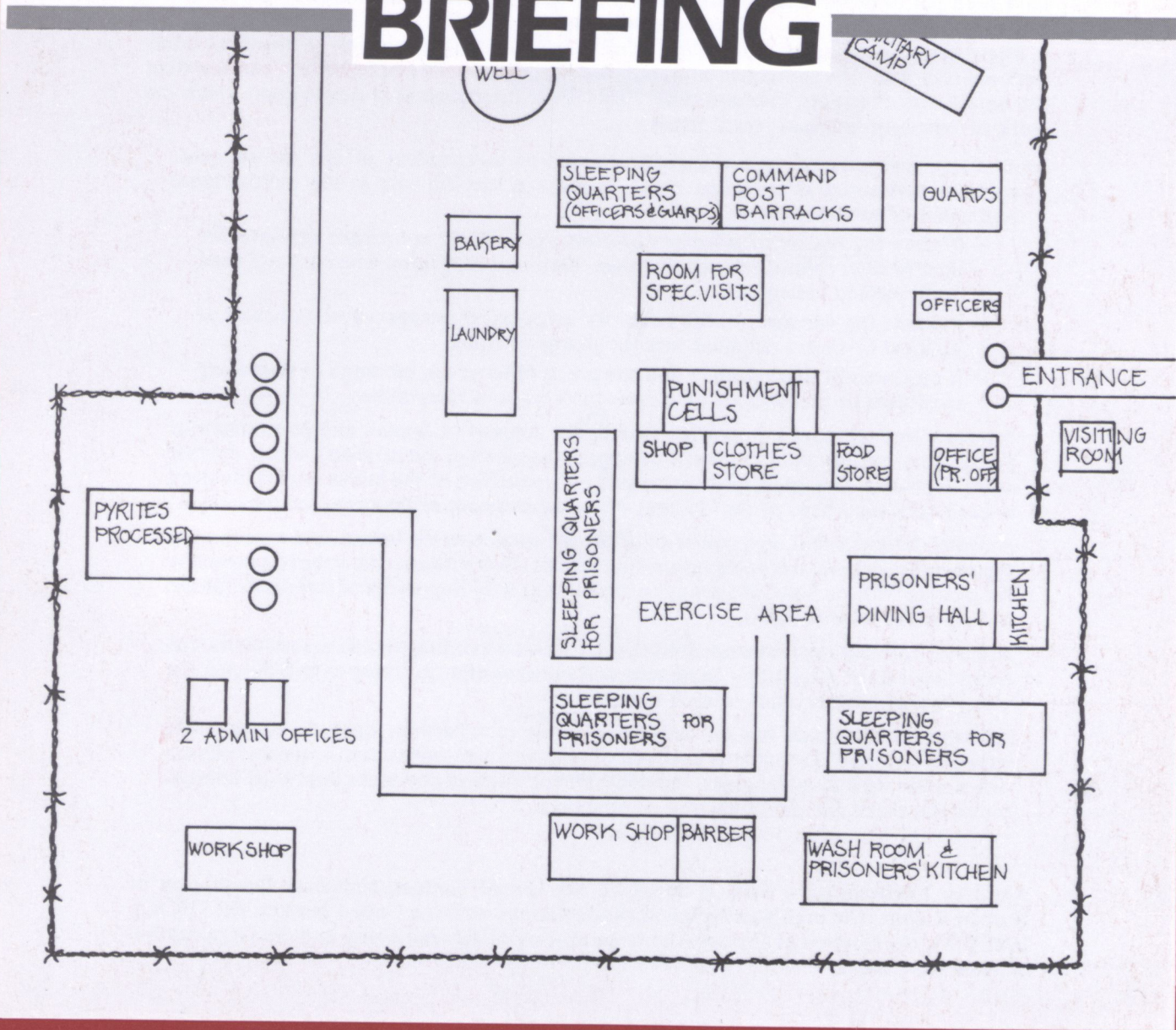


amnesty international

ALBANIA

BRIEFING



Political imprisonment and the law in Albania

III - treatment of prisoners & Conditions in labour camps

Internment & The death penalty

ALBANIA

This briefing is part of Amnesty International's worldwide campaign for the international protection of human rights.

Throughout the world thousands of people are in prison because of their beliefs. Many are held without charge or trial. Torture and executions are widespread. In many countries men, women and children have "disappeared" after being taken into official custody. Still others have been put to death without any pretence of legality: selected and killed by governments and their agents.

These abuses—taking place in countries of widely differing ideologies—demand an international response. The protection of human rights is a universal responsibility, transcending the boundaries of nation, race and belief. This is the fundamental principle upon which the work of Amnesty International is based.

Amnesty International is a worldwide movement independent of any government, political persuasion or religious creed. It plays a specific role in the international protection of human rights:

- it seeks the *release of prisoners of conscience*. These are people detained for their beliefs, colour, sex, ethnic origin, language or religion who have not used or advocated violence;
- it works for *fair and prompt trials* for all *political prisoners* and on behalf of political prisoners detained without charge or trial;
- it opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners* without reservation.

Amnesty International is impartial. It does not support or oppose any government or political system, nor does it support or oppose the views of the prisoners whose rights it seeks to protect. It is concerned solely with the protection of the human rights involved in each case, regardless of the ideology of the government or the beliefs of the victims.

Amnesty International, as a matter of principle, condemns the torture and execution of prisoners by anyone, including opposition groups. Governments have the responsibility for dealing with such abuses, acting in conformity with international standards for the protection of human rights.

Amnesty International does not grade governments according to their record on human rights: instead of attempting comparisons it concentrates on trying to end the specific violations of human rights in each case.

Amnesty International has an active worldwide membership, open to anyone who supports its goals. Through its network of members and supporters Amnesty International takes up individual cases, mobilizes public opinion and seeks improved international standards for the protection of prisoners.

Amnesty International's work is based on the United Nations Universal Declaration of Human Rights. The organization has formal relations with the United Nations (ECOSOC), UNESCO, the Council of Europe, the Organization of African Unity and the Organization of American States.

The illustration on the cover is based on sketches by people who were imprisoned in Spac labour camp between the mid-1970s and 1982 (see page 6).

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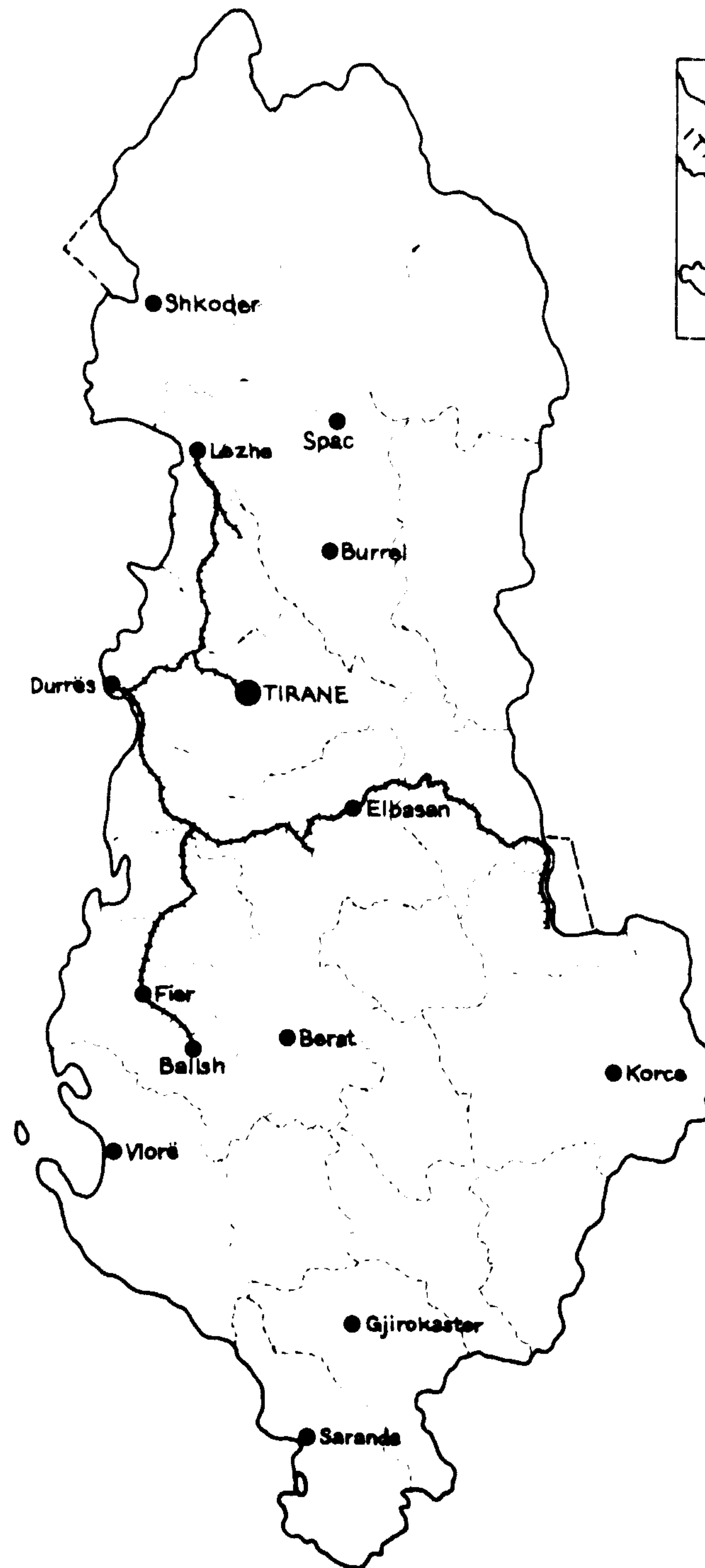
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The People's Socialist Republic of Albania



In a major new publication, Amnesty International focuses on its concerns in Albania, including: the detention of prisoners of conscience, legislation severely restricting the exercise of human rights, breaches of internationally recognized standards of fair trial, allegations of torture and ill-treatment of detainees, and the use of the death penalty. This briefing is a summary of that report.

Albania Political imprisonment and the law

- In a labour camp ringed with barbed wire and patrolled by armed guards with dogs, political prisoners are forced to mine copper in eight-hour shifts, six and sometimes seven days a week . . .
- In the same labour camp and in others, political prisoners are serving sentences of up to 25 years for trying to flee the country . . .
- In remote villages and hamlets whole families are interned without charge or trial and compelled to live in primitive dwellings because a relative has succeeded in fleeing across the border . . .
- In basement cells, political suspects are given beatings while held incommunicado in solitary confinement for up to three months and often longer because they voiced political dissatisfaction in private conversations or, in some cases, because they listened to foreign radio broadcasts . . .

This is the picture of political repression that emerges from Amnesty International's new report, *Albania, political imprisonment and the law*, published on 12 December 1984.

The report includes information on the laws under which political prisoners are charged, tried and detained, and also describes their implementation in cases known to Amnesty International.

Penal legislation in Albania is explicitly ideological and is officially characterized as a "weapon in the class struggle". Furthermore, provisions defining political offences are loosely formulated, and this facilitates their broad interpretation by the courts.

The report examines certain aspects of

the judicial process that breach international standards and in particular those involving the denial of the accused's right to defence counsel during investigation proceedings and trial.

Amnesty International is concerned, moreover, because former political prisoners have often alleged that they were beaten or otherwise ill-treated dur-

ing investigation proceedings in order to force them to make "confessions".

In a section on the forced labour camp of Spac, the report describes conditions that fail to conform to the international standards set down in the United Nations Standard Minimum Rules for the Treatment of Prisoners. The available information about conditions in other centres

The Constitution

The present Constitution of the People's Socialist Republic of Albania, promulgated on 28 December 1976, is conceived of as an instrument of class struggle.

Although it guarantees a number of fundamental human rights, with important *specific* restrictions on the rights to freedom of conscience, expression and association, it also lays down a *general* principle limiting the exercise of fundamental rights in cases where the individual and the general interests conflict.

Among the basic rights guaranteed are "equality before the law" (Article 40), "Freedom of speech, press, organization, assembly and public demonstration" (Article 53) and the right to "unite in various organizations operating in the political, economic, cultural and many other areas of the country's life" (Article 54).

However, three articles impose broad restrictions on many of the guaranteed rights:

- Article 39: "The rights and duties of citizens are established

on the basis of the reconciliation of the interests of the individual and those of socialist society, with priority given to the general interest. The rights of citizens are inseparable from the fulfilment of their duties and cannot be exercised in opposition to the socialist order."

- Article 37: "The state recognizes no religion . . ."

- Article 55: "The creation of organizations of a fascist, anti-democratic, religious, or anti-socialist nature is prohibited. Fascist, anti-democratic, religious, warmongering and anti-socialist activities and propaganda are prohibited . . ."

Amnesty International considers that the provisions of these three articles, in so far as they apply to religious and to non-violent activity, go far beyond the restrictions on the exercise of human rights which may be imposed in accordance with international human rights standards.

where political prisoners are being detained, including Ballsh labour camp, indicates that these, too, fail to conform to international standards.

Secrecy

Because of the extreme secrecy surrounding political imprisonment in Albania, and the lack of any published official figures, Amnesty International has not been able to assess accurately how many political prisoners are detained in the country.

In recent years it has received the names of almost 400 political prisoners who were serving sentences in the 1970s and early 1980s—and the limited details available indicate that many were prisoners of conscience.

However, this figure represents only a fraction of all political prisoners in Albania.

Former political prisoners who have served sentences in the past 10 years have put the number of Albanian inmates of Ballsh labour camp before November 1982 at approximately 1,200 (plus a small number of foreign prisoners).

Similar figures have been given for Spac labour camp.

The population of both these camps was reduced after an amnesty which came into effect on 15 November 1982, to mark the 70th anniversary of national independence. However, Amnesty International has received allegations that since then there have been further arrests of people considered to have supported senior government officials disgraced and arrested in 1982.

Any accurate figure for political prisoners would have to take into account not only those held in Spac and Ballsh labour camps, but others in Burrel prison (allegedly some 300 inmates), and in Tarovic and Kosove prisons, as well as prisoners held for investigation, others temporarily detained in Tirane prison pending transfer, those serving supplementary sentences of internment, and individuals and families administratively interned for political reasons.

The information in the report, concerning primarily the period from the early 1970s to the beginning of the 1980s, is based on official and unofficial sources. The official sources include published state documents. The unofficial sources have consisted of accounts by former political prisoners who on release fled the country, or their friends and relatives living outside the country.

Informants have in many cases requested anonymity for fear of reprisals against their families remaining in Albania.

Amnesty International does not claim that its report provides a comprehensive

RULING PARTY

Albania is a highly centralized state. The Albanian Party of Labour (the communist party) is the sole authorized political party and rigorously controls political, cultural and economic life. It is led by Enver Hoxha, First Secretary of the Central Committee Secretariat, who has effectively ruled the country since the end of 1944.

picture of political imprisonment in Albania today. This is primarily due to official censorship and restrictions on freedom of movement: Albanian citizens cannot travel freely abroad, and only a very limited number succeed in leaving the country illegally.

Although the accounts of refugees undoubtedly sometimes contain inaccuracies and may be suspected of bias, much of the information provided has been internally consistent. In addition, it has been possible to check against each other accounts which were provided independently by informants who came from different backgrounds and different parts of the country. Lastly, the official legislative framework has provided a basis for verifying the accuracy of information.

The law

The current criminal code, introduced on 1 October 1977, emphasizes that its aims are primarily political and ideological, and the concept of impartial justice is expressly rejected in various official comments on the code.

Political crimes are referred to as crimes against the state, and most such crimes are punishable by (non-mandatory) death sentences.

Most articles defining offences against the state are loosely formulated and lend themselves to broad interpretation by the courts. For example, Article 53, dealing with "sabotage", states: "An action or lack of action intended to weaken or undermine state activity or that of the Albanian Party of Labour, the socialist economy, the organization and direction of the state and society will be punished by deprivation of liberty for not less than 10 years or by death."

That a very wide range of activities was open to prosecution as "sabotage"—and that many people had been convicted of this offence—was indicated by a 1981 article in the Supreme Court journal *Drejtësia Popullore*, which stated:

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"Thus, all the hostile groups which were uncovered—especially during recent years in the military field, in the field of state administration and economic management, in the fields of arts and culture and so forth—tried to accomplish their hostile objectives entirely through sabotage in the various spheres of our ... life."

POPULATION

As of December 1981 Albania had a population of 2,752,300. The capital is Tirane (pop. 220,000).

According to a religious census taken in 1945, 72.8 per cent of the population was Muslim, 17.1 per cent belonged to the (Christian) Autocephalous Orthodox Church of Albania and 10.1 per cent to the Roman Catholic Church.

In 1967 Albania was officially proclaimed "the first atheist state in the world".

Restrictions on the freedoms of expression and conscience

Constitutional restrictions on the exercise of these freedoms are reinforced by Article 55 of the Criminal Code, dealing with "anti-state agitation and propaganda". This article states:

"Fascist, anti-democratic, religious, warmongering or anti-socialist propaganda, as well as the preparation, distribution or the possession for distribution of literature with such a content in order to weaken or undermine the state of the dictatorship of the proletariat are punished by deprivation of liberty for from three to 10 years.

"These same acts, when committed in wartime or when they have caused especially serious consequences, are punished by deprivation of liberty for not less than 10 years or by death."

Freedom of expression

The information available to Amnesty International indicates that many political prisoners have been convicted on charges brought under the above article or under the corresponding article of the former Criminal Code.

People who express views critical of economic or political conditions in the country are liable to be prosecuted, even

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if their criticisms are voiced in private conversations. A number of former political prisoners have told Amnesty International that they were convicted on the basis of testimony by informers or plainclothes *Sigurimi* officials, who in some cases deliberately provoked them to criticize the authorities.

One former prisoner said he was jailed for three years and interned for another three because of conversations with acquaintances in which he had spoken of the 1973 and 1978 revolts in Spac labour camp. He said his conversations were reported by two *Sigurimi* agents who had been present at the time.

Amnesty International has learned also of cases in which charges of having engaged in "anti-state agitation and propaganda" have included accusations that defendants had listened to foreign radio or television broadcasts.

A former prisoner sentenced to nine years' imprisonment in 1980 (but now outside the country) has stated that the charges against him included accusations that he had watched a Yugoslav television program containing anti-Albanian propaganda—the program was a televised football match, he said.

In recent years Albanians have also reportedly been convicted of "anti-state agitation and propaganda" as a result of their contacts with foreign tourists, or for possessing books or works of art officially disapproved of.

Restrictions on freedom of conscience and religion

In 1967 Albania was officially proclaimed "the first atheist state in the world". By the end of that year all forms of organized religious life had been banned, thus concluding the process of suppression of religion that had begun at the close of the Second World War.

Albania's "Cultural and Ideological Revolution", begun in 1966, intensified the campaign against religion.

A decree in April 1967 turned over all the fixed assets of religious communities to the executive committees of the people's council in the districts concerned or to agricultural cooperatives, without compensation.

In September that year it was officially announced that all religious buildings, including 2,169 churches, mosques, monasteries and other religious institutions, had been shut down.

On 13 November religious communities were deprived of legal status and their functionaries prohibited from exercising their offices.

The anti-religious campaign of 1967

Administration of justice

The administration of justice is highly centralized: three of the four chief bodies responsible for it (the Supreme Court, the Procuracy and the Office of the Investigator General) are appointed by and directly accountable to the People's Assembly—in effect to its Presidium.

The Supreme Court supervises the work of the courts.

The Procuracy monitors the implementation of laws and its tasks include the detection of violations of the law. Procurators

are required to monitor the legality of court decisions, to approve decisions for arrest and house searches and to monitor the implementation of laws in prisons and other places of detention.

Crimes are investigated by officials of the Office of Investigation, which is run by the Investigator General's Office.

Law enforcement is by two Ministry of the Interior bodies: the People's Police, responsible for normal policing functions, and the large state security service known as the *Sigurimi* (Security).

saw a further wave of persecution against the clergy. For example, according to one report received by Amnesty International, a group of Orthodox priests from Sarande district were brought to the town of Delvine where they were publicly detrocked and had their beards shaved off before a jeering crowd. One member of the group, who resisted this treatment, was reported to have been sentenced to eight years' imprisonment for "anti-state agitation and propaganda".

Bishops interned

In the mid-1970s Albanian emigre sources stated that three Roman Catholic titular bishops had been interned or imprisoned after they had conducted religious ceremonies in private. Two of them—Bishops Coha and Fishta—were said to have died in detention.

Amnesty International has sought further information on clergy imprisoned in the 1970s and others said to be serving sentences in the early 1980s. Among the latter was the priest Fran Mark Gjoni, who was allegedly sentenced to 12 years' imprisonment in 1977 for possessing Bibles. Amnesty International was also concerned about the Jesuit, Father Ndoc Luli, from Mali Jushit, near Shkoder, who was reported to have been imprisoned in 1980 after he had baptized the children of a relative.

Restrictions on freedom of movement

The Constitution does not guarantee freedom of movement, and, apart from official delegations and a limited number of students studying abroad, Albanian

citizens are not permitted to leave their country. The frontiers are heavily guarded and people who try to leave the country without official permission risk being shot by border guards, or long years of imprisonment if they are captured.

• Kostas Moukas, a former prisoner, who succeeded in crossing the border from Albania into Greece in early 1983, has alleged that in December 1982 he saw the blood-stained corpse of a 19-year-old ethnic Greek from the village of Frashtani, who on official orders was being dragged behind a tractor through the villages of the Dropull area in the south of Albania, as an example to deter other would-be emigrants. The teenager, Spyridon Kokkoris, had allegedly been shot the previous day by border guards while attempting to flee into Greece.

'Treason'

People arrested while trying to leave the country illegally face conviction under Article 47 of the Criminal Code (Article 64 of the previous code), dealing with "treason", "Flight from the state" and "refusal to return to the fatherland on the part of a person sent on service or allowed temporarily to leave the state" are offences punishable by not less than 10 years' imprisonment or death.

Prison sentences imposed during the 1950s and 1960s under Article 64 on people convicted of attempting to flee the country have varied, in the cases known to Amnesty International, between 12 and 25 years. Similarly high sentences have been imposed in cases of people reported to have been convicted in the 1970s.

Arrest, trial and sentencing

Arrest, trial and sentencing

Investigation

Detainees have few legal safeguards during investigation proceedings and there are no provisions entitling them to be visited by relatives or defence counsel during that period.

Investigations are conducted by officials of the Investigators' Office, whose head is appointed by and responsible to the People's Assembly.

By law, investigations into crimes against the state must be completed within three months—but extensions may be obtained by investigating officers and no maximum period is laid down.

Most investigations into political offences in recent years appear to have been completed within three to four months but Amnesty International knows of cases in which they have taken up to 13 months.

Almost all former political prisoners who have given testimonies to Amnesty International have claimed that during investigations they were held in small, dark basement cells. In many cases they apparently had to sleep either on the bare cement cell floor or on boards, with blankets but no mattress. They have complained that they were given very little to eat and were allowed little or no exercise.

Most said they had been denied access to their families or to legal counsel. They said also that they were interrogated daily for long periods—several that they were interrogated at night and deprived of sleep.

Ill-treatment and torture

Article 7 of the Code of Criminal Procedure prohibits the "use of physical or psychological force, as well as other such measures" during investigations, and Article 115 of the Criminal Code makes the extraction of confessions by force an offence punishable by up to eight years' imprisonment.

Nevertheless, most testimonies by former political prisoners received by Amnesty International have alleged that they were beaten during the investigations.

Although many of the worst abuses of the past seem to have ended, it appears

that in the 1970s and 1980s investigators have readily resorted to beatings and other forms of coercion, such as threats, to obtain a detainee's confession or collaboration. The following two cases are typical of the complaints received by Amnesty International (see also Case histories).

• Zisis Angelis, an ethnic Greek born in Kullurica, Sarande district, was arrested in 1974 when he was 16 and accused of having planned to flee the country with a group of other people. He was tried and sentenced to six years' imprisonment.

He has alleged that while detained for investigation in Sarande he was confined in a damp cell, deprived of sleep and forced to stand for hours at a time. He also said he was beaten with a length of rubber hose filled with gravel and that he was suspended over a water cistern and threatened with being dropped into it.

• Another former political prisoner—of Muslim background—who was detained in Tirane's investigation centre in 1979 has alleged that he was on several occasions severely beaten with a rubber truncheon while handcuffed.

Indictment

Article 102 of the Code of Criminal Procedure stipulates that accused persons must be informed when investigation of their cases has been concluded and that they must be allowed to examine the materials of their cases. However, Amnesty International knows of no instance of a political prisoner having been allowed to examine the full materials—they tend only to be shown a copy of the indictment.

Furthermore, although procurators may by law intervene if they find that investigators have broken the law—and the accused are entitled to appeal to a higher authority against investigators who violate or limit their rights—in practice, there do not appear to be any checks on the powers of investigators entrusted with political cases.

• When former political prisoner Vanghelis Kazandzis protested during his trial in August 1980 that he had not been allowed to see the materials of his case he was reprimanded by the prosecutor, who accused him of trying to slander socialist justice.

Defence

On 20 June 1967 Decree No. 4277 effectively abolished the institution of advocacy, creating instead legal aid bureaux attached to district courts; the bureaux employ legal advisers appointed (and dismissed) by the President of the

Supreme Court.

Under the decree, legal advice was not generally available to defendants and it was the court, rather than the accused, that decided whether legal advice was necessary, and appointed the adviser.

Although Article 8 of the current Code of Criminal Procedure, which came into force in April 1980, states that "the defendant enjoys the right of defence throughout penal proceedings" the two following articles make it clear that the word "defence" does not imply the automatic right to the services of a legal adviser. In fact, in most cases a legal adviser is designated only if the court "deems it necessary".

Amnesty International knows of only one case since 1967 in which a court has considered it necessary for an adult Albanian citizen accused of political offences to be granted the services of a legal adviser.

Trials

While the available information suggests that major political trials of state officials are closed, most political trials of which Amnesty International knows (in which the defendants have been ordinary citizens) are held in open court—although in two cases the President of the court reportedly excluded the public after the defendant had tried to refute the charges against him.

Trials have generally been over in a day. Amnesty International knows of no political trials in which the defendant was acquitted.

Imprisonment

Apart from the death penalty, the most severe form of punishment is imprisonment, which may last from one month to a maximum of 25 years and is served either in prisons or in "centres for re-education through work"—in other words, forced labour camps.

Political offenders face severe penalties. Almost all offences against the state are punishable by not less than 10 years' imprisonment or death. The exceptions to this concern the less serious forms of "anti-state agitation and propaganda" (Article 55) and "incitement to hatred or discord between nationalities and races" (Article 56)—both punishable by three to 10 years' imprisonment.

The information available to Amnesty International indicates that many Albanian political prisoners are serving long prison sentences and that these sentences have in some cases been increased by further sentences imposed on them in prison.

In 1984 Amnesty International knew

the names of over 140 political prisoners who were said to have been serving sentences in the 1970s and early 1980s of over 10 years' imprisonment. Many of them had reportedly received prison sentences of up to 20 years.

Information provided by a former prisoner released under the amnesty of November 1982 suggests that approximately 800 prisoners—two thirds of the political prisoners in Spac at that time—were serving sentences of over eight years' imprisonment.

Internment

In addition to prison sentences, courts may impose supplementary penalties, including a ban on exercising a specific activity or trade, the deprivation of voting rights, and banishment or internment for between one and five years.

Banishment is defined as the "removal of the convict from his place of residence with or without a prohibition on his staying in one or more specified places", and **internment** as "the obligation of a convict to remain in a specified place".

The deprivation of voting rights and internment, which is served after the expiry of the prison sentence, appear to be the additional penalties most frequently applied to political prisoners.

People who are interned are generally sent to live and work on a state farm or state enterprise away from home. They may not leave even for short periods without permission from the local police. This has reportedly meant that a number of internees have had to wait for several days for permission to seek urgent medical treatment in nearby towns.

Administrative internment

Internment may also be imposed as an administrative measure, that is, without charge or trial.

Under current regulations on administrative internment (and banishment), set down in Decree No. 5912 of 26 June 1979, the "Internment and Banishment Commission"—composed of the Deputy Chairperson of the Council of Ministers, the Minister of the Interior, the President of the Supreme Court and the Procurator General—may order the internment or banishment of people who "represent a danger to the social system".

No indication is given of the criteria used by the Commission in imposing such a punishment. The decree refers to the time-limits specified in the Criminal Code (one to five years) but states that when internment or banishment are imposed administratively they may be prolonged

for as long as the Commission sees fit.

Administrative internment may also be imposed on people who have not committed any offence and who do not themselves necessarily constitute any "danger to the social system": Article 2 of the decree states that relatives of people who have fled from Albania or who have gone into hiding inside the country may be administratively interned.

Amnesty International has information on a number of cases in which internment has been imposed as a supplementary penalty by courts; it has also learned of individuals and whole families having been administratively interned.

• A case in which internment appears to have been indefinitely prolonged concerns the Lekas family, ethnic Greeks from Gline, in Gjirokaster district. In 1951 they were deported and interned in Gjonas, in Lushnje district. Although at least one of the children was later allowed to return to relatives in Gline in order to attend a Greek-language school, other members of the family were still living in

APPEAL

Although there are legal provisions for defendants to appeal against conviction and sentence, the information available to Amnesty International suggests that most political prisoners do not lodge appeals, believing them to be useless.

One former political prisoner explained his failure to appeal as follows: "If the wolf cub bites me, do I complain to the big wolf?"

Amnesty International knows of only two cases of political prisoners' sentences having been reduced: two death sentences which were reportedly commuted to 20 and 25 years' imprisonment.

Lushnje district by the beginning of the 1980s and had successively been interned in the villages of Halilaj, Kolonje and Rrapeze.

The death penalty

Under the Criminal Code death sentences may be imposed for 34 offences, 12 of them political and 11 military. The death penalty may be imposed in peacetime for a number of non-violent political offences, including "flight from the state" (Article 47.11); "anti-state agitation and propaganda", when this has "specially grave consequences" (Article 55.2); "creation of a counter-revolutionary organization or participation in it" (Article 57); and "concealment of a person who commits a crime against the state" in "specially serious circumstances" (Article 59).

The Supreme Court examines all death sentences within 10 days of the conviction in a court of first instance, regardless of whether the defendant has filed an appeal.

If the sentence is confirmed, the defendant may appeal for clemency to the Presidium of the People's Assembly, which must in any case examine and approve all death sentences before they can be carried out (Article 186 of the Code of Criminal Procedure).

A Decree on the Application of Sentences of 1962 states that a death sentence is carried out by officials of the Ministry of Internal Affairs by shooting, unless the court orders the prisoner to be hanged instead. A procurator, doctor and a secretary are present at the execution. In the past executions could be in public, but the law does not specify whether this is so still.

No figures released

No official figures on death sentences have been made public and there is little recent information available about the death penalty in Albania. Most such information concerns reports of the execution of senior party and state officials following purges.

In November 1982 Enver Hoxha announced the arrest of Fecor Shehu, Minister of the Interior until 1982, and of a "group of plotters" linked with him. In 1983 sources outside Albania claimed that Fecor Shehu had been executed together with Kadri Hazbiu, former Defence Minister, and two other senior officials.

Political imprisonment in the 1970s and 1980s →

Political imprisonment in the 1970s and 1980s

Political offenders sentenced to imprisonment serve their sentences either in prisons or corrective labour camps, both under the jurisdiction of the Ministry of Internal Affairs.

Convicted prisoners are sent to prison if they commit "grave or systematic violations" of camp regulations, or if their detention in a labour camp "represents a risk", or if they are unable to work because of their physical health.

Before trial, and sometimes for a short period after conviction, political prisoners are generally held in the police headquarters of the capital of the district in which they were arrested. In some cases, however, they have been sent to the investigative section of Tirane prison. After trial, most political prisoners are temporarily transferred to another section of Tirane prison for periods ranging from several days to a month before being moved to the prison or labour camp where they are to serve their sentences.

Adult male political prisoners serve their sentences apart from ordinary criminals. Male political prisoners under 18 and female political prisoners serve their sentences together with ordinary criminals.

Although prisoners are all, formally, subject to the same regime, ex-political prisoners have reported that in practice prisoners who cooperate with the prison authorities and are willing to inform on fellow-inmates receive privileged treatment, including in some cases being allowed conjugal visits.

Former political prisoners have, without exception, described their treatment and conditions as harsh. Their accounts have frequently included the allegation that if a prisoner dies while serving his sentence, his relatives are informed of his death but may not collect his remains until the date of expiry of his sentence. Amnesty International has not been able to verify this allegation but it appears to be a commonly held belief among prisoners.

All male former political prisoners who have served sentences since the 1970s and have testified to Amnesty International were detained in either Spac or Ballsh labour camps, with the exception of a few who were held in Burrel prison.

Female prisoners reportedly serve their sentences in Kosove (Elbasan district) and males under 18 in Tarovic (Lezhe district).

There have also been reports that a number of political prisoners serve their sentences with ordinary criminals in Tirane prison and in Bulqize labour camp (Diber district), where chromium is mined, but Amnesty International does not know of any specific prisoners who have been sent to these two institutions.

Spac labour camp

Spac labour camp is in Mirdite district, a major copper-producing region. Prisoners in Spac are employed in the mining of pyrites, from which copper is extracted.

The mining area lies within the camp itself, which is surrounded by several rows of barbed-wire fencing 3m high, with watchtowers manned by armed guards at regular intervals. The camp's outside perimeter is patrolled by military guards with dogs. At night spotlights are trained on the fences.

The following information about Spac is based on the testimony of former political prisoners.

Prisoners are housed in unheated concrete barracks with some 300-400 prisoners to each unit of about 12-15 rooms. They sleep on straw mattresses on three-tier wooden platforms along each side of the room; they are provided with two to three blankets, and (since 1975) with sheets, which are changed once a month. There is a separate washroom with showers, but these are apparently frequently out of order and prisoners usually wash at cold taps in the washroom or in the mine galleries.

Work uniforms of heavy cotton are issued once a year, helmets every two years and boots every six months.

The daily food ration for working prisoners is said to be as follows: bread (often made with maize flour) - 800-900g; potatoes - 245g; sugar - 10-25g; jam - 150g; oil - 15g; meat - 30-40g; beans - 150g; condensed milk - 15g. Prisoners who do not work receive much less.

Without exception, former prisoners have stated that the food was very poor and the diet seriously deficient in protein, fresh vegetables and fruit. Prisoners commonly suffer a severe loss of weight.

The main meal is usually bread and soup with beans and rice or macaroni. Prisoners supplement these rations with food sent by their families (they may receive up to 10kg a month, but it seems that few receive regular parcels) and with

purchases of oil, macaroni, rice and biscuits at the prison canteen (which also sells cigarettes).

The prison has a small infirmary with some 10 beds; both the doctor and dentist are themselves prisoners and can only provide the most basic treatment (dental care is said to be limited to extractions).

Prisoners have complained that unless they are running high fevers they are forced to work, and only gravely ill prisoners are sent to Tirane prison hospital.

Some former prisoners have referred to the problem of mental disturbance and illness among inmates. A prisoner who was detained in Spac in the late 1960s alleged that he had seen mentally ill prisoners throw themselves on the barbed-wire fence surrounding the camp, where they had been shot by guards.

Work

Prisoners work eight hours a day in the mines, six days a week. It is apparently not uncommon, however, for them to be required to work on the seventh day as well.

The work consists primarily of opening up and securing galleries, drilling rock to lay charges (these are set off by civilian non-prisoners) and loading the broken rock onto wagons.

Work norms are reported to be high and prisoners who fail to achieve them may be required to work extra hours, or be punished by deprivation of visits or solitary confinement. Those who achieve work norms are reportedly paid between two and a half and three leks a day, and most prisoners average about 60 leks a month—the average civilian wage for comparable work is reported to be about 480 leks a month.

Industrial protection is said to be very poor. A prisoner who was released from Spac in November 1982 said that towards the end of his time there cotton masks were not replaced when they wore out.

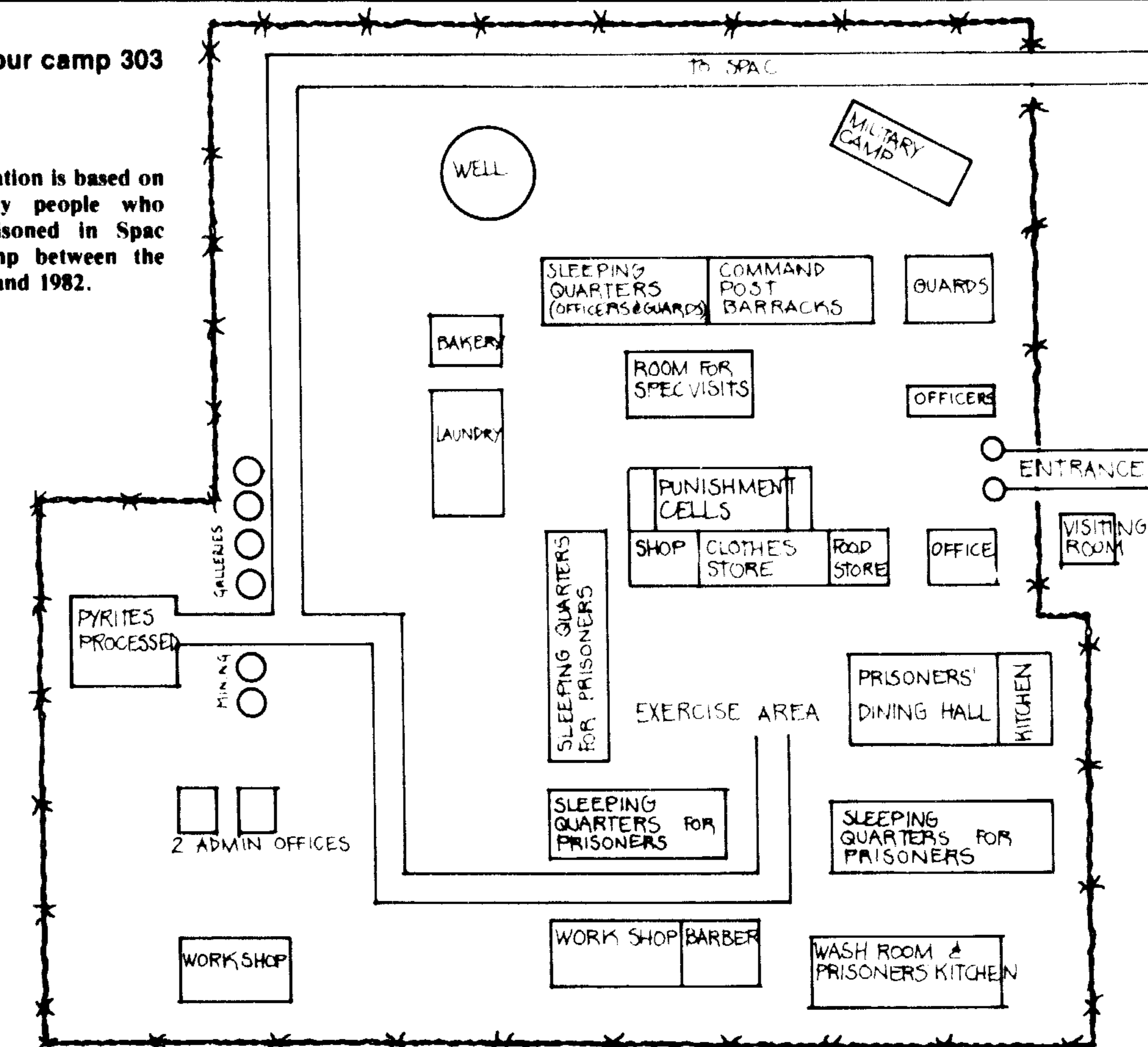
Lack of industrial safeguards has led to serious accidents. A former prisoner who was in Ballsh in the late 1970s recalled the arrival there of four prisoners from Spac who had become partially paralysed after the collapse of a gallery.

Visits

Prisoners are allowed half-hour visits by relatives once, or sometimes twice, a month. In practice, comparatively few

Spac labour camp 303

This illustration is based on sketches by people who were imprisoned in Spac labour camp between the mid-1970s and 1982.



prisoners seem to receive regular visits, either because their families are intimidated, or because they lack the necessary time or money to make long journeys.

Education and recreation

Ex-prisoners have reported that they were given regular political lectures by the camp's Political Commissar, but the frequency of this form of education appears to have varied considerably.

No vocational training is provided and prisoners are not allowed to study or teach each other foreign languages. There is a library which is said to be stocked almost exclusively with official texts by Party leaders, and prisoners may subscribe to the official daily press. In the evening radio programs are broadcast over a loud-speaker and prisoners may watch television for a few hours. A film is shown once a month. Prisoners are permitted to play dominoes or chess (not cards) and volley-ball.

Discipline and punishment

The main penalties for breaking camp

regulations or failing to achieve work norms are deprivation of the right to visits, correspondence or parcels; reduced rations and solitary confinement in a small, windowless cell known as a *biruce* for possibly as long as three months.

A former prisoner has alleged that he was punished by three months' solitary confinement in the early 1980s after he had tattooed an eagle (the Albanian national emblem) on his body without an accompanying communist red star symbol.

He said the cell measured 2m by 1.5m. He was denied visits, received reduced rations and was allowed only three cigarettes a day, he said.

Another former prisoner detained in Spac during the 1970s alleged that on three occasions guards had stripped him to the waist, tied him to a post and beaten him with a length of rubber hose filled with gravel.

The severity of conditions and treatment in Spac camp have led to strikes and violent protests by prisoners on at least two occasions, in 1973 and 1978. Both times the protests were ruthlessly

suppressed by the authorities and altogether seven of the leaders were executed.

Ballsh labour camp 309/1

Ballsh labour camp, near the town of Ballsh in Fier district, is divided into three sections—for political prisoners (309/1), ordinary criminals, and foreigners (309/3).

When political prisoners were first brought to Ballsh in the early 1970s they were employed in the construction of the nearby oil refinery, which was built with Chinese aid.

Ballsh 309/1 is now primarily a camp for elderly political prisoners and those unfit for work. Most inmates do not work, except for a small number employed on farmland attached to the camp. In other respects, however, conditions there are described as similar to those in Spac, but less harsh.

Prisoners are housed in prefabricated

barracks and appear to suffer from the cold more than those in Spac—this may perhaps be because many of them are elderly. In winter most prisoners sleep fully clothed.

The daily food ration in the early 1980s was said to consist mainly of thick soup and bread, given out at 5.00 am and 3.00 pm. Prisoners whose families sent them money could buy vegetables produced on the camp farm and a limited quantity of macaroni, rice and oil from the camp shop.

Ballsh 309/3

Some 34 prisoners of foreign origin—Yugoslavs and Greeks—were moved to Ballsh in 1972 and kept in a separate section, Ballsh 309/3. In 1981 there were between 25 and 30 foreign prisoners there, almost all from Yugoslavia and Greece. Some were reportedly serving sentences of between seven and 10 years' imprisonment after conviction on charges of "anti-state agitation and propaganda"; others, convicted of espionage or sabotage, were serving sentences of between 15 and 25 years.

The inmates of Ballsh 309/3 sleep in one large room. In summer they spend most of the day in the prison courtyard; they do not work. The regime for foreigners appears to be better than for Albanian political prisoners.

Burrel prison (Mat district)

This is the most ill-famed prison in Albania—many of the political prisoners detained from the late 1940s to the 1960s died in it.

A number of disgraced and convicted former Party officials are said to be there now, along with other political prisoners, many of whom are serving long sentences.

Joseph Valyrakis, a Greek citizen who was held in Burrel for several months in late 1972, stated that the cells were unheated and that in winter the snow blew in through their broken windows.

An Albanian political prisoner who was in Burrel from 1968 to 1972 alleged that he was held in a damp basement cell with 32 other prisoners. When he first arrived at the prison, he said, prisoners slept on the bare cement floor, although eventually they were given boards.

Conditions are still extremely harsh and primitive according to several prisoners held in Burrel as late as 1982, and it is alleged that it is common for political prisoners to be beaten and punished with solitary confinement.

Internment

Probably the largest number of people affected by administratively imposed internment are members of families who have incurred the disapproval of the authorities, often because their relatives have fled abroad. In many cases such families have been deported to areas away from their homes, in order to carry out land reclamation work (particularly on the coastal marshes).

• One example reported to Amnesty International was of a Muslim family from Korce district. In the late 1960s, after a number of relatives had fled the country, they were interned on a state farm in Shtyllas, Fier district, and worked on a drainage project for six years together with 25 other families from Korce district, from the villages of Bilisht, Bracanj, Rakickë, Ponçare and Vidohovë. Work was carried out under the supervision of guards and the internees lived in wooden barracks, housing four to six families each.

Case histories

The names of three of the people whose case histories appear below are being kept confidential either at their own or their relatives' request.

A

A manual worker, born in southern Albania in 1928 and of Orthodox Christian origin, he served a total of over 29 years' imprisonment between 1950 and the beginning of the 1980s.

He was first arrested in 1950 on charges of anti-state activity, being accused of having written anti-government slogans on walls and of having distributed leaflets criticizing the authorities. He was allegedly the victim of an *agent provocateur*. At a closed trial he was sentenced to 18 years' imprisonment.

This sentence was served in a series of labour camps where he worked on the construction of a meat processing factory (Tirane); a military airport (near Berat); marsh drainage (Skrofofina, near Vlore); irrigation (Shtyllas) and dam construction (Hajmel on the River Drin near Shkoder).

He was released early, at the beginning of the 1960s. Unable to find employment,

he tried to flee the country shortly afterwards, but was arrested, and sentenced to 25 years' imprisonment by a military court for "attempted flight from the state". He served his second sentence in labour camps, building blocks of flats in Tirane, cement factories in Elbasan and Fush-Kruje, a caustic soda factory in Vlore, and an oil refinery in Ballsh.

He was released at the beginning of the 1980s after having obtained a reduction of sentence in 1962 as a result of an amnesty and a further subsequent reduction in return for exceeding work norms.

B

A craftsman of Muslim origin, born in 1940 in central Albania, he served some 17 years' imprisonment before his release in 1980.

In 1963, dissatisfied with economic conditions and following conflict with local authorities, he had tried to flee the country. He was arrested near the border and subsequently sentenced by a military court to 18 years' imprisonment and three years' loss of voting rights.

He served his sentence as follows: from 1964 to 1968 in labour camps in Vlore, Elbasan and Fush-Kruje; 1968 to 1972, Burrel prison; 1972 to 1975, Ballsh labour camp; at the end of 1975 he was moved to Spac labour camp.

C

A skilled worker, born in 1939, of Muslim origin, he was sentenced in 1979 to three years' imprisonment and three years' internment.

He was arrested in 1979 and held for investigation on charges of "anti-state agitation and propaganda". He was accused of having criticized the Albanian political system in conversations with friends and also of having referred to strikes by prisoners in Spac. He denied the charges against him.

He refused to sign a confession and is reported to have been beaten with a rubber truncheon during interrogation. At his trial, he was charged with being an opponent of the government and with having a politically undesirable past. The trial was open, but he was not granted a legal adviser.

He was sent to serve his prison sentence in Spac labour camp and was afterwards interned on the Cape of Rodon.

Theodosios Lekas

He is in Spac labour camp serving a sentence of 25 years' imprisonment imposed in 1978.

Born in 1920 in the village of Giline, Gjirokaster district, he is an ethnic Greek. In 1951 he and his wife and children were deported to Gjonas, in Lushnje district in central Albania, after he had apparently expressed pro-Greek sentiments. In the following years the family was successively interned in the villages of Halilaj, Kolonje and Rrapeze, in Lushnje.

The following account comes from his two sons, who fled to Greece in 1982: He was arrested in January 1978 after police had searched his house in Kolonje and confiscated a religious book and family photographs. He was detained in Lushnje for investigation on charges of "anti-state agitation and propaganda".

On 30 May 1978 he was tried by the district court of Lushnje; the trial was open. He was said then to have been in poor health, and to have suffered a severe loss in weight.

He was reportedly accused of having commented on Albania's rift with China and of having stated that Greece and Yugoslavia could profit territorially from Albania's difficulties. He appears also to have been charged with assisting Greek armed forces during the Second World War by showing them routes in the area. The court sentenced him to 25 years' imprisonment and he was sent to Spac labour camp.

Vanghelis Kazandzis

A former medical student, born in Athens in 1949, he was sentenced in 1979 to nine years' imprisonment but was pardoned and allowed to return to Greece in 1981. His account of events is as follows.

He crossed the border into Albania in October 1972 in order to avoid conscription under the military regime in Greece. He presented himself to the Albanian border guards and was taken to Sarande police station, where he was interrogated and held for over a month but was not ill-treated. In November 1972 he was sent to work in the state agricultural enterprise in the village of Clirim near Fier.

He was arrested on 19 July 1979, apparently because the authorities suspected that he wished to return to Greece. They charged him with "anti-state agitation and propaganda" and he was held in Fier police station for 13 months, pending trial.

He shared a ground floor cell with several other prisoners. It was clean but damp. Detainees slept on boards and had blankets but no mattress. They were given very little food. Although he was not systematically ill-treated, he was beaten on a number of occasions during interrogations and the screws on his handcuffs were tightened to cause pain. In this way he was induced to sign a "confession".

No legal adviser

On 18 August 1980 he was tried by the district court of Fier. The trial was open, but he was not granted a legal adviser. He was charged with having criticized the Albanian political system and with having watched a Yugoslav television program—in fact, a televised football game—containing anti-Albanian propaganda.

Several villagers from Clirim gave evidence against him. They are said to have contradicted themselves and one of the witnesses was allegedly drunk at the time.

When Vanghelis Kazandzis protested that he had not been shown the full materials on his case, as was his right by law, the procurator reprimanded him and accused him of trying to slander socialist justice. He was found guilty and sentenced to nine years' imprisonment.

After the trial he was returned to Fier for a month, then transferred to Tirane prison, where he was detained in a room together with some 60 other political prisoners. At the end of November 1980 he was sent to Ballsh camp's section for foreigners (309/3), where he shared a barracks with some 30 other prisoners. In October 1981 he was pardoned and allowed to return to Greece.

Ram Sejda

Originally a Yugoslav citizen (he was born in Kosovo in 1927), he was administratively interned for more than 11 years and later tried and imprisoned for five years.

Ram Sejda emigrated legally to Albania in 1964 to join relatives there. He was initially employed in construction work, and then either in 1965 or early 1966 he, his mother

and brother were interned in the village of Bilce, close to Berat; here he worked as an agricultural labourer.

The three eventually applied to the authorities for permission to return to Yugoslavia, but for a number of years received no satisfactory response.

In December 1977 they went to Tirane without first getting official permission to leave their place of internment—they went to the capital in the hope of pressing their request for permission to return to Yugoslavia.

While they were at the Ministry of the Interior in Tirane police arrested Ram Sejda and his brother and took them back to Berat.

Ram Sejda, who was held in solitary confinement in Berat during investigation proceedings, was taken to hospital and forcibly fed after he had gone on hunger-strike for 45 days. He was apparently repeatedly asked by investigators to confess that he had criticized Albania and its leader, Enver Hoxha, and that he had spread propaganda in favour of Yugoslavia and listened to that country's *Radio Pristina*. He was also accused of having been in contact with people who had conspired against the state. He denied all these charges.

He alleged that he had been beaten during interrogation, and that the screws of his handcuffs were deliberately tightened in order to inflict pain.

At his trial in 1978 he was charged with "anti-state agitation and propaganda". Three witnesses gave evidence against him—one was a political prisoner of Yugoslav origin who was serving a 20-year sentence in Ballsh labour camp. Ram Sejda was found guilty and sentenced to five years' imprisonment. (His brother reportedly received a 10-month prison sentence for travelling to Tirane without official permission.)

After conviction, Ram Sejda was detained in Berat and then, in June 1978, sent to Ballsh labour camp 309/3 for foreigners. He was released under the amnesty of November 1982, three weeks before the expiry of his sentence. In March 1983 he was allowed to return to Yugoslavia.

This briefing is based on Amnesty International's report *Albania: political imprisonment and the law*, published on 12 December 1984, price £2. The report and this briefing (in English and Spanish, 60p a copy) are available from your local section or from Amnesty International Publications, 1 Easton Street, London WC1X 8DJ, United Kingdom.

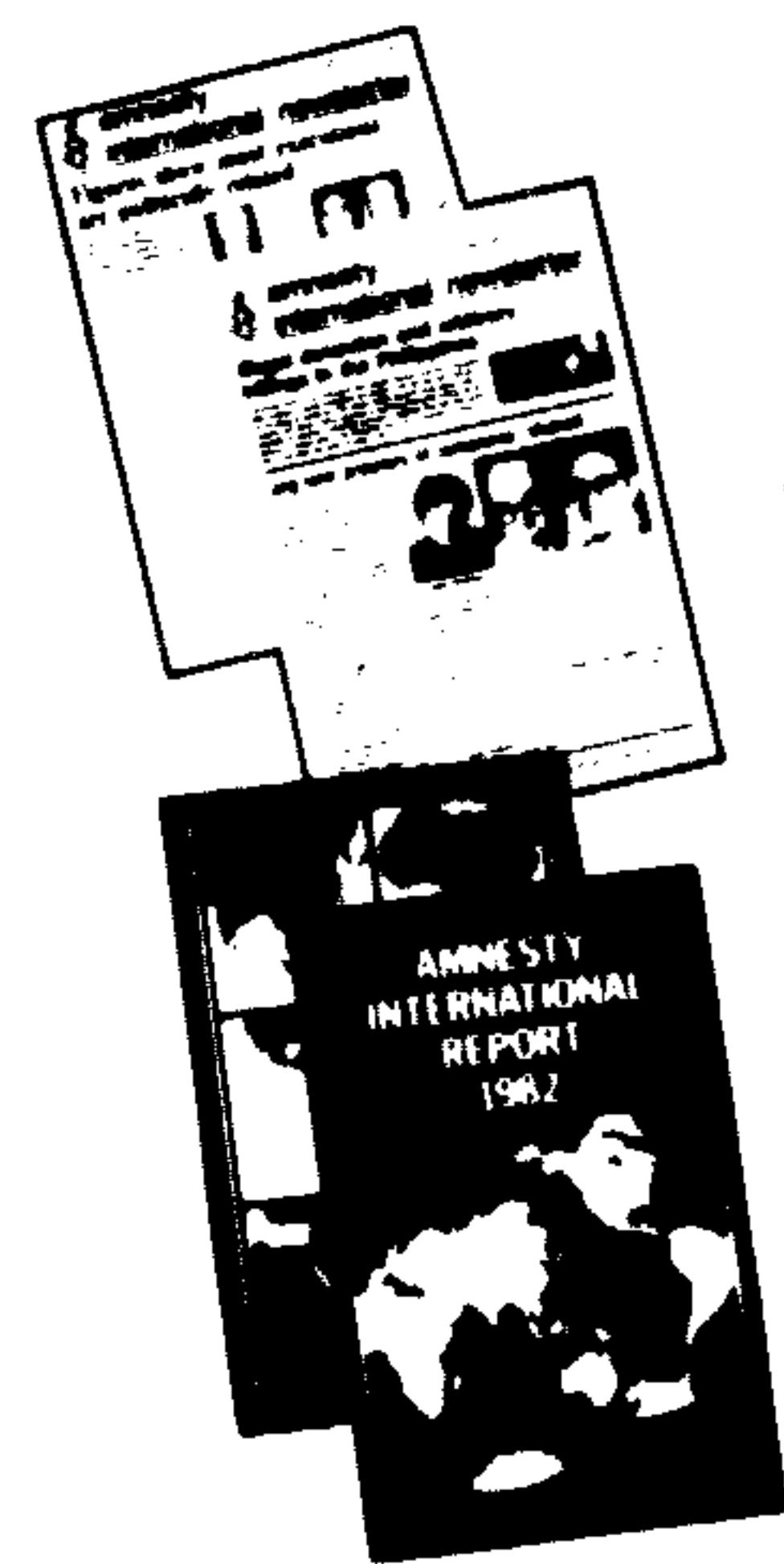
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