

Title	Amnesty International Annual Report 2012 - Albania
Publisher	Amnesty International
Country	Albania
Publication Date	24 May 2012
Cite as	Amnesty International, <i>Amnesty International Annual Report 2012 - Albania</i> , 24 May 2012, available at: http://www.unhcr.org/refworld/docid/4fbe395550.html [accessed 15 November 2012]
Disclaimer	This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.



amnesty international

Amnesty International Annual Report 2012 - Albania

Head of state: **Bamir Topi**

Head of government: **Sali Berisha**

Death penalty: **abolitionist for all crimes**

Population: **3.2 million**

Life expectancy: **76.9 years**

Under-5 mortality: **15.3 per 1,000**

Adult literacy: **95.9 per cent**

Domestic violence remained widespread and the trafficking of women for forced prostitution continued. Four demonstrators died following clashes with police. There were allegations of ill-treatment by police. Detention conditions were often poor. Homeless people with "orphan status" were denied their right under domestic law to priority with housing.

Background

Hostility between the government and opposition was exacerbated following violent clashes in January between police and demonstrators

protesting over alleged electoral fraud and government corruption. Local government elections held in May led to further mutual accusations between the government and opposition, and disputes over vote counting, in particular in Tirana. The political stalemate had somewhat abated by the end of the year, and discussion of electoral reform was initiated. In October, the European Commission again concluded that Albania had not fulfilled the criteria for candidate status for EU membership.

Police and security forces

On 21 January, violent clashes broke out between police and demonstrators during anti-government demonstrations in Tirana organized by the opposition Socialist Party. Shots were fired, killing three demonstrators. A fourth died later. Arrest warrants were issued the following day for six Republican Guards (responsible for the security of public buildings) in connection with the deaths. Investigations were hampered by a lack of co-operation by the police and senior Republican Guard officers, and delays in the collection of ballistic evidence. By the end of the year, 11 Republican Guards were under investigation in connection with the deaths. More than 140 police officers and demonstrators were injured overall. Police beat dispersing demonstrators and several journalists. At least 112 demonstrators were arrested and some 30 were subsequently convicted of setting fire to vehicles, assaulting police, and breaching the security perimeter of the Prime Minister's offices. Prime Minister Sali Berisha characterized the demonstrations as an attempted coup by the Socialist Party and accused the Prosecutor General of supporting it.

Torture and other ill-treatment

Commissioners of the Ombudsperson's Office visited Tirana police stations and detention centres following the January demonstrations. They stated that detained demonstrators, two of whom bore marks of physical ill-treatment, alleged being ill-treated during arrest, and that psychological pressure had been used to make them sign self-incriminating statements. Nine complaints of police ill-treatment were reportedly filed. In February, the Internal Control Service of the State Police undertook to investigate complaints, but by the end of the year no perpetrators had been brought to justice.

- The Ombudsperson wrote to the Prosecutor General raising the case of Reis Haxhiraj, who was allegedly severely ill-treated during his arrest in March. The Ombudsperson stated that although his injuries were clearly visible, and he had complained of ill-treatment when brought before a judge to be remanded in custody, neither the police, prosecutor, judge or hospital staff had reported his ill-treatment or initiated an investigation. His requests to contact the Ombudsperson's Office were ignored. The Prosecutor General subsequently instructed prosecutors and officers of the judicial police to collect evidence on the ill-treatment of detainees, in order to bring those responsible to justice, and an investigation was started into the alleged ill-treatment of Reis Haxhiraj.

Enforced disappearances

In December Ilir Kumbaro failed to appear at an extradition hearing before a court in London, UK. Albania had sought his extradition from the UK to face charges of torture and abduction in connection with the enforced disappearance in 1995 of Remzi Hoxha, an ethnic Albanian from Macedonia, and the torture of two other men. The judge revoked his bail and issued a warrant for his arrest, but at the end of the year his whereabouts remained unknown. Trial proceedings continued in Tirana against Ilir Kumbaro in his absence, and two other former officers of the Albanian National Intelligence Service, Arben Sefgjini and Avni Koldashi.

Prison conditions

Inmates at Lezhë and Fushë-Krujë prisons went on hunger-strike in protest against poor conditions. The Ombudsperson criticized sanitation in some prisons and remand centres, citing squalid toilets, rodents, damp cells, and the unhygienic preparation and distribution of food. The Ombudsperson also noted the poor quality of construction of recently built detention centres in Durrës, Kavaja and Korça. Remand centres and the Women's Prison in Tirana were overcrowded, and prison medical services, especially for detainees with mental illnesses, were inadequate.

Violence in the family

Domestic violence remained widespread. Shelters for women survivors were insufficient to meet demand. Reported incidents increased to 1,683 in the

first nine months of the year, 260 more than for the same period in 2010. Eighty-two per cent (1,377) of the victims were women. Most incidents, including those involving violence against children, went unreported. Domestic violence was not a specific criminal offence and, except in the gravest cases, prosecution had to be instigated by the victim. Legislation providing free legal aid for people requesting protection orders was not implemented, and despite training programmes, health workers reportedly often failed to provide certificated records of injuries. In most cases, proceedings were stopped, either because the petitioner withdrew, often due to social pressure and economic dependence on the perpetrator, or due to lack of written evidence. Perpetrators who broke the terms of protection orders were liable to fines or up to two years' imprisonment, but courts rarely imposed custodial sentences.

- In September, Servete Karoshi was killed by her husband, who had repeatedly ignored protection orders. She had reported his continued violence but was given no effective protection.

In March, legislation was adopted to provide basic economic assistance of US\$30 per month for victims for the duration of their protection order, and also for victims of human trafficking.

Trafficking in human beings

Trafficking continued, mainly of young women and girls for forced prostitution, but also children for forced begging and labour. Statistics released for 2010 showed that 12 people had been convicted of human trafficking. The US State Department Trafficking in Persons Report noted that Albania had taken concrete steps to improve anti-trafficking strategy, but stated that "widespread corruption, particularly within the judiciary, continued to hamper overall anti-trafficking law enforcement and victim protection efforts". In February, the government adopted a national action plan against human trafficking.

Housing rights – Roma

In February, some 40 Romani families fled from the site they inhabited near Tirana railway station after being attacked. In July, two men were acquitted of inciting racial hatred but sentenced to four months' imprisonment for arson. The authorities offered the Romani families a

temporary site with tents on the outskirts of Tirana, but many rejected this on the grounds of health and safety and the distance from their workplaces. The families who did move to the site were still there at the end of the year, although the authorities had promised that two disused military buildings would be renovated for their use.

Housing rights – orphans

Under Albanian law, registered orphans up to the age of 30 who are homeless are to be prioritized when social housing is allocated. However, the law was very rarely implemented and many continued to live in dilapidated disused school dormitories or struggled to pay for low-grade private rented accommodation.

- In June, Mjaftoni Xhymertaj, aged 22, and her small child were forcibly evicted by police, apparently without prior written notice or right of appeal, from her shared room in a Tirana school dormitory. She was not offered alternative accommodation. Mjaftoni Xhymertaj was raised in an orphanage, was unemployed, with poor health and in great poverty. She was subsequently permitted to return, but had no security of tenure. The conditions were severely inadequate for a young family.