retired teacher and member of Albania's Greek minority, was reportedly beaten by police in Saranda in September 1994.

According to Jani Magllara's statements, shortly after midnight on 17 September 1994 his son was transporting goods by car to his shop in Saranda when two men in civilian clothes told him to stop. He disregarded them, drove on, and was shortly afterwards arrested by

uniformed police officers and taken to police headquarters in Saranda where he was held overnight.

The following morning Jani Magllara went to the police station to inquire about his son. There he spoke with the chief of police who claimed that his son had tried to run down the [local] State Security police chief and would be jailed for eight years. Jani Magllara protested that his son did not even know this man and demanded his son's release. The chief of police refused. Jani Magllara declared that he would go to the nearby town of Gjirokastër and make a complaint to President Berisha, who was touring the area at the time.

The chief of police then allegedly handcuffed Jani Magllara, pushed him into his office and beat and punched him, shouting at him that members of the Greek minority had "taken over" Saranda. Afterwards he reportedly forced Jani Magllara to sign a confession that he had insulted him, before releasing him.

At the beginning of October 1994 the Albanian Helsinki Committee issued a statement condemning police abuses and citing the case of Jani Magllara, who had complained to the Committee. The Committee noted that Jani Magllara's body bore clear marks of ill-treatment.

Arrest and beating of three homosexuals in October 1994

Shoqata Gay Albania (SGA - Gay Albania Society), Albania's first and only gay and lesbian organization, was founded in March 1994, but since homosexual acts between men were illegal under the Criminal Code then in force and punishable by up to 10 years' imprisonment, it was unable to seek legal registration and recognition.

On 14 and 15 October 1994 three SGA members were arrested and beaten by police in Tirana District 1 police station. Two were reportedly injured, one of them so severely that he was admitted unconscious to hospital with multiple fractures to a leg. During their detention police reportedly accused them of belonging to an illegal organization and demanded the names of the president and of other members of SGA. There appears to have been no official investigation of this reported ill-treatment. Under the new Criminal Code which is due to come into force on 1 June 1995 consensual homosexual acts between adults are no longer subject to prosecution.

Police ill-treatment and intimidation of Socialist Party members and supporters

The SP has repeatedly complained of victimisation by the police. In particular it protested strongly about incidents in which police reportedly beat its members and supporters in the run-up to, and during, a national referendum on a draft constitution held in November 1994.

A vigorous campaign by the DP in support of the draft constitution was opposed by the SP and other opposition parties. Voting took place on 6 November and the draft constitution was rejected by voters.

Among those SP supporters who alleged that they were beaten by police was **Arben Memolla** from the town of Rrogozhina. According to his statement, he was beaten on 23 September 1994 after attending an SP meeting in the town. He and a cousin were waiting at the town's crossroads for a car which was to take them to a wedding, when a police van suddenly stopped in front of them. At the same time, three plainclothes police officers approached them on foot and, allegedly without any explanation, arrested them and pushed them into the van. There three other police officers began to punch and kick them. In his statement, Arben Memolla declared that he was struck on the head, face and all over his body, causing blood to pour from his mouth and nose. The police officers did not allow him to ask why he had been arrested and continued to beat him all the way to the town of Kavaja, some 19 kilometres away. There he and his cousin were made to wash the blood from their faces and put into a dark cell, without light or windows, where they remained until midnight. They were then taken to the office of the police chief who accused Arben Memolla of having distributed money to SP members, which he denied. Arben Memolla was fined for having "resisted police orders", and he and his cousin were released.

In May 1995 the Procurator General replied to a letter from Amnesty International raising the organization's concern about the ill-treatment of Arben Memolla. He wrote that inquiries with the Military Procuracy of Durrës had shown that no investigation had been undertaken into this incident. However, he stated that on the basis of Amnesty International's letter criminal proceedings had since been started and an investigation was currently in progress.

According to press reports, police beat with truncheons a young man named as **F. Disha** on 21 October 1994 when he heckled Tritan Shehu, DP Secretary General, at a meeting held in Ishmi commune to promote support for the draft constitution. Similarly, it was reported that in Elbasan police beat Sabri Dehori after he heckled a DP speaker at a meeting.

However, most complaints about the arrest, ill-treatment or harassment of SP supporters arose out of incidents which took place on the eve or day of voting. To Amnesty International's knowledge these complaints have not been investigated. In December the Secretary General of the SP, Gramoz Ruçi, claimed in a statement in parliament that these incidents had been particularly serious in Mallakastër, Berat, Fier and Lushnja. The Minister of the Interior, however, denied misconduct by the police and stated that no complaints had been filed against the police.

An article in *Zëri i Popullit*, listed the following incidents which it said had taken place in Berat on 5 and 6 November:

- the local SP chairman was arrested and detained for two to three hours;
- some 15 SP activists in Berat were arrested and detained for up to 24 hours, among them **Zeqine Dervishi** from Kutalli commune and **Xhevdet Kodheli** and **Qani Zeqo** from Cukallat;
- six police officers allegedly beat and injured in Pobrat village **Hajdar Sula**, **Nesti Nushi**, **Xhevahir Hoxha** and **Ismet Hoxha**, SP representatives at voting centres;
- **Vitator Mehmeti** and **Aslan Harxhimi** from Malas Breg village were arrested and beaten in Kuc village;
- **Shyqyri Doskani**, **Maliq Muçollari** and **Dervish Doskani**, SP supporters, were detained and beaten at Berat police station.

Several of the above persons made statements to the press. One of them, **Zeqine Dervishi**, a nurse and SP vice-president in Donofrosa village, stated:

"At about midnight on 6 November a police car came to my home in Donofrosa...They called to me from the courtyard and told me I must come with them to the voting centre...When I pointed out to them that we were driving in the wrong direction a police officer punched me. He said, 'Shut up, you bitch'. Then he grabbed me by the throat and kicked me in the stomach...They continued to insult and swear at me all the way [to the police station]. At the police station in Berat they put me in a cell near the door. Then they beat one of my comrades. When they finished with him, they tried to drag me by my hair into a dark cell...I couldn't bear to enter that dark cell. I told them I would rather die...[A police officer] grabbed me by the hair and began to beat me, shouting over and over again: "You whore!"...[Later] they took me to hospital, and put their hands over my mouth to stop me screaming. I only got a pain-killer and then they brought me back to the police station where they again hit me several times."

Zeqine Dervishi suffered injuries to her face and body. According to *Zëri i Popullit*, a medical certificate issued by the hospital confirmed "bruises to the head and body" and the marks of the blows she had received were visible a week later.

Xhevdet Kodheli from Cukallat village was arrested at about the same time as **Zeqine Dervishi**:

"The police came to my home at midnight. They told me to come with them to the voting centre because there were some problems there. There they asked me about my function. I explained that I was a member of the Socialist council of the district and president of the local SP council. They accused me of having distributed tracts and newspapers in the village. Without waiting for an answer they began to beat me and **Qani Zeqo**. Then they put us in the police car and took us to the police station in

Berat. There they began to beat us brutally. They made me lie on the ground and told Qani to mount me and...me. Then they made Qani lie down and said the same to me. They beat us and about 10 police officers yelled: "Down with communism! Down with Fatos Nano!" Then they took us to the fountain in the courtyard [of the police station] to revive us and to wash away the blood. After they had finished with us they started on Zeqine...They beat her brutally. Throughout all this two DP deputies were present."

The newspaper *Koha Jonë* reported on 10 November that the prefect of Berat had admitted that the police had taken measures against some Socialists who had allegedly been carrying out party propaganda in violation of voting regulations. The police, however, reportedly denied any misconduct and said such allegations were slanderous - no force had been used either in Berat police station or outside it. In April 1995 the SP in Berat protested that although it had filed a complaint against the police involved in these abuses, no steps had been taken by the authorities to investigate their allegations. The SP in Berat also protested about a further incident on 3 April 1995 in which police had beaten SP members **Neim Kaleci**, **Veli Toska** and **Petref Sula**, causing them severe injuries, and had afterwards held them for three hours and fined them for "disturbing public order".

Elsewhere, on the evening of 21 November 1994, **Përparim Hyseni**, president of the SP branch in neighbourhood no.9 of Korça, was beaten by police in Korça. According to a press report by a journalist who visited him in hospital 10 days later, he believed he had been assaulted because of his role as an official at a voting centre on 6 November.

According to Përparim Hyseni, the incident occurred late in the evening of 21 November. He was driving home from Vithkuqi and was stopped by a police officer on the outskirts of Korça. The latter warned him that he had been speeding and asked to see his documents. A second police officer approached, summoning colleagues over the radio, and told him he must go to the police station. Përparim Hyseni protested that the highway code provided for fines in such cases. A police van drove up and officers got out, seized Përparim Hyseni and pushed him into the van where they started to beat him. The driver of the van, whom he knew, begged the police to stop, but they paid no attention.

"One of them swore at me: `You swine! You're going to SP meetings.' I was covered in blood, but they didn't stop...I felt one of their punches break a tooth...At the police station they put me in a dark cell, but even there their savage beatings did not end. When one of them grew tired another would take over...The same [named] police officer returned and kicked and punched me, shouting `You swine...' I summoned all my strength and told him that he and I would one day meet again. He kicked me in the head. I fell unconscious and woke up in hospital...with fractures to my head."

Other allegations of police ill-treatment of SP members which Amnesty International has received include a written statement by **Afrim Sula**, a leader of the Youth Forum of Eurosocialists of Albania. According to this statement, on 15 January 1995 he and about 50 other young people from his home town of Rrogozhina were returning by bus from an authorized meeting of the party in Tirana. On the outskirts of Kavaja, police stopped the bus and directed it to the police station. There they carried out searches of the passengers, fined them, and held some 30 of them from 4.30pm to 11.30pm, without any explanation. Afrim Sula and eight others were handcuffed and when they demanded an explanation for their arrest were reportedly told that they had disturbed the public peace and held an "anti-meeting". In his declaration, Afrim Sula stated that a police commander asked him: "Why don't you like the government?" He was then taken up to the third floor where he was physically ill-treated by two plainclothes officers, who caused injuries to his hip and to an ear. They allegedly threatened they would "destroy" him if he continued his political activities. Two other colleagues of his, **Afrim Kapllani** and **Arben Methanasi**, were also allegedly ill-treated. The nine were held in a cell without beds or blankets until 10am the following day when they were released after being fined.

According to a report in *Zëri i Popullit* police forces from Kavaja again arrested and beat **Afrim Sula** on 14 April 1995, together with three other leading members of the SP from Rrogozhina - **Behar Duzha**, **Tomorr Sula** and **Artur Koçi**. The four had been holding a meeting in a cafe owned by the Memolla family, after the local authorities had refused their request to put premises at their disposal. At the end of the meeting, which had lasted about an hour, just as they were leaving, a patrol of about 30 police officers equipped with helmets, firearms and rubber truncheons, entered the cafe and ordered everybody to raise their hands and face the wall, while they were searched. Nothing was found during the search, but the patrol dragged the four out, together with two members of the Memolla family, **Selman** and **Haxhi Memolla**, beating them as they did so and took them to the police station where they were held for seven hours and then released after being fined. The article alleged that a police officer had "planted" a knife on one of those detained.

Alleged ill-treatment of the Lulja family because of their support for the SP

According to press reports, on the evening of 25 November 1994 a police patrol from police station no.2 in Tirana arrested **Iir Lulja**, an unemployed SP supporter, while he was sitting with some friends at a kiosk. They took him to the "Kombinat" police station. There a group of police officers asked him why he was reading *Zëri i Popullit*, and beat him with truncheons, causing injuries to his head, face, legs and back. Iir Lulja reportedly begged the officers to let him go and told them that his father had very recently died. "They replied that my father had done well to die, because he was a Socialist. At 5.30am the next day they released me and told me: 'Go ahead and report us, write about us in *Zëri i Popullit*, we'll just tear it up'".

Ilir Lulja alleged that this was the 13th time that he had been arrested, ill-treated and then released by police. It appears that not only Ilir, but also other male members of his family, have been repeatedly detained on a variety of pretexts, since 1993. A statement by Musa Lulja, a brother of Ilir, mentions the following incidents:

- 30 July 1993: Musa Lulja was arrested and jailed for 15 days for taking part in an SP rally.
- September 1993: Musa and another brother, Gazmend (aged 15) were arrested and held in Tirana prison for 48 hours on charges of threatening a woman who claimed to be the owner of a house inhabited by SP leader, Fatos Nano. (According to Musa Lulja these charges were dropped.)
- Between 18 and 21 January 1994: Ilir, Musa, Gazmend, Genc (a fourth brother) and their father, Asllan (aged 67) were detained for up to 48 hours at police stations, and accused of having sold drugs, fired pistols or theft. According to Musa Lulja their detention was linked to an SP rally; they were released when this was over.
- 1 March 1994: Gazmend, Genc and Asllan were again arrested on the day that an SP rally was held in Tirana; they were accused of murder, but released when the rally was over.
- 3 March 1994: Ilir Lulja was arrested and beaten by police at police station no.2. They accused him of having "insulted the forces of order". He was held for 48 hours before being released.
- July 1994: six member of the Lulja family, including Asllan, who was at the time in a poor state of health, were again briefly detained.

DEATHS IN CUSTODY

There have also been frequent reports of police ill-treating people in non-political situations, that is, in the course of ordinary law-enforcement duties. In some cases the victims were fatally injured. During 1994 at least five men died apparently as a result of ill-treatment in custody. At least four others died after being shot by police although the available information indicates that they were not armed at the time and did not represent any serious danger to the officers involved. Although investigations were instituted in some, indeed perhaps all of these cases, the information about these investigations so far available to Amnesty International suggests that they have not been prompt, thorough and impartial as required by international human rights standards.

Among those who reportedly died in 1994 as a result of police ill-treatment in custody was **Irfan Nanaj**, a young man from Saranda. He was arrested on 15 January 1994 after a drunken quarrel broke out in a cafe. Police officers took him to police headquarters in Saranda where he was so severely beaten that at 7pm he had to be taken from the police station unconscious to Saranda hospital. The doctor in charge of him reportedly later told journalists: "The patient Irfan Nanaj came to hospital in a very severe state of health. Medical experts who examined him concluded that he had been beaten in the most terrible way in

Saranda police station. He had been beaten with a rubber truncheon, causing internal haemorrhaging". Irfan Nanay remained in a coma for two weeks before dying on 26 January.

A police officer suspected of responsibility for his death was reportedly arrested shortly afterwards but was released a few days later. On 26 January, another officer was arrested and a warrant issued for the first officer who had in the meantime gone into hiding. In September 1994 the press reported that the trial of four men charged with causing his death had been adjourned three times, on one occasion because of the absence of the main defendant, an officer from Saranda police station. One of the suspects had still not been arrested.

Another reported victim of police ill-treatment was **Dhimitraq Petro**. According to press reports, he was arrested in Korça in mid-September 1994, after police were called to his home following a family quarrel. While driving him to the local police station police officers allegedly beat him so badly that he lost consciousness and had to be urgently taken to hospital. He was operated on but remained in coma and died on 18 September 1994 of intracranial injuries.

Koha Jonë of 23 September 1994 reported that Dhimitraq Petro's family claimed that his name had not been registered either at the police station or at the hospital. A relative who attempted to start criminal proceedings against the [unknown] police officers responsible for Dhimitraq Petro's injuries and death claimed that he met with little active cooperation from officials and felt that his efforts had been in vain.

According to *Zëri i Popullit*, Dhimitraq Petro was the third person to be killed by police within a year in Korça. The paper claimed that in only one of these cases had the police officer responsible been brought to justice and even then he had received only "a symbolic punishment".

Enrik Islami, aged 28, from the town of Vlora, was arrested in June 1993 and remained in detention pending trial on charges of murder until his death 17 months later, on 23 November 1994. (His trial had reportedly been postponed three times.)

It is alleged that during pre-trial detention Enrik Islami was repeatedly physically ill-treated. On the last occasion, on 23 November 1994, his hands and legs were allegedly bound while police beat him in full view of a number of other prisoners. He apparently died after being severely beaten for about 10 minutes. He was taken to a hospital and examined by forensic specialists. The Vlora Procurator subsequently started an investigation into his death. In March 1995 it was reported that the Vlora chief of police and three other police officers had been charged with abuse of office in connection with Enrik Islami's death. Although they were at first detained in house arrest the Procurator General's office

subsequently ordered that they be released. The case has reportedly been transferred to an investigator from the Procurator's office in Durrës.

OTHER CASES OF POLICE ILL-TREATMENT

Amnesty International knows of no investigations having been started in any of the cases cited below, with the exception of the case of Ismail Stafa, where proceedings against named police officers are reported to have been stopped or suspended.

According to a report in *Koha Jonë*, on Monday 24 January 1994 at about 3pm four police officers [named] from District no.1 Police Station in Tirana assaulted employees, including women, at the warehouse of the "Lluka" firm. It appears that a trailer belonging to the firm was parked near the warehouse in Beqir Luka street. The police officers allegedly beat the employees with truncheons and threatened them with pistols.

The police apparently claimed that the trailer was illegally parked. However, the report noted that there was no sign limiting parking or traffic in the place where the trailer was stationed. Although heavy vehicles are not permitted within the inner city from 8am to 8pm, the workers reportedly claimed that the trailer was parked there after 11pm on Sunday and since then had not been driven. The police apparently had no evidence or witnesses to prove the contrary.

The two who reportedly suffered the worst injuries were **Robert Kosta**, one of the owners of the firm, and **Kristaq Plaku**, the driver of the trailer. According to the report, two days later there were still visible marks on their faces and bodies of the blows they had received, and Kristaq Plaku could scarcely move.

On 8 April 1994 the press published a statement by **Isa Ibra** from Kavaja. According to this statement, at about 2pm on 4 April 1994 a quarrel broke out between him and his brother. Three police officers intervened, arrested Isa Ibra, and drove him to the local police station. On the way they allegedly punched him and swore at him. On arrival the station the police chief [named] and two other officers beat him with truncheons, repeatedly asking him: "Which party do you support?" This continued for some 20 minutes. He was later released but charged with "disturbing the peace".

On 20 April 1994 *Zëri i Popullit* published a report alleging that police officers had severely beaten **Ilir Ismaili**. According to Ilir Ismaili's account, a few days previously he had gone to the aid of several people who had had a car accident outside the police station in Milot. While he was helping them a group of three or four police officers from the town of Laç drove up and asked him what he was doing there. He explained, whereupon they arrested him and took him into the police station. There they allegedly severely beat him. According to the author of this report, Ilir Ismaili's face and body were still severely bruised.

On 18 May 1994 the press published a letter by **Ismail Stafa** from Elbasan. According to this letter, on 23 April 1994 at about 9.30am he went to speak to B.L., a police officer

from the fire-brigade service, who was off-duty at the time. He had learned that B.L. had been offended by a remark that he, Ismail Stafa, had supposedly made about him to another person. According to Ismail Stafa's account, he approached B.L. to explain to him that no offence had been intended, but before he could speak the latter punched him in the face. When he tried to defend himself, B.L. took out his revolver, hit him with it and threatened to kill him. At this point passers-by intervened and disarmed B.L. Other police officers arrived on the scene and arrested Ismail Stafa. Ismail Stafa was then taken in handcuffs to the local police station where officers allegedly tied him to a water pipe and beat him with rubber truncheons and a wooden stick until he lost consciousness.

Two days later, when the local Procurator questioned Ismail Stafa about the incident, he was reportedly so shocked by his injuries that he ordered him to be immediately taken to hospital. There Ismail Stafa was treated for severe bruising, injuries to the head and a perforated eardrum, resulting in loss of hearing in his right ear. His injuries were reportedly classified by a medical expert as grave and he was obliged to take six weeks' medical leave.

According to a subsequent report in *Zëri i Popullit* of 8 April 1995, the investigator originally in charge of this case was replaced by another and changes were made to the evidence. At the beginning of 1995, to Ismail Stafa's great indignation, his injuries were reclassified by medical experts as "light". He in turn was accused of causing light injury to B.L. despite the fact that the latter, following the incident on 23 April, was apparently able to continue to carry out his duties without need of medical leave. In the meantime, at the end of 1994 proceedings against a police officer, A.C. were stopped for lack of evidence. A search for B.L. was suspended, after the police failed to find him at his home for over 10 months - despite the fact that he was under a court order confining him to the town. *Zëri i Popullit* said the case was now closed.

Emil Fundo is an electrician from the town of Korça. After the kiosk he owns was twice burgled he engaged a homeless young man, Gjergj Durmishi, to sleep in the kiosk at night and keep thieves at bay. According to Emil Fundo's account, on the evening of 2 June 1994 he and his son stopped by the kiosk to have a word with Gjergj Durmishi. They then continued on their way and Gjergj Durmishi entered the kiosk. At this point, several police officers stepped forward to arrest him, apparently assuming he was about to rob the kiosk (he had previously been convicted of theft). Emil Fundo intervened to explain the situation, but before he could finish speaking the officers knocked him and his son to the ground and began to kick them and beat them with truncheons, accusing them of also being thieves. This took place in the sight of neighbours and some members of the family. The police then put Emil Fundo, his son and Gjergj Durmishi in their car, and continuing to beat them, took them to the police station. There they were put into separate cells and again beaten - Emil Fundo could hear his son screaming. As a result of the beatings Emil Fundo experienced acute pain in the kidneys and begged the police officers to call a doctor. They allegedly replied: "Die like a dog!".

Finally, another police officer intervened and the doctor on duty at the town Ambulance Service was called. Emil Fundo and his son were released at about 2am; Gjergj Durmishi was released some hours later. Although the doctor recommended that he be admitted to hospital, Emil Fundo insisted on returning home. The next day, severely bruised, he went to the hospital to be examined but refused to stay there. He remained at home for five days, confined to bed and scarcely able to move. His son, too, had suffered injuries to his head from truncheon blows.

Emil Fundo attempted to seek redress for this ill-treatment. However, the police allegedly refused to give him the necessary forms to be completed by a forensic specialist and accused him of having been drunk. Emil Fundo complained to local DP officials who agreed that the officers responsible should be punished. However, according to Emil Fundo, far from being punished, they were "promoted" to the position of traffic police (a post popularly believed to offer considerable scope for personal enrichment through illegal fines and bribes).

A macabre incident occurred in August 1994 when relatives of a young man killed in Greece were escorting his body home for burial. Ormen Hysen Gjoku, from the village of Turhan near Tepelena, had been working in a suburb of Athens for two months when he was shot on 16 August 1994 by a Greek police officer in disputed circumstances. Friends who were with him in Greece claim that he was shot while escaping from police who were rounding up and expelling illegal Albanian emigrant workers in retaliation for the arrest and forthcoming trial in Tirana of five leaders of the Greek minority organization, Omonia. The Greek press reportedly claimed that he was a thief and was shot by the police officer in self-defence after he tried to seize the officer's gun.

On 25 August 1994 *Koha Jonë* published an open letter by relatives and friends of Ormen Hysen Gjoku. In their letter they protested that they had been beaten by police as they were escorting his body home from Greece. According to their letter, shortly after crossing the border into Albania they had been involved in a dispute with the driver of a car which blocked their way, in the course of which the car's window was broken. Although, they claimed, they had offered to pay for the window, the driver remained dissatisfied. They proceeded on their way, but on the outskirts of Gjirokastër they were stopped by police who beat them, without seeking any explanations from them:

"They beat us viciously with truncheons in the sight of many inhabitants of Gjirokastër who protested...One of the officers ...entered the car where the coffin was laid, and stepping on the body, beat the people escorting it...They [the police] took three relatives to the police station. We went to the police station, bearing the coffin, and from outside the building we could hear the cries of our friends being beaten..."

The three relatives were released on the intervention of a State Security officer and the mourners continued on their way: "We travelled with a grief as heavy as the coffin we bore because of what the men in blue uniform had done to us." The letter nonetheless expressed appreciation of the Gjirokastër police chief who had sent four employees to Turhan to apologize.

In September 1994 the Albanian Helsinki Committee protested about police ill-treatment of **Osman Curciali**, the owner of a barber's shop in Tirana. According to the Committee's statement, he was "arbitrarily arrested and detained for 48 hours on 20 to 21 September 1994 in a cell at police station no 10 which is under the authority of the District 1 police station [in Tirana]. There he was brutally beaten and afterwards released in a very bad state. [He] came to the offices of the Albanian Helsinki Committee where clear marks of the ill-treatment he had received were visible on his body".

In yet a further case reported by the press and by the Albanian Helsinki Committee, **Avdi, Ali and Enver Keçi and three female members** of their family were beaten by police on 17 October 1994 in the town of Fushë-Kruja.

It appears that on 17 October 1994 Ali Keçi, who was drunk at the time, had spoken offensively to a woman (not a member of his family). Following this incident, at about 1pm, six police officers came to the home of the Keçi family and began to beat the three brothers and the three women in the house. They arrested Avdi Keçi and took him to the local police station, continuing to beat him on the way. He was released two hours later.

Avdi Keçi reportedly lost consciousness as a result of the blows he received and had to be treated in hospital. When he asked the doctor for a forensic report, the doctor allegedly told him: "The police are with us and we are with the police".

Enver Keçi had visible bruises on his back when he came to the offices of the Albanian Helsinki Committee in Tirana to report the incident the following day. In its statement the Committee criticized the police officers for having followed "the old dictatorial law of the rubber truncheon" rather than taking appropriate legal measures against Ali Keçi. The Committee called on the Ministry of Justice and the Ministry of Public Order to identify those officers involved in the incident and to bring them to justice.

In January 1995 four male students, **Kujtim Llanaj, Polikron Medhja, Fatmir Hajdarlliu and Muhamet Kajmaku**, published a protest in the press. They said that at 5.15pm on 12 January 1995 they were arbitrarily arrested by police outside the women's hostel of the "Fan Noli" University in Korça. They were taken to the police station. When one of them asked for an explanation for their arrest and detention, police officers punched and kicked them. They were held until 8.30am the next day when they were fined and released. They subsequently asked for a meeting with the head of police and called for the

officers responsible for their ill-treatment to be held to account. They said they had also informed the University rectorate and the director of the hostel.

According to press reports, on the evening of 27 March 1995, at about 9pm, a group of plainclothes police officers, apparently drunk, jumped out of a police car in Buda street in Tirana and proceeded to punch and kick a group of young men who were walking by. After knocking their victims - **Dritan Aga, Ardian Yzeiri, Artan Hasani, Agron Ballabani** and **Artur Alimema** - to the ground and holding pistols to their heads, they got back into the car and drove away. After receiving first aid at a hospital the young men went to the local police station to report the incident, but were allegedly turned away.