

EXTERNAL (for general distribution)

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PLEASE ORGANIZE UP TO 20 APPEALS PER SECTION

UA 509/90

Death Penalty/Legal Concern

18 December 1990

ALBANIA : Hysen GJOCI
Gjerg GJIKOPULLI
+ many others

According to official Albanian sources 157 people have been arrested in connection with demonstrations and violent riots that took place in Shkodër, Elbasan, Durres and other towns on 13 and 14 December 1990. Amnesty International is concerned about reports that some of these people face charges of "terrorism" and "sabotage" - offences for which the maximum sentence is the death penalty.

Among those who are reported to have been charged with these offences are Hysen Gjoci and Gjergj Gjikapulli, who are apparently suspected of having organized violent unrest and are alleged to have been in possession of 30 handgrenades and six pistols at the time of their arrest.

Since November 1990, people detained in Albania have the right of access to a lawyer throughout criminal proceedings, and the Procurator General has publicly guaranteed that all those arrested will be defended by lawyers. However, Amnesty International is concerned by reports that indicate that some of those arrested may have already gone on trial (on 17 December) which gives rise to fears that they may not have had sufficient time to be acquainted with the charges against them and prepare their defence. It is also not clear whether the trials are to be open to the public.

BACKGROUND INFORMATION

Student unrest, which began at Tirana university on 8 December 1990, led to a decision by the communist party Central Committee on 11 December to allow opposition parties to operate. The following day the first legal opposition party, the Democratic Party, was founded in Tirana and students returned to classes. However, a demonstration in Shkodër in support of Tirana students led to violent clashes on 13 December in which demonstrators attacked Party and government buildings and the local radio station. There were also anti-government riots in Elbasan, Durrës, Kavajë and other towns. It is reported that on the night of 16 December there were two arson attacks on factories in Tirana.

The Procurator General, who announced on 16 December that a total of 157 people had been arrested, said that they had been charged with "illegal assembly, looting, attempted murder and assault". An official spokesman in Shkodër reportedly told a correspondent for Agence France Presse that the first trial of people charged with "terrorism and sabotage" would take place within the next few days.

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

- expressing concern at reports that Hysen Gjoci, Gjergj Gjikapulli and possibly others arrested in connection with recent violent demonstrations have been charged with offences for which the maximum sentence is the death penalty

- stating that 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 that all those arrested be guaranteed legal safeguards, including access to a lawyer, time to prepare their defence and an open trial.

APPEALS TO:

President Ramiz Alia
Chairman of the Presidium
of the People's Assembly
Tirana
Albania

Telexes: 4298 PKPRSSH AB
Telegrams: President Ramiz Alia, Tirana, Albania

Prime Minister Adil Çarçani
Council of Ministers
(Keshili i Ministrave)
Tirana

Telegrams: Prime Minister Adil Carcani, Tirana, Albania
Telexes: 4201 kmrpssh ab

COPIES TO:

Ministry of Foreign Affairs
Ministria e Puneve te Jashtme
Tirana

and to diplomatic representatives of Albania in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 29 January 1991.