

EXTERNAL (for general distribution)

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Death Penalty

26 June 1992

ALBANIA:

Ditbardh CUKO
Josef CUKO

According to press reports two brothers, Ditbardh and Josef Cuko (aged 21 and 24 years), were hanged in a public execution at 2am on 25 June 1992 in the town of Fier in central Albania. The two men were sentenced to death after they were found guilty of the murder of five members of the same family in the course of a robbery in the village of Libofshe early in June 1992. The youngest victim was a seven-month-old baby. All were reportedly bludgeoned to death with metal bars.

BACKGROUND INFORMATION

The hanging of Ditbardh and Josef Cuko was carried out in the main square of Fier where a crowd had apparently gathered in anticipation; members of the crowd are reported to have shown no sympathy for them. The recently appointed president, Sali Berisha, head of the Democratic Party until assuming the post, had reportedly refused to reprieve the two brothers because of the public outrage against their crime.

In May 1990 the scope of the death penalty was restricted under amendments to the criminal code. Women may no longer be sentenced to death. The number of offences punishable by death has been reduced from 34 to 11. These include treason, espionage, terrorism and premeditated murder, as well as certain economic, non-violent offences.

Amnesty International

knows of four executions which were carried out in 1991 and of seven death sentences which have been passed in 1992 including the cases of Ditbardh and Josef Cuko. Photograph: Luzlim Lika, Poperphot

The most recent sentence of which Amnesty International has learned, prior to the Cuko brothers, is that of Arjan Boja who was sentenced to execution by firing squad for robbery with violence, having been found guilty of causing the death of another person in the course of a robbery (see EXTRA 45/92, EUR 11/05/92 of 16 April 1992). Amnesty International does not know whether this or the four other death sentences passed earlier this year have been carried out.

By law, the Supreme Court hears appeals against death sentences within ten days of receipt of the case and reviews all death sentences even if no appeal is made. If the death sentence is confirmed by the Supreme Court, the defendant may petition for clemency to the President of the Republic of Albania, who must in any case examine and approve all death sentences before they are carried out. Execution may be by shooting or hanging.

According to a Reuters report of 2 March 1992, violent crime in Albania increased dramatically in 1992; murders increased by 55 per cent. Albania's chief investigator was reported as stating that the tradition of the blood feud, formerly repressed under communist rule, was reviving and that revenge killings were on the increase.

Elections were held for the People's Assembly (the parliament) on 22 March 1992. These resulted in a parliamentary majority for the Democratic Party (DP) which ousted the Socialist Party (the renamed Communists).

The rapidity with which the Cuko brothers were tried, sentenced and executed leads Amnesty International to fear that further executions may be carried out at short notice.

RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters:

- expressing concern at reports that Ditbardh and Josef Cuko were executed on 25 June 1992 in the town of Fier;
- expressing concern that these executions are a setback to European and worldwide moves for the abolition of the death penalty;
- stating that, while recognizing the gravity of their crime, Amnesty International opposes the death penalty in all cases without reservation, on the grounds that it is the ultimate cruel, inhuman and degrading punishment;
- urging the President to use his constitutional powers to ensure that further death sentences are not carried out.

APPEALS TO:

President Sali Berisha
President of the Republic of Albania
Tirana
The Republic of Albania

Salutation: Dear President

Telegrams: President Sali Berisha, Tirana, Albania

Telexes: 4298 pkprssh ab

Faxes: + 355 42 32971

COPIES TO:

1) Minister of Justice:

Kudret Çela
Ministria e Drejtësisë
Rruga Marsel Kashen
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2) Minister of Foreign Affairs:

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3) Forum for Human Rights:

Prof. Arben Puto
President of the Forum for Human Rights
Rr. Lidhja Prizrenit nr.3; ap.5,
Tirana
The Republic of Albania

and to diplomatic representatives of Albania in your country.

PLEASE SEND APPEALS IMMEDIATELY.