

EXTERNAL (for general distribution)

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Further information on UA 509/90 (EUR 11/07/90, 18 December 1990) - Death Penalty/Legal Concern

NEW TORTURE CONCERN

ALBANIA: Hysen Gjoci
Gjergj Gjikapulli
+ many others

According to the international press agency Reuters, on 19 December 1990 Radio Tirana reported that 26 people had already received prison sentences of up to 20 years for their part in violent demonstrations in Durrës, Elbasan and Shkodër on 13 and 14 December. They were reportedly convicted of "premeditated damage to common property, violent resistance to the representatives of the state, violation of the law on gatherings and assembly and socially undignified behaviour". Quoting an Albanian Justice Ministry statement, Radio Tirana said that in Shkodër one person was sentenced to 20 years and two more to 15 years' imprisonment each. In Elbasan one person was jailed for 11 years, and in Durrës a court imposed two prison sentences of 14 years, one of 13 years and one of 12 years.

A spokesman for the newly-founded opposition party, the Democratic Party, told Reuters that the party had received reports that many of those arrested in Elbasan, Shkodër and Durrës had been tortured and forced to admit to crimes which they did not commit. He also said that despite official statements that all the accused had been represented by lawyers, many had in fact been tried without lawyers to defend them. Accounts by former prisoners of conscience given to Amnesty International indicate that it has been common practice for police and investigators to torture and ill-treat people suspected of criminal or political offences in order to obtain confessions from them. Lawyers were banned in 1967 and only recently (in November 1990) allowed to practise again. In view of the long period in which this profession was banned in Albania, it seems likely that the number of qualified and competent qualified lawyers is limited.

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

- expressing concern at allegations that many of those charged in connection with recent violent demonstrations have been tortured and that of those tried, many have not been defended by a lawyer;
- urging that all those arrested not be ill-treated and be guaranteed legal safeguards, including prompt access to their families and to lawyers, time to prepare their defence and an open trial;
- expressing concern at reports that several of those arrested 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.

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:

Minister of Foreign Affairs
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 31 January 1991.