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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL  
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ECONOMIC AND SOCIAL COUNCIL  
Second regular session of 1990  
Agenda items 6 and 7

Letter dated 3 August 1990 from the Permanent Representative of  
Albania to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the announcement on the decrees of the People's Assembly of the People's Socialist Republic of Albania on the further development of the economic and social life of the country, approved on 31 July 1990 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 12, 82, and 103 of the provisional agenda, and of the Economic and Social Council at its second regular session of 1990, under agenda items 6 and 7, and brought to the attention of the Commission on Human Rights as well as to the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

(Signed) Bashkim PITARKA  
Permanent Representative  
of the People's Socialist  
Republic of Albania to  
the United Nations

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\* A/45/150 and Corr.1.

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ANNEX

Decrees of the Presidium of the People's Assembly of the People's Socialist Republic of Albania on the further development of the economic and social life of the country, approved at Tirana on 31 July 1990

The Presidium of the People's Assembly of the People's Socialist Republic of Albania, convened under the Presidency of Comrade Ramiz Alia, approved, among others, two important decrees regarding the further broadening and materialization of the relations of the economic co-operation of Albania with foreign countries, by applying other and more advanced forms of co-operation and granting the necessary legal guarantees to the foreign partners in this co-operation.

In the decree on the protection of foreign investments in the People's Socialist Republic of Albania, it is said that, in the territory of the People's Socialist Republic of Albania, foreign enterprises, firms or individuals or Albanians residing abroad can make investments or carry out related economic activities in accordance with the legislation regulating these activities.

Foreign investments in the territory of the People's Socialist Republic of Albania, the decree says, are fully protected and secured. These investments are not expropriated or nationalized and will not be subject to any other measure similar to the expropriation or nationalization, except in specific cases for public purposes and always against payment for respective remuneration.

The Decree says that foreign enterprises, firms or individuals, whose investments suffer losses in the territory of the People's Socialist Republic of Albania because of war, state of emergency, as well as natural calamities, such as earthquakes and floods, will be treated in the same way as local enterprises concerning compensation, remuneration, etc. The People's Socialist Republic of Albania, it says further on, will make public all the laws, regulations and procedures regarding the investments.

In the Decree on the economic activities of the enterprises with the participation of the foreign capital in the People's Socialist Republic of Albania, it is pointed out that in Albania enterprises with participation of foreign capital can carry out their economic activity in various sectors of the economy, in accordance with the objectives defined in the plans of the current and prospective development of the country's economy.

The aim for setting these enterprises, the Decree says, is the modernization of the existing projects or the setting up of new projects with advanced technology which are involved in the extraction and processing of the country's raw materials, the increase of exports or the reduction of imports, the increase of the range of mass consumer goods, the creation of new workplaces, the introduction of modern methods of organization and management of production and public services, etc. The economic activity of the enterprise and the investments of the foreign persons in it are protected by the State, which guarantees them the same conditions as those of the Albanian juridical persons.

The Decree also says that the authorization for reaching a contract or its change is given by the Council of Ministers of the People's Socialist Republic of Albania, upon the request of the Albanian juridical person, through the Ministry covering the field in which the enterprise will extend its activity. In the field of banking activity the authorization is given by the Albanian State Bank.

The application for authorization, the Decree says, should comprise the name of the enterprise, the centre of the activity, data regarding the foreign persons, the aim of the activity of the enterprise, the subjects and forms of the enterprise, the complete study, which should also include the technical and the economic analysis of the activity of the enterprise. The authorization is given for a period of time up to 10 years and the application for the prolongation of the term is done a year before the validity of the authorization in force expires.

Further on the Decree says that the enterprise is financed in leks and foreign currency and opens up its own account in hard currency at the Albanian State Bank. This account can also be opened at a foreign bank in agreement with the Albanian State Bank. The foreign person has the right to transfer abroad his share of the profit.

The Decree says that the enterprise has the right to receive credits in foreign currency from the Albanian State Bank. It may get such a credit even from a foreign bank, in agreement with the Albanian State Bank. The Decree also stresses that the enterprise is obliged to keep the books according to the regulations determined by the Albanian competent State organs. Upon the request of the competent organs of taxation, it will annually provide information on the book-keeping and economic activity exercised by it.

This meeting of the Presidium of the People's Assembly adopted also the Decree on meetings, gatherings and manifestations of the citizens in public places. This Decree is issued as an implementation of article 53 of the Constitution, which envisages the right of the citizens for meetings, gatherings and public manifestations.

The Decree also sets out that gatherings, meetings or manifestations where appeals to rebel against the constitutional order are launched, where calls are made for committing penal acts or violations to the law, where the violation of the relations with other countries is aimed at, are banned. The Decree emphasizes that the participants at these activities are not allowed to keep weapons as well as posters, emblems, symbols and other figurative objects with an anti-popular, fascist or racist content, which arouse national hatred. It also points out the regulations for the dispersal of the participants in such activities in public places, when they constitute an infringement to this Decree or the legislation in force.

The provisions of this Decree provide for the organization of the meetings, gatherings and manifestations in public places in compliance with the law.

The Decree predicts the possibility of conducting the above activities only after being preliminarily reported by their organizers to the competent State organ. This information should reveal the aim of the activity, the number of participants, the time and the place where it will be held, etc.

The Decree envisages also sanctions against the persons violating its regulations.

The above Decree will be published in the coming issue of the "Official Gazette".

Likewise, at the same meeting, the Presidium of the People's Assembly of the People's Socialist Republic of Albania decided to forward to the eighth session of the 11th legislature of the People's Assembly, the proposal for the creation of a special commission to look into the need for making changes to the existing Constitution, as well as to determine the way and timetable for the realization of corrections or complements needed to be made to it, in conformity with the developments that have occurred in our country from 1976, when the Constitution was adopted, until now.

Finally, the Presidium of the People's Assembly decided to create a special commission to prepare the law on the elections to the People's Assembly and to forward it for deliberation and approval to the eighth session of the 11th legislature of the People's Assembly, due to be convened at the beginning of October 1990.

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