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ALBANIA: HUMAN RIGHTS SHOULD NOT BE VIOLATED DURING STATE OF EMERGENCY

Yesterday's declaration of a state of emergency and restrictions on civil liberties in Albania risk paving the way to increased violations of basic human rights and further undermining public respect for law and legal institutions, Amnesty International said today.

"It is clearly the duty of the authorities to bring an end to the civil disturbances that have broken out, but the authorities should reduce to the minimum restrictions on civil liberties and seek a way out of conflict through peaceful negotiation," the organization said.

Amnesty International noted that Albania is a signatory to key human rights treaties which state that even at times of emergency certain human rights, such as the rights to life and freedom from torture, are sacrosanct.

The organization criticized emergency provisions which authorize security forces to open fire to disperse crowds and to shoot, without warning, people who failed to surrender arms by 2 pm today.

"These provisions are open to abuse in circumstances where fears and passions are inflamed and in which security forces with insufficient training are confronted with the difficult task of imposing order," Amnesty International said.

Amnesty International urges the authorities to ensure that security forces are instructed to observe international standards for law enforcement, such as those set out in the *United Nations (UN) Code of Conduct for Law Enforcement Officials* and the *UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*.

The human rights organization has repeatedly expressed its concern to the Albanian authorities about violations of the right not to be subjected to torture or to other cruel, inhuman or degrading treatment. It has received over the past year many reports that leaders and supporters of opposition parties in Albania have been ill-treated in police detention. There have been further such incidents in recent weeks and local human rights groups have complained that the authorities have refused them permission to visit police stations and monitor the work of police.

Recently there has been a disturbing series of allegations that government opponents have been attacked by men in plain clothes apparently employed by, or linked to, the state security service or other security forces. Equally disturbing has been the failure of the authorities to carry out prompt and effective investigations into such incidents and to bring those responsible to justice.

Amnesty International once again reminds the authorities that torture and ill-treatment are internationally prohibited under all circumstances, including states of emergency. It urges the authorities to ensure that all law enforcement officers are required to respect this prohibition, and also to ensure that detainees are granted full legal safeguards, including the right of access to their families and lawyers.

The organization is further disturbed by the introduction of censorship and a ban on public gatherings under emergency legislation; it fears that such restrictions may stifle, rather than resolve conflict, and may lead to further human rights violations against journalists and against those who attempt to engage in non-violent political debate.

Background

Albania is a signatory to key human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Human Rights Committee, the body of experts which monitors implementation of the ICCPR, has stated that limitations on human rights must be *"of an exceptional and temporary nature... and that in times of emergency the protection of human rights becomes all the more important, particularly those rights from which no derogations can be made"*. The rights from which there can be no derogation include the right to life and the right not to be subjected to torture or to other cruel, inhuman or degrading treatment.

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