

Albania: Ill-treatment of children in custody must stop

As the landmark case of a former police officer accused of having viciously ill-treated an 11-year-old boy is due to go to court today, Amnesty International called on the Albanian authorities to ensure that all such complaints are investigated.

The organization also asked that the trial conform with international standards for fair trial, and that the rights of both the accused -- including the right to the presumption of innocence -- and those of the victim, are duly respected.

The former officer at Saranda Police Station is accused of having beaten an 11-year-old orphan with a rubber truncheon, cut his right arm with a knife and burned his body with a cigarette. The boy, who was wrongly suspected of theft, was arrested in June 2000 and held for questioning. As a minor under the age of criminal responsibility (which is 14 years of age in Albania), he should not have been detained. The fact that he was questioned without the presence of a guardian or lawyer was in breach of the law.

The injuries suffered by the boy were confirmed by the People's Advocate (Ombudsman) who requested the prosecuting authorities to start proceedings. Amnesty International also called for a prompt, thorough and impartial investigation. However, the District Prosecutor proceeded to dismiss the case, apparently on the grounds of "lack of evidence". It was only after repeated interventions by the Ombudsman that investigation proceedings were re-opened.

"It is clear that there was no political will to prosecute those responsible for the ill-treatment of this young boy. Unfortunately this is not an isolated phenomenon: children in Albania are at risk of beatings and other forms of abuse while in police detention," Amnesty International said.

Three Albanian NGOs have documented the widespread, and indeed routine, ill-treatment of children in custody in that country. One report stated that the children had been afraid to file complaints of their ill-treatment for fear of exposing themselves to further abuse.

"The Albanian authorities must urgently take practical steps to ensure that the rights of children in custody are protected and that those who violate their rights do not benefit by impunity," Amnesty International stated.

Amnesty International has written to the Albanian Minister of Justice asking him to initiate legislation introducing a juvenile justice system. The organization also asked that, pending the introduction of this legislation, prosecutors and judges should be given guidelines and training for work with children.

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