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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 17 February 1990 from the Chargé d'affaires of the
Permanent Mission of the Socialist People's Republic of Albania
to the United Nations Office at Geneva addressed to the
Chairman of the Commission on Human Rights

I have the honour to append information which I would kindly request you
to have circulated as an official document of the Commission on Human Rights,
under item 12 of the agenda for its forty-sixth session.

(Signed) Alfred Papuçiu
Chargé d'affaires

Annex

A. Legal protection in the Socialist People's Republic of Albania

1. The Constitution guarantees the protection of the individual in all its aspects. Specific provisions of the Criminal Code establish as a punishable offence any action directed against the life, health or dignity of the individual. The courts and the Chambre d'accusation, in applying the same rules for all, investigate each case in complete objectivity, in the fullest and most detailed manner possible, in order to protect every citizen against unjust prosecution or conviction and to determine the responsibility of the person genuinely guilty. Similarly, as regards the process of pre-trial investigation, the Code of Criminal Procedure categorically stipulates that "in the course of the investigation, the use of physical or psychological violence or other measures of the same kind are prohibited" (art. 7).

2. The Ninth Plenum of the Central Committee of the Labour Party of Albania, which met on 22 and 23 January 1990, considered, inter alia, the question of the further improvement of the legislation of the Socialist People's Republic of Albania. The full text of a decision taken in this connection is reproduced below:

"III. Let us perfect socialist legislation

In this area, the achievements are already well known. Our legislation is fully constitutional, democratic and popular. Our laws, in their content and their application, express the interests of the people.

Taking as its starting-point the need to improve this legislation still further in conformity with the improvement of the cultural level, conscience and legal training of the workers, the Ninth Plenum recommended the following measures:

(1) Measures should be devised to guarantee for citizens protection under the law, both during investigations and during the trial, in each case, at their request, in accordance with the rights recognized by the Constitution;

(2) The institution of legal and juridical rehabilitation and conditional pre-term release should be studied and implemented as forms of the application of justice, for a number of categories of ordinary offences and for convicted prisoners who later show evidence of good conduct within society;

(3) It should be recommended to the organs of State that, because of the broadening of the State's activity, the more difficult codification of legal activity and so on, it would be advisable to re-establish the Ministry of Law;

(4) The Village, City and City District Courts Act should be revised and improved, the courts being classified as social organizations that do not have the right to pronounce sentences of a criminal nature;

All these questions must be prepared for the next meeting of the People's Assembly."

B. Travel by foreign visitors and tourists in Albania and Albanians abroad

3. In recent years, tourism has grown steadily in Albania. In 1989 alone, 14,435 persons from various countries stayed in Albania as tourists. The number of tourists from neighbouring countries increased appreciably: 3,830 were Greek, and there were 633 from Yugoslavia in 1989.

4. Apart from tourists, many visitors with close relatives in Albania stayed in our country and many Albanian citizens visited their close relatives living abroad.

5. During the past year, 24 persons received a Yugoslav visa. The Yugoslav authorities refused entry visas to 610 persons. In the same period, the same authorities permitted 157 Yugoslav citizens to visit Albania, including 22 from Kosovo.

6. Travel by visitors from Greece, another neighbouring country, has grown in recent years: in 1989, 744 Greek visitors stayed in Albania and 643 Albanians travelled to Greece.

7. On 17 January 1990, in the town of Korçë (Albania), a regular passenger coach service between Korçë and Istanbul was inaugurated. This service will operate under the road transport agreement signed by the Socialist People's Republic of Albania and the Republic of Turkey. It will carry passengers and tourists from Albania to Turkey and in the opposite direction.

8. There have also been exchanges of visitors with other countries. In 1989, 1,600 foreign visitors came to Albania and 1,400 Albanians travelled abroad.

C. Alleged imprisonment of former church members

9. With regard to the allegations contained in the annex to the communication of 3 October 1988 from Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur, to the effect that former Bishop Nikolla Troshani and 13 former priests and church members mentioned by name had been imprisoned for religious reasons, we repeat that at present none of these persons is being held in Albanian prisons and that none of them has been convicted for purely religious reasons.
