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Amnesty International

Albania

Covering events from January - December 2003

Detainees continued to be ill-treated following arrest and in police custody, usually to obtain confessions. Several police officers accused of ill-treating detainees were tried, but many incidents of ill-treatment were not investigated. Detention conditions were harsh, especially for remand prisoners, who were generally held in overcrowded and often dirty cells in police stations. Women and children were frequently victims of domestic violence and continued to be trafficked for forced prostitution or as cheap labour.

Background

One of the poorest countries in Europe, Albania continued to suffer from weak government, widespread corruption, high unemployment rates and little public confidence in the independence of the judiciary – all factors contributing to the persistence of violent and organized crime.

In October Albania became the second country to ratify the Optional Protocol to the UN Convention against Torture.

Torture and ill-treatment

Ill-treatment of detainees at the time of arrest and in police custody continued to be common.

- In May Ndoc Vuksani, aged 37, was alleged to have been brutally beaten at Shkodër police station while being questioned in connection with a crime. He was released six hours later for lack of evidence. A medical forensic expert found he had a fractured left arm and bruising on his left shoulder.

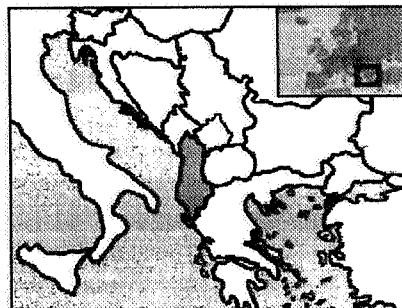
Convicted prisoners reported ill-treatment less frequently, in part because of their relative isolation in prisons.

- In November the Ombudsperson visited a high security prison in Burrel after receiving a telephone call from an injured prisoner. The Ombudsperson concluded that a senior prison official had beaten and ill-treated 10 prisoners, and requested the local prosecutor to start criminal proceedings against him.

Impunity for ill-treatment

Victims of police ill-treatment often did not file complaints. In the absence of a complaint, prosecutors and judges generally failed to initiate an investigation when a detainee brought before them bore visible injuries. Even when a complaint was made, prosecutors did not always investigate or did so only after a lengthy delay.

- In July, 18-year-old Artan Llango from Çorovodë attempted to file a complaint with the prosecutor of Skrapar district. He alleged that two police officers had beaten him after he intervened when they evicted a friend from a school graduation party. Although there were numerous witnesses, and photographs of the alleged victim appeared to show bruising, the prosecutor reportedly declined to investigate.



Albania

REPUBLIC OF ALBANIA

Head of state:

Alfred Moisiu

Head of government:

Fatos Nano

Death penalty:

abolitionist for ordinary crimes

UN Women's Convention and**its Optional Protocol:**

ratified

Further information

Concerns in Europe and Central Asia, January-June 2003: Albania
(AI Index: EUR 01/016/2003)

All AI documents on Albania

Trials of police officers

In general, police officers enjoyed considerable impunity. Nonetheless, several officers were prosecuted and brought to trial, sometimes after considerable delay, on charges of ill-treating detainees, in one case with fatal results.

- On 3 January Gazmend Tahirlari, aged 37, from a village near Korça, was arrested for allegedly threatening a taxi driver. Later that day the police took him to hospital, apparently claiming they had found him drunk on the road. The next day he died. A local doctor initially attributed his death to excessive alcohol. His family, supported by the Ombudsperson, insisted on his body being exhumed. A forensic examination by experts from the capital, Tirana, found that death had been caused by kicks or punches to his head. In March Korça district court sentenced police officer Lorenc Balliu, in his absence, to 16 years' imprisonment for murder. Five other officers, co-defendants who were present in court, were sentenced to between four months' and three years' imprisonment.
- In April an investigation by the Tirana Prosecutor's Office of a charge of torture against Edmond Koseni, a former police chief of Elbasan district, was stopped. Several previous investigations into complaints of ill-treatment brought against him had been similarly suspended. However, the Prosecutor General ordered the latest investigation to be re-opened. In May Edmond Koseni and his brother-in-law, Xhaferr Elezi, also a police officer, were tried before Elbasan district court. They were accused of beating and injuring a taxi-driver, Naim Pulaku, in December 2001, and attacking him the following day in hospital. In November Xhaferr Elezi was convicted of torture and of possessing an unlicensed weapon, and was sentenced to 10 years' imprisonment, which included four years imposed by an Italian court for pimping. Edmond Koseni, charged with torture, was acquitted. The prosecutor appealed against the acquittal.

Conditions of detention

Over 1,000 prisoners, mostly detainees held on remand, were held in often severely overcrowded and insanitary conditions in police cells. They had inadequate food and no access to reading or writing materials or radio or television. The conditions often amounted to inhuman and degrading treatment, provoking protests by inmates. Children aged between 14 and 17 years frequently shared cells with adults, although this was illegal. Several hundred convicted prisoners, who could not be transferred to congested prisons, were also detained illegally in police stations. From late November onwards some of these prisoners were moved to a new prison in Peqin, built with Italian funding and mainly for the accommodation of repatriated Albanians convicted in Italy.

- In June, 80 per cent of detainees held in Vlorë police station were reportedly infected with scabies. Up to 125 were held in cells with capacity for 45. In August responsibility for the detention facilities at Vlorë police station passed to the Ministry of Justice, the first step in a delayed government plan to improve conditions and transfer responsibility for all preventive detention facilities from the Ministry of Public Order to the Justice Ministry.
- Mirdita district court set a precedent in August when it ordered Mirdita police station and the General Directorate of Prisons to pay Artan Beleshi 700,000 Albanian leks (about US\$6,000) in compensation for detaining him in degrading conditions for over three years and for failing to transfer him to prison within the legal time limit following his conviction.

Domestic violence and trafficking

Traditional attitudes contributed to a high incidence of violence against women and children, particularly in rural areas. In September the UN Children's Fund (UNICEF) published findings that 40 per cent of women in 11 districts were regularly subjected to violence in the home. No legal provisions specifically prohibited domestic violence, and court decisions did not always reflect the gravity of the offence.

- In October the National Council of Albanian Women protested at the leniency of a 16-month prison sentence imposed by Tirana District Court on Ruzhdi Qinami for the "honour killing" of his 17-year-old daughter. The court ruled that he had committed the murder in a state of severe psychological shock, after his daughter, betrothed by the family to one man, returned home late one night from a meeting with another.

Poverty, lack of education and family breakdown had a major role in the continued trafficking of women and children, primarily to Italy and Greece, for forced prostitution and cheap labour. The authorities increased efforts to arrest and prosecute offenders, but by the end of 2003 had brought only a small number of cases to court. In July, analysis reportedly showed that 80 per cent of prosecutions for trafficking for prostitution in the previous six months had failed because victims feared reprisals. An office providing free legal aid to victims was opened in Tirana. In June the government signed an agreement on witness protection with a number of international agencies, and in November approved a draft law on witness protection.

AI country visits

In April AI representatives visited Albania to conduct research.

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