

ALBANIA

Date of admission to UN: 14 December 1955.

TREATIES AND REPORTS TO TREATY BODIES

Land and People: Albania has not submitted a core document for use by the treaty bodies.

Economic, Social and Cultural Rights

Acceded: 4 October 1991.

Albania's initial report was due 30 June 1994.

Civil and Political Rights

Acceded: 4 October 1991.

Albania's initial report was due 3 January 1993.

Racial Discrimination

Acceded: 11 May 1994.

Albania's initial and second periodic reports were due 10 June 1995 and 1997 respectively.

Discrimination against Women

Acceded: 11 May 1994.

Albania's initial report was due 10 June 1995.

Torture

Acceded: 11 May 1994.

Albania's initial report was due 9 June 1995.

Rights of the Child

Signed: 26 January 1990; ratified: 27 February 1992.

Albania's initial report was due 27 March 1994.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4, paras 4 and 7; E/CN.4/1997/4/Add.1, Decision 20)

The Working Group (WG) submitted information to the government concerning four new cases but received no reply to these communications.

Decision 20 (1996) concerned four members of the Albanian Socialist Party and sympathizers of the former communist regime, who were arrested in September 1995 for having distributed pamphlets bearing the slogan "Down with the United States". Authorities described the pamphlets as anti-American, anti-national and anti-constitutional. The four were to be tried under article 225 of the Penal Code on the charge of "distributing anti-constitutional publications", an offence which carries a three-year prison sentence. The information received indicated that the pamphlets did not advocate violence. All four were found guilty of anti-constitutional activity. Sentences ranged from two to four years' imprisonment with 18 months of each sentence suspended. The WG declared the detentions to be arbitrary.

Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1997/31, Sections II, III)

The report notes that the Special Rapporteur (SR) has requested an invitation to visit Albania. The report also notes that cases were transmitted to the government related to the arrest of an editor and reporter for publishing state secrets. The reporter was also accused of "slander and publication of

fallacious data". The report notes that neither the editor nor the reporter were charged or formally released. The government responded that both were eventually acquitted by the Court of Cassation as well as pardoned by the President.

Independence of judges and lawyers, Special Rapporteur on the: (E/CN.4/1997/32, paras. 10, 52-55)

The report refers to allegations previously transmitted to the government related to an action in Parliament to strip the Chairman of the Court of Cassation of his immunity. The government responded that the removal of the immunity of the Chairman and the approval of penal proceedings against him had been made in accordance with article 6 of Law No. 7561 dated 29 April 1992. The report notes that the Constitutional Court ruled on 14 February 1996 that the dismissal was legal because the Chairman had committed a serious criminal offence and that the unconstitutionality of the Chairman's actions, specifically, suspending the execution of certain decisions, was sufficient to constitute a serious criminal offence. The Special Rapporteur noted that no criminal charges were brought against the Chairman and stated that suspending the execution of certain decisions would appear to fall within the normal duties of an appellate court and cannot be considered a criminal offense. The report cites information indicating that the Chairman was removed in order to subordinate the Court to the executive, and that the government had falsified the parliamentary vote to do so.

The report welcomes information indicating that Parliament passed a law in July 1996 to establish a government-subsidized magistrate's school to ensure the professional training of judges and prosecutors. The school will include in its programme mandatory initial training of candidates for magistrate positions, as well as the continuing education of magistrates.

Religious intolerance, Special Rapporteur on: (E/CN.4/1997/91, paras. 9, 17, 23, 26, 41, 66; A/52/477, paras. 21, 25, 33, 37, 46)

The reports refer to violations of religious freedom against Christianity and the question of the restitution of goods and properties to religious communities. Reference is also made to communications sent to the government related to conscientious objection to military service and the fact that legislation does not provide for alternative service or other forms of unarmed national service. In the absence of such legislation, the report notes that conscientious objectors may be subject to judicial proceedings, fines and imprisonment. The Special Rapporteur stated that the granting of an exception from military service in return for monetary payment is a discriminatory measure.

Mechanisms and Reports of the Sub-Commission

States of emergency, Special Rapporteur on: (E/CN.4/Sub.2/1997/19/Add.1, Section I)

The report notes that a state of emergency was proclaimed on 2 March 1997.

SECURITY COUNCIL

In resolutions adopted, (S/RES/1101, 28 March 1997; S/RES/1114, 19 June 1997) the Security Council, *inter alia*: reiterated deep concern over the deteriorating situation in