

EXTERNAL (for general distribution)

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UA 392/94 Ill-treatment / Fear of further ill-treatment 2 November 1994

ALBANIA Three gay activists

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Amnesty International fears that the arrest and beating of three members of *Shoqata Gay Albania* (SGA - Gay Albania Society) by police on 14 and 15 October 1994 may mark the beginning of increased official repression against homosexuals in Albania. The organization fears that others may face similar treatment in response to recent attempts by gay activists in Albania to fight prejudice and gain equality and integration in Albanian society.

The three men (who wish to remain anonymous) were reportedly detained and severely beaten in Tirana district 1 police station. They have since been released, but one was admitted to hospital unconscious and with a broken leg (multiple fractures); he has since been discharged from hospital. Another was also injured by beatings. It appears that they may be charged with engaging in homosexual acts, an offence punishable under the present criminal code with imprisonment for up to 10 years. However, 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.

#### BACKGROUND INFORMATION

SGA, Albania's first and only gay and lesbian organization, was founded in March 1994, but since homosexual acts between men are illegal in Albania, it has been unable to seek legal registration and recognition.

The Albanian parliament is due to debate this month a draft criminal code, which would reduce the punishment for homosexual acts between men to a fine or up to three years' imprisonment. In September 1994 Amnesty International wrote to the authorities calling for the elimination of these provisions (Article 114 of the draft criminal code), noting that they could be used to arrest, prosecute and imprison adult men who engage in consensual sexual relations in private. Amnesty International stated that such imprisonment violates the principles of non-discrimination and privacy provided for in Articles 26 and 17 of the International Covenant on Civil and Political Rights, which Albania has ratified. Amnesty International, under the terms of its Statute, would regard any men so imprisoned as prisoners of conscience and would call for their immediate and unconditional release.

**RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English, Italian or French or in your own language:**

- expressing concern at reports that three members of a homosexual organization, the *Shoqata Gay Albania*, were arrested and beaten by police at District 1 Police Station on 14 and 15 October 1994, resulting in serious injury to two of them, one of whom had to be admitted to hospital unconscious and with multiple fractures to a leg;
- urging that these reports be investigated and any police officer suspected of ill-treatment be brought to justice;
- urging the authorities to enforce the absolute prohibition of torture and others forms of cruel, inhuman or degrading treatment of prisoners or detainees, incorporated in national law and in international human rights treaties to

which Albania is party;

- urging the elimination of Article 114 of the draft criminal code due to go before parliament this month, on the grounds that it allows for the arrest, prosecution and imprisonment of adult males for engaging in consensual sexual acts in private.

**APPEALS TO**

**(President of Albania)**

Dr Sali Berisha  
President i Republikës  
se Shqipërisë  
Tirana, Albania

**Faxes: +355 42 33761**

**Telegrams: President Berisha, Tirana, Albania**

**Salutation: Dear President**

**(Minister of Public Order)**

Mr Agron Musaraj  
Minister i Rendit Publik  
Tirana, Albania

**Telegrams: Minister i Rendit Publik, Tirana, Albania**

**Faxes: +355 42 343 61**

**Salutation: Dear Minister**

**(Minister of Justice)**

Mr Kudret Çela  
Ministria e Drejtësisë  
Tirana, Albania

**Telegrams: Mr Çela, Ministria e Drejtësisë, Tirana, Albania**

**Faxes: +355 42 28 359**

**Salutation: Dear Minister**

COPIES TO:

**(Minister of Foreign Affairs)**

Dr Alfred Serreqi  
Minister i Punëve të Jashtme  
Tiranë, Albania

**Faxes: +355 42 32971**

**The Albanian Helsinki Committee**

Komiteti Shqiptar i Helsinkit  
Qendra Nderkombetare e kultures, Dhoma no.35  
Bulevardi "Deshmoret e kombit"  
Tirana, Albania.

and to diplomatic representatives of Albania accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office if sending appeals after 12 December 1994.