

# AMNESTY INTERNATIONAL

## PRESS RELEASE

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### **Albania: Justice must be delivered to victims of torture and other ill-treatment**

Amnesty International today urged the Albanian authorities to ensure that prosecution witnesses at the trial in Elbasan of two former police officers charged with torturing a detainee are protected from intimidation, and that the victim is granted compensation if the charges are proven.

"The trial of former senior police officer Edmond Koseni, who is on trial together with another former police officer, Xhaferr Elezi, is a test case," Amnesty International said.

"The possible intimidation of prosecution witnesses is a major concern," Amnesty International said. At an earlier court session Xhaferr Elezi reportedly hurled abuse at the alleged victim, Naim Pulaku when the latter testified as a witness. The presiding judge had Xhaferr Elezi removed from the court room.

The organization called for the trial to conform to international standards for fair trial, and for the rights of both the accused -- including the right to the presumption of innocence -- and those of the victim, to be duly respected.

"Investigations into complaints of ill-treatment and filing of charges is a welcome step," Amnesty International said. "The conduct of senior police officers set examples for their subordinates to follow."

According to the indictment, Naim Pulaku was stopped at a road-block outside Elbasan and beaten by the two defendants in December 2001. He suffered concussion and was hospitalized the same evening. The following morning as he lay in bed in hospital on a serum drip the two defendants allegedly attacked him, claiming that he was faking injury and threatening to "eliminate" him and his family. The defendants deny the charges against them.

In a separate incident in September 2000, Elbasan police officers arrested and beat Naim Pulaku and two of his brothers, causing Naim Pulaku permanent injuries. Three police officers were subsequently convicted but on appeal the case was sent for retrial and in October 2001 the three were acquitted on the grounds of lack of evidence.

As chief of Elbasan district police Edmond Koseni was a controversial figure who was dismissed from service in December 2001. The charges brought against Edmond Koseni are not isolated -- his successor as chief of Elbasan district police is also reportedly on trial for beating and injuring Afrim Saliu in April this year. Elbasan district court is additionally trying two other police officers alleged to have beaten a forestry police inspector, Xhevdet Cangu.

Police ill-treatment in Albania is widespread and many incidents are not investigated or are investigated superficially and closed. Convictions are rare and usually accompanied by nominal sentences. Amnesty International considers that sentences should reflect the gravity of the offence.

In such circumstances, Amnesty International believes that many victims do not report ill-treatment for fear of reprisal or because they do not believe they will gain redress. Under international human rights treaties ratified by Albania, complaints of torture or ill-treatment by police should be promptly, thoroughly and impartially investigated, and if they are substantiated those responsible for ill-treatment should be brought to justice and the victims granted fair and adequate compensation. Even if the victims themselves do not file a formal complaint, prosecutors are required to undertake investigations if they are aware that torture or ill-treatment may have taken place.

## **Background**

Amnesty International has recently written to the Albanian authorities raising its concerns about allegations that on 15 and 26 May police beat a number of former political prisoners under communist rule, who took part in peaceful demonstrations claiming compensation for their years of forced labour. The organization referred to a number of other cases of alleged police ill-treatment and noted that the Albanian Ombudsperson's report for 2002 recorded an increase in the number of complaints of ill-treatment compared with 2001.

## Public Document

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