

EXTERNAL

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ALBANIA: Torture and other ill-treatment of Behar TOSKA

Behar Toska, aged 32, alleges that on 5 February 1996 he was arrested and tortured by police in Tirana, who accused him of being paid by the main opposition party, the *Socialist Party* (SP), to write anti-government slogans on walls in Tirana.

Behar Toska is a former police officer from Berat, now unemployed. He is married with two small children. According to an interview published on 10 February 1996 in *Zëri i Popullit*, SP's newspaper, he was dismissed from the police force in 1992, on political grounds (he had worked for the police during the former communist rule). At the time of his arrest, on 5 February 1996, he was living in Tirana. He was arrested at night and taken to police station no. 1 in Tirana for interrogation. At the police station he was taken to an office where he was ordered to undress. Six police officers then proceeded to interrogate him and to beat him when his answers failed to satisfy them.

During the interrogation he was asked about payment he had allegedly received from SP leaders for writing anti-government slogans on walls. He was also asked whether he possessed weapons or drugs and where he had hidden them. When he denied having any knowledge of these matters they began to beat him with a rubber truncheon and a metal tube. Behar Toska alleges that one of the officers had a pair of pincers and broke one of his teeth (a report in another newspaper stated that Behar Toska showed their reporter a gap in the upper row of his teeth where his tooth had been). The police officers also allegedly threatened they would arrest his wife and force him to watch while they undressed her. "They smashed me to pieces. They broke my teeth. I'm still urinating blood", Behar Toska told the interviewer. Despite this ill-treatment, Behar Toska states that he resisted their attempts to force him to make and sign a false confession. He was released 48 hours later (another report suggests he may have been released after 24 hours), apparently without charge.

Behar Toska immediately went to a hospital where he was given treatment. He alleges that the doctors and nurses, when they learned he had been beaten by police, begged him not to tell anyone which hospital had treated him, and refused to give him a medical certificate recording his injuries. The newspaper interview is accompanied by a photograph of Behar Toska which clearly shows his injuries.

Behar Toska denies belonging to any political party. He reportedly told his interviewer that he had three times voted for the ruling party, the Democratic Party (the DP).

Behar Toska later complained to a senior police official about his ill-treatment and said he had been "received well". He reportedly intends to start legal proceedings against the police officers who beat him.

Amnesty International concern

Amnesty International is concerned about allegations that Behar Toska was on 5 February 1996 tortured and otherwise ill-treated by police officers at police station no. 1 in Tirana, in violation of the *United Nations Convention against Torture or Other Cruel, Inhuman or Degrading Treatment of Punishment* which was ratified by Albania in 1994. Amnesty International calls on the authorities to institute a prompt, thorough and independent investigation into these allegations and to bring any police officer or officers found responsible for his torture or ill-treatment to justice.

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.

In March 1992 the 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 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*, 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.

Since then, despite the introduction of a new Criminal Code and Code of Criminal Procedure in June and August 1995 respectively, and Albania's accession to the Council of Europe at the end of June 1995, the situation has not, in Amnesty International's view, fundamentally changed for the better. Indeed, in the run-up to national elections (to be held in May or June this year), there has been increased harassment of political opponents and of journalists writing for the opposition or independent press. In addition to arbitrary arrest and detention for up to 48 hours, some political opponents have been charged with "anti-constitutional activity" or with "slandering" the President on the basis of anti-government leaflets and written or shouted slogans. A number of journalists have been detained, physically ill-treated or charged (or threatened with charges) in connection with their writings.